

# Pecyn Dogfennau Cyhoeddus

Penallta House,  
Tredomen Park,  
Ystrad Mynach,  
Hengoed CF82 7PG

Ty Penallta,  
Parc Tredomen,  
Ystrad Mynach,  
Hengoed CF82 7PG



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Am unrhyw ymholiad yn ymwneud â'r agenda hwn cysylltwch â Rebecca Barrett  
(Rhif Ffôn: 01443 864245 E-bost: barrerm@caerphilly.gov.uk)

**Dyddiad: Dydd Mercher, 22 Mawrth 2017**

Annwyl Syr/Fadam,

Bydd cyfarfod **Pwyllgor Craffu Adfywio a'r Amgylchedd** yn cael ei gynnal yn **Ystafell Sirhywi, Tŷ Penallta, Tredomen, Ystrad Mynach** am **Dydd Mawrth, 28ain Mawrth, 2017** ar **5.30 pm** i ystyried materion a gynhwysir yn yr agenda canlynol.

Yr eiddoch yn gywir,

CHRIS BURNS  
YR EIDDOCH YN GYWIR

## AGENDA

Tudalennau

- 1 I dderbyn ymddiheuriadau am absenoldeb.
- 2 Datganiadau o Ddiddordeb.

Atgoffi'r Cyngorwyr a Swyddogion o'u cyfrifoldeb personol i ddatgan unrhyw fuddiannau personol a/neu niweidiol mewn perthynas ag unrhyw eitem o fusnes ar yr agenda hwn yn unol â Deddf Llywodraeth Leol 2000, Cyfansoddiad y Cyngor a'r Cod Ymddygiad ar gyfer Cyngorwyr a Swyddogion.

I gymeradwyo a llofnodi'r cofnodion canlynol:-

- 3 Pwyllgor Craffu Adfywio a'r Amgylchedd a gynhaliwyd ar 14eg Chwefror 2017.

1 - 6

A greener place Man gwyrddach

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



- 4 Ystyried unrhyw fater a gyfeiriwyd at y Pwyllgor hwn yn unol â'r drefn galw i mewn.
- 5 I dderbyn adroddiad llafar gan yr Aelod(au) Cabinet.
- 6 Rhaglen Waith y Dyfodol Pwyllgor Craffu Adfywio a'r Amgylchedd. 7 - 16
- 7 I dderbyn ac ystyried yr adroddiadau\* Cabinet canlynol:-
1. Prosiect "Arloesi a Menter Busnes" - Cais Rhanbarthol ar gyfer Cronfeydd Strwythurol a Buddsoddi UE, ERDF Blaenoriaeth 4 Amcan 4 – 15fed Chwefror 2017.

*\*Os oes aelod o'r Pwyllgor Craffu yn dymuno i unrhyw un o'r adroddiadau Cabinet uchod i gael eu dwyn ymlaen ar gyfer adolygiad yn y cyfarfod, cysylltwch â Rebecca Barrett, 01443 864245, erbyn 10.00 a.m. ar ddydd Llun, 27ain Mawrth 2017.*

I dderbyn ac ystyried yr adroddiadau Craffu canlynol:-

- 8 Cynnal a Chadw Tomenni – Cynllun Gweithredol. 17 - 38
- 9 Cynllun Dyletswydd Bioamrywiaeth Caerffili. 39 - 82

**Cylchrediad:**

Cynghorwyr M.A. Adams, Mrs E.M. Aldworth (Is Gadeirydd), J. Bevan, C.J. Cuss, D.T. Davies (Cadeirydd), N. Dix, C. Elsbury, R.W. Gough, L. Harding, S. Kent, Mrs A. Leonard, Ms P. Leonard, P.A. Marsden, M.J. Prew, Mrs D. Price a Mrs E. Stenner

A Swyddogion Priodol



## REGENERATION AND ENVIRONMENT SCRUTINY COMMITTEE

MINUTES OF THE MEETING HELD AT PENALLTA HOUSE, YSTRAD MYNACH ON  
TUESDAY, 14TH FEBRUARY 2017 AT 5.30 P.M.

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### PRESENT:

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

### Councillors:

M.A. Adams, J. Bevan, C.J. Cuss, N. Dix, C. Elsbury, R.W. Gough, L. Harding, S. Kent,  
Mrs A. Leonard, Mrs P. Leonard, P.A. Marsden, Mrs E. Stenner

### Cabinet Members:

N. George (Community and Leisure Services), T.J. Williams (Highways, Transportation and  
Engineering), K. James (Regeneration, Planning and Sustainable Development).

### Together with:

C. Harrhy (Corporate Director - Communities), D. Whetter (Principal Engineer), M. Eedy  
(Finance Manager – Environment Directorate), M. Lloyd (WHQS and Infrastructure Strategy  
Manager), T. McMahon (Community Regeneration Manager), G. Parry (Highway Operations  
Group Manager), E. Sullivan (Scrutiny Officer), L. Lane (Corporate Solicitor) and R. Barrett  
(Committee Services Officer)

### 1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors M.J. Prew and Mrs D. Price.

### 2. DECLARATIONS OF INTEREST

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

### 3. MINUTES - 13TH DECEMBER 2016

RESOLVED that the minutes of the Regeneration and Environment Scrutiny  
Committee meeting held on 13th December 2016 (minute nos. 1 - 14) be approved as  
a correct record and signed by the Chair.

#### **4. MINUTES - 19TH DECEMBER 2016**

RESOLVED that the minutes of the Special Regeneration and Environment Scrutiny Committee meeting held on 19th December 2016 (minute nos. 1 - 13) be approved as a correct record and signed by the Chair.

#### **5. CALL-IN PROCEDURE**

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

#### **6. REPORT OF THE CABINET MEMBERS**

The Scrutiny Committee received verbal reports from Councillors T.J. Williams, N. George and Councillor K. James, which had been circulated to Members in advance of the meeting.

Councillor N. George (Cabinet Member for Community and Leisure Services) referred to the debate at a recent Scrutiny Committee meeting surrounding replacement waste container charges and the feasibility of offering second-hand stock at a discounted price. Following a subsequent meeting between the Cabinet Member, the Scrutiny Committee Chair and relevant Officers, it has now been confirmed that these replacement containers will be offered to residents at a cost of £10 each. This limited stock (which is of a refurbished standard) will be offered to residents on a first come first serve basis and the offer will be advertised on the Council's website. In response to a query regarding ownership of household waste containers, it was confirmed that this information would be circulated to Members following the meeting.

The Scrutiny Committee were also informed of the success of Council volunteers at the annual Pride in Your Place Awards, the Caerphilly Adventures Awards and the annual Sport Caerphilly Awards, and were pleased to note these achievements.

The report from Councillor K. James (Cabinet Member for Regeneration, Planning and Sustainable Development) outlined developments within Business Support and Funding (including the opening of the new IG Doors factory at Oakdale Business Park and a new manufacturing investment at Penylan Industrial Estate). The Cabinet Member provided an update in respect of Community Regeneration and outlined grant funding opportunities across of Urban Renewal, Town Centre Management and Countryside and Landscape Services. The report also referred to the high visitor numbers that have been reported across tourism venues, seasonal events and country parks.

Discussion took place regarding the collaborative regional project entitled "Business Enterprise and Innovation", which is due to be considered by Cabinet on 15th February 2017. This opportunity would see the expansion of the Lawns Industrial Estate in Rhymney as the Council's preferred submission for the regional bid. It was confirmed that an update on this matter would be provided when available. A Member also sought information regarding the breakdown of income across individual tourism venues and it was agreed that this information would be circulated following the meeting.

The report from Councillor T.J. Williams (Cabinet Member for Highways, Transportation and Engineering) provided an update on the procurement process for the next Wales and Borders Rail Franchise and the South Wales Metro rail service. The report also outlined enhancement works at Lansbury Park, together with processes that are being used to resource the Council's winter maintenance service in a more effective way.

Members expressed the need for improved rail commuter links (including the extension of local railway lines into Newport) and for the frequency of train routes to be increased. Assurances were given that consideration will be given to these matters when the Council

identifies its priorities for the Metro as part of the Cardiff Capital Region City Deal, and that the Council is continuing to liaise with Network Rail in regards to the signalling works which will allow the Ebbw Vale route to be extended into Newport. Members were encouraged to respond to the public consultation which will be launched shortly to seek views on rail service delivery.

The Cabinet Members were thanked for their reports.

## **7. COMMUNITIES FIRST – VERBAL UPDATE**

It was agreed by the Scrutiny Committee that this item be moved forward on the agenda.

Tina McMahon (Community Regeneration Manager), together with Dave Whetter (Principal Engineer) presented a verbal update on current Welsh Government (WG) developments in relation to the Communities First programme and the potential impact on Communities First funding across the county borough.

Members were advised of the recent announcement from WG that the Communities First programme will be phased out by March 2018, with a new cross-government, all-Wales approach being developed to deal with the root causes of poverty. This decision follows a broad period of engagement with Communities First staff, community members and supporting partners and stakeholders across Wales.

Funding at 70% of current levels will be provided to the Communities First programme until March 2018. Following the cessation of this funding, WG will introduce a range of budgets to support the programme's most effective projects and protect valuable community assets. It is estimated that this will equate to around £1m per annum for each local authority across Wales.

In terms of the impact on the Communities First programme within the county borough, it was explained that the four Caerphilly clusters currently have a combined £2.9m grant allocation and employ 63 staff in total (with 49 of these directly employed by the local authority). A Member queried whether WG will give consideration to population and deprivation factors when awarding budgets in future years. Officers explained that this is currently unclear as there will be a fundamental shift in the approach toward tackling poverty, and that it is very early days in terms of assessing the impact of these changes and how the Well-being of Future Generations (Wales) Act will be incorporated into any new approach.

The impact of these developments on staff morale was acknowledged, and in a response to a Member's query regarding notice periods, Officers outlined the options that would be considered in accordance with the Council's HR policies if a redundancy situation were to arise following the programme end. Discussion also took place regarding a recent lack of Partnership Cluster meetings (comprising of the four Communities First clusters across the county borough) and Officers confirmed that they would encourage the relevant parties to hold a meeting in the near future in view of the announcement from WG.

The Scrutiny Committee thanked the Officers for the update and noted the details of the current position in respect of the Communities First Programme.

## **8. REGENERATION AND ENVIRONMENT SCRUTINY COMMITTEE FORWARD WORK PROGRAMME**

Emma Sullivan (Scrutiny Officer) 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 13th December 2016 and outlines the reports planned for the period

February 2017 to July 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.

It was agreed that a Consultation on Telecommunications Masts report be scheduled for 4th July 2017, and that the Active Travel Integrated Plan be scheduled for 19th September 2017. Additionally, it was agreed that the Annual Summary of Town Centre Management Group Activities be placed on the Members' Portal as an information item and that the title of the Inspection of Coal Tips report scheduled for 28th March 2017 be amended to read "Tips Maintenance – Briefing Note".

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. GWENT POLICE POLICIES PRIORITIES AND RESOURCE REQUIREMENTS ASSOCIATED WITH SPEED AND PARKING ENFORCEMENT - CHIEF CONSTABLE JEFF FARRAR**

The Scrutiny Committee noted that the Chief Constable for Gwent Police (Mr Jeff Farrar) was unable to attend the meeting due to an external operational matter, and it was agreed that the item be withdrawn from the agenda.

### **11. LED LIGHTING FEEDBACK REPORT**

Marcus Lloyd (Deputy Head of Programmes ) and Graham Parry (Highway Operations Group Manager) presented the report, which reviewed the impact of recent investment to replace street lighting stock with LED (light emitting diode) lighting, and sought the views of the Scrutiny Committee on the feedback and outcomes arising from the installation of this new lighting technology.

Members were reminded of the Medium Term Financial Plan (MTFP) proposals for street lighting energy savings of £450k between 2015-16 and 2016-17, with it intended for these to be achieved via a combination of part-night lighting measures and a £980k capital investment in LED replacement gear-tray technology.

There have been significant benefits arising from these changes, particularly in terms of energy reduction, environmental savings and financial savings. The installation of LED replacements achieved £96k up to March 2016, and an additional £190k in energy savings is forecast by the end of March 2017. Further information relating to the impact of these changes was detailed within the report. Any comments and complaints received during the installation process (around 100 over the last 13 months) have been logged and responded to accordingly, and mainly relate to the LED units being either too bright or too dim. Accident figures for night-time collisions for the first six months following installation of the LED gear-trays show a slight increase from the five year average and will be examined further when a full twelve-month set of data becomes available. Local crime figures provided by Gwent Police show no noticeable increase in crime following the installation of LED gear-tray lighting in September 2015.

It was noted that a local resident (Mr Collier) had been due to present his views on the Officer's report and the impact of the street lighting changes, but was subsequently unable to attend the meeting. A letter from Mr Collier was tabled to the Scrutiny Committee in his absence. Members noted the contents of the letter, which included concerns regarding a loss as to the area of luminance projected onto pavements by the new LED street lights (compared to the older sodium lights) and the possible effect on public safety. Officers explained that testing has been carried out on the new lighting within residential estates and that luminance levels are in accordance with the required technical standard. It was agreed that Officers would respond to Mr Collier to address the comments raised in his letter to the Committee.

Discussion took place regarding the street lighting changes and several Members relayed comments received from local residents in regards to the new LED lighting. It was noted that some residents perceive the new lights as being dimmer, whilst others prefer the newer style owing to a resulting reduction in light pollution. Members were encouraged to feed back to Officers any queries or comments regarding the changes, and the Scrutiny Committee acknowledged the level of savings that had been achieved to date. Discussion also took place regarding further funding to continue the LED conversion programme across the Council's remaining street lighting stock and Officers confirmed that future investment strategies are currently being examined.

Following consideration and discussion of the report, it was moved and seconded that the following recommendations be supported. By a show of hands, this was unanimously agreed.

RESOLVED that for the reasons contained in the Officer's report: -

- (i) the impact of the investment in respect of the street lighting changes and the current methods of measuring and monitoring the energy savings for future phases of LED street lighting conversion, be noted;
- (ii) the current approach taken for both light pollution and maintenance aspects when implementing the LED conversions be noted;
- (iii) the data and processing of public responses within the report, and the current processes used when implementing LED street lighting conversion, be noted;
- (iv) it be noted that the current accident and crime figures show no significant change with the introduction of urban LED street lighting and that further data will be required to more accurately assess any possible effects of LED street lighting.

## **12. BUDGET MONITORING REPORT 2016/2017**

Mike Eedy (Finance Manager – Environment Directorate) presented the report, which 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. 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 underspend of £365k, but exclusive of ring-fenced budgets this underspend is increased to £426k. Members were advised that the budget for Community and Leisure Services now includes £800k corporate funding approved by Cabinet on 16th November 2016 to support ongoing financial pressures and overspend in relation to dry recycling treatment.

The Scrutiny Committee were referred to the key underspends and overspends across each service area as contained in the report, with the reasons for any significant variations within individual departments summarised to Members. 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 shortfalls in respect of underachieving income targets for industrial properties and Cwmcarn Visitor Centre, passenger transport, catering breakfast clubs, and the Parks Service.

Discussion took place regarding a shortfall in car park income (£34k), and Officers explained that this income contributes towards the general maintenance of the Council's car parks and capital expenditure investment, and can be a difficult area to forecast. A Member queried whether the underspend within Cemeteries would be utilised for the building of the new cemetery in Caerphilly. Officers explained that the cemetery will be funded via a combination of capital budget and reserve funding sources.

The Scrutiny Committee noted the continuing pressures across Community and Leisure Services, particularly in relation to the dry recycling treatment budget across Waste Management and Cleansing. Members were advised that this is partially due to ongoing cost issues in respect of the recycling and treatment of contaminated waste, and discussion took place on the procurement processes relating to this matter. There have also been overspends in relation to residual waste treatment and civic amenity sites arising from increased waste tonnage, and these are continuing to be closely monitored. There are also challenges across Leisure Services due to the increased combined income target across Leisure Centres, which will also be closely monitored as income generation is subject to variation depending on customer demand

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 7.02 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 28th March 2017, they were signed by the Chair.

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CHAIR





## REGENERATION AND ENVIRONMENT SCRUTINY COMMITTEE – 28TH MARCH 2017

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

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

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### **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. The Forward Work Programmes contribute to the following Well-being Goals within the Well-being of Future Generations Act (Wales) 2016 by ensuring there is an effective scrutiny function and that council policies are scrutinised against the following 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

### **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 14th February 2017. The work programme outlines the reports planned for the period March 2017 to September 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. 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 that by ensuring the scrutiny function is effective when reviewing services and policies and ensure it considers the wellbeing goals.

## **6. EQUALITIES IMPLICATIONS**

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

## **7. FINANCIAL IMPLICATIONS**

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

## **8. PERSONNEL IMPLICATIONS**

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

## **9. CONSULTATIONS**

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

## **10. RECOMMENDATIONS**

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

## **11. REASONS FOR THE RECOMMENDATIONS**

- 11.1 To improve the operation of scrutiny.

## **12. STATUTORY POWER**

- 12.1 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 Harray, 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  
**APPENDIX 1**

<b>Regeneration &amp; Environment Scrutiny Committee Forward Work Programme March 2017 to September 2017</b>			
<b>Meeting Date: 28 March 2017</b>			
<b>Subject</b>	<b>Purpose</b>	<b>Key Issues</b>	<b>Witnesses</b>
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 Harray Tim Stephens
Tips Maintenance – Operational Plan	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

Regeneration & Environment Scrutiny Committee Forward Work Programme  
**APPENDIX 1**

<b>Meeting Date: 23 May 2017</b>			
<b>Subject</b>	<b>Purpose</b>	<b>Key Issues</b>	<b>Witnesses</b>
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
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
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

<b>Meeting Date: 4th July 2017</b>			
<b>Subject</b>	<b>Purpose</b>	<b>Key Issues</b>	<b>Witnesses</b>
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"> <li>• Completion of BIP review and findings/ outcomes.</li> <li>• Next steps in terms of adoption of strategy by the Authority.</li> </ul>	Mark S Williams
Planning Consultation Procedure for Applications that Involve Telecommunication Masts	To consult Scrutiny on the planning consultation procedure for applications that involve telecommunication masts	To consider whether the number of properties consulted and the impact that has on resources is justified, particularly in terms of the level of response.	Tim Stephens

<b>Meeting Date: 19th September 2017</b>			
<b>Subject</b>	<b>Purpose</b>	<b>Key Issues</b>	<b>Witnesses</b>
Active Travel Integrated Plan	To consult scrutiny on the Active Travel Integrated Network Map prior to its submission to Welsh Government.		Terry Shaw

(Key P1,2,3,4 – Priority 1,2,3 or 4)

## Cabinet Forward Work Programme

### APPENDIX 2

29TH MARCH 2017	Key Issues	Service Area
Community Centres – Extension to Flexible Retirement Due to Exceptional Circumstances.	To seek an agreement for an extension to flexible retirement due to exceptional circumstances.	Public Services
Occupational Road Risk Policy  <b>Polisi Risg Ffyrdd Galwedigaethol</b>	To advise Cabinet of the content of the above policy and to recommend formal adoption by the Authority	Public Services
22TH APRIL 2017	Key Issues	Service Area
Newbridge School Specialist Resource Base	The local authority has consulted with a range of stakeholders on the proposal to close the specialist resource base at Newbridge School. Cabinet is required to consider the consultation report and request for a Statutory Notice to be issued in relation to this.	Education
Annual Equalities Report  <b>Adroddiad Cydraddoldeb Blynyddol</b>	The Council has a statutory duty to produce an annual monitoring report on Equalities issues under current legislation. The requirements are very detailed as to what relevant information must be included in the annual monitoring and improvement report.  The information presented is to ensure that the regulatory body involved (the Equalities and Human Rights Commission) is provided with full evidence of the Council's compliance and commitment to the statutory duty.	Public Protection
Visit Wales ERDF Projects - The Monmouthshire And Brecon Canal Adventure Triangle	To outline revisions to the scope of this previously approved project and to seek Cabinet approval of a revised project scope and associated match funding allocation.	Communities
7TH JUNE 2017	Key Issues	Service Area
Risk Management Strategy	This report presents the Council's current Corporate Risk Register and an updated version of the Council's Risk Management Strategy following amendments	Public Protection

## Cabinet Forward Work Programme

### APPENDIX 2

<b>Strategaeth Rheoli Risg</b>	approved by Cabinet.	
Bryn Brithdir, Oakdale Business Park – Renewal of CCBC and WG Joint Venture Agreement  <b>Bryn Brithdir, Parc Busnes Oakdale– Adnewyddu Cytundeb Menter ar y Cyd CBSC a LIC</b>	To seek approval for the terms of the Joint Venture agreement with WG in relation to allocation of rental income received by the Council for Units 1-4 Bryn Brithdir, Oakdale Business Park.	Communities

<b>21ST JUNE 2017</b>	<b>Key Issues</b>	<b>Service Area</b>
Rhymney 3-18 All Through School <b>Rhymni 3 - 18 Ysgol Gydol Oed</b>	To make a final decision on the proposal to establish a Rhymney 3-18 All Through School.	Education
EAS Business Plan <b>Cynllun Busnes GCA</b>	This report presents the South East Wales Education Achievement Service (EAS) Business Plan.	Education
Provisional Outturn for 2016/17. <b>Alldro Dros Dro ar gyfer 2016/17</b>	The report will provide Cabinet with details of the provisional revenue budget outturn for the 2016/17 financial year prior to the annual audit by the Authority's External Auditors Grant Thornton.	Corporate Finance
Cabinet Report – Welsh Language Standards Annual Report 2016-2017 <b>Adroddiad Cabinet – Adroddiad Blynyddol y Safonau Iaith Gymareg 2016-2017</b>	The Council has a statutory duty to produce an annual monitoring report on implementing Welsh Language issues under current legislation.  The information required for 2016-2017 covers four key areas as required under the Welsh Language Standards.	Public Protection



## Cabinet Forward Work Programme

### APPENDIX 2

5TH JULY 2017	Key Issues	Service Area
Final governance of service change report  <b>Llywodraethu terfynol yr adroddiad newid gwasanaethau.</b>	To present the results of the Wales Audit Office review of Caerphilly County Borough Council arrangements for "Good governance when determining significant service changes" and any proposals for Improvement.	Wales Audit Office
Financial Resilience  <b>Adroddiad Hydwythedd Ariannol</b>	To present the Wales Audit Office (WAO) report on its financial resilience assessment of Caerphilly CBC.	Wales Audit Office
19TH JULY 2017	Key Issues	Service Area
Community Infrastructure Levy Projects	Required	Communities
CABINET AS TRUSTEES OF BLACKWOOD MINERS INSTITUTE		
2ND AUGUST 2017	Key Issues	Service Area
Blackwood Miners' Institute progress report and update on 2017/2018 Budget  <b>Adroddiad Datblygiad Sefydliad y Glowyr Coed Duon a Diweddariad Cyllid 2017/2018</b>	To update Cabinet as Trustees on progress against the activity programme and work plan for Blackwood Miners Institute for the current year.	Economic Development
13TH DECEMBER 2017	Key Issues	Service Area
Council Tax Base	The report provides details of the Council Tax base for 2018/19 for tax setting	Corporate

## Cabinet Forward Work Programme

### APPENDIX 2

<b>Sylfaen Treth Y Cyngor</b>	purposes and the collection percentage to be applied.	Finance
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## REGENERATION AND ENVIRONMENT SCRUTINY COMMITTEE – 28TH MARCH 2017

**SUBJECT: TIPS MAINTENANCE – OPERATIONAL PLAN**

**REPORT BY: CORPORATE DIRECTOR - COMMUNITIES**

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### 1. PURPOSE OF REPORT

- 1.1 This report is made in response to a request made the Scrutiny Committee on 1<sup>st</sup> November 2016 for a report outlining the procedures and processes for routine tips maintenance operations within Caerphilly County Borough Council (CCBC).
- 1.2 The views of the Committee are sought on the current operational plan as outlined in the attached appendices.

### 2. SUMMARY

- 2.1 This report has been provided in response to a request made by Scrutiny Committee (1st November 2016), outlining the procedures and processes for routine Tips Maintenance operations within Caerphilly County Borough Council (CCBC). Attached at Appendix 1 is the Tips Maintenance Plan currently used by officers.
- 2.2 This report is to provide members with information for their reference and comments are sought from the Committee as to their appropriateness in fulfilling the Council's statutory duty.

### 3. LINKS TO STRATEGY

- 3.1 The report links directly to the Council's priority to ensure that communities are green and clean places to live and to improve residents' quality of life by maintaining an effective tips inspection and maintenance regime for CCBC owned tip sites.
- 3.2 The report supports the safer theme (S4) of the 'Caerphilly Delivers' in the single integrated plan.
- 3.3 The 'Safe' aspect of Priority 1 in Corporate Priorities 2013-17 is supported this report.
- 3.4 The tips maintenance regime contributes to the following Well-being Goals within the Well-being of Future Generations Act (Wales) 2016:
  - *A resilient Wales*
  - *A Wales of cohesive communities*
  - *A globally responsible Wales*

### 4. THE REPORT

- 4.1 This report provides members with an opportunity to scrutinise the processes and procedures that are in place to maintain and repair CCBC owned tip sites with regards to their appropriateness in fulfilling the Council's statutory duty.

- 4.2 The Mines and Quarries (Tips) Act 1969 makes legal provision for local authorities to carry out inspections, undertake maintenance of tip sites and act if there are instances of instability and imminent danger. This Act does not impose a statutory requirement for routine inspections or give the automatic right of entry to these sites.
- 4.3 The attached Operational Plan (Appendix 1) is divided into a number of broad sections:
- Introduction
    - Tips definitions, Legal basis for Tips Safety and Scope
  - Process
    - Tips risk assessments, Inspection Process and Programme
  - Works Undertaken
  - Future Developments
  - Conclusion
- 4.4 The introduction section provides the definitions of tip sites, the relevant legislation and the extent of tips within the county boundary with differentiation between the 102 that are in the Authority's ownership and the 127 that are privately owned (outside the Authority's inspection regime). An outline is given on the risks presented by the privately owned tips and the limited ability for the authority to intervene reactively, rather than being able to take a pro-active approach.
- 4.5 The Process section covers the risk assessment of the CCBC owned tip sites, the inspection process, the maintenance inspection process/programme and the access to this information via the Tips Portal.
- The frequency of inspection is based on the Tip Risk Rating (low, medium, high and significant) that formed part of the initial assessment of the Council-owned tip sites, which is reviewed and revised with successive inspections. At the time of this report being written all tip inspections were within their due date.
- The changes in risk scoring is also outlined, with the resulting works then assessed and prioritised for funding.
- 4.6 The Works Undertaken section has been separated into two sub-sections of smaller routine activities and larger scale capital projects.
- 4.7 The section on Future Developments provides an outline of the technological improvements that are currently being trialled by CCBC.
- 4.8 The final section is the Conclusion which gives a summary of the salient points.

## 5. WELL-BEING OF FUTURE GENERATIONS

- 5.1 This report contributes to the Well-being Goals. It is consistent with the three of the five ways of working as defined within the sustainable development principle in the Act in that it supports:
- Long term asset management solutions, as the routine inspection of the CCBC owned tip sites, allows for more effective and predictable resource/financial commitment to this function into the future.
  - This routine maintenance of the CCBC owned tip sites is a central part of the CCBC prevention strategy, so reducing the need for larger scale repair operations (with the associated safety risks) required for poorly maintained/ inspected assets.
  - The system of tips inspections & maintenance forms part of a larger network of tip sites throughout the South Wales area (CCBC having been positively reviewed by the Coal Authority), so forming part of an integrated approach towards the maintenance and sustainability of the region's tips network going forward.

## **6. EQUALITIES IMPLICATIONS**

6.1 This report does not have any direct equality implications.

## **7. FINANCIAL IMPLICATIONS**

7.1 The current Tips Maintenance revenue budget is set at £70,000 for 2016-17. This is used to undertake the routine maintenance tasks and minor repairs to the tips sites. This budget is fully utilised on an annual basis.

7.2 The inspections generate a need for capital works. Currently there is a capital budget of £250,000 which is fully expended on an annual basis.

7.3 The prioritisation of works to tips is undertaken utilising a risk matrix methodology. Typical influencing factors included within the scoring include safety, cost, public impact, time implications, flooding possibilities, etc. From the inputs to the matrix an overall priority factor score is calculated which allows prioritisation of the highest risk sites which are funded from either revenue or capital budgets.

## **8. PERSONNEL IMPLICATIONS**

8.1 This report does not have any direct impact on CCBC personnel, though staff involved with the inspection of tip sites could be affected if alternate schedules and methods of working are proposed from this review.

## **9. CONSULTATIONS**

9.1 The Tip Risk Rating and Maintenance regime of the Tips Maintenance Plan has been demonstrated to the Coal Authority who judged it exemplary and demonstrated sound good practice and provided a robust proactive stance.

9.2 All responses from report consultation have been incorporated into this report

## **10. RECOMMENDATIONS**

10.1 Members are asked to consider the content of the briefing note on Tips Maintenance Operational Plan and offer suggestions and comments for officer consideration.

## **11. REASONS FOR THE RECOMMENDATIONS**

11.1 Any comments received from the committee will be considered by officers and any appropriate amendments to the Tips Maintenance Operational Plan will be made.

## **12. STATUTORY POWER**

12.1 Mines and Quarries (Tips) Act 1969.

12.2 Mines & Quarries (Tips) Regulations 1971.

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Cllr D T Davies – Chair of Regeneration and Environmental Scrutiny Committee  
Cllr E Aldworth – Vice Chair of Regeneration and Environmental Scrutiny Committee  
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Trish Reardon – HR Manager  
Anwen Rees – Senior Policy Officer – Equalities and Welsh Language  
Gareth Richards – Highway Management Manager

Appendices:

Appendix 1 Tip Maintenance Operational Plan for CCBC  
Appendix 2 Listing of Council Owned Coal and Spoil Tip Sites with Risk Rating and Inspection Frequency  
Appendix 3 Listing of Privately Owned Coal and Spoil Tips  
Appendix 4 The Current Tip Inspection Template Form (Blank Copy)

## APPENDIX 1

### THE TIP MAINTENANCE OPERATIONAL PLAN IN CAERPHILLY COUNTY BOROUGH



# THE TIP MAINTENANCE PLAN IN CAERPHILLY COUNTY BOROUGH

## 1. Introduction

1.1.1 This report provides an overview of Caerphilly County Borough Council's approach and execution of tips maintenance within the county boundaries. This is done under a set of parameters which determine the criteria under which this function is carried out for the council. These parameters can be outlined under the following headings:

### 1.2 Definitions

1.2.1 The definition of tips can broadly fall into two categories:

- **Coal spoil or spoil tips** – these are primarily constituted from the excess material generated from coal and ore mining activity, this being, largely, the non-productive element excavated as part of these activities. However, coal tips may contain significant quantities of coal which were not extracted as part of the saleable content at the time of operation and may constitute a risk from self combustion if present in sufficient quantity and under the correct conditions. By the nature of their formation many tips are in close proximity to populated areas. Very few are now associated with active mining and are therefore classified as 'disused'.
- **Municipal tips** – these consist of house-hold and non-industrial waste, commonly referred to as 'land-fill', these are usually recent in formation or are still active. The principle council concern for these sites is centred on environmental health and so does not form part of this plan.

### 1.3 Relevant Legislation

1.3.1 In England and Wales primary legislation is contained in general terms by Acts of Parliament which set out the general principles, this is further refined by regulations which explain, extend or amend the parameters of the relevant Acts these being:

- Mines and Quarries (Tips) Act 1969
- Mines & Quarries (Tips) Regulations 1971

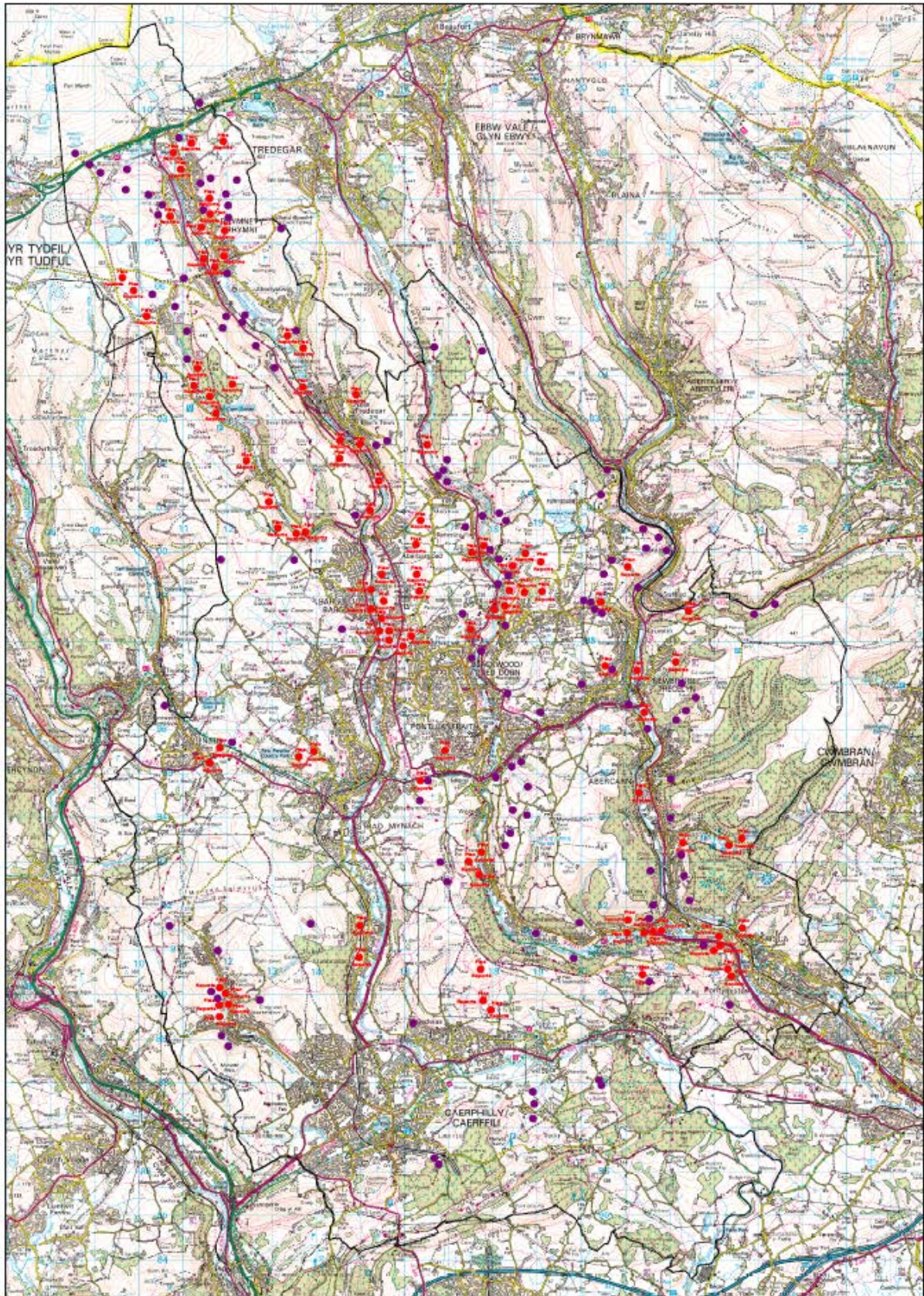
1.3.2 These focus on the spoil heaps and lagoons, they lay down the requirements concerning their stability and safety, in addition Town and Country Planning legislation controls the location, size and restoration requirements of disused tips. These form the basis on which inspections are carried out.

1.3.3 Though the 1969 Act makes legal provision for local authorities to carry out inspections, undertake maintenance of tip sites and act if there are instances of instability and imminent danger, it does not impose a statutory requirement for routine inspections or give the automatic right of entry to these sites.



## 1.4 Existing Position of the Council

- 1.4.1 There are 229 tip sites within CCBC boundaries, of which 102 are in the Authority's ownership (full listing in Appendix 2), the remainder (127) are privately owned (a full listing in Appendix 3). The council owned sites are subject to the 'in house' Tips Maintenance Regime. Tips in private ownership are not inspected by the Authority.



Map above shows the locations of tips within the County boundary – red spots are CCBC responsibility, purple are in private ownership (not currently inspected by CCBC)

- 1.4.2 The fact that a tip appears to be static and to have been so for some time is no guarantee that it will remain so. When the factor of safety falls below a critical point some movement may occur, which, if conditions continue to deteriorate, will accelerate until 'failure'. This is why it is essential that these tips are monitored on a regular basis and proactive maintenance undertaken to ensure their stability. These activities form the focus of this report.
- 1.4.3 The inspection and maintenance of private tips are primarily the responsibility of their respective owners. CCBC has notified all identified owners of their legal obligations, as per the Mines and Quarries (Tips) Act and Regulations. Though the council requires permission from the owner to enter these sites, CCBC can do so if an imminent danger is perceived and urgent action is required to rectify the situation. In these cases the council can then charge the associated costs to the owner(s).

## **2. Process**

- 2.1.1 A robust and auditable tip inspection and maintenance regime was developed during 2011-13, including a review of existing practices. The results from this review formed the base line inspection regime for all of the tips (both CCBC and private). Although as stated previously the private tips are not currently inspected by the Authority.
- 2.1.2 The Tip Risk Rating and Maintenance regime was demonstrated to the Coal Authority (CA) in 2013, who noted the CCBC system was exemplary and demonstrated sound good practice and provides a robust proactive stance.
- 2.1.3 The Tip risk register is supported with documentation demonstrating the methodology which operates behind it and the Tip Portal also acts as a repository for all current and historic tip inspection records, as well as current legislation and good practice.

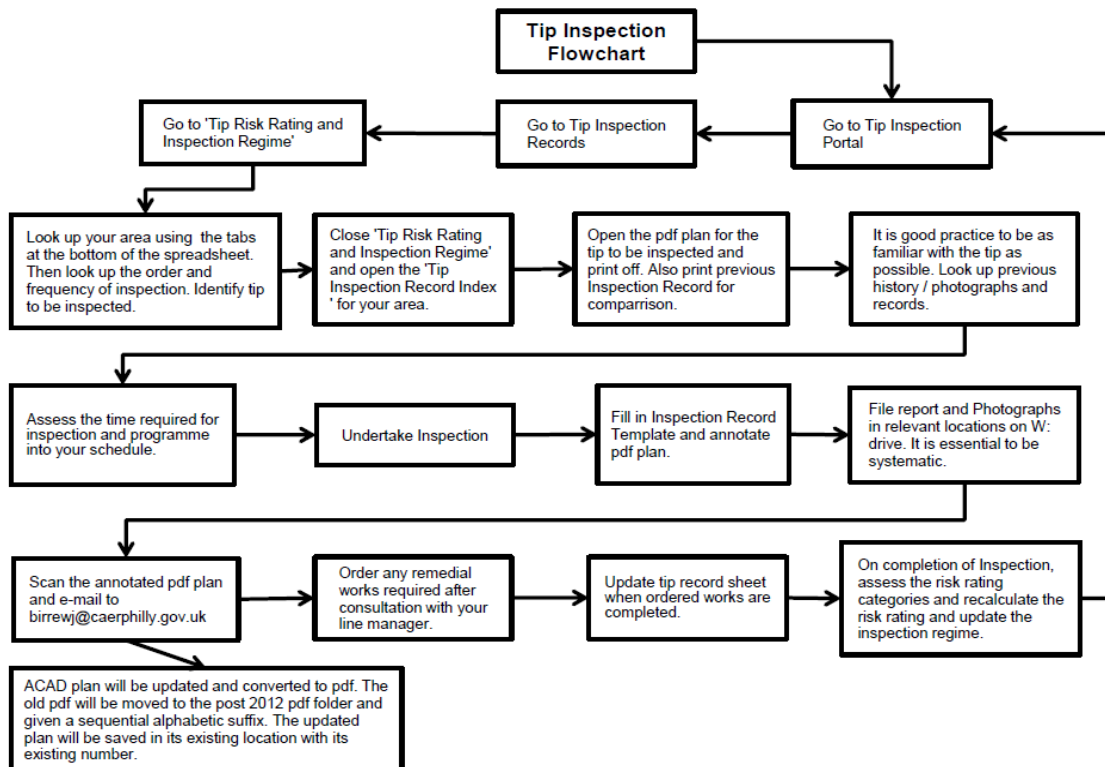
### **2.2 Establishing Tips Maintenance in Caerphilly County**

- 2.2.1 The review process consisted of a series of inspections of each of the sites with a risk assessment exercise formalising the results found. As defects and faults were identified on each site they were recorded and mitigation measures put forward for correction. A scoring matrix allowed categorization of risk ensuring the tips were prioritised from high to low. This exercise was undertaken between 2011 to 2013, with the higher risk sites being reviewed first. This formed the base-line inspection regime required for each of the sites. This information and data constitutes the risk register for all 102 CCBC owned tip sites.

### **2.3 Current Regime**

- 2.3.1 A Tips Maintenance Portal was set up in 2013 and acts as the repository of all data and information for CCBC tips. This contains all the risk assessments, reports, site specific features, inspection records, programmes etc. ; thereby providing a 'one-stop' approach for all tip information and data.
- 2.3.2 Highways inspectors currently carry out all tips inspections, after having undertaken in-house training for tips fault/ failure identification as well as including these sites in their on-site risk assessments and safety procedures.

Below is an example of a flowchart showing how the inspection process is followed by tip inspectors. The process is followed on a cyclic basis for each site.



(A blank copy of the current Tip Inspection Record Template can be found in Appendix 4)

## 2.4 Tips Maintenance Systems

2.4.1 The tip sites are regularly inspected with a frequency dependent on the categorization generated from the Risk Rating Matrix (all the risk scoring and the consequential inspection frequency for CCBC owned sites is shown in Appendix 2). The scoring for these sites can be summarised as follows:

- <4 = Low Risk – indicating a 2 yearly (biennial) inspection
- 4 to 69 = Medium Risk – indicating an annual inspection
- 70 to 299 = High Risk – indicating a 6 monthly inspection
- 300 and up = Significant Risk – immediate or urgent action required

There are no Significant Risk sites, 13 High Risk and 26 Medium Risk tips, the remainder (63) are Low Risk.

2.4.2 The scoring of these assessments is amended following each subsequent inspection, giving each site a 'live' record of their status. This then informs both the prioritised listing of mitigation works that are required and future frequency of inspection.

TIP INSPECTION PROGRAMME							
Tip Number	Tip Name	Location	Date of Inspection DD?MM/YYYY	Revised Frequency of inspections	Revised Date for tip inspection	Time remaining to inspection (in days) Green/Amber - Days remaining Red - Days Overdue	Comments
2	Hengoed Penallta Tips	Penallta Community Park	26/05/2016	1 year	26/05/2017	-99	Concern over erosion on western end of the plateau
94	Llanbradach	Caerphilly Road, Llanbradach	26/05/2016	1 year	26/05/2017	-99	The section of CCBC owned tip is unaccessable due to the overgrowth.
3	Gilfach Britannia Colliery	Bargoed relief road, Gilfach	18/03/2015	2 years	18/03/2017	-30	Maintenance on drainage required.
34	Hengoed	Penallta Road, Penallta	21/04/2016	1 year	21/04/2017	-64	Suspected seepage to be monitored, drainage ditch to be cleared
39	Bargoed	Llewelyn Street, Gilfach	20/04/2016	1 year	20/04/2017	-63	Review erosion on riverbank north of A469 overpass.
208	Bargoed Colliery	Angel Lane, Gilfach	20/04/2016	1 year	20/04/2017	-63	Concern over precast retaining wall ornamental panels in river. Maintenance on drainage required.
83	Pengam Road, Bargoed	Pengam Road, Aberbargoed	14/02/2017	1 year	14/08/2017	-179	Being actively filled in SE corner. Maintenance on drainage required. Drainage works completed 14/11/14 - 30016652
42	Llanbradach Old Colliery	Wingfield Crescent, Llanbradach	14/02/2017	2 years	14/02/2019	-728	Maintenance on drainage required.
4	Bargoed Football Pitch	Andrews Close, Gilfach	14/02/2017	2 years	14/02/2019	-728	0

*An example of a Tips Maintenance Inspection Sheet from Inspection Area 3*

2.4.3 Any changes in the scoring given in the Tip Risk Rating (which is affected by the condition of the site) and the additional summary comments (given on the Inspection Regime section and Tips Inspection Programme - example seen above), are then reviewed to confirm that the correct inspection frequency is being carried out and that the existing programme of mitigation measures are adequate.

2.4.4 Any issues that are identified as being outside the routine maintenance programme are then risk assessed as candidates for more involved works and the associated funding, this being capital funding for larger scale schemes.

## 2.5 Access to the System

2.5.1 The Tips Portal is the entry point into this aspect of Engineering Services, with all the historical and live documentation held in this one repository. Access is restricted to authorised officers only to allow selective editing to existing records and information to maintain the integrity of the system.

## 3. Works Under-taken

3.1.1 There are many factors which may result in instability of a tip and these factors are considered as part of the risk rating procedure. This in turn allows the Authority to be proactive in assessing the risks to individual sites and actively manage those factors which are, or may become, issues.

### 3.2 Maintenance Activities

3.2.1 Water is by far the most likely cause of instability within, or on, tips. Tips can be sited on springs or across water courses that can destabilise particular areas or the foundation of the tip. Additionally, the lack of finer grain substrate (soils/ clays etc.) means that erosion can more easily take place along any naturally formed drainage channels. For these reasons close attention must be given to all drainage and ground conditions in the vicinity of a tip. It is therefore essential that any proactive management of CCBC tips include:-

- Ditch reinstatement (vegetation removal, re-profiling of ditch cross-section etc.)

- Drainage improvements
- Relining of open drainage channels
- Dredging settlement ponds
- Fencing repairs
- Slope re-grading
- Repairing of damage/ vandalism (natural or man-made)

3.2.2 The core of this is carried out as a proactive maintenance service with specific schemes targeted at those high risk sites.



*Site photographs taken on site to demonstrate the effective clearance of a tip concrete drainage channel*

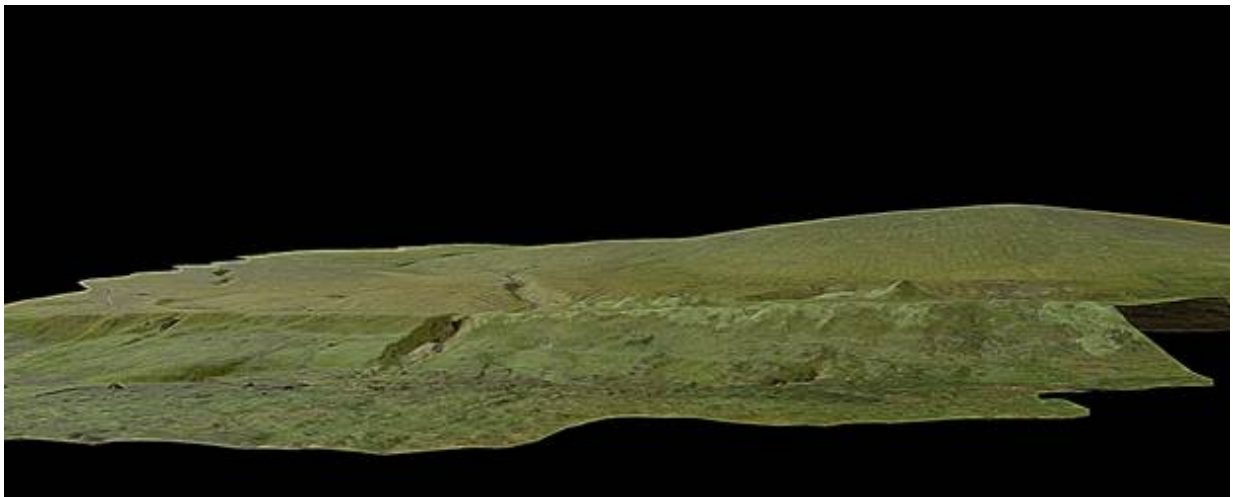
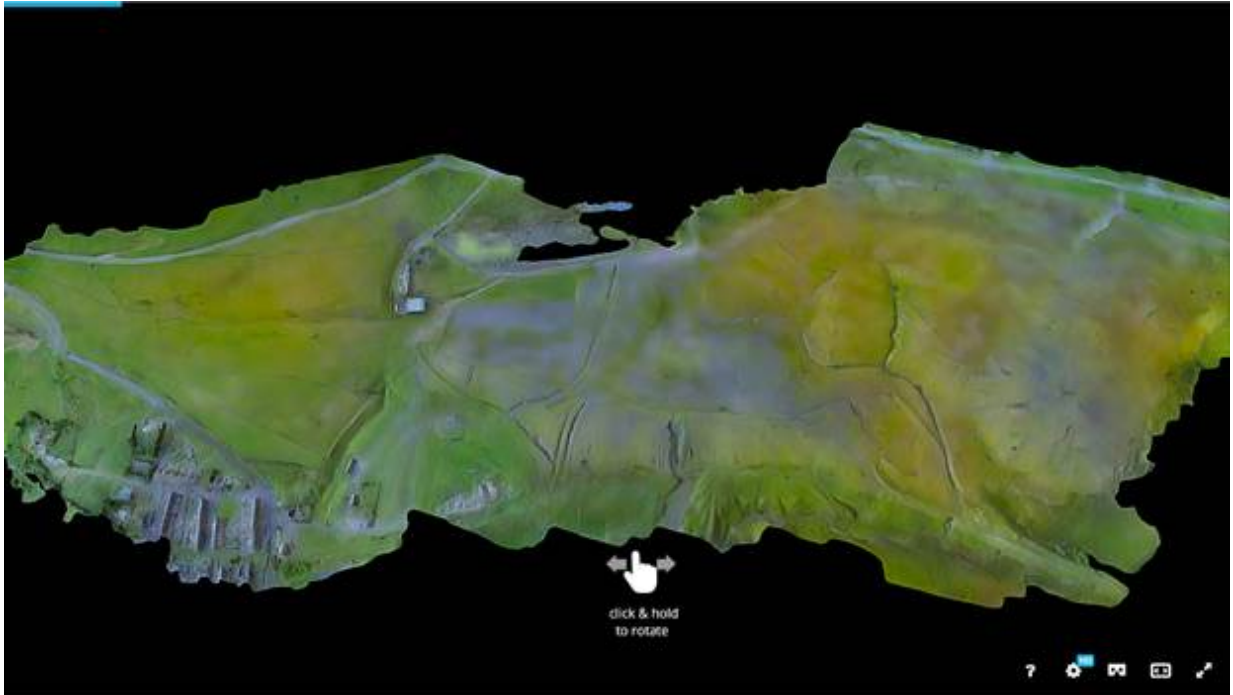
### **3.3 Maintaining and Improving Tip Performance**

3.3.1 The strategy for tip maintenance is to carry out routine and small scale maintenance based on the inspection records and the risk categorization of the tip. For identified higher risk sites which require significant works (constructing or re-establishing concrete channels, large scale perimeter fencing etc.), a capital budget is utilised with the use of both internal and external contractor teams. This ensures long term proactive management of those high risk sites.

## **4. Future Developments**

4.1.1 Technology is constantly developing and as part of a future proactive tip management system regime, certain elements of innovation can be incorporated. Whilst they do not necessarily replace existing systems they can help to reinforce the robust system currently in place, ready examples are:

- the use of mobile devices to record and monitor tips inspections
- the use of aerial drones to remotely inspect sites with the ability to compare surveys on an annual basis to detect any long-term defects or movements



*Examples of 3-D Modelling produced from a drone survey at the Fochriw tip site in 2016*

## 5. Conclusion

- 5.1.1 In summary the tip sites in CCBC can be initially categorised as CCBC owned and privately owned. The former are risk assessed, inspected and maintained by Highway Operations; and the principle responsibility for the latter is with the owner(s).
- 5.1.2 The system adopted by CCBC for tips maintenance has been established since 2013 and has been positively reviewed by the Coal Authority. This process has evaluated the risk rating on each of the CCBC owned sites to determine inspection frequency and required mitigation works. The ongoing inspection regime on these sites ensures that issues are identified early enough for remedial action to be taken and consideration can be given to potentially larger scale works that may require a capital investment in the medium to longer term.
- 5.1.3 Good practice and innovation are central to this aspect of Highway Operations and steps continue to be taken to improve and develop more effective ways of carrying these tasks out.

## **APPENDIX 2 - A LISTING OF CCBC OWNED COAL AND SPOIL TIPS IN CCBC**

### **List of CCBC Owned Tips Allocated to Area 1**

<b>Tip No.</b>	<b>Title/ Location</b>	<b>Risk Rating*</b>	<b>Inspection Frequency</b>
28	Rhymney opp. Hymac	205	6 months
69	West Paddy's Pond	5	1 year
64	Twyn Carno	-67	2 years
70	Paddy's Pond	-59	2 years
26	Fochriw Level	253	6 months
15	Tunnel Pit, Fochriw	253	6 months
74	Sebastopol	56	1 year
75	Sebastopol	37	1 year
61	Ras Brynoer	56	1 year
60	West of Pentre	37	1 year
14	Tunnel Pit, Fochriw	253	6 months
25	Maerdy Crossing	141	6 months
55	Tan-y-Bryn	-99	2 years
59	North of Pentre	-35	2 years
27	Pontlottyn old r/o salt depot	-99	2 years
81	Rhymney	-67	2 years
80B	R/o Glan Elyrch Tce, Rhymney	-35	2 years

### **List of CCBC Owned Tips Allocated to Area 2**

<b>Tip No.</b>	<b>Title/ Location</b>	<b>Risk Rating*</b>	<b>Inspection Frequency</b>
131	Cwmgelli	-67	2 years
132	Britannia Colliery Row	-3	2 years
130	The Rock	-16	2 years
134	Markham opp. Old Colliery	-3	2 years
139	Britannia Industrial Estate	-27	2 years
200	The Bryn Pontllanfraith	0	2 years
207	Britania Gilfach	36	1 year
122	Argoed Colliery	-27	2 years
124	Argoed	-35	2 years
125	Argoed	-27	2 years
133	Britannia Barn Hill	-3	2 years
197	Bedwellty	5	1 year
102	South Twynllan, Aberbargoed	20	1 year
112	Bedwellty Church	84	6 months
201	Aberbargoed Ffynon Wen	16	1 year

### List of CCBC Owned Tips Allocated to Area 3

Tip No.	Title/ Location	Risk Rating*	Inspection Frequency
2	Hengoed Penallta Tips	16	1 year
94	Llanbradach	5	1 year
3	Gilfach Britannia Colliery	-16	2 years
34	Hengoed	61	1 year
39	Bargoed	37	1 year
208	Bargoed Colliery	69	1 year
83	Pengam Road, Bargoed	37	1 year
42	Llanbradach Old Colliery	-32	2 years
4	Bargoed Football Pitch	-35	2 years
18	Brithdir Spion Cop	4	1 year
92	Groesfan, Deri	-32	2 years
209	Bargoed Colliery	-27	2 years
97	Dan-y-Graig Spion Cop	-51	2 years
17	Brithdir riverside	-67	2 years
16	Aberbargoed	-27	2 years

### List of CCBC Owned Tips Allocated to Area 4

Tip No.	Title/ Location	Risk Rating*	Inspection Frequency
128	Oakdale Colliery	-3	2 years
127	Oakdale Colliery, r/o Piggery	69	1 year
165	North Celeynen Aiwa Factory	37	1 year
151	Cwmcarn quarry Forest Drive	-67	2 years
149	Abercarn near Empress	-12	2 years
129	Oakdale Colliery	-67	2 years
191	Nantcarn Valley	-67	2 years
229	Old Treowen	-35	2 years
147	Kendon Hill	37	1 year
163	Pantside	-3	2 years
186	Cwmcarn	-35	2 years
205	Gwrhay Piggery Oakdale	56	1 year
176	Trinant	-99	2 years
167	Newbridge Playing Fields	-67	2 years
172	Hafodyrynys Old Refuse Tip	-3	2 years
202	Blackwood	69	1 year
203	Oakdale Colliery	-67	2 years

### List of CCBC Owned Tips Allocated to Area 5

Tip No.	Title/ Location	Risk Rating*	Inspection Frequency
35	Deri Country Park	29	1 year
20	North of Deri Country Park	13	1 year
40	Deri s/o river (Deri Cottages)	101	6 months
98	Deri (Bailey Street)	141	6 months
41	Deri (Parc Cwm Deri)	-32	2 years
36	Deri Front No.5	-67	2 years
37	Deri (Pen-y-Garreg Farm)	-99	2 years
21	Deri Park	-3	2 years
113	Bedwas Colliery	109	6 months
115	Bedwas Colliery	173	6 months
114	Bedwas Colliery	37	1 year



## List of CCBC Owned Tips Allocated to Area 6

Tip No.	Title/ Location	Risk Rating*	Inspection Frequency
141	Wyllie Colliery	-16	2 years
188	Newton Crosskeys	-12	2 years
86	Penrhiw Warren	-48	2 years
159	Risca above by-pass	0	2 years
158	Risca below by-pass	-35	2 years
184	Fernlea Quarry	0	2 years
140	Ynysddu Wyllie Colliery	-27	2 years
161	Risca above by-pass	0	2 years
194	Buck Farm Risca	0	2 years
195	Buck Farm Risca	-67	2 years
157	Wattsville Industrial Estate	-48	2 years
187	Wattsville Full Moon	-32	2 years
189	Crosskeys Blackvein	-48	2 years
155	Wattsville (r/o steel factory)	-48	2 years
218	Maesycwmmer	-3	2 years
221	Alexandra Road, Ynysddu	-48	2 years

## List of CCBC Owned Tips Allocated to Area 7

Tip No.	Title/ Location	Risk Rating*	Inspection Frequency
56	Abertridwr r/o Windsor Hotel	69	1 year
52	Nelson	37	1 year
57	Abertridwr Culvert	69	1 year
103	Windsor Colliery Abertridwr	37	1 year
111	Windsor Abertridwr	37	1 year
C	Abertridwr Square	69	1 year
48	Nelson opp. Allotments	-8	2 years
22	Pennybane Deri	72	6 months
76	Philipstown	101	6 months
77	Grove Park	-12	2 years
78	Cwmsyfiog New Tredegar	-35	2 years

- \* - Risk Rating
- <4 = Low Risk - 2 Years
  - 4 to 70 = Medium Risk - 1 Year
  - 71 to 300 = High Risk - 6 Months
  - 301+ = Significant Risk - Seek Advice

Gadewir y dudalen hon yn wag yn fwriadol

## **APPENDIX 3 - A LISTING OF PRIVATE COAL AND SPOIL TIPS IN CCBC**

### **List of Private Tips Allocated to Area 1**

<b>Tip No.</b>	<b>Title/ Location</b>
1	Fochriw Opencast
5	Bargoed Deri
6	Gelligaer Common
8	Blaencarno
9	Blaencarno
10	Blaencarno
11	Bryn-Pyllog
12	Bryn-Pyllog
13	Rhas Las Pond
23	Cefyn-Brithdir above Troedrhifwuch
24	Y-Graig Troedrhifwuch
29	Rhymney near Ron Skinner
30	Pontlottyn
44	Penybanc Fochriw
47	Penybanc Deri Country Park
50	Troedrhifwuch
58	Llechryd
62	Bryn Oer Patch
63	Tail level Low
65	Twyn Carno
66	Memorial Park
67	Rhymney Mountain
68	Gnoll Above Football Pitch
71	Maerdy Crossing
72	Pontlottyn
73	Abertysswg
79	Graig Gelliwen New Tredegar
80	High Street, Rhymney
82	Pen-y-Graig, Fochriw
90	Princetown
91	Nant Llesg, Rhymney
93	South of Pontlottyn
95	Pontlottyn
96	Fochriw R/O/Village Hall
101	Cwmsyfiog, New Tredegar
116	Albion Colliery
117	Cwm Tysswg

## **List of Private Tips Allocated to Area 2**

<b>Tip No.</b>	<b>Title/ Location</b>
33	Coed Fedwywaith Hollybush
118	Gelynos, Argoed
119	Argoed Pump House
120	Argoed Pump House
121	Argoed Pump House
123	Gwrhay, Oakdale
126	Argoed
135	Markham Opp. Old Colliery
136	Markham Opp. Old Colliery
137	Markham Opp. Old Colliery
196	Manmoel
198	Markham Colliery
199	Argoed Pump House
204	The Rock Blackwood
206	Argoed Fawr
210	Twyn Filkins
211	Maesrhyddud Shaft, Cwmgelli
212	Rhiw-Syr-Dafydd Quarry
213	Glyndwr Quarry
227	Mill Bridge Quarry, Gelligroes

## **List of Private Tips Allocated to Area 3**

<b>Tip No.</b>	<b>Title/ Location</b>
19	Bargoed Puzzle House
31	Gilfach Bargoed
51	West of Llanbradach

## **List of Private Tips Allocated to Area 4**

<b>Tip No.</b>	<b>Title/ Location</b>
145	Trinant Near Big House
146	Kendon Hill Playing Fields
148	Kendon Hill
150	Cwmcarn Quarry Forest Drive
152	Cwmcarn Quarry
154	Crosskeys Quarry
164	Newbridge Pantside
166	South Celynen Flyover
168	Newbridge Old Colliery (West)
169	Hafod Fach Quarry
170	Hafod Fach
171	Graig Glan Shon Hafodyrynys
174	Hafodyrynys
175	Navigation Crumlin
177	Cwm Dows
178	Ton-yr-Bel

179	Caer Hendy
180	Kendon Hill
181	Kendon Hill Quarry
182	Treowen
192	Jamesville Quarry
193	Rhyswg Quarry
214	Pentwynmawr
223	Aberbeeg
224	Llanhilleth OP Foundry
225	Coed Trinant
226	Penyfan Aberbeeg
228	Trinant Hall

### **List of Private Tips Allocated to Area 5**

<b>Tip No.</b>	<b>Title/ Location</b>
45	Van Scrap Yard
46	Van S/O Railway
107	Tir Jenkins, Rudry
108	Rudry Bog Side Lane
109	Pentwyn
110	Rudry
162	Pontymister

### **List of Private Tips Allocated to Area 6**

<b>Tip No.</b>	<b>Title/ Location</b>
87	Maesycwmmer Golf Course
88	Maesycwmmer Golf Course
138	Mynyddislwyn near Church PH
142	Caerllwyn Quarry opp. Wyllie
143	Cwmfelinfach Country Park
144	Wattsville Country Park
153	Crosskeys
156	Crosskeys Black Vein
160	Risca above By-Pass
185	Risca Craig Carnau Quarry
190	Wattsville
215	Cwm Nant-yr-Odin Quarry
216	Cwmalsie
219	Ty-Cerrig, Wyllie
220	Caerllwyn Ganol Quarry
222	Cefyn Clay Pit, Mynyddislwyn

## **List of Private Tips Allocated to Area 7**

<b>Tip No.</b>	<b>Title/ Location</b>
7	Nelson Colliers Arms
43	Senghenydd Above Saw Mill
49	Penywyn Nelson
53	Senghenydd
54	Senghenydd
84	Ffynon-y-Gwaed, Wyllie
85	Mynydd Bach, Wyllie
89	Gellidawel, Bedwas
99	Mynydd Neis Quarry
100	Abertridwr Quarry
104	Tyn-y-Park Abertridwr
105	Windsor Mountain Abertridwr.

**Appendix 4 - Tips Inspection Report Template and Risk Rating  
MINES AND QUARRIES TIPS ACT 1969 – INSPECTION REPORT  
Caerphilly County Borough Council – Part II: Tips**

OWNERSHIP		COLLIERY:				TIP NUMBER:				INSPECTION CATEGORY RISK RATING			
		NAME OF TIP:				GRID REF:							
WEATHER DURING INSPECTION:		ANY PARTS OF TIP EXCLUDED FROM INSPECTION?				PART ACTIVE/PART DISUSED <input type="checkbox"/>				DISUSED <input type="checkbox"/>			
						DATE OF LAST REPORT: Date <input type="text"/>				DATE OF THIS INSPECTION: Date <input type="text"/>			
BEING RECLAIMED <input type="checkbox"/>		PARTIALLY RECLAIMED <input type="checkbox"/>				FULLY RECLAIMED <input type="checkbox"/>				UNRECLAIMED <input type="checkbox"/>		UNDER TENANCY <input type="checkbox"/>	
Q		No	Yes	N/A	New/ Worse	Q		No	Yes	N/A	New/ Worse		
1	Are Signifiant Earthworks Taking Place?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="text"/>	8	Do Sub-Surface Drains Appear Adequate?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="text"/>		
2	Tip Fire?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="text"/>	9	Any Movement of Foundation of Tip?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="text"/>		
3	Are Lagoon Draw off and Emergency overflow satisfactory?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="text"/>	10	Close to Sensitve Receptor?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="text"/>		
4	Any Seepage From Tip?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="text"/>	11	Any Slumping, Bulging, Cracks or Fissures?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="text"/>		
5	Are Drainage Ditches Adequate and Satisfactory?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="text"/>	12	Any Undercutting or Erosion of Toe or Slopes?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="text"/>		
6	Are Manhole Covers Secure?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="text"/>	13	Is Vegetation Developed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="text"/>		
7	Are Culvert Headwalls Clear?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="text"/>	14	Has The Tip Been Developed / Re-engineered?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="text"/>		
Comments on all entries in Heavy Lined Boxes		<input style="width:100%; height:60px;" type="text"/>											
Details of any Feature Giving Cause For Concern		<input style="width:100%; height:60px;" type="text"/>											
Details of any maintenance or remedial work required:					Date and details of requisition e.g. order no.					Date work was completed / inspected.			
										Date Completed <input style="width:100%;" type="text"/>			
										Date Completed <input style="width:100%;" type="text"/>			
Details of any action taken by Competent Person:													
Signature of Inspecting Competent Person:						Counter signature (Group or Team Manager):							
Position:			Date <input style="width:100%;" type="text"/>			Position:			Date <input style="width:100%;" type="text"/>				

Gadewir y dudalen hon yn wag yn fwriadol





## **REGENERATION AND ENVIRONMENT SCRUTINY COMMITTEE – 28TH MARCH 2017**

**SUBJECT: CAERPHILLY BIODIVERSITY DUTY PLAN**

**REPORT BY: CORPORATE DIRECTOR COMMUNITIES**

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### **1. PURPOSE OF REPORT**

- 1.1 To inform members of the new Biodiversity Duty set out in the Environment Act 2016 and to present a plan setting out how the Council proposes to fulfil its duty. The views of Members are sought on the contents of the plan, and the proposed actions to deliver the duty.

### **2. SUMMARY**

- 2.1 Caerphilly County Borough Council has a legal duty to maintain and enhance biodiversity and in so doing promote the resilience of ecosystems under the Environment (Wales) Act 2016. This plan demonstrates how we will fulfil that duty and will act as a driver for ensuring that all service areas consider biodiversity and actively enhance biodiversity when carrying out their day to day activities.
- 2.2 Caerphilly County Borough has a wealth of biodiversity that characterises the landscape of the valleys and hill tops, and provides the backdrop to the towns and villages within the county borough.
- 2.3 Over the last year, the Welsh Government has introduced a number of new legislative requirements for public bodies and local authorities to comply with, which will change the way we plan and deliver services, putting sustainable development principles at the heart of all public bodies. The Biodiversity Duty Plan not only delivers our statutory duties with regards to biodiversity but also explains how, through meeting the Biodiversity Duty, we are delivering well-being objectives and ways of working through sustainable development.
- 2.4 The plan can be revised at any time but must be formally reported to Welsh Government by the end of 2019 and thereafter every three years.

### **3. LINKS TO STRATEGY**

- 3.1 The Environment (Wales) Act 2016 places a duty on the council to maintain and enhance biodiversity and in doing so promote the resilience of ecosystems. The Caerphilly Biodiversity Duty Plan sets out how the Council can fulfil this duty.
- 3.2 The Well-being of Future Generations Act (Wales) Act became law in April 2015. The goals set out within the Act are to improve social, economic, environmental and cultural well-being of Wales. The Biodiversity Duty Plan provides objectives to ensure that the health and resilience of the county's biodiversity is maintained and enhanced in all areas of council operations.

3.3 The Biodiversity Duty plan has close links with the following Well-being Goals:

- *A resilient Wales\**
- *A healthier Wales\**
- *A Wales of cohesive communities\**
- *A globally responsible Wales\**

#### 4. THE REPORT

4.1 In 2010 a report was presented to the Council's Sustainable Development Advisory Panel that informed the Panel of a new Biodiversity Duty for Local authorities under the Natural Environment and Rural Communities Act 2006. Significant progress has been made since that time within service areas of the Council towards considering biodiversity, but biodiversity throughout Wales has continued to decline.

4.2 The Environment (Wales) Act 2016 includes additional duties on local authorities to seek to maintain and enhance biodiversity in the exercise of its functions and promote the resilience of ecosystems. The intention of this duty is to ensure biodiversity becomes an integral part of decision making in public authorities. The duty came into force in May 2016.

4.3 Unlike the previous provision, the new duty requires formal demonstration of compliance. The authority is therefore required by the Act to prepare and publish a plan setting out how it intends to comply with the duty. While the Act does not set a timescale for this, guidance from officers within Welsh Government encourage its production in 2017. The Act requires public bodies to publish a report by the end of 2019 on what it has done to comply with the duty, this is then required to be reported every 3 years.

4.4 Following an initial questionnaire sent out to all service areas a draft Biodiversity Duty Plan has been prepared setting out a programme for delivering the Biodiversity Duty set out in the Act.

4.5 Key Features of the Caerphilly County Borough Council's draft Biodiversity Duty Plan include:

- The first 12 months of this plan will largely consist of auditing our current practices and biodiversity resource. The initial questionnaire has already been circulated to all service areas to inform the preparation of this plan and is set out in Appendix E of the draft Biodiversity Duty Plan. This will form the basis of further discussions with service areas to refine and develop future actions for delivery.
- At the end of 2017 this plan will be revised to take forward actions to maintain and enhance biodiversity following the outcome of the audit and discussions with service areas. The findings of the State of Natural Resources Report and NRW Area Statements (if available) will be taken into account as part of this process.
- All proposed actions will be reported in 2019 as required by the Act.
- Where there are fundamental changes to terminology, or advancements in our understanding of ecosystems, this plan may be updated to reflect those changes.
- Whilst this is a local authority wide plan, the council's ecologist will coordinate the plan and be responsible for the reporting on it.

4.6 The plan sets out broadly under 5 main headings what the authority intends to do to meet its Biodiversity Duty and identifies the next steps needed to deliver the duty including:

- Developing actions with measurable targets for delivery for each service area.
- Use business plans to embed the considerations of biodiversity and ecosystems into policies, plans, programmes, projects and day to day activities.
- Use the Green Infrastructure approach as a means of delivering multiple benefits.
- Reporting implementation of the Biodiversity Duty plan as required by Welsh Government.
- Ensure Biodiversity duty links to and supports the delivery of the Well-being of Future Generations Act.

4.7 **NEXT STEPS:** The draft Biodiversity Duty Plan will be refined following the finalisation of the Public Service Board Wellbeing Objectives, to ensure alignment and synergy. Once finalised, the Plan will be presented to Welsh Government and monitored thereafter.

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

5.1 This report contributes to the Well Being Goals as set out in Section 3 of the report.

5.2 The Act not only identifies goals but advocates five ways of working to ensure that the objectives and sustainability are met and this report has been prepared with that in mind.

5.3 The Caerphilly Biodiversity Duty Plan and the actions within it are closely linked to four of the Well-being Goals:-

1. A Resilient Wales

A healthy and robust biodiversity resource is at the heart of providing a resilient Wales, and actions to maintain and restore biodiversity are critical to ensuring this resource is available for future generations.

2. A Healthier Wales

The intrinsic value of a varied and biodiverse environment is known to provide significant benefits to the local communities and individuals to their mental health and well-being. Actions within the plan will ensure that local communities can continue to access this often undervalued resource.

3. A Wales of Cohesive Communities

Increasing the biodiversity in and around the places people live and work will provide an attractive environment in which to live and opportunities for local communities to engage in voluntary conservation activities.

4. A Globally Responsible Wales

Caerphilly supports several habitats and species that are rare or declining in other parts of Wales, the UK and in Europe. The actions undertaken by the council set out in the plan will ensure that these habitats and species are safeguarded and contribute to Global biodiversity.

5.4 The plan also meets the 5 ways of working, as set out within the sustainable development principle.

Long Term	<ul style="list-style-type: none"> <li>• Through this plan the identification of areas for long term management and changes to policy will allow the safeguarding of long-term needs of the people of Caerphilly County Borough</li> <li>• The Development Control process and management of parks and country parks allows us to ensure long term management of sites and through mechanisms for enhancement</li> <li>• This plan is the starting point for identifying changes to the way we manage our land , buildings and resources which will have a long term effect.</li> </ul>
Integration	<ul style="list-style-type: none"> <li>• Caerphilly are currently in the process of setting well-being objectives which are not available at the time of writing of this plan. However it is envisaged that this plan will form a key part of the delivery of our objectives for the “resilience” well-being goal. When the objectives are finalised, this plan will be revised to ensure that it reflects the agreed objectives.</li> </ul>

Involvement	<ul style="list-style-type: none"> <li>• Through supporting the Caerphilly Biodiversity Partnership, this plan allows engagement with residents of Caerphilly County Borough, in making decisions on the nature conservation priorities of the county</li> <li>• Many of the actions in this plan require close collaborative working within the County Council and with the Council's partners.</li> </ul>
Collaboration	<ul style="list-style-type: none"> <li>• By assessing the policies and working practices of different service areas we will identify ways of working together</li> <li>• We will continue to work with NRW and other partners to deliver actions on the ground, and when NRW Area Statements are produced will adjust our actions to assist them in meeting their Area Statement goals.</li> <li>• Continued support of the Caerphilly Biodiversity Partnership, and Regional Biodiversity Partnerships will allow the Council to work in collaboration with a wide range of partners, particularly non-government organisations and community groups.</li> </ul>
Prevention	<ul style="list-style-type: none"> <li>• Early collaboration between service areas will help identify potential issues and allow them to be addressed at an early stage.</li> <li>• Using State of Natural Resources Report and Area Statements (when available) to guide this plan will identify issues within Caerphilly County Borough Council and address them appropriately.</li> </ul>

## 6. EQUALITIES IMPLICATIONS

- 6.1 An Equalities Impact Assessment has not been undertaken on this report. However, Biodiversity and Equalities interact on many levels and work undertaken in one area often supports the other. The maintenance and enhancement of biodiversity is of benefit to all the residents of Caerphilly county borough, regardless of their individual circumstances or backgrounds. There is no impact with regard to the Welsh Language Act.

## 7. FINANCIAL IMPLICATIONS

- 7.1 The extent of actions that can be undertaken by service areas has been identified in the initial questionnaire as a barrier to the extent of implementation. The majority of actions require small changes to ways of working that can have large gains for biodiversity, without any financial implications. Larger projects would need to seek funding from external environmental funding sources.

## 8. PERSONNEL IMPLICATIONS

- 8.1 The council's ecologist will oversee the delivery of the biodiversity duty with the support of the Countryside Services, as part of their existing remit. There will therefore be no personnel implications.

## 9. CONSULTATIONS

- 9.1 Minor amendments have been made to the report and Plan to reflect the comments of the consultees which spans across all service areas of the Council.

## 10. RECOMMENDATIONS

- 10.1 That Scrutiny committee endorses the contents of the draft Biodiversity Duty Plan and the proposed actions within it to deliver the new Duty.

## **11. REASONS FOR THE RECOMMENDATIONS**

- 11.1 To ensure that Caerphilly Council meets its legal obligations under Section 6(1) of the Environment (Wales) Act 2016.

## **12. STATUTORY POWER**

- 12.1 Environment (Wales) Act 2016.

Author: Alison Jones, Principal Ecologist, Countryside and Landscape Services  
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Consultees: Cllr Ken James, Cabinet Member for Regeneration, Planning & Sustainable Development  
Christina HARRY, Corporate Director Communities  
Tim Stephens, Development Control Manager  
Philip Griffiths, Acting Countryside and Landscape Services Manager

Appendices:

Appendix 1 Draft Caerphilly Biodiversity Duty Plan March 2017

Appendices to the Plan above:

Appendix A The Environment (Wales) Act 2016 Duties

Appendix B Well-being of Future Generations (Wales) Act 2015 Goals

Appendix C Well-being of Future Generations (Wales) Act 2015 5 Ways of Working

Appendix D The Nature Recovery Plan for Wales Objectives

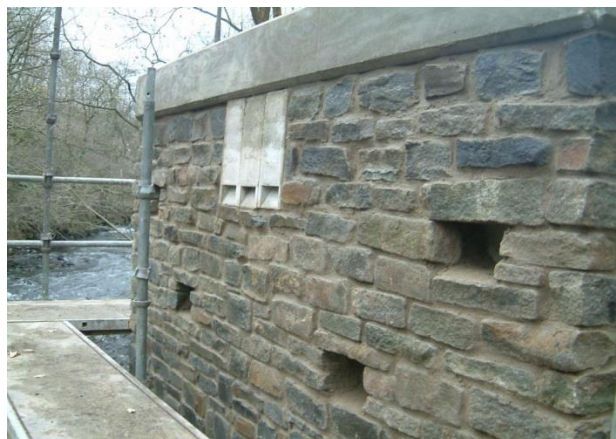
Appendix E Biodiversity Duty Questionnaire Summary of Council Service responses Nov 2016

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# DRAFT

## APPENDIX 1

### Caerphilly County Borough Council Environment (Wales) Act 2016 – Biodiversity Duty Plan March 2017



# DRAFT

Caerphilly Biodiversity Duty Plan March 2017



# DRAFT

Caerphilly Biodiversity Duty Plan March 2017

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Next steps in delivery.....	15

Appendix A – The Environment (Wales) Act Duties

Appendix B – Well-being of Future Generations (Wales) Act 2015 Goals

Appendix C – Well-being of Future Generations (Wales) Act 2015 Ways of Working

Appendix D – The Nature Recovery Plan for Wales Objectives

Appendix E – Biodiversity Duty Questionnaire Service Area Responses Summary

# DRAFT

Caerphilly Biodiversity Duty Plan March 2017

## **EXECUTIVE SUMMARY**

Caerphilly County Borough Council has a legal duty to maintain and enhance biodiversity and in so doing promote the resilience of ecosystems under the Environment (Wales) Act 2016. This plan demonstrates how we will fulfil that duty and will act as a driver for ensuring that all Service areas consider biodiversity and actively enhance biodiversity when carrying out their day to day activities.

Caerphilly County Borough has a wealth of biodiversity that characterises the landscape of the valleys and hill tops, and provides the backdrop to the towns and villages within the county borough.

Over the last year, the Welsh Government has introduced a number of new legislative requirements for public bodies and local authorities to comply with, which will change the way we plan and deliver services, putting sustainable development principles at the heart of all public bodies. The Biodiversity Duty Plan not only delivers our statutory duties with regards to biodiversity but also explains how through meeting the Biodiversity Duty, we are delivering well-being objectives and ways of working through sustainable development.

The plan can be revised at any time but must be formally reported to Welsh Government by the end of 2019 and every three years thereafter.

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Caerphilly Biodiversity Duty Plan March 2017

## INTRODUCTION

This plan has been prepared as part of the Council's legal obligation as set out in the Environment (Wales) Act 2016. All public bodies must seek to maintain and enhance biodiversity in the exercise of their functions. As a first step, the council (and other public bodies) are required to prepare and publish a plan during 2017 on how they intend to comply with its "biodiversity and resilience of ecosystems duty".

In this plan the Council will:

- Outline what natural resources are found within Caerphilly County Borough, identify why they are so special and set out what has already been done to protect them
- Explain the legislative background to this report and the multiple benefits resulting from the proposed actions
- Set out how the plan works and the mechanisms for delivery
- Give detailed actions to be achieved with milestones for reporting.

## NATURAL RESOURCES IN CAERPHILLY COUNTY BOROUGH

Caerphilly county borough is 80% "countryside" and the countryside is never more than 10 minutes away. The natural environment and its related biodiversity are fundamental to the area's economy, by attracting people to live, visit and invest.

Caerphilly county borough is rich in wildlife. This has evolved with changing agricultural and forestry practices, and urban and industrial developments, which have shaped the landscape of the county borough. However, during the last 50 years there has been a dramatic loss in the abundance and variety of species. This decline has occurred locally, nationally and on a worldwide scale, and is linked to the changes in our modern lifestyles and the resultant demand and threats this has had on our natural resources. If action is not taken to halt this decline, many plants and animals familiar to us today will be lost.

Caerphilly county borough lies in the South Wales Valleys bounded in the south by the county boroughs of Cardiff and Newport, and by Powys and the Brecon Beacons National Park in the north. It is made up of 3 valleys, the Rhymney, Sirhowy and Ebbw, covering an area of 28,000ha. The county borough has one of the highest populations in Wales of approximately 170,000 (1997 Census), and yet over 75% is used for agriculture and forestry (countryside/rural). It has both an expanding economy and an attractive environment.

The habitats of the county borough are varied, ranging from the upland moorland of Pen March and the open commons of Gelligaer and Mynydd Maen to the dramatic steep-sided valley slopes of the Ebbw, Sirhowy and Rhymney rivers. In the north

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Caerphilly Biodiversity Duty Plan March 2017

these valley sides are dominated by bracken with occasional heath and upland woodland, while in the east of the county they are replaced by conifer plantations. To the south is a softer landscape covering the more traditional patchwork of agricultural fields of the Mynyddislwyn plateau, divided by hedgerows and stone walls, and the mixed agricultural and woodland landscape of the Machen and Rudry areas.

The dereliction left behind by the decline of heavy industry, which gave South Wales its initial prosperity and brought work in the iron and coal industries, has largely been transformed, with the creation of several country parks and new sites for industry. Several of the remaining tips have developed either valuable plant communities or provide habitats for breeding bird and invertebrate species. Wildlife has no respect for man-made boundaries and whilst the greatest diversity will continue to be found in rural areas, important habitats can also be found in towns and villages, on derelict land, former mine workings, redundant railway lines and even in individual buildings.

Those areas that have escaped the industrial activities and agricultural improvements of the last century have left a network of species-rich unimproved meadows, wet pasture and ancient woodlands scattered throughout the county borough.

The county borough has one European designated Special Area of Conservation (SAC), namely, Aberbargoed Grasslands, which is also partly a Site of Special Scientific Interest (SSSI), and was also designated a National Nature Reserve (NNR) in 2012. This site is important for its marshy grasslands and population of Marsh fritillary butterflies.

There are 12 SSSI in total in the county borough, 4 Local Nature Reserves (LNR) and 190 Sites of Importance for Nature Conservation (SINC). These protected sites and other natural green spaces create a network of habitats that is vital to some species in order to disperse across the landscape, particularly in the face of climate change. Less mobile species will require this network of suitable semi-natural habitat to enable them to travel northwards in response to increases in temperature.

Caerphilly county borough's wildlife is threatened by many human activities, but two key threats are from development and changes in land management. The demand for new housing, roads, industrial and business developments, landfill and mineral extraction, has in the past resulted in extensive losses in wildlife in the county. Loss of ancient woodlands, unimproved grasslands, moorland and hedgerows and the draining of wet meadows and marshes, together with indirect impacts from pollution, disturbance, isolation and fragmentation of habitats, are all particular concerns.

Priority habitats and species have been identified by the Welsh Government as required by Section 42 of the Natural Environment and Rural Communities Act 2006 and subsequently by Section 7 of the Environment (Wales) Act. A revised list of *Habitats and Species of Principal Importance for the Conservation of Biological Diversity in Wales* was published by WG in 2009. The list contains 51 priority

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habitats. This is the definitive reference for all statutory and non-statutory bodies involved in biodiversity conservation in Wales.

The “Section 7 List” includes several species that occur in the Caerphilly county borough. Of particular note are the following species, however, the full list can be viewed online at [www.walesbiodiversity.org](http://www.walesbiodiversity.org)

Adder	Great crested newt	Otter
Barn owl	Hazel dormouse	Reed bunting
Bats (all species)	Hedgehog	Skylark
Common lizard	House sparrow	Slow worm
Common toad	Lapwing	Spotted flycatcher
Grass snake	Marsh fritillary butterfly	Starling

WG has selected the status of priority habitats and species as a headline indicator, providing a measure of national progress towards sustainable development. Future development in Caerphilly county borough will play a key role in ensuring that the status of priority habitats and species is improving.

The *Biodiversity Action Plan for Caerphilly County Borough* produced by the Caerphilly Biodiversity Partnership also identifies species and habitats of local importance. This document is currently under review, as the original was published in 2002

Caerphilly county borough's natural environment is widely appreciated, but there is often a lack of understanding of the diversity of habitats and species, and the vulnerability of our richest habitats that were once widespread. More importantly, however, is the need to help people understand why biodiversity is important and why conservation is necessary. Many people might change their actions if they realised the impact they were having.

Despite our best efforts, the 2010 UK targets for biodiversity conservation were not met and there has been a change in focus to ecosystems. The Convention on Biological Diversity and European targets for biodiversity now advocate ecosystem management to increase resilience to climate change.

The ecosystem approach is a strategy for the integrated management of land, water and living resources that promotes conservation and sustainable use in an equitable way. This is widely recognised as the international best practice for addressing the decline in biodiversity. (<http://www.cbd.int/ecosystem/>).

Ecosystem services are:

Supporting	underpins all other services and includes nutrient cycling, soil formation and primary production
Provisioning	all our food, fresh water, wood and fibre, fuel
Regulating	cleaning air and water, flood control, carbon sequestration
Cultural	aesthetic, spiritual educational, recreational

## LEGISLATIVE REQUIREMENTS

### ENVIRONMENT (WALES) ACT 2016

The Environment (Wales) Act became law on the 21<sup>st</sup> March 2016. It puts in place legislation to enable Wales' resources to be managed in a more proactive, sustainable and joined up way and to establish the legislative framework necessary to tackle climate change. The Act supports the Welsh Government's wider remit under the Well-being of Future Generations (Wales) Act 2015, so that Wales benefits from a prosperous economy, a healthy and resilient environment and vibrant, cohesive communities.

Specifically, the Act places an enhanced biodiversity duty on public authorities (appendix A)

**Section 6(1) - A public authority must seek to maintain and enhance biodiversity in the exercise of functions in relation to Wales, and in doing so promote the resilience of ecosystems, so far as is consistent with the proper exercise of those functions**

The intention of this duty is to ensure biodiversity becomes an integral part of decision making in public authorities. The duty came into force in May 2016

Unlike the previous duty provision the new duty requires formal demonstration of compliance. The authority is therefore required by the Act to prepare and publish a plan setting out how it intends to comply with the duty. While the Act does not set a timescale for this, guidance from officers within Welsh Government encourage its production in 2017. The Act requires public bodies to publish a report by the end of 2019 on what it has done to comply with the duty which is then required to be reported on every 3 years thereafter.

The Act also requires Natural Resources Wales (NRW) to publish a State of Natural Resources Report setting out the current status of natural resources in Wales. The local authority is required to have regard to the findings of this report in exercising its functions.

### WELL-BEING OF FUTURE GENERATIONS (WALES) ACT 2015

The Well-being of Future Generations (Wales) Act 2015 is about improving the social, economic, environmental and cultural well-being of Wales. It sets out new ways of working that ensure all elements of well-being are considered together and to facilitate collaborative working.

This Act places a duty on public bodies to carry out sustainable development. This is defined as a process of improving the economic, social, environmental and cultural

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wellbeing of Wales. This is achieved through taking action in accordance with the sustainable development principle so that well-being goals are achieved.

The Act sets out 7 well-being goals that have been identified (Appendix B). In Caerphilly the local authority is working with the Public Service Board to provide Well-being Objectives, and alongside this Caerphilly County Borough Council will be providing their own Well-being Plan and providing Well-being objectives applicable to the work of the Council.

## *Sustainable Development Principle*

The Well-being of Future Generations Act sets out 5 ways of working that public bodies must adhere to in order to demonstrate how they are meeting their duty (Appendix C). Any plan/projects must now demonstrate that they are following these ways of working. These are set out below with an explanation of how this plan (the Biodiversity Duty Plan) meets each one:

Long Term	<ul style="list-style-type: none"><li>• Through this plan the identification of areas for long term management and changes to policy will allow the safeguarding of long-term needs of the people of Caerphilly County Borough</li><li>• The Development Control process and management of parks and country parks allows us to ensure long term management of sites and through mechanisms for enhancement</li><li>• This plan is the starting point for identifying changes to the way we manage our land , buildings and resources which will have a long term effect.</li></ul>
Integration	<ul style="list-style-type: none"><li>• Caerphilly are currently in the process of setting well-being objectives which are not available at the time of writing of this plan. However it is envisaged that this plan will form a key part of the delivery of our objectives for the resilience well-being goal. When the objectives are finalised, this plan will be revised to ensure that it reflects the agreed objectives.</li></ul>
Involvement	<ul style="list-style-type: none"><li>• Through supporting the Caerphilly Biodiversity Partnership, this plan allows engagement with residents of Caerphilly County Borough, in making decisions on the nature conservation priorities of the county</li><li>• Many of the actions in this plan require close collaborative working within the County Council and with the Council's partners.</li></ul>
Collaboration	<ul style="list-style-type: none"><li>• By assessing the policies and working practices of different service areas we will identify ways of working together</li><li>• We will continue to work with NRW and other partners to deliver actions on the ground, and when NRW Area Statements are produced will adjust our actions to assist them in meeting their Area Statement goals.</li><li>• Continued support of the Caerphilly Biodiversity Partnership, and Regional Biodiversity Partnerships will allow the Council to work in collaboration with a wide range of partners, particularly non-government organisations and community groups.</li></ul>

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Prevention	<ul style="list-style-type: none"><li>• Early collaboration between service areas will help identify potential issues and allow them to be addressed at an early stage.</li><li>• Using State of Natural Resources Report and Area Statements (when available) to guide this plan will identify issues within Caerphilly County Borough Council and address them appropriately.</li></ul>
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## NATURE RECOVERY PLAN FOR WALES

The Nature Recovery Plan for Wales (2015) recognises that the importance of biodiversity as underpinning healthy functioning ecosystems, human well-being and the economy. The Nature Recovery Plan builds on the new legislative frameworks set out above and identifies how, in Wales, we can address underlying causes of biodiversity loss. Specifically by:

- Putting nature at the heart of decision-making
- Increasing the resilience of our natural environment
- Taking specific action for habitats and species.

It sets out how Wales will deliver the commitments of the Convention on Biological Diversity and the EU Biodiversity Strategy to halt the decline of our biodiversity by 2020 and then reverse that decline. The ambition of the plan is:

**To reverse the decline in biodiversity, for its intrinsic value, and to ensure lasting benefits to society**

Part 1 of the Nature Recovery Plan sets out the objectives needed in Wales to achieve the ambition. The objectives are set out below with details in Appendix D

1	Engage and support participation and understanding to embed biodiversity throughout decision making at all levels
2	Safeguard species and habitats of principal importance and improve their management
3	Increase the resilience of our natural environments by restoring degraded habitats and habitat creation
4	Tackle key pressures on species and habitats
5	Improved our evidence, understanding and monitoring
6	Put in place to framework of governance and support for delivery

Part 2 of the Nature Recovery Plan sets out an action plan. A number of actions are allocated to the local authority as a key partner for delivery which will be incorporated into the Biodiversity Duty Plan.



## **CAERPHILLY COUNTY BOROUGH COUNCIL – BIODIVERSITY DUTY PLAN**

This plan has been produced to fulfil Caerphilly County Borough Council's legal obligation set out in the Environment (Wales) Act 2016. All public bodies must seek to maintain and enhance biodiversity in the exercise of their functions. The local authority is required to prepare and publish a plan on how it intends to comply with its "biodiversity and resilience of ecosystems duty".

Interim guidance published by Welsh Government sets out that public authorities must take into account relevant evidence when complying with the Section 6 duty of the Environment Act including the State of Natural Resources Report published by NRW, 2016, the Environment (Wales) Act 2016, Section 7 lists of habitats and species of principal importance in Wales, and relevant Area Statements to be prepared by Natural Resources Wales under Section 11 of the Act. More detailed guidance from Welsh Government on this plan has not been finalised. In the interim, this plan's actions have been drawn up in line with the objectives in the Nature Recovery Plan. At the same time, those actions allocated to the authority in the Nature Recovery Plan are incorporated into this plan.

Key Features of the Caerphilly County Borough Council Biodiversity Duty Plan:

- The first 12 months of this plan will largely consist of auditing our current practices and biodiversity resource. An initial questionnaire has already been circulated to all service areas to inform the preparation of this plan, set out in Appendix E and this will form the basis of further discussions with service areas and other partners to refine and develop future actions for delivery.
- At the end of 2017 this plan will be revised to take forward actions to maintain and enhance biodiversity following the outcome of the audit and discussions with service areas and other partners. The findings of the State of Natural Resources Report and NRW Area Statements (if available) will be taken into account as part of this process.
- All proposed actions will be reported on in 2019 as required by the Act
- Where there are fundamental changes to terminology, or advancements in our understanding of ecosystems, this plan may be updated to reflect those changes
- Whilst this is a local authority wide plan, the council's ecologist will coordinate the plan and be responsible for the reporting on it. There is a legal requirement to report on the plan in 2019

The Biodiversity Duty Actions set out below broadly identifies what the local authority intends to do to meet it's legal requirements. The actions are organised into the most appropriate Nature Recovery Plan Objective with recognition of the

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other objectives they contribute towards. The actions currently being undertaken by the local authority in order to comply with the previous biodiversity duty have also been incorporated into the plan.

	CCBC Actions
<p><b>Objective 1</b></p> <p>Engage and support participation and understanding to embed biodiversity through decision making at all levels</p>	In-house ecological advice available to all service areas
	Consideration of Biodiversity as part of the planning application process and other consents such as land drainage consents
	High level decision making such as policy and plan adoption and future regional spatial planning including City Deal and other regional policy initiatives
	The existing Local Development Plan has strong policies to protect and where possible to enhance biodiversity, and land use plans require SEA/SA which have a significant biodiversity element.
	Biodiversity and resilience of ecosystems shall be embedded into business planning by relevant service areas, This will require service areas to understand what potential impacts work streams can have on biodiversity and development of a programme of delivery
	Ensure individual actions within service areas consider their contribution to wider green infrastructure
	Internal awareness raising and training will have an important role in meeting the objective. The council ecologists and countryside team will help to deliver awareness and training to other service areas
	Raise awareness of biodiversity and ecosystems through environmental education and utilisation of existing outdoor learning resources, and engage the wider community through events and improved access to the countryside
	Provide support to the Public Service Board to ensure that it meets its own biodiversity obligations

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Objective 2  Safeguard species and habitats of principal importance and improve their management	<b>CCBC Actions</b>
	Ensure appropriate management sites of high wildlife value within council control to safeguard species and habitats of principal importance
	Identify opportunities for enhancing biodiversity within each service area's remits and portfolios and implement where practical
	Ensure protected species are protected and safeguarded during maintenance works, building renovations and demolitions, including timing of works to avoid impact on habitats and species
	Continue to manage and restore Aberbargoed National Nature Reserve, and promote it as a flagship biodiversity site in the County Borough.

Objective 3  Increase the resilience of our natural environments by restoring degraded habitats and habitat creation	<b>CCBC Actions</b>
	Adopt a green infrastructure approach to site management and use nature based solutions to make improvements in existing and new projects.
	Support landscape scale projects that promote the delivery of biodiversity benefits over wide areas. Engage with partners within the county borough and across local authority boundaries to achieve large scale biodiversity benefits.
	Ensure that biodiversity on land in council ownership does not decline due to lack of management and introduce appropriate management where resources allow. Look for collaborative partnerships to help deliver habitat restoration and creation
	Seek opportunities to influence or implement landscape/biodiversity objectives throughout CCBC whether on public or private land

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Objective 4  Tackle key pressures on species and habitats	<b>CCBC Actions</b>
	Ensure council projects and working practices in all relevant service areas reduce pollution of land and water courses.
	Ensure working practices do not lead to the spread of invasive non-native species, and introduce management to control them on council land and projects.
	Ensure that working practices within each service area do not contribute to diffuse impacts on biodiversity including practices that can contribute to climate change, and impact on natural resources.
	Seek grants to support the delivery of small and larger scale biodiversity projects
	Engage with local communities and encourage the delivery of projects using volunteers from the local community to engender a sense of ownership and pride

Objective 5  Improved our evidence, understanding and monitoring	<b>CCBC Actions</b>
	Where biodiversity information is not available, undertake audits of biodiversity resource within each service areas to identify biodiversity assets held by the council.
	Continue to support the work of the Caerphilly Biodiversity partnership and re-establish a corporate Biodiversity Champion
	Preparation of individual service area biodiversity duty action plans will be developed over the next 12 months
Ensure individual service areas undertake monitoring and evaluation of their contribution towards their biodiversity duty and report on progress as part of the reporting mechanism set out by Welsh Government	

## **NEXT STEPS IN DELIVERY**

The Biodiversity Duty questionnaire completed by service areas in November 2016 has provided the foundation to commence the development of Service Area Action Plans to embed and deliver action in each area.

This will include:

- Developing actions with measurable targets for delivery for each service area
- Use business plans to embed the considerations of biodiversity and ecosystems into policies, plans, programmes, projects and day to day activities
- Use the Green Infrastructure approach as a means of delivering multiple benefits
- Reporting on implementation of the Biodiversity Duty plan as required by Welsh Government
- Ensure Biodiversity duty links to and supports the delivery of the Well-being of Future Generations Areas.

Gadewir y dudalen hon yn wag yn fwriadol

## The Environment (Wales) Act duties

### **6 Biodiversity and resilience of ecosystems duty**

(1) A public authority must seek to maintain and enhance biodiversity in the exercise of functions in relation to Wales, and in so doing promote the resilience of ecosystems, so far as consistent with the proper exercise of those functions.

(2) In complying with subsection (1), a public authority must take account of the resilience of ecosystems, in particular the following aspects—

- (a) diversity between and within ecosystems;
- (b) the connections between and within ecosystems;
- (c) the scale of ecosystems;
- (d) the condition of ecosystems (including their structure and functioning);
- (e) the adaptability of ecosystems.

(3) Subsection (1) does not apply to—

- (a) the exercise of a function by Her Majesty's Revenue and Customs, or
- (b) the exercise of a judicial function of a court or tribunal.

(4) In complying with subsection (1)—

- (a) the Welsh Ministers, the First Minister for Wales, the Counsel General to the Welsh Government, a Minister of the Crown and a government department must have regard to the United Nations Environmental Programme Convention on Biological Diversity of 1992, and
- (b) any other public authority must have regard to any guidance given to it by the Welsh Ministers.

(5) In complying with subsection (1), a public authority other than a Minister of the Crown or government department must have regard to—

- (a) the list published under section 7;
- (b) the state of natural resources report published under section 8;
- (c) any area statement published under section 11 for an area that includes all or part of an area in relation to which the authority exercises functions.

(6) A public authority other than a Minister of the Crown or government department must prepare and publish a plan setting out what it proposes to do to comply with subsection (1).

(7) A public authority must, before the end of 2019 and before the end of every third year after 2019, publish a report on what it has done to comply with subsection (1).

(8) A public authority that has published a plan under subsection (6)—

(a) must review the plan in the light of each report that it publishes under subsection (7), and

(b) may revise the plan at any time.

(9) In this section—

- “Minister of the Crown” (“*Gweinidog y Goron*”) has the same meaning as in the Ministers of the Crown Act 1975 (c. 26);
- “public authority” (“*awdurdod cyhoeddus*”) means—
  - (a) the Welsh Ministers;
  - (b) the First Minister for Wales;
  - (c) the Counsel General to the Welsh Government;
  - (d) a Minister of the Crown;
  - (e) a public body (including a government department, a local authority, a local planning authority and a strategic planning panel);
- (f) a person holding an office—
  - (i) under the Crown,
  - (ii) created or continued in existence by a public general Act of the National Assembly for Wales or of Parliament, or
  - (iii) the remuneration in respect of which is paid out of money provided by the National Assembly for Wales or Parliament;
- (g) a statutory undertaker.

(10) In subsection (9)—

- “local authority” (“*awdurdod lleol*”) means a council of a county, county borough or community in Wales;
- “local planning authority” (“*awdurdod cynllunio lleol*”) has the meaning given by the Town and Country Planning Act 1990 (c. 8);
- “statutory undertaker” (“*ymgymerwr statudol*”) means any of the following—
  - (a) a person authorised by any enactment to carry on any railway, light railway, tramway, road transport, water transport, canal, inland navigation, dock, harbour, pier or lighthouse undertaking or any undertaking for the supply of hydraulic power;
  - (b) an operator of an electronic communications code network (within the meaning of paragraph 1(1) of Schedule 17 to the Communications Act 2003 (c. 21));
  - (c) an airport operator (within the meaning of the Airports Act 1986 (c. 31)) operating an airport to which Part 5 of that Act applies;
  - (d) a gas transporter (within the meaning of Part 1 of the Gas Act 1986 (c. 44));
  - (e) a holder of a licence under section 6(1) of the Electricity Act 1989 (c. 29);



- (f) a water or sewerage undertaker;
  - (g) the Civil Aviation Authority or a holder of a licence under Chapter 1 of Part 1 of the Transport Act 2000 (c. 38), to the extent that the person holding the licence is carrying out activities authorised by it;
  - (h) a universal service provider within the meaning of Part 3 of the Postal Services Act 2011 (c. 5);
- “strategic planning panel” (“*panel cynllunio strategol*”) means a strategic planning panel established under section 60D of the Planning and Compulsory Purchase Act 2004 (c. 5).

## **7 Biodiversity lists and duty to take steps to maintain and enhance biodiversity**

(1) The Welsh Ministers must prepare and publish a list of the living organisms and types of habitat which in their opinion are of principal importance for the purpose of maintaining and enhancing biodiversity in relation to Wales.

(2) Before publishing a list under this section the Welsh Ministers must consult the Natural Resources Body for Wales (“NRW”) as to the living organisms or types of habitat to be included in the list.

(3) Without prejudice to section 6, the Welsh Ministers must—

(a) take all reasonable steps to maintain and enhance the living organisms and types of habitat included in any list published under this section, and

(b) encourage others to take such steps.

(4) The Welsh Ministers must, in consultation with NRW—

(a) keep under review any list published by them under this section,

(b) make such revisions of any such list as appear to them appropriate, and

(c) publish any list so revised as soon as is reasonably practicable after revising it.

(5) In exercising their functions under this section, the Welsh Ministers must apply the principles of sustainable management of natural resources.

Gadewir y dudalen hon yn wag yn fwriadol

## Well Being of Future Generations (Wales) Act 2015 goals

GOAL	Description of Goal
<b>A prosperous Wales</b>	An innovative, productive and low carbon society which recognises the limits of the global environment and therefore uses resources efficiently and proportionately (including acting on climate change); and which develops a skilled and well-educated population in and economy which generates wealth and provides employment opportunities, allowing people to take advantage of the wealth generated through securing decent work.
<b>A resilient Wales</b>	A nation which maintains and enhances a biodiverse natural environment with healthy functioning ecosystems that support social, economic and ecological resilience and the capacity to adapt to change (for example climate change).
<b>A healthier Wales</b>	A society in which peoples physical and mental well-being is maximised and in which choices and behaviours that benefit future health are understood.
<b>A more equal Wales</b>	A society that enables people to fulfil their potential no matter what their background or circumstances (including their socio economic background and circumstances)
<b>A Wales of cohesive communities</b>	Attractive, viable, safe and well-connected communities.
<b>A Wales of vibrant culture and thriving Welsh language</b>	A society that promotes and protects culture, heritage and the Welsh language, and which encourages people to participate in the arts, and sports and recreation.
<b>A globally responsible Wales</b>	A nation which , when doing anything to improve the economic, social, environmental and cultural well-being of Wales, takes account of whether doing such a thing may make a positive contribution to global well-being.

Gadewir y dudalen hon yn wag yn fwriadol

**Well –being of Future Generations (Wales) Act 2015. Five ways of Working****5The sustainable development principle**

(1) In this Act, any reference to a public body doing something “in accordance with the sustainable development principle” means that the body must act in a manner which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.

(2) In order to act in that manner, a public body must take account of the following things—

(a) the importance of balancing short term needs with the need to safeguard the ability to meet long term needs, especially where things done to meet short term needs may have detrimental long term effect;

(b) the need to take an integrated approach, by considering how—

(i) the body’s well-being objectives may impact upon each of the well-being goals;

(ii) the body’s well-being objectives impact upon each other or upon other public bodies’ objectives, in particular where steps taken by the body may contribute to meeting one objective but may be detrimental to meeting another;

(c) the importance of involving other persons with an interest in achieving the well-being goals and of ensuring those persons reflect the diversity of the population of—

(i) Wales (where the body exercises functions in relation to the whole of Wales), or

(ii) the part of Wales in relation to which the body exercises functions;

(d) how acting in collaboration with any other person (or how different parts of the body acting together) could assist the body to meet its well-being objectives, or assist another body to meet its objectives;

(e) how deploying resources to prevent problems occurring or getting worse may contribute to meeting the body’s well-being objectives, or another body’s objectives.

Gadewir y dudalen hon yn wag yn fwriadol

## The Nature Recovery Plan for Wales objectives

### **Objective 1: Engage and support participation and understanding to embed biodiversity throughout decision making at all levels.**

Placing nature at the centre of decision making is essential to address the underlying cause of biodiversity loss. In 2011, the UK National Ecosystems Assessment (UK NEA)<sup>7</sup> identified the underlying cause of biodiversity loss and ecosystem degradation:

*'The natural world, its biodiversity and its constituent ecosystems are critically important to our well-being and economic prosperity, but are consistently undervalued in conventional economic analyses and decision making.'*

A lack of awareness, and subsequent valuation of the critical contribution that our nature makes to our well-being and livelihoods, means we often do not account for that contribution in decision making, at all levels of society, from individuals, through local authorities, to businesses. This can lead to damage or overexploitation of our nature. There is also a lack of mechanisms to support this accounting. For example, 'income foregone' does not adequately account for the value of ecosystem services provided by a farm habitat.

### **Objective 2: Safeguard species and habitats of principal importance and improve their management**

Species and habitats are wonderful and awe-inspiring and we have a moral obligation to protect them and their genetic variety for future generations. They are the building blocks of our ecosystems and their functioning from which we derive many services and benefits, and we need to ensure we have resilient populations of species to support these.

Sites designated for nature conservation play an important role: they are a key mechanism for maintaining natural diversity required for resilience, and disproportionately contribute to a wide range of ecosystem services and benefits.

Sites are designated for nature conservation purposes to protect and enhance our rarest habitats and species, and the best examples of our natural biodiversity and geo-diversity in Wales. These environments are complex, often ancient, systems with great richness and genetic reserves of plants and animals.

The traditional approaches to nature conservation based on designated sites and the protection of species and habitats have had notable successes and we will continue to use these approaches. Our protected sites and species are a core resource, but they can become isolated, and outside pressures on sites can make management challenging.

### **Objective 3: Increase the resilience of our natural environment by restoring degraded habitats and habitat creation**

Degraded habitats are ones which no longer support the full potential of our native wildlife. In order to safeguard our protected species and to improve the resilience of more widespread species and habitats, we need to restore networks of habitats to a healthy condition across Wales, both on land and in the sea.

Restoration of degraded habitats and habitat creation will build the resilience of our natural environment through taking action on the four attributes of resilience:

- Increasing diversity
- Increasing ecosystem extent through reducing fragmentation
- Increasing connectivity within and between ecosystems
- Improving habitat condition.

This resilience will also increase the ability of species and habitats to adapt to other pressures including climate change.

**Objective 4: Tackle key pressures on species and habitats**

The UK NEA identified changing land management practices, through agriculture and urbanisation, pollution and invasive non-native species as key pressures leading to habitat and species loss and fragmentation. This, together with acidification and eutrophication, has changed the quantity and quality of habitats and the species they can support.

In the marine environment key pressures include unsustainable human activity, climate change leading to the warming and acidification of the world's seas and oceans, and the introduction of invasive non-native species.

It is vital to anticipate, prevent and mitigate the causes of biodiversity loss at source, using both our legislation, and innovative and holistic nature-based solutions.

**Objective 5: Improve our evidence, understanding and monitoring**

To help nature to recover we need to inform the delivery of action by a better understanding of the ecology and science of our habitats and species, their status and trends, and the pressures and drivers leading to changes.

**Objective 6: Put in place a framework of governance and support for delivery**

Underpinning our action, we also need a governance structure that is fit for purpose to support and deliver action on the ground. We need to ensure we have the skills, expertise, personnel and functions in place to deliver.

**It is essential that these objectives inform all of our approaches to reversing the loss of biodiversity, across all of our policies, strategies and programmes.**



## Biodiversity Duty Questionnaire

## Summary of information from questionnaires from Service Areas within the Council November 2016

Service Area	Current Actions	Proposed Actions	Constraints to Delivery
<b>Communities Directorate</b>			
<b>Strategic Planning</b>	<p>Local Development Plan subject to a Strategic Environmental Assessment and Sustainability Appraisal as part of the preparation process, the key aim being to protect the environment whilst balancing the need for development</p> <p>LDP policies take account of appropriateness of development and its associated impact on biodiversity.</p> <p>Supplementary Planning guidance also includes consideration of biodiversity</p>	<p>Ongoing statutory duty as part of plan preparation.</p> <p>Preparation of a new piece of SPG in respect of Green Infrastructure.</p>	None
<b>Development Control</b>	<p>Biodiversity is already embedded into the planning application, process and opportunities for enhancements are sought when many consents are granted. Building control, Building Conservation and TPO consents, also consider biodiversity as part of the process.</p>	Continue existing commitments	Staffing levels, budgetary constraints, need to achieve efficiency targets

Service Area	Current Actions	Proposed Actions	Constraints to Delivery
<b>Countryside and Landscape Services</b>	<p>Provision of Ecological advice and support to all service areas.</p> <p>Management of country parks and other land in countryside's portfolio to benefit biodiversity, including country parks, Aberbargoed National Nature Reserve, conservation land provided through section 106 agreements.</p> <p>Provision of coordination and support for the Caerphilly Biodiversity Partnership.</p> <p>Raising awareness of biodiversity through events, provision of training, access to the countryside, environmental education delivered by countryside rangers and engagement with the public.</p> <p>Mangement of water bodies to benefit biodiversity.</p> <p>Delivery of and training in biosecurity measures and management of invasive species throughout the county borough, Delivery of biodiversity projects via RDP, NRW, WG funded initiatives</p>	<p>Continue delivery of existing biodiversity duties.</p> <p>Increase level of engagement with other service areas to assist them in embedding biodiversity into their day to day functions.</p> <p>Coordination and monitoring of the council's biodiversity Duty</p> <p>Identify and provide support to a Biodiversity Champion</p>	<p>Budget and capacity issues for existing staff</p>

Service Area	Current Actions	Proposed Actions	Constraints to Delivery
<b>Regeneration and Urban Renewal</b>	<p>Urban renewal and town centre enhancement projects (including demolitions) seek to be compliant with existing wildlife legislation undertaking appropriate surveys to inform projects and where appropriate reinstate biodiverse habitats in final landscapes. An example of a recently completed project includes the ERDF funded project achieved CEEQUAL excellent rating. Maintenance of natural and green areas around 13 industrial estates and business parks, and incorporating features that benefit wildlife Undertake sympathetic management of habitats and species in and around Llancaiach Fawr Manor</p>	<p>Continue to liaise with in-house ecologists on new projects            Undertake a biodiversity audit of buildings and landholdings to identify the existing biodiversity assets</p> <p>Assess suitability of building portfolio to accommodate breeding boxes for protected and endangered species.</p> <p>Reduce carbon footprint of building portfolio through increased energy efficiency</p> <p>Assess suitability of watercourses and other underutilised land for sustainable energy generation and for biodiversity enhancement</p> <p>Specify products on new projects that have lower carbon footprints            Subject to funding development of an adventure triangle taking in cycle routes and the canal, has the potential to enhance biodiversity as part of the scheme.</p> <p>Continue to monitor and maintain the biodiversity of Llancaiach Fawr</p>	<p>Procurement legislation and requirements            Requirements of external funding organisations            Affordability and potential increases in initial costs.            Budget and staff availability to undertake biodiversity audits            Enhanced maintenance costs and monitoring of sites, and the need to cost this at the design stage            Availability of funds for investment in energy reduction and/or energy generation schemes</p>

Service Area	Current Actions	Proposed Actions	Constraints to Delivery
<p><b>Engineering Services (Transport Strategy and Road Safety, Highway Development Control, Integrated Transport and Traffic Management, Highway Operations)</b></p>	<p>Development of CCBC's transport policy with a key objective to encourage more sustainable travel</p> <p>Biodiversity considerations in the design and construction of transport schemes</p> <p>Ecology assessments undertaken during scheme development</p> <p>Timing of scheme to minimise impact. Liaison with external bodies and in house ecologists on major infrastructure schemes.</p> <p>Introduction of traffic management to reduce congestion and pollution levels. Consider flora and fauna when locating new installations.</p> <p>Use of natural filtration systems to treat gully waste. Use of techniques to reduce lorry journeys, and reducing CO2 burden.</p>	<p>One Active Travel Integrated Network Map will set out long term plans for improving the active travel network to encourage walking and cycling with wider environmental benefits.</p> <p>Biodiversity issues will be considered on a scheme by scheme basis</p> <p>Introduction of sustainable urban drainage systems on new development where appropriate</p> <p>Request increased use of recycled materials in road construction.</p> <p>Consider alternative fuels greener vehicles for the internal fleet, and promote this to external transport providers</p> <p>Use of solar powered equipment for traffic management</p> <p>Education, training of staff with appropriate application of biodiversity</p> <p>Seek to become and approval body for SUDS</p> <p>Replace street lighting with low energy equivalents</p>	<p>Individual schemes reliant on grant funding</p> <p>Welsh Government policy required on the use and adoption of SUDs systems.</p> <p>Increased resources required to administer Travel Planning</p> <p>Corporate Policies</p> <p>Procurement rules</p> <p>Cost and fleet management policy/options</p> <p>Financial constraints</p> <p>Lack of engagement by biodiversity centred council departments</p> <p>Lack of external organisation engagement</p> <p>Staff capacity issues</p>

Service Area	Current Actions	Proposed Actions	Constraints to Delivery
<p><b>Engineering</b> <b>Engineering Projects Group</b></p>	<p>Undertake ecological surveys and implement mitigation measures on civil engineering projects</p> <p>Design schemes sympathetically with regard to biodiversity</p> <p>Be aware of biodiversity constraints and statutory requirements.</p> <p>Manage the Mon and Brecon Canal, a linear aquatic resource in with colleagues in other service areas</p>	<p>Follow a systematic process to continually improve by learning from the outcomes of previously employed policies and practices</p> <p>Introduction into QA system of sound ecological practices through the design phase</p> <p>Education/training of staff</p>	<p>Workload and financial constraints</p>
<p><b>Waste management</b></p>	<p>Removal and managing of waste to improve local environmental quality</p> <p>Delivery of environmental improvement projects that frequently include native planting schemes and pollinator friendly species.</p> <p>Engage with schools including the planting of trees native bulbs and wildflowers</p>	<p>Arrange more planting sessions with schools and community groups. Optimise social capital resource on environmental improvement projects</p> <p>Reduce the amount of litter and waste in our natural and built environments.</p> <p>Capture methane from landfill and recover energy from food wastes to reduce emissions to the atmosphere, and contributing positively to reducing climate change</p>	<p>Diminishing budgets, deduction in grant allocation, changing legislation and need to comply with new requirements, reductions in manpower, pressure to deliver a more diverse range of frontline services to meet a series of ever more stringent landfill diversion targets</p>

Service Area	Current Actions	Proposed Actions	Constraints to Delivery
<b>Parks and Bereavement Services</b>	<p>Reducing, reusing and recycling materials to help reduce pollution from waste, transport and landfill</p> <p>Reduction of cutting regimes to encourage native wildflowers and pollinators. Removal of cuttings to increase flowering species.</p> <p>Manage land to create wildflower corridors</p> <p>Provision of nesting site, and roost sites in and around municipal cemeteries and parks</p> <p>Use wood products from sustainable sources and peat free compost.</p> <p>Time and plan work to avoid impact on sensitive species.</p>	<p>Composting floral tributes from cemeteries</p> <p>Creation of more wildflower areas at certain locations – cemeteries, parks and highways to save money and enhance the local environment.</p> <p>Provision of additional bird and bat boxes within municipal cemeteries</p> <p>Continued sensitive management of existing hedgerow and trees</p> <p>Examine localised working to reduce travelling costs and impact on the environment</p> <p>Formal adoption of a tree strategy to manage Council’s tree stock</p> <p>Examination fo green credentials when developing new facilities</p> <p>Develop sensitive landscaping in and around new cemetery developments to encourage wildlife.</p>	Lack of resources (budget and staff)
<b>Fleet and Vehicle Maintenance</b>	Use of fuel efficient vehicles to reduce the amount of carbon emissions to the environment	Reduce the quantities of oils stored in depots, and identify the method of storage to reduce risk of potential impact on aquatic environments	None
<b>Building Cleaning Services</b>			

Service Area	Current Actions	Proposed Actions	Constraints to Delivery
<b>Sports and Leisure</b>	Education of pupils and adults with an emphasis on connecting with and appreciating the natural world including nature walks, species identification and building bird boxes.	Introduction of species logs to record wildlife. Identifying and reporting incidents that damage the environment such as fly tipping and wildlife crime	lack of identification skills within the service.
<b>Housing WHQS &amp; Infrastructure, Housing Maintenance, Private and public housing sectors</b>	Consider recycling within contract documentation, and construction.  Reduce paper use Consider alternative methods of works that are more environmentally friendly Obtain ecological surveys and associated advice and consideration of bats and birds in programming of works, support planting projects with tenants in sheltered housing and roundabouts	Increase site based/home working Review of new products that are more sustainable.  Consider further alternate energy sources (wind, solar, hydro etc.) Provision of bird boxes on work programme.  Establish what surveys have been undertaken to identify habitat and species in the local area.  Ensure new planting provides connectivity to nearby habitats.  Engage with residents through the Activities coordinator to take an active part in making bird and bat boxes. Raise awareness of biodiversity to tenants via key events and newsletters, consider reduction in grass cutting regimes to encourage wildflowers and pollinators	Authority policies on home/remote working. Changes to specifications that may impact on existing procurement arrangements. Timeframe to change thing within a heavily bureaucratic system. Financial and staff resources Willingness of partners to become actively involved. Level of interest expressed by tenants and communities Tenancy management and maintenance obligations

Service Area	Current Actions	Proposed Actions	Constraints to Delivery
<b>Education Directorate</b>			
<b>Education</b>	<p>BREEAM excellent requirement for new school builds</p> <p>Recycling targets in build contracts</p> <p>Energy efficiency in school designs</p> <p>Pre-build surveys undertaken for wildlife species</p> <p>Reduce travel to school through safe routes provision and school travel plans</p> <p>Forest School and eco school encouraged</p>	<p>Band B proposals for 21<sup>st</sup> century schools (2019-2024)</p> <p>Reduce the need to travel when appropriate</p> <p>Reduce, reuse and recycle waste at the Service's own locations of delivery</p> <p>Ensure biodiversity issues are explored as part of the curriculum</p> <p>Ensure procurement processes includes consideration of the impact on biodiversity</p>	<p>Funding is limited to 50% of costs.</p> <p>IT technology provision is required to enable officers to work remotely and reduce travel requirements.</p>
<b>Social Services</b>			
<b>Children and Adult Services</b>	<p>Plan work to reduce amount of travel</p> <p>Promote recycling across offices</p>	<p>Solar panels on all establishments</p> <p>Consider wildlife nesting boxes and grounds maintenance at all establishments.</p> <p>Anticipated future capital projects will consider biodiversity, carbon footprint and transport factors in their design</p>	<p>Potential resource constraints and MTFP priorities in the future</p> <p>IT technology provision is required to enable officers to work remotely and reduce travel requirements</p>



Service Area	Current Actions	Proposed Actions	Constraints to Delivery
<p><b>Public Protection</b></p>	<p>Enforce in relation to fly tipping, littering and dog fouling – to minimise impacts on biodiversity            Reduce pollution/local air quality management to minimise the impact of pollution on biodiversity            Plan journeys to reduce the need to travel reducing impact on climate change.</p>	<p>Introduce electric vehicles            Emergency planning – minimise the impact were possible on biodiversity during the control and mitigation of emergencies.            Procurement decisions should have regard for biodiversity implications.            Environmental monitoring should also include consideration of impact on biodiversity            Consider engaging staff in biodiversity projects as part of team building exercises            Pest control – consider impact of chemicals on biodiversity, and consider alternatives            Health Education – link benefits of a healthy lifestyle to biodiversity            Undertake a biodiversity audit on external buildings to identify existing biodiversity assets and opportunities to support and enhance biodiversity.</p>	<p>Finance, technical, culture, knowledge and understanding, behaviour change, time constraints</p>

Service Area	Current Actions	Proposed Actions	Constraints to Delivery
<b>Catering</b>	Working towards the introduction of electric vehicles to reduce climate change impacts, pollution and noise Recycle food waste and introducing new waste collection systems to reduce pollution from waste transport and landfill. Work in partnership with procurement to consider impact on biodiversity on procurement processes	Introduction of electric vehicles and introducing new waste collection systems Introduce IT solutions to school kitchens to reduce the requirement of the courier service and paper consumables	Budget implications for installing recharging points for electric vehicles BIP board refusal for introduction of IT solutions to school kitchen sites.
<b>Corporate Services</b>			
<b>Property Building Consultancy</b>	Routinely check the impact of work to council properties on nesting birds/bats and other wildlife prior to commissioning work Design Schools to BREEAM excellent standard which includes ecology and biodiversity elements, including green roofs planting to maintain species diversity and use of renewable energies. Routinely arrange ecological surveys for smaller schemes	When disposing of property we need to have more regard to the diversity implications of any sale than we currently do. Continue delivery of existing biodiversity duties.	The pursuit of maximising income from sales of property could be a greater incentive than diversity considerations Programme and cost challenges will remain
<b>Legal</b>	Does not arise in day to day work	N/A	N/A
<b>Finance</b>	Financial information leaflets for council tax and business rates are now available on line reducing printing and paper costs. Issue text messages to council tax payers to minimise letters issued by post	The financial obligations by its nature mean that opportunities to enhance biodiversity are limited. However we are mindful of the need to maintain and enhance biodiversity should future opportunities arise.	

Service Area	Current Actions	Proposed Actions	Constraints to Delivery
<b>ICT</b>	Tendering and procurement of software consider reducing energy use, and reducing travelling need between sites (provision of teleconference facilities , remote support of users etc.	The work of ICT Service has only an indirect contribution to our biodiversity duty. The division will continue to make services available to enhance way that staff can undertake their duties and limit their carbon footprint	Availability of and competing demands on finances and staff resources
<b>Corporate Customer Services</b>		Provision of advice to customers about issues relating to biodiversity Sign posting customers to on-line information about biodiversity where available	
<b>Occupational Health</b>		Enhance area outside office where employees could sit and wait for appointments in an area that attracts wildlife and provide a contemplation area, which may help their health and well-being by reducing stress and mental health issues.	Budgetary constraints

Gadewir y dudalen hon yn wag yn fwiadol