

Public Document Pack

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

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



www.caerphilly.gov.uk
www.caerffili.gov.uk

For all enquiries relating to this agenda please contact Charlotte Evans
(Tel: 01443 864210 Email: evansca1@caerphilly.gov.uk)

Date: 13th January 2016

Dear Sir/Madam,

A meeting of the **Cabinet** will be held in the **Sirhowy Room, Penallta House, Tredomen, Ystrad Mynach** on **Wednesday, 20th January, 2016 at 2.00 pm** to consider the matters contained in the following agenda.

Yours faithfully,

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

Chris Burns
INTERIM CHIEF EXECUTIVE

A G E N D A

	Pages
1 To receive apologies for absence.	
2 Declarations of Interest. Councillors and Officers are reminded of their personal responsibility to declare any personal and/or prejudicial interest(s) in respect of any item of business on the agenda in accordance with the Local Government Act 2000, the Council's Constitution and the Code of Conduct for both Councillors and Officers.	
To approve and sign the following minutes: -	
3 Cabinet held on 9th December 2015;	1 - 6
4 Special Cabinet held on 16th December 2015;	7 - 10

A greener place Man gwyrddach



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

To receive and consider the following reports on which executive decisions are required: -

5	Review of a) The Corporate Complaints Policy and b) The Policy and Procedure for Dealing with Unacceptable Persistent and Unreasonable Actions by Complainants.	11 - 34
6	Planning Guidance for Smaller Scale Wind Turbine Development/Caerphilly County Borough Landscape Sensitivity and Capacity Study.	35 - 224
7	Visit Wales ERDF Projects - The Mon and Brec Canal Adventure Triangle.	225 - 236
8	Appointment of Public and Agricultural Analysts.	237 - 240
9	Active Travel Consultation on Existing Routes Map.	241 - 282
10	Food and Organic Waste Procurement.	283 - 288
11	Community Centres Task and Finish Group.	289 - 314
12	Former Bedwelty School Site.	315 - 320
13	To receive and consider the following reports, which in the opinion of the Proper Officer may be discussed when the meeting is not open to the public and first to consider whether the Public Interest Tests requires that the meeting should be closed to the public for consideration of these items.	321 - 324
14	Disposal of Duffryn House (Ty Dyffryn).	325 - 344
15	Bridgend County Council - Catalogue Supplies Service.	345 - 390

Circulation:

Councillors Mrs C. Forehead, N. George, D.T. Hardacre, K. James, Mrs B. A. Jones, R. Passmore, D.V. Poole, K.V. Reynolds, T.J. Williams and R. Woodyatt,

And Appropriate Officers.



CABINET

MINUTES OF THE MEETING HELD AT PENALLTA HOUSE, TREDOMEN ON WEDNESDAY 9TH DECEMBER 2015 AT 2.00 P.M.

PRESENT:

Councillor B. Jones - Presiding Chair

Councillors:

C. Forehead (HR and Governance/Business Manager), N. George (Community and Leisure Services), D.T. Hardacre (Performance and Asset Management), K. James (Regeneration, Planning and Sustainable Development), R. Passmore (Education and Lifelong Learning), T.J. Williams (Highways, Transportation and Engineering) and R. Woodyatt (Social Services).

Together with:

C. Burns (Interim Chief Executive), C. Harry (Corporate Director - Communities), N. Scammell (Acting Director of Corporate Services and S151 Officer).

Also in Attendance:

S. Harris (Interim Head of Corporate Finance), B. Hopkins (Assistant Director – Education), R. Hartshorn (Head of Public Protection) J. Elias (Service Manager – ALN) and C. Evans (Committee Services Officer)

1. APOLOGIES FOR ABSENCE

Apologies were received from Councillors D.V. Poole, K.V. Reynolds and D. Street, Corporate Director - Social Services.

2. DECLARATIONS OF INTEREST

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

3. CABINET – 25TH NOVEMBER 2015

RESOLVED that the minutes of the meeting held on 25th November 2015 (minute nos. 1 - 7) be approved and signed as a correct record.

MATTERS ON WHICH EXECUTIVE DECISIONS WERE REQUIRED

4. COUNCIL TAX BASE 2016-2017

The report provided Cabinet with the details of the Council Tax base for 2016/17 for tax setting purposes and the collection percentage to be applied.

The Local Government Finance Act 1992 and the Local Authorities (Calculation of Council Tax Base)(Wales) Regulations 1995 sets out the rules of the calculation of the Council Tax Base. This is the amount required by the Local Government Finance Act 1992 to be used in the calculation of Council Tax.

The Council Tax base for discounted chargeable dwellings expressed as Band D equivalents has seen a 0.43% increase on the previous year. Members were advised that increases in Band D equivalents may result in a reduced Revenue Support Grant (RSG) when the Provisional Local Government Financial Settlement announcement is made in December 2015. Hence at this stage, additional income cannot be factored into the budget setting process for 2016/17.

For 2015/16 a collection rate of 97% was assumed. The collection rates for council tax have steadily increased over recent years; the in-year collection rate for council tax in 2014/15 was 96.7%. The Authority pursues Council Tax arrears which has resulted in the collection rate of 97% being regularly exceeded. This generates a council tax surplus at the financial year end. For 2014/15 the Council Tax surplus was £1.4m. Members noted that the surplus is used to support the Authority's base budget.

Since 2014/15 funding for the Council Tax Reduction Scheme (CTRS) has been included within the Revenue Support Grant at 2013/14 levels. This means that Local Authorities must take account of any additional CTRS costs arising from their decisions about Council Tax levels for 2016/17. Any increase in CTRS expenditure would have to be met by the Authority and therefore it would be prudent to apply the same percentage increase in the Council Tax for 2016/17, to the total funds set aside for the CTRS. An element of the increased revenue from Council Tax would then need to be set aside to fund the increased CTRS costs.

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

RESOLVED that for the reasons contained in the report:

- (i) the Council Tax collection rate of 97% remain unchanged for 2016-17;
- (ii) Council Tax Reduction Schemes (CTRS) funding be increased by the same percentage as the Council Tax for 2016/17. This will be funded by setting aside funding from anticipated Council Tax Income as outlined in paragraph 4.6 of the Officers Report;
- (iii) the Council Tax Base for the year 2016/17 be 59,575.14, with the Council Tax Base for each community council area as outlined in paragraph 4.7 of the Officers Report.

5. CAERPHILLY COUNTY BOROUGH COUNCIL'S ANNUAL LIBRARY STANDARDS ASSESSMENT 2014-2015

The report, which detailed the progress made by the County Borough Library Service in seeking to meet the 5 Framework of Welsh Government Public Library Standards, Core

Entitlements, and Qualitative Indicators, during 2014-15, and provided a guide to the new features contained in the 2014-2017 Welsh Government Public Library Standards Framework, was considered by the Education for Life Scrutiny Committee on the 3rd November 2015.

Members noted that this is the 1st year of the new Framework that will operate until 31st March 2017 and includes a number of new assessment areas with a focus on outcome and qualitative measures, in addition to more traditional standards of attainment.

Caerphilly County Borough was assessed as meeting 17 of the 18 Welsh Government Core Entitlements for Public Library Service Provision, with one Entitlement met in part. The Borough Library Service was deemed as meeting 6 of the 7 Quality Indicators for Wales with none failed in totality and was described by the Assessors and Reference Panel as being a 'strong performer' within Wales, achieving a number of indicators that other Council have failed to achieve.

It was noted that, the Assessment Group stated that "Caerphilly Library Service is a strong performer and is to be congratulated on its high visits and active borrower figures per capita. It is also meeting several targets which most other authorities are failing".

However, the Welsh Government Public Libraries Standards Reference Group noted a number of areas of performance that were below the average for Wales and required further attention by the Borough Council in order to continue to deliver a strong performing service in the future. These included informal training for customers, increasing the use of Public Computer Services and providing Wi-Fi to customers in the additional one third of static Library bases that do not currently offer the service.

Members thanked the Officer for the positive report and noted that overall, the assessment of the County Borough Council's Public Library Service for 2014-2015 was positive and complementary of the investment and strategic leadership the Authority has provided over a number of years. In addition, it was noted that the lead officer for the Library Service is currently experiencing a period of ill health and as a result was not able to present the report to Cabinet. In response, Members wished it noted that their thoughts for a speedy recovery were expressed.

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

RESOLVED that for the reasons contained in the Officers report and proposed at the meeting:

- (i) the information received from the County Borough Library Service with regard to its performance for 2014-2015 in working towards achieving the 5 Framework of Welsh Government Public Library Standards, 2014-2017 be noted;
- (ii) the Welsh Government's Public Library Standard Reference Group assessment of this performance (as detailed in the appendices to the report), and the Authority's attainment of 17 Core Entitlements and 6 Quality Indicators that have target levels of attainment be noted;
- (iii) in noting that the Education for Life Scrutiny Committee have endorsed its content, the Welsh Government Public Library Standards Annual Report 2014-2015 be approved.

6. SYRIAN VULNERABLE PERSONS RELOCATION SCHEME

The report sought the approval of Cabinet for the Council to participate in the Syrian

Vulnerable Persons Relocation Scheme.

In response to the humanitarian emergency in Syria the UK Government has announced that over the next 4/5 years up to 20,000 Syrians will be accepted into the UK under the Syrian Vulnerable Persons Relocation Scheme. Local Authorities have been asked to consider participating in the Scheme with an additional request for “trailblazer” local authorities to come forward who would be willing to accept some of these families before Christmas.

Local Authorities would be expected to ensure that arrivals are provided with suitable accommodation and that the specific needs of these vulnerable individuals are met. Central Government will meet the costs of the arrivals in terms of orientation support, health and education costs for the first year from arrival. The intention is that properties would be sourced from within the private rented sector in localities where relevant support services and networks can be accessed.

Members thanked the Officer for the report and it was noted that there will now be one family relocated to the Caerphilly County Borough area before Christmas, with the second anticipated into the New Year. In addition, Members expressed their support for the programme and recommended a number of local organisations that may be of some assistance to the families.

Following consideration and discussion, it was moved and seconded that the recommendation in the report be approved. By a show of hands this was unanimously agreed.

RESOLVED that for the reasons contained in the Officers report, participation in the Syrian Vulnerable Persons Relocation Scheme be approved by Cabinet.

7. POLICY ON THE DETERMINATION OF SUITABILITY TO HOLD A LICENCE UNDER THE SCRAP METAL DEALERS ACT 2013

The report sought the approval of Cabinet for a policy on the determination of suitability to hold a licence under the Scrap Metal Dealers Act 2013.

The Scrap Metal Dealers Act 2013 (“the Act”) was enacted on the 1st October 2013 and introduced a new licensing system to control site operators and itinerant collectors.

The Act and supporting Regulations are silent upon the issue of responsibility for exercising the function under the Act. Consequently the provisions of S9 (D) of the Local Government Act 2000 are triggered and by default the function is exercised by the Executive.

The Scrap Metal Dealers Act 2013 replaced previous registration requirements in respect of scrap metal dealers. The Council is the licensing authority under the Act and is responsible for the issue, renewal, variation and revocation of scrap metal dealer’s licences.

A local authority must determine whether the applicant is a suitable person to carry on a business as a Scrap Metal Dealer and must not issue or renew a licence unless it is satisfied that the applicant is a suitable person to be licensed. Local authorities may have regard to any relevant information in considering suitability, including convictions for relevant offences, previous or impending enforcement action, previous refusal of the applicant or revocation of a licence. A local authority may also require that an applicant provide such other information, as it considers relevant, for the purpose of considering their suitability.

The aim of the policy is to ensure that a person licensed as a scrap metal dealer is a suitable person to carry on said business; the process Caerphilly County Borough Council follow when considering persons suitability is transparent, fair and proportionate and supports and ensures the protection of the public. In addition, it was noted that applications would be determined on individual merits and would have regard to the policy and where the circumstances demand, may depart from the policy.

Members thanked the Officer for the report and, whilst acknowledging the impact the policy has made on metal thefts, sought further information on the terms of the licenses being issued and whether there was an opportunity to review. Officers confirmed that a 3 year license is issued as standard, however, there are a opportunities to review this or revoke a licence, should there be an occurrence of an incident of concern during the period of the licence.

Following consideration and discussion, it was moved and seconded that the recommendation in the report be approved. By a show of hands this was unanimously agreed.

RESOLVED that for the reasons contained in the report, the policy be adopted from 1st January 2016.

8. ADDITIONAL LEARNING NEEDS REVIEW

The report, which was presented to the Education for Life Scrutiny Committee on the 3rd November 2015, detailed the progress of the Additional Learning Needs (ALN) Review. The report highlighted the progress made and sought the approval of Cabinet to go out to formal consultation, to close the Specialist Resource Base (SRB) at Hendre Junior School and realign the Social Inclusion Base at Cefn Fforest Primary School.

It was noted that the aim of the ALN review is to identify strengths and areas for development of the current services and to provide options for the delivery of services for children and young people with additional learning needs. The report provided an update on the status of the ALN review and made recommendations for a way forward with regard to two Specialist Resource Base (SRB) provisions.

Cabinet thanked the Officer for the report and sought further information on the impact the proposals would have on any staff within Hendre SRB. Officers confirmed that, due to the reduction in the use of the base, staff have sought alternative employment and therefore there is no impact on staff as a result of this report.

Following consideration and discussion, it was moved and seconded that the recommendation in the report be approved. By a show of hands this was unanimously agreed.

RESOLVED that for the reasons in the report, approval be given for the process to commence, in accordance with the procedures set out in the School Organisation Code 2013.

9. CABINET FORWARD WORK PROGRAMME

The report sought the approval and endorsement of Cabinet of the Forward Work Programme for the period December 2015 to March 2016.

The report outlined the proposed Forward Work Programme for future Cabinet reports, which is updated on a monthly basis to reflect any amendments that are made to it since it was first agreed.

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

RESOLVED that for the reasons in the Officers report, the Cabinet Forward Work programme be approved.

The meeting closed at 2.34pm

Approved and signed as a correct record subject to any corrections made at the meeting held on 20th January 2016.

CHAIR



SPECIAL CABINET

MINUTES OF THE MEETING HELD AT PENALLTA HOUSE, TREDOMEN ON WEDNESDAY 16TH DECEMBER 2015 AT 2.00 P.M.

PRESENT:

Councillor K.V. Reynolds - Chair

Councillors:

Mrs C. Forehead (HR and Governance/Business Manager), N. George (Community and Leisure Services), D.T. Hardacre (Performance and Asset Management), K. James (Regeneration, Planning and Sustainable Development), Mrs B. Jones (Deputy Leader and Cabinet Member for Corporate Services), R. Passmore (Education and Lifelong Learning), D.V. Poole (Deputy Leader and Cabinet Member for Housing), T.J. Williams (Highways, Transportation and Engineering) and R. Woodyatt (Social Services)

Together with:

C. Burns (Interim Chief Executive), C. Harry (Corporate Director - Communities), N. Scammell (Acting Director of Corporate Services and Section 151 Officer), D. Street (Corporate Director - Social Services)

Also in Attendance:

S. Couzens (Chief Housing Officer) and R. Barrett (Committee Services Officer)

1. APOLOGIES FOR ABSENCE

There were no apologies for absence received.

2. DECLARATIONS OF INTEREST

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

MATTERS ON WHICH EXECUTIVE DECISIONS WERE REQUIRED

3. ROWAN PLACE, RHYMNEY – PROPOSED DEMOLITION OF FLATS – BLOCK 69-72

The report sought Cabinet approval to demolish one block of flats in Rowan Place, Rhymney in conjunction with the improvement of the physical condition of the estate.

Officers explained that following the identification of severe damp and external defects to the external fabric of the properties in Rowan Place a major investment programme is currently being undertaken to bring the properties up to the Welsh Housing Quality Standard (WHQS). 48 of the properties are 2 bedroom flats comprising 12 blocks, which is a large concentration in a very small area. One of the blocks currently has no occupiers and an opportunity has therefore arisen to demolish this block, which would address issues relating to anti-social behaviour and create a more open area in the centre of the estate.

Grant funding has been secured from Welsh Government under the Vibrant and Viable Places (VVP) for environmental enhancement works in Rowan Place and the funding will enable works to be undertaken to the site of the demolished block of flats, together with an adjacent site occupied by vacant garages.

Cabinet were informed that the proposed demolition has been discussed with the local ward member, who has raised no objections but requested that residents of Rowan Place be consulted, with particular consideration being given to the after-use of the cleared site. Subject to ratification from Cabinet, the demolition of the block of flats will require the consent of the Welsh Minister and a formal application for consent will need to be made to Welsh Government. This will be accompanied by a statement setting out the purpose of the disposal, a District Valuer's report on the open market value of the property, the financial implications in respect of reduced rent, the Cabinet approval to the disposal/demolition, and the Cabinet report.

Cabinet expressed their support for the proposals and referred to the community benefits of the environmental enhancement works for the residents of Rowan Place. It was confirmed by Officers that the Authority did not have a demolition policy as such but that potential demolitions are considered on their own merits as and when the need arises.

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

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

- (i) a formal application for consent be made to Welsh Government to proceed with the demolition of 69-72 Rowan Place;
- (ii) subject to recommendation 1, and having regard to the views of the local ward member, consultation take place with the residents of Rowan Place in respect of the after-use of the cleared site;
- (iii) subject to recommendation 1, a report be requested from the District Valuer on the open market value of the property as required by Welsh Government.

4. PROPOSED DEMOLITION OF FORMER LANSBURY PARK COMMUNITY CENTRE

The report sought Cabinet approval for the demolition of the former Lansbury Park Community Centre which has been declared surplus to operational requirements.

Officers explained that the former Lansbury Park Community Centre was transferred to Housing Services many years ago and was used as an operational store for the on-site workforce. Following the centralisation of the in-house workforce to Tiryberth Depot, the building has been declared surplus to requirements. As there has been no other service requirements for the building, and due to its poor condition and appearance, it was recommended that the building be demolished.

The removal of the building would contribute to the environmental improvements that are anticipated for Lansbury Park as part of the Council's WHQS investment programme. Following discussions with Welsh Government, there is also an opportunity for CCBC to bid for Vibrant and Viable funding, as there appears to be an underspend on the all-Wales allocation for 2015/16. If successful, Welsh Government would require that the demolition is completed within the current financial year. Any further grant-funded opportunities would also be pursued.

It was noted that agreement on the proposed demolition had been reached following consultation with local ward members and Officers, and that should the proposal to proceed with the demolition be ratified by Cabinet, tenants/residents on the estate would be consulted to establish options for improving the area as a means of determining the environmental programme.

Cabinet expressed their support for the proposals and made reference to the positive impact of the proposed demolition on the surrounding community. Members asked that their appreciation for the work of Officers in respect of facilitating environmental improvements within the Lansbury Park estate be placed on record.

Following consideration and discussion, it was moved and seconded that the recommendation in the report be approved. By a show of hands this was unanimously agreed.

RESOLVED that for the reasons contained in the Officer's report, the proposals for the demolition of the former Lansbury Park Community Centre be supported.

5. WELSH LANGUAGE STANDARDS – COMPLIANCE AND CHALLENGES

The report provided Members with an update regarding the Welsh Language Standards and where the Council now stands in terms of the 172 Standards that were issued to it by the Welsh Language Commissioner on 30th September 2015.

The Welsh Language (Wales) Measure 2011 included a commitment to set a common standard for Welsh Language service across public bodies, thus facilitating the public's understanding and access to those services. The related action plan and requirement to comply with the Standards will replace the Council's Welsh Language Scheme from 30th March 2016 and is a corporate objective under the draft Strategic Equality Plan 2016-2020, which is currently out for consultation.

The report set out the position of the Council as of 30th September 2015, noting the changes made to the specific Caerphilly County Borough Council (CCBC) set of Standards following the evidence submitted during the consultation period and covering an initial set of Standards that can be challenged further.

The final Compliance Notice from the Welsh Language Commissioner (contained within Appendix 1 of the report) outlined the 172 Standards and the exemptions where relevant, together with the timescales for implementation. Appendix 2 identified which Standards had changed and which had remained the same since the summer's consultation period. Appendix 3 documented the 6 Standards currently being recommended by Officers for a formal challenge, following receipt of the final compliance notice.

Cabinet were advised that in addition to the 6 Standards already identified by Officers, there were an additional 5 Standards that could be considered for further challenge. Standards 112, 112A, 114 and 115 require CCBC to allow staff members to be able to make complaints on any work related issues in Welsh to the relevant services within the organisation, and it was the view of Officers that these could be challenged in respect of the required timescales for compliance. Standard 139 (which requires CCBC to conduct all staff recruitment interviews bilingually) was also recommended for challenge in that there was believed to be confusion with Standard 138 (offer and provide on-request simultaneous translation service), which CCBC already comply with.

Subject to ratification from Cabinet, the 6 original challenges and the additional 5 challenges would be put in motion and submitted to the Welsh Language Commissioner, prior to further work being undertaken on any other potential challenges identified by Cabinet Members.

Cabinet noted the extensive amount of work undertaken by Equalities and Welsh Language staff in examining the Standards, identifying those considered to be difficult or impossible to achieve, and collating supporting evidence in this respect. Members requested that their appreciation for the work of these Officers be placed on record.

A query was raised in respect of compliance with the Standards and the penalties faced by the Council if these could not be achieved following the implementation date of 30th March 2016. Members were advised that there were financial implications in respect of non-compliance with the Standards but that there would be an opportunity to challenge or appeal any breaches prior to reaching this stage. Officers added that an annual report would be produced by the Council to demonstrate how the Standards were being met, and Cabinet were also provided with examples of the assessment process carried out by WG to determine compliance with these standards.

An additional recommendation to the report was moved and seconded, in that the submission of evidence to challenge the additional 5 Standards (112, 112A, 114, 115 and 138), as identified by Officers, be approved. As such, and subject to the inclusion of this additional recommendation, it was moved and seconded that the recommendations in the Officer's report be approved. By a show of hands this was unanimously agreed.

RESOLVED that for the reasons contained in the Officers report:

- (i) the submission of the evidence to challenge the 6 Standards as outlined in Appendix 3 of the Officer's Report be approved;
- (ii) the Standards shown in Groups A – G, excluding any specific standards that Cabinet wish to consider for challenge, be formally agreed as reasonable and proportionate;
- (iii) that, following on from the above, after due consideration of the other Standards, shown mainly (but not necessarily exclusively) in Groups H, I, J and K, any further challenges agreed upon by Cabinet be progressed in accordance with the evidence available;
- (iv) the submission of evidence to challenge an additional 5 Standards (112, 112A, 114, 115 and 138) as identified by Officers and outlined at the meeting be approved.

The meeting closed at 2.32 p.m.

Approved and signed as a correct record subject to any corrections made at the meeting held on 20th January 2016.

CHAIR



CABINET – 20TH JANUARY 2016

SUBJECT: REVIEW OF A) THE CORPORATE COMPLAINTS POLICY AND B) THE POLICY AND PROCEDURE FOR DEALING WITH UNACCEPTABLE PERSISTENT AND UNREASONABLE ACTIONS BY COMPLAINANTS

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

-
- 1.1 The attached report was considered by Audit Committee on 9th December 2015.
 - 1.2 The purpose of the report was to seek the views of the Audit Committee on the changes proposed to the Corporate Complaints Policy as set out in Appendix 1 of the report and the current Policy and Procedure for Dealing with Unacceptable, Persistent and Unreasonable Actions by Complainants as set out in Appendix 2, prior to its presentation to Cabinet.
 - 1.3 By way of background information, on the 12th December 2012 the Audit Committee considered the implementation of the Council's new Corporate Complaints Policy which was subsequently endorsed by Cabinet and implemented on 1st April 2013. The policy was developed with a view to ensuring that complaints were dealt with in a consistent manner across Wales with the significant change being the number of stages in the process being reduced from three to two. This provision remains prescriptive and cannot under any circumstances be varied. The Audit Committee receives six monthly update reports on the complaints received under the Corporate Complaints Policy and has recently received an Annual report reviewing the complaints policy for the period 1st April 2014 to 31st March 2015. Members were advised that the policy is working well and there are no proposals to significantly amend the Policy other than to include those referred to in Appendix 1 of the report.
 - 1.4 The introduction of the Policy and Procedure for Dealing with Unacceptable Persistent and Unreasonable Action by Complainants was considered by Audit Committee on 6th November 2013 and adopted by Cabinet in November 2013. The Policy is subject to a two yearly review, this was due in November 2015. Members were informed that it remains the case that the majority of complainants pursue their complaints with the Authority in an appropriate manner. However a small number of complainants pursue their cases in a way that can impede investigation of their complaint or have significant resource implications in dealing with the case for example the sheer number or nature of their enquiries may lead to them to be considered as persistent. Members were advised that although there have been no formal referrals under this Policy since its introduction in November 2013, officers have had regard to its provisions when considering the actions of any complainant whose behaviour was becoming unacceptable or persistent in nature. As such it remains a useful tool to Officers when dealing with complainants under the Corporate Complaints Policy.
 - 1.5 Having considered the report, the Audit Committee recommended to Cabinet that:
 - (i) the changes proposed to the Corporate Complaints Policy as set out in Appendix 1 be endorsed.
 - (ii) the current Policy and Procedure for Dealing with Unacceptable, Persistent and Unreasonable Actions by Complainants as set out in Appendix 2 be endorsed.

1.6 Members are asked to consider the recommendations.

Author: Amy Dredge, Committee Services Officer

Appendices:

Appendix 1 Review of a) The Corporate Complaints Policy and b) The Policy and Procedure for dealing with Unacceptable, Persistent and Unreasonable Actions by Complainants



AUDIT COMMITTEE – 9TH DECEMBER 2015

SUBJECT: REVIEW OF A) THE CORPORATE COMPLAINTS POLICY & B) THE POLICY AND PROCEDURE FOR DEALING WITH UNACCEPTABLE PERSISTENT AND UNREASONABLE ACTIONS BY COMPLAINANTS

REPORT BY: INTERIM HEAD OF LEGAL SERVICES AND MONITORING OFFICER

1. PURPOSE OF REPORT

- 1.1 To seek the views of the Audit Committee on the changes proposed to the Corporate Complaints Policy as set out in Appendix 1 prior to presenting the policy to Cabinet for approval.
- 1.2 To ask the Audit Committee to recommend that the current Policy and Procedure for Dealing with Unacceptable, Persistent and Unreasonable Actions by Complainants as set out in Appendix 2 be endorsed with no amendments.

2. SUMMARY

- 2.1 To seek views on proposed changes to the Corporate Complaints Policy and to endorse the current Policy and Procedure for Dealing with Unacceptable, Persistent or Unreasonable Actions by Complainants.

3. LINKS TO STRATEGY

- 3.1 The policies support the provision of higher quality and more effective services to the public.
- 3.2 The policies ensure that complaints are dealt with consistently and fairly across all service areas whilst ensuring staff are aware of the process of identifying unreasonably persistent complainants.

4. THE REPORT

Corporate Complaints Policy

- 4.1 By way of background information, on the 12th December 2012 the Audit Committee considered the implementation of the Council's new Corporate Complaints Policy which was subsequently endorsed by Cabinet and implemented on 1st April, 2013.
- 4.2 The policy was developed for adoption by public sector organisations across Wales by a "Complaint Wales Group" set up by Welsh Government. The Group comprised relevant officers from public sector organisations across Wales and chaired by the Public Services Ombudsman for Wales, for adoption by public sector organisations across Wales. The policy was developed with a view to ensuring that complaints were dealt with in a consistent manner

across Wales with the significant change being the number of stages in the process being reduced from three to two. This provision remains prescriptive and cannot under any circumstances be varied.

- 4.3 The Terms of Reference of the Audit Committee provides that it “shall oversee and monitor the outcomes of complaints received by the Authority under the Council’s Corporate Complaints Policy and review the policy on an annual basis and to make comments on the adequacy and effectiveness of the policy”. Members will be aware that this Committee receives six monthly update reports on the complaints received under the Corporate Complaints Policy and has recently received an Annual report reviewing the complaints policy for the period 1st April 2014 to 31st March 2015.
- 4.4 Members advised that the policy is working well and there are no proposals to significantly amend the Policy other than to include the following, which are track changed on the copy of the policy attached at Appendix 1 to the report
- 4.4.1 Additional contact details for Social Services and the Information Unit have been added to page 3 of the policy for clarification.
- 4.4.2 A new paragraph 7 has also been incorporated on page 3 of the Policy to clarify that the Policy does not relate to conduct/discipline issues. This paragraph follows similar wording to that contained in the booklet issued by the Ombudsman which sets out what types of complaints the Ombudsman is able to look at. Whilst a matter of conduct or discipline is not considered under the Corporate Complaints Policy, where such issues are raised they are referred to the relevant service area for separate consideration.
- 4.4.3 At page 5 of the policy, where a formal investigation of a complaint is considered (ie Stage 2), and the Council’s practice is for the Head of Service or a person nominated on his/her behalf to deal with such complaints. Accordingly the policy has been clarified to reflect how this part of the process is dealt with. Where a Stage 2 complaint involves more than one Head of Service, the policy currently provides that it will be dealt with by the Monitoring Officer or his/her deputy. It is proposed that this provision is amended to include the Corporate Solicitor.
- 4.5 Members are asked to consider and endorse the proposed changes prior to referring the Policy to Cabinet for approval.
- 4.6 **Policy and Procedure for Dealing with Unacceptable Persistent and Unreasonable Action by Complainants**
- 4.7 The introduction of the Policy and Procedure for Dealing with Unacceptable Persistent and Unreasonable Action by Complainants was considered by Audit Committee on 6th November 2013 and adopted by Cabinet in November 2013. The Policy is subject to a two yearly review this was due in November 2015.
- 4.8 Members are advised that it remains the case that the majority of complainants pursue their complaints with the Authority in an appropriate manner. However a small number of complainants pursue their cases in a way that can impede investigation of their complaint or have significant resource implications in dealing with the case for example the sheer number or nature of their enquiries may lead to them to be considered as persistent.
- 4.9 However officers are also mindful of the fact that unreasonable complainants may make reasonable complaints. As such all correspondence must be considered to ensure that all issues raised have been addressed.
- 4.10 Whilst there have been no formal referrals under this Policy since its introduction in November 2013, officers have had regard to its provisions when considering the actions of any complainant whose behaviour was becoming unacceptable or persistent in nature. As such it

remains a useful tool to officers when dealing with complainants under the Corporate Complaints Policy.

- 4.11 Members are therefore asked to endorse the current Policy and Procedure for Dealing with Unacceptable Persistent and Unreasonable Actions by Complainants under the Corporate Complaints Policy.

5. FINANCIAL IMPLICATIONS

- 5.1 There are no financial implications arising from this report.

6. PERSONNEL IMPLICATIONS

- 6.1 There are no personnel implications arising from this report.

7. EQUALITIES IMPLICATIONS

- 7.1 There are no equalities implications arising from this Report.

8. CONSULTATIONS

- 8.1 The views of the consultees where appropriate have been incorporated into the report.

9. RECOMMENDATIONS

- 9.1 Members are asked to provide their views on the changes proposed to the Corporate Complaints Policy as set out in Appendix 1 prior to presenting the policy to Cabinet for approval.
- 9.2 Members are asked to recommend to Cabinet that the current policy for Policy and Procedure for Dealing with Unacceptable, Persistent and Unreasonable Actions by Complainants is endorsed.

10. REASONS FOR RECOMMENDATIONS

- 10.1 To review the Corporate Complaints Policy and the Policy and Procedure for Dealing with Unacceptable, Persistent and Unreasonable Actions by Complainants.

11. STATUTORY POWER

- 11.1 Local Government Act 1972-2003 Public Services Ombudsman Wales Act 2005.

Author: Gail Williams, Interim Head of Legal Services/Interim Monitoring Officer
Consultees: Nicole Scammell, Acting Director of Corporate Services
Angharad Price, Interim Deputy Monitoring Officer
Lisa Lane, Solicitor
Jan Carter, Senior Housing Officer
Gemma Hoare, Housing Officer (Customer Services)
David Titley, Customer Services Manager
Kim Davies, Customer Services/Complaints Officer
Karen Williams, Support Officer

Judith Morgans, Customer Services Manager
Ros Roberts, Performance Manager
Andrea Jones, Corporate Complaints Officer
David A Thomas, Policy Officer
Richard Harries, Internal Audit Manager
Leigh Brook, Corporate Finance

Background Papers:

Report to Audit Committee 12th December, 2012 - Implementation of new Caerphilly County Borough Council Complaints Policy

Report to Audit Committee 6th November, 2013 – the Policy and Procedure for Dealing with Unacceptable Persistent Unreasonable Actions by complaints under the Council's Corporate Complaints Policy

Appendices:

Appendix 1: Corporate Complaints Policy with track changes

Appendix 2: Policy and Procedure for Dealing with Unacceptable, Persistent and Unreasonable Actions by Complainants with no amendments



Caerphilly County Borough Council

Corporate Complaints Policy

| Version 1 with amendments — Nov 15

Caerphilly County Borough Council

Corporate Complaints Policy

Introduction & Policy Statement

Caerphilly County Borough Council is committed to dealing effectively with any complaints you have about our service. We aim to clarify any issues about which you are not sure. If possible, we will put right any mistakes we may have made. We will provide any service to which you are entitled that we have failed to deliver. If we were wrong we will apologise and offer redress if appropriate. We also aim to learn from our mistakes and use the information we gain to improve our services.

Principles

The Council will aim to use the following principles in its operation of the Complaints procedure:-

- Accessible and simple
- Fair and impartial
- Timely, effective and consistent
- Accountable
- Delivers continuous improvement

What Is A Complaint?

A complaint is:

An expression of dissatisfaction or concern which requires a response. It may be:

- Either written or spoken
- Made by one or more members of the public
- About the Council's action or lack of action or about the standard of service provided
- About the Council itself, a person acting on its behalf or a public service provider partnership

Who Can Complain?

Any member of the public, including a child, who has received, or was entitled to receive, a service from the Council may make a complaint.

A complaint can also be put forward by someone on behalf of another person, as follows:-

- a. Someone who has died
- b. A child
- c. Those who lack the capacity (as defined by the Mental Capacity Act 2005)
- d. They have been asked to do so by the person affected.

In the case of (b), (c) and (d), the Council must satisfy itself, as far as the circumstances of the person affected allow for it, that the representative is acting with the authority of that person and if possible obtain their signature to confirm this.

Time Limit

The Council will only be obliged to consider complaints within six months of the complainant becoming aware of the problem. If a complaint is received after more than six months, the Council's Monitoring Officer or his deputy will consider whether there are valid reasons to support consideration, and whether information is still available to make consideration possible.

When To Use This Policy

This policy only applies to complaints as described above. It does not apply to:-

1. A Request For Service

If you are telling us about something which you think needs to be done, for example, repairing a pothole, then you are requesting a service. This policy does not apply to requests for service.

However, if you make a request for service and you aren't happy with our response, you will be able to complain using this policy as we describe below.

Others

2. Issues where there is a statutory right of appeal, e.g. a refusal to grant you planning permission, or a decision not give your child a place in a particular school. In such cases the Council will explain the appeals process.
3. Concerns about policy decisions made by other public sector organisations, e.g. Welsh Government. In such cases the Council will advise you how to make your concerns known.
4. Complaints regarding Social Services. For Social Services complaints please contact Social Services Complaints, Penallta House, Ystrad Mynach, Hengoed, CF82 7PG; [telephone 0800 3284061](tel:08003284061), [email socialservices@caerphilly.gov.uk](mailto:socialservices@caerphilly.gov.uk)
5. Complaints about schools, please approach the school direct.
6. Concerns/complaint in relation to Freedom of Information or Data Protection issues. Please contact the Council's Information Unit, Penallta House, Ystrad Mynach, Hengoed, CF82 7PG; [telephone 01443 864320](tel:01443864320), [email foi@caerphilly.gov.uk](mailto:foi@caerphilly.gov.uk)
7. Employment matters. Although we can consider complaints such as recruitment or appointment procedures under this policy we cannot look into other staff matters such as discipline, which may include the conduct of an officer. Where such issues are referred to as part of a complaint, these matters will be referred to the appropriate service area for separate consideration outside of the complaints policy.
- 6.

Formatted: Bullets and Numbering

Formatted: Bullets and Numbering

How To Make Your Complaint

You can express your complaint in any of the ways below:-

- Ask for a form from the person with whom you are already in contact. Tell them that you want us to deal with your complaint formally.
- You can get in touch with us by telephoning 01443 864221.
- You can use the form on our website by following this link: www.complaints@caerphilly.gov.uk.
- You can e-mail us at complaints@caerphilly.gov.uk
- You can write to the Corporate Complaints Officer, Mrs. Andrea Jones, Legal Department, Caerphilly County Borough Council, Penallta House, Ystrad Mynach, CF82 7PG.

We aim to have complaint forms available at all of our service outlets and public areas such as local offices and libraries.

If you would like this policy and the complaint form in Welsh or another language or format (perhaps Braille or large print), please contact the Corporate Complaints Officer.

A copy of the form is attached at Appendix 1.

Dealing With Your Complaint

We have a two-stage approach for dealing with your complaint.

Stage 1

We will formally acknowledge your complaint within **five** working days and let you know how we intend to deal with it.

Formatted

If possible, we believe it is best to deal with things straight away rather than try to sort them out later. If you have a complaint, raise it with the person you are dealing with. He or she will try to resolve it for you there and then. If there are any lessons to learn from addressing your complaint then the member of staff will draw them to our attention. We will aim to achieve this within **ten** working days of your complaint being raised. If the member of staff can't help, they will explain why and you can then ask for a formal investigation.

Formatted

If you have asked us to communicate in a specific way, perhaps by e-mail or letter, we will honour your wish if possible.

We will deal with all complaints in an open and honest way.

We will make sure that no one is disadvantaged because they have made a complaint.

Normally, we will only be able to look at complaints if you tell us about them within six months. This is because it is better to look into your complaints while the issues are still fresh in everyone's minds.

We may, in exceptional circumstances, be able to consider complaints raised later than that. However, you will need to have a strong reason for the delay, and the information must still be available to allow us to investigate properly. A decision on whether or not to investigate in these circumstances will be made by the Council's Monitoring Officer or his/her deputy.

If your complaint covers more than one organisation, we will usually work with them. We will then give you the name of the person responsible for communicating with you while the complaint is dealt with.

If the complaint is about someone working on our behalf, we will look into your complaint ourselves **unless** we have agreed a contractual complaints process with the body providing the service. If a contractual complaints process is in place, we will still monitor complaints received and how the contractor deals with them.

Formal Investigation – Stage 2

~~The relevant Head of Service or a person nominated on his/her behalf will deal with your complaint at Stage 2. We will tell you who we have asked to look into your complaint. If your complaint is straightforward, we will usually ask the nominated Complaints Officer from the service area to look into it and get back to you. If it is more complicated, we may use someone from elsewhere in the Council. We may seek advice from both within and outside the Council. If the complaint involves more than one Head of Service's area of responsibility it will be dealt with by the Council's Monitoring Officer, or his/her deputy or the Corporate Solicitor.~~

We will set out to you our understanding of your complaint and ask you to confirm that we have got it right. We'll also ask you to tell us what outcome you are hoping for. The person looking at your complaint will usually need to see the files we hold relevant to your complaint, but we will always protect your personal data from improper use.

If there is a simple solution to your problem, we may ask you to accept this. For example, where you asked for a service and we see straight away that you should have received it; we will offer to provide the service rather than investigate and produce a report.

We will aim to resolve complaints as quickly as possible. The formal stage complaints process should normally be concluded within **20** working days, commencing on the day following the day that the exact complaint is agreed between the complainant and the Corporate Complaints Officer. Where this deadline cannot be met we will:-

- Let you know within this time why we think it may take longer to investigate.
- Tell you how long we expect it to take.
- Let you know where we have reached with the investigation, and
- Give you regular updates, including telling you whether any developments might change our original estimate.

Formatted

The person who is investigating your complaint will aim first to establish the facts. The extent of this investigation will depend on how complex the issues you have raised are.

We may ask to meet you to discuss your concerns. Occasionally we might suggest mediation to try to resolve disputes.

We will look at relevant evidence. This could include files, notes of conversations, letters, e-mails or whatever may be relevant to your particular complaint. If necessary, we will talk to the staff or others involved and look at our policies and any legal entitlement and guidance.

Equalities Issues

We will deal with all complaints fairly and without prejudice, irrespective of the background, language needs and circumstances of the person making the complaint. This does mean we will need to ask relevant questions to ensure that there is no discrimination occurring in our complaints process, but you only need to answer the questions if you wish to do so, all we ask is that you understand that we have to ask them.

Outcome

If we investigate your complaint, we will let you know what we have found in keeping with your preferred form of communication. This could be by letter or e-mail, for example. If necessary, we will produce a detailed report. We will explain how and why we came to our conclusions.

If we find that we got it wrong, we will tell you what happened and why.

If we find there is a fault in our systems or the way we do things, we will tell you what it is and how we plan to change things to stop it happening again.

If we've got it wrong, we will always apologise.

Putting Things Right

If the Council didn't provide a service you should have had, we will aim to provide it if that is practical and sensible.

If the Council didn't do something well enough, we will aim to do it better and if our investigations show you have lost out as a result of a mistake on the Council's part we will try to put you back in the position you would have been in if we had got it right in the first place.

Ombudsman

If we do not succeed in resolving your complaint, you may complain to the Public Services Ombudsman for Wales. The Ombudsman can look into your complaint if you believe that you personally, or the person on whose behalf you are complaining:-

- Have been treated unfairly or received a bad service through some failure on the Council's part, or

- Have been disadvantaged personally by maladministration or service failure.

The Ombudsman expects you to bring your concerns to our attention first and to give us a chance to put things right. You can contact the Ombudsman by:-

- Phone 0300 790 0203
- E-mail ask@ombudsman-wales.org.uk
- The website www.ombudsman-wales.org
- Writing to: Public Services Ombudsman for Wales,
1 Ffordd Yr Hen Gae,
Pencoed,
CF35 5LJ.

Learning Lessons

We take your concerns and complaints seriously and try to learn from any mistakes we have made. A summary of all complaints will be considered by the Council's Leadership team on a regular basis. Complaints will also be monitored by the Council's Audit Committee.

When we identify a significant need for change we will develop an action plan setting out what we will do, who will do it and when we plan to do it by. We will let you know when promised have been implemented.

What If I need Help?

Our staff will aim to help you to make your complaints known to us. If you need extra assistance, we will try to put you in touch with someone who can help.

In all circumstances, we will pay due regard to your particular circumstances in the light of protected characteristics defined by the Equality [Act 2010](#).

Appendices

Complaint/concern form.

About your complaint?

1. Name of the service you are complaining about

2. What do you think they did wrong, or failed to do:

3. When did you first become aware of this problem

4. Have you already raised concern with a member of staff? If so, please give brief details of how and when you did so.

5. Describe how you personally have suffered or have been affected.

6. What do you think should be done to put things right?

7. If it is more than six months since you first became aware of the problem, please explain why you have not complained before.

8. Please attach any relevant supporting documents.

Contact:

Caerphilly County Borough Council,
Penallta House,
Tredomen Park,
Ystrad Mynach,
Hengoed,
CF82 7PG.

E-mail: complaints@caerphilly.gov.uk

Telephone: 01443 864221

Let us know if you have a complaint about our services we want to hear about it.



This publication is available in Welsh, and in other languages and formats on request.
Mae'r cyhoeddiad hwn ar gael yn Gymraeg, ac mewn ieithoedd a fformatau eraill ar gais.

What is a complaint?

A complaint could include:

- Failure of the Council to deliver a service.
- A delay in responding to your request within a specified timescale.
- Failure of the Council to follow their agreed rules, statutory obligations or a published service standard.

An unhelpful attitude of someone who works for the Council.

If you feel you have suffered any form of bias or discrimination.

Who can complain?

Anyone who has used or requires a Council service. You can also complain on behalf of someone else, as long as you have their permission.

How long will you wait?

We will acknowledge receipt of your complaint within five working days and your complaint will be fully resolved within a maximum of 20 working days.

What will happen?

If your complaint is new it will be dealt with as part of Stage 1 of the Council's complaints policy. If you are unhappy with the response you receive to your complaint you can escalate it to Stage 2.

Your details

Name: _____
Address: _____

Post Code: _____
Telephone: _____
Email: _____

Preferred method of contact:

Post Phone Email

If contacting on behalf of someone else
Please provide their details

This page is intentionally left blank

CAERPHILLY COUNTY BOROUGH COUNCIL

**POLICY AND PROCEDURE FOR DEALING WITH UNACCEPTABLE,
PERSISTENT OR UNREASONABLE ACTIONS BY COMPLAINANTS UNDER
THE COUNCIL'S CORPORATE COMPLAINTS POLICY**

Contents

Introduction

Policy Aims

Defining Unacceptable Actions by Complainants

- Abusive Correspondence
- Unreasonable Demands
- Unreasonable Persistence

Managing Unacceptable Conduct by Complainants

Deciding to Restrict Complainant Contact

Dissatisfaction about a Decision to Restrict Contact

Recording and Reviewing a Decision to Restrict Contact

Policy Review

1. Introduction

This policy document sets out the approach by Caerphilly County Borough Council (“the Council”) to the rare instances where persons who complain under the Council’s Corporate Complaints Policy do so in such circumstances that their actions or behaviour do not justify expending further resources.

Such instances are very rare but typically involve persons who refuse to accept ‘closure’ and constantly write in or verbally reiterating the same complaint and thus waste time and effort and consequentially public monies on unnecessary and/or disproportionate investigation. The term complainant includes anyone acting on behalf of a complainant or who contacts the Council in connection with a complaint.

2. Policy Aims

To deal and respond fairly, honestly, consistently and appropriately with all complainants, including those whose actions we consider unacceptable. The Council believes that all complainants have the right to be heard, understood and respected and receive an appropriate response in line with the Council’s Complaints policy and to comply with Article 10 of the European Convention on Human Rights (ECHR) – freedom of expression. To advise all complainants, both at initial contact and throughout their dealings, what we can or cannot do in relation to their complaint. In doing so, we aim to be open and not raise hopes or expectations that we cannot meet or would not be a proportionate outcome. We also aim to ensure that other complainants and Council officers do not suffer any disadvantage from those complainants who act in an unacceptable manner. To have a stated position, policy and procedure that explains how and why the Council will disengage with complainants who act in an unreasonable or unacceptable manner.

3. Defining Unacceptable Actions by Complainants

People may act out of character in times of trouble or distress. There may have been upsetting or distressing circumstances leading up to a complaint received. There may also be occasions where medical, mental health or disability-related issues are involved whereby people appear aggressive through no fault of their own, leading to misunderstandings that can escalate complaints seemingly out of nowhere.

It is accepted that being persistent can be a positive advantage when pursuing a complaint, however, the actions of complainants who are ‘unreasonable’ and/or have unrealistic expectations places unnecessary demands on the Council and its officers. It is only those actions that we

consider to be unreasonable or unacceptable that we aim to manage under this policy. ** Officers are reminded that where the actions of a complainant are not covered in this policy they must refer to the Health and Safety policies and seek appropriate guidance from their Head of Service in conjunction with the Corporate Health and Safety Division. Contact the Equalities and Welsh Language team for any equalities related issues (including relevant training).

For ease of reference the unreasonable actions covered by this policy are grouped under three broad headings: -

3.1 Abusive Correspondence

- (a) This includes correspondence that may cause staff to feel afraid, abused or adversely affects their dignity in the workplace. On occasions such correspondence may amount to harassment and may require a referral to the Health and Safety Division. Officers should first seek guidance from their Head of Service if such circumstances arise.

3.2 Unreasonable Demands

- (a) A Complainant may make what we consider unreasonable demands through the amount of information they seek, the nature and scale of service they expect or the number of approaches they make. What amounts to unreasonable demands will always depend on the circumstances surrounding the behaviour and the gravity of the issues raised by the complainant.
- (b) Examples of actions grouped under this heading include demanding responses within an unreasonable timescale, insisting on seeing or speaking to a particular member of staff, continual phone calls or letters, repeatedly calling at offices seeking personal contact, repeatedly changing the substance of the complaint or raising unrelated concerns with the intention of prolonging the outcome or diverting enquiries.
- (c) We consider these demands as unacceptable and unreasonable if they: -
- Take up an excessive and disproportionate amount of staff time and resource implications;
 - Disadvantage other complainants or departmental functions
 - Are judged as intended to disrupt;
 - Deliberately exaggerate the impact of the issue complained of

It is acknowledged that some complaints will require substantial investigation and resources, which are entirely necessary and proportionate.

3.3 Unreasonable Persistence

- (a) We recognise that some complainants will not or cannot accept that the Council is unable to assist them further or provide a level of service other than that provided already. Complainants may persist in disagreeing with the action or decision taken in relation to their complaint or contact the service/organisation persistently about these issues. The final letter to a complainant will include a signpost to the Public Services Ombudsman For Wales (the Ombudsman). It is recognised that some complainants may have already sought a complaint handling review from the Ombudsman and received a response but continue to pursue the matter with the Council.
- (b) Examples of actions grouped under this heading include: -
- Persistent refusal to accept a decision made in relation to a complaint;
 - Persistent refusal to accept explanations relating to what the Council can or cannot do;
 - Continuing to pursue a complaint without presenting any new or relevant information;
 - Providing fictitious or manufactured evidence to pursue what may have been a true complaint;
 - Manufacturing complaints against members of staff when the complainant disagrees with an outcome;
 - Endeavouring to pursue a complaint by multiple approaches to different service areas of the Council. The way in which the complainant approaches the Council may be entirely reasonable, but it is their persistent behaviour in continuing to do so that is not.
- (c) We consider the actions of persistent complainers to be unacceptable when they take up what the Council regards as being a disproportionate amount of time and resources.

4. Managing Unacceptable Conduct by Complainants

There are relatively few complainants whose conduct we may consider unacceptable. How we aim to manage this conduct depends on its nature and extent. Where Officers have concerns about or difficulties with their

dealings with any complainant, in addition to the provisions below they are also advised to complete a chronology of contacts utilising the form attached at Appendix 1.

If it adversely affects the ability of an officer to do his/her work and provide a service to others, the Council may need to restrict complainant contact in order to manage the unacceptable conduct. We aim to do this in a way, wherever possible, that allows a complaint to progress to completion through the established corporate complaints process.

We may restrict contact in person, by telephone, fax, letter or electronically or by any combination of these, examples of which are set out below. We will try to maintain at least one form of contact. In extreme cases and where it is appropriate, we will advise the complainant in writing that their name is on a 'no personal contact' list. This means that they must restrict contact with the organisation in relation to any complaint matter to either written communication or through a third party.

These steps should only be taken after careful consideration of the situation by the relevant Head of Service.

It is acknowledged that unreasonable people may make reasonable complaints and it is important that Officers take note of the matters being referred to ensure that they do not overlook a genuine concern. The threat or use of physical violence, verbal abuse or harassment towards any member of staff is likely to result in the ending of all direct contact with the complainant and must be dealt with under the Council's Health and Safety Policies. We do not accept correspondence (letter, fax or electronic) that is abusive to staff. When this happens we will tell the complainant that we will not respond to their correspondence.

If they do not stop, the complainant will be advised that we may require future contact to be through a third party. Staff may end telephone calls if the caller is considered aggressive, abusive or offensive. The staff member taking the call has the right to make this decision, tell the caller that the behaviour is unacceptable and end the call if the behaviour does not stop. Officers are advised to report this type of behaviour to the relevant Head of Service.

Where a complainant repeatedly phones, visits any of the Council offices sends irrelevant documents or continually raises the same issues, we may decide to: -

- Only take telephone calls from the complainant at set times on set days and/or appoint a single point of contact to deal with calls or correspondence from the complainant in the future

- Require the complainant to make an appointment before visiting the Council offices or restrict contact to written correspondence only
- Return 'irrelevant' documents to the complainant
- Take other action that we consider appropriate

We will, however, always tell the complainant what action we are taking and why.

Where a complainant continues to correspond on a wider angle of issues, and this conduct is considered unreasonably excessive, then the complainant may be told that only a certain number of issues will be considered in a given period and asked to limit or focus their requests accordingly. The Council's response will be proportionate to the nature of the given allegations.

Complainant action may be considered unreasonably persistent if the Council's corporate complaints policy has been exhausted and the complainant continues to persistently dispute the decision relating to their complaint. The complainant may be told that no future phone calls will be accepted or interviews granted concerning this complaint. Any future contact by the complainant on this issue must be in writing. Future correspondence may be read and filed, but only subject to further enquiry or review if the complainant provides significant new information relating to the same complaint.

The complainant will receive a written acknowledgement that their correspondence has been read, assessed and placed in their file. Officers who propose this course of action should first consult with the Head of Service.

5. Restricted Contact

Wherever possible, we will give a complainant the opportunity to modify their behaviour or action before a decision is taken. Complainants will be told in writing why a decision has been made to restrict future contact and what the restricted contact arrangements are.

6. Dissatisfaction about a Decision to Restrict Contact –

If a complainant is dissatisfied with the decision to restrict then the complainant may refer the matter to the Council's Monitoring Officer to review the decision.

Once restriction of contact has been notified, subsequent correspondence from complainants should be carefully considered to ensure that no new circumstances are being reported which should otherwise be subject to

separate complaint or significantly affect any decision on the matter complained of.

7. Recording and Reviewing a Decision to Restrict Contact

- 7.1 We will record all incidents of unacceptable actions by complainants. Where it is decided to restrict complainant contact, an entry will be made in the relevant Complaints file, setting out the decision and the revised contact arrangements. A decision to restrict complainant contact may be reconsidered if the complainant is prepared to appropriately engage with the Council's procedure and protocols as set out in this document. The relevant Head of Service will review the status of all complainants with restricted contact arrangements on a regular basis should that person continue to correspond with the service.

8. Notification to Local Members

- 8.1 In addition the Council's Monitoring Officer will notify the relevant Ward Member (on a confidential basis) that a constituent has been designated as a complainant with restricted contact under this Policy.

9. Policy Review

This policy will be reviewed every 2 years.

Next date for review is November 2015.

Appendix 1

Chronology of Contact

DATE / TIME	INCIDENT/OBSERVATION/CHANGE OF CIRCUMSTANCES	ACTIONS/OUTCOMES	SOURCE OF INFORMATION



CABINET – 20TH JANUARY 2016

SUBJECT: PLANNING GUIDANCE FOR SMALLER SCALE WIND TURBINE DEVELOPMENT/CAERPHILLY COUNTY BOROUGH LANDSCAPE SENSITIVITY AND CAPACITY STUDY

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

-
- 1.1 The attached report, which was presented to the Regeneration and Environment Scrutiny Committee on 8th December 2015, provided an update on technical work undertaken in respect of supplementary planning guidance for wind turbines and outlined the results of public consultation and representations received in respect of the Supplementary Planning Guidance for Smaller Scale Wind Turbine Development and the Caerphilly County Borough Landscape Sensitivity and Capacity Study.
 - 1.2 The report sought the comments of Members on the representations received and the minor amendments proposed to the guidance in respect of wind turbine development as a result, prior to its presentation to Cabinet and thereafter Council for approval as formal Supplementary Planning Guidance to the Caerphilly County Borough Local Development Plan (LDP) up to 2021.
 - 1.3 Members were advised that concerns have arisen over the significant number of applications for single and multiple wind turbines being received in the area, and the cumulative impact arising from this. Landscape Officers felt there was insufficient guidance for local authorities or developers to allow consistent assessment of the potential impacts of these smaller scale developments. In response to this, Blaenau Gwent Council (on behalf of the Heads of the Valleys Authorities, including Caerphilly County Borough Council) commissioned a specialist company to undertake a study on this matter.
 - 1.4 This work informed the new guidance, which has been prepared in two parts (Supplementary Planning Guidance for Smaller Scale Wind Turbine Development and the Caerphilly County Borough Landscape Sensitivity and Capacity Study). Details of the consultation process and the representations received in respect of the guidance were summarised within the report, together with a copy of the consultation reports included within the appendices.
 - 1.5 Members commented on the low consultation response received from the public in respect of the new guidance and Officers explained that this could be due to the technical nature of the document in that it is of greater relevance to the planning and development industry than to the general public. It was confirmed that a good response had been received from a cross-section of environmental organisations, industry representatives and local authorities against both parts of the new guidance, who were in agreement with a number of the proposals contained therein.
 - 1.6 Members raised concerns regarding the proposed landscape sensitivity and capacity guidance in that it did not stipulate additional policy. Members expressed a need for strict planning criteria to be applied to the development of wind turbines. Officers outlined current

policy in respect of such developments and explained that the Supplementary Planning Guidance is a piece of technical guidance that sits within the Council's planning policy (the Local Development Plan up to 2021). Officers confirmed that they would examine emerging policy to determine whether it can be strengthened in the forthcoming Replacement LDP in terms of required criteria for future wind turbine applications. Members requested that their concerns on this matter be reported to Cabinet and Council.

1.7 Following consideration and discussion of the report, and in noting the representations received, the Regeneration and Environment Scrutiny Committee unanimously recommended to Cabinet (and thereafter Council) that for the reasons contained therein:-

- (i) the representations received as part of the consultations undertaken and the minor amendments proposed in Appendix 3 of the report with regards to the Supplementary Planning Guidance for Smaller Scale Wind Turbine Development and the Caerphilly County Borough Landscape Sensitivity and Capacity Study be considered;
- (ii) the guidance be approved as formal Supplementary Planning Guidance to the Caerphilly County Borough Local Development Plan up to 2021.

1.8 Members are asked to consider these recommendations.

Author: R. Barrett, Committee Services Officer, Ext. 4245

Appendices:

Appendix 1 Report to Regeneration and Environment Scrutiny Committee on 8th December 2015
– Agenda Item 7

REGENERATION AND ENVIRONMENT SCRUTINY COMMITTEE – 8TH DECEMBER 2015

**SUBJECT: PLANNING GUIDANCE FOR SMALLER SCALE WIND TURBINE
DEVELOPMENT /CAERPHILLY COUNTY BOROUGH LANDSCAPE
SENSITIVITY AND CAPACITY STUDY**

REPORT BY: CORPORATE DIRECTOR - COMMUNITIES

1. PURPOSE OF REPORT

- 1.1 To update members on technical work undertaken in respect of supplementary planning guidance for wind turbines.
- 1.2 To inform members of the public consultation exercise undertaken in respect of the following:
 - 1 Supplementary Planning Guidance for Smaller Scale Wind Turbine Development;
 - 2 Caerphilly County Borough Landscape Sensitivity and Capacity Study.
- 1.3 To outline to members the representations made in respect of this Supplementary Planning Guidance during the six week public consultation exercise held in August /October 2015.
- 1.4 To consider the recommendations contained within this report in respect of the guidance and make any necessary recommendations to Cabinet and thereafter Council.
- 1.5 To recommend to Cabinet and thereafter Council that the guidance be approved as formal Supplementary Planning Guidance to the Caerphilly County Borough Local Development Plan up to 2021.

2. SUMMARY

- 2.1 This study was commissioned by Blaenau Gwent Council on behalf of an informal group of Heads of the Valleys Local Planning Authorities, including Caerphilly County Borough Council. This was in response to concern over the significant number of applications for single or multiple wind turbines being received in the area. Landscape Officers felt that there was insufficient guidance for local authorities or developers to allow consistent assessment of the potential impacts of these smaller scale developments.
- 2.2 In response to this, Blaenau Gwent (the leading authority in this study) commissioned Gillespie's LLP to undertake work on behalf of the Heads of the Valleys Authorities. This informed the guidance which has been prepared in two parts as follows:
 - 1 Supplementary Planning Guidance for Smaller Scale Wind Turbine Development;
and

2 Caerphilly County Borough Landscape Sensitivity and Capacity Study.

- 2.3 Both parts have been subject to formal public consultation between November 2014 and October 2015. Representations received during these consultation periods are outlined in the consultation reports.

3. LINKS TO STRATEGY

- 3.1 The Single Integrated Plan **Caerphilly Delivers** has been prepared by the LSB and represents a determined commitment by all partners to accelerate change, strengthen partnership working, multi-agency collaboration, and accountability for delivery.

- 3.2 **Caerphilly Delivers** has been developed based on 4 key principles of:

- Sustainable development where we promote social justice and equality of opportunity and enhance the natural and cultural environment and respect its limits
- Equalities and Welsh language where we all promote and mainstream equalities and the Welsh language in accordance with our legislative requirements and strategic equality objectives.
- Early intervention and prevention goals with the aim of either preventing matters from getting worse or occurring in the first place, by identifying those in greatest need from their vulnerability, their risk of becoming vulnerable or from otherwise becoming disadvantaged.
- Community cohesion where people from different backgrounds enjoy similar life opportunities, understand their rights and responsibilities and trust one another and are trusting of local institutions to act fairly.

- 3.3 The Caerphilly County Borough Local Development Plan up to 2021 (LDP) is the statutory framework for the development and use of land within the County Borough. It provides the policy framework for the development and conservation needs of the County Borough and is used by the Council to guide and control development.

- 3.4 Policy SP10 of the LDP seeks to 'protect, conserve, enhance and manage the natural heritage of the County Borough in the consideration of all proposals within both the rural and built environments'. When approved this Supplementary Planning Guidance (SPG) will build upon this policy.

4. THE REPORT

Policy Context

- 4.1 Planning Guidance on Wind Turbines is contained in Planning Policy Wales and Technical Advice Note 8 (TAN 8) Planning for Renewable Energy (2005). TAN 8 states that '*Onshore wind power offers the greatest potential for increase in the generation of electricity from renewable energy in the short to medium term*' and that following extensive studies, large scale onshore wind turbines (over 25MW) should be concentrated into particular areas defined as 'Strategic Search Areas' (SSA's), and that 'most areas outside SSAs should remain free of large wind power schemes'. There is no SSA's designated within Caerphilly County Borough.

Background

- 4.2 Caerphilly County Borough Council, along with neighbouring authorities in the Heads of the Valleys Area, have received a high number of applications for wind turbines in recent years. Concerns are raised over the cumulative impact that a high number of wind turbines could potentially have on the landscape and there is an identified need to provide consistent guidance for local authorities and developers, to ensure that the potential impacts of these

smaller scale developments on landscape is adequately controlled.

- 4.3 In response to this, Blaenau Gwent (the leading authority in this study) commissioned Gillespie's LLP to undertake work on behalf of the Heads of the Valleys Authorities. This informed the guidance which has been prepared in two parts as follows:
- 1 Supplementary Planning Guidance for Smaller Scale Wind Turbine Development; and
 - 2 Caerphilly County Borough Landscape Sensitivity and Capacity Study
- 4.4 Part 1 of the Guidance was prepared in 2014 for the sub region and sets out the technical requirements for applicants as follows:
- Minimum requirements for submission of a request for an Environmental Impact Assessment (EIA) Screening Opinion;
 - A methodology to be employed for EIA Screening; and
 - Minimum requirements and standards of information to be submitted as part of a Landscape Visual Impact Assessment (LVIA) for both EIA and non-EIA applications.
- 4.5 Part 1 was subject to public consultation for a 6 week period between 7th of November and 19th of December 2014. Over a hundred different organisations were consulted including all Welsh Local Planning Authorities, Statutory Bodies, National organisations and Planning & Landscape Consultants. A copy of the consultation report is attached at Appendix 1.
- 4.6 There was a low response rate, with only ten responses received. There was however a good cross section of environmental organisations, industry representatives and local authorities that responded. Seven of the respondents that completed the questionnaire agreed that guidance is required to ensure that landscape and visual impacts of wind turbines are addressed in a consistent manner. Generally, most agreed with the typologies proposed, the size of the study area, the minimum requirements for submission of an EIA screening, the methodology, the approach to cumulative effects and search distances and the cumulative threshold for other infrastructure. All seven agreed with the minimum requirements of information to be provided for Landscape and Visual Impact Assessment. Most agreed with the use of LANDMAP as part of the Landscape and Visual Impact Assessment.
- 4.7 Part 2 of the Guidance, namely Caerphilly County Borough Landscape Sensitivity and Capacity Study is split into 6 sections:
- Section 1: sets out the background and policy context for the study
Section 2: Identifies the methodology used in the study
Section 3: sets out the study area, landscape types and the units proposed
Section 4: includes the landscape sensitivity and capacity funding for each landscape unit (incorporating the landscape units from the HOV study and the rest of Caerphilly study)
Section 5: covers general locational guidance
Section 6: includes supporting maps and figures.
- 4.8 Part 2 of the Guidance separates the county borough into sixteen landscape units. For each unit there is:
- A map;
 - An assessment of each LANDMAP criteria;
 - An Assessment of the value of the landscape;
 - A summary of the sensitivity to the wind turbine categories;
 - Landscape capacity and guidance for siting of wind turbines.

- 4.9 Part 2 of the Guidance has also been subject of public consultation. The Heads of the Valleys Area formed part of the original consultation in November 2014, whilst the remainder of Caerphilly was consulted on separately in August/October 2015. Over one hundred different organisations were consulted including all Welsh Local Planning Authorities, Statutory Bodies, National organisations and Planning & Landscape Consultants. A copy of the consultation report for Part 2 is attached at Appendix 2 and Appendix 3.
- 4.10 Although there was a low response rate in November 2014 (Appendix 2), with only 8 responses, there was a good cross section of environmental organisations, industry representatives and local authorities. All respondents agreed that a common methodology for undertaking Landscape Sensitivity and Capacity studies would be helpful. Not surprisingly there was disagreement on the proposed categories, definition of sensitivity, and the criteria for assessing landscape and visual susceptibility. All these comments have been taken into account and the document amended where appropriate.
- 4.11 A total of 4 responses were received during the consultation undertaken in August/October 2015 (Appendix 3). One representor raised an objection to the landscape units identified in Gelligaer and the information contained in LANDMAP. However, as individual wind turbine applications would still need to complete a Landscape Visual Impact Assessment (LVIA), and given that the LANDMAP data is set and managed by NRW, it is deemed that no changes to the study are required. The remaining responses were comments seeking greater clarification in respect of policy input.
- 4.12 Subject to consideration by elected members, the Guidance once approved will be adopted as Supplementary Planning Guidance to the Caerphilly County Borough Local Development Plan up to 2021.

5. EQUALITIES IMPLICATIONS

- 5.1 Stakeholder engagement has been undertaken in line with the Agreed DA, which has full regard for the Citizens Engagement Strategy and the Equalities Strategy of the Council.

6. FINANCIAL IMPLICATIONS

- 6.1 There are no new financial implications.

7. PERSONNEL IMPLICATIONS

- 7.1 None

8. CONSULTATIONS

- 8.1 All comments received have been incorporated in the report.

9. RECOMMENDATIONS

- 9.1 To consider the representations received as part of the consultations undertaken in regards to and to recommend the minor amendments proposed in Appendix 3 with regards to:
- 1 Supplementary Planning Guidance for Smaller Scale Wind Turbine Development;
 - 2 Caerphilly County Borough Landscape Sensitivity and Capacity Study.

- 9.2 To recommend to Cabinet and thereafter Council that the guidance be approved as formal Supplementary Planning Guidance to the Caerphilly County Borough Local Development Plan up to 2021.

10. REASONS FOR THE RECOMMENDATIONS

- 10.1 In order to provide consistency with adjoining local authorities on technical guidance to wind turbine development.
- 10.2 In order for the guidance note to be used in all planning applications and planning matters, where relevant.

11. STATUTORY POWER

- 11.1 Part 6 Planning and Compulsory Purchase Act 2004.
- 11.2 Town and Country Planning (Local Development Plan)(Wales) Regulations 2005.

Author: Adeline Wilcox, Senior Planning Officer, Strategic and Development Plans
Consultees: Cllr K James, Cabinet Member for Planning, Regeneration and Sustainability
C Harrhy, Corporate Director Communities
P Elliott, Head of Regeneration & Planning
R Kyte, Team Leader Strategic and Development Plans
P Griffiths, Acting Manager of Countryside and Landscape Service
T Stephens, Development Control Manager
N Daniels, Landscape Architect
G Williams, Acting Monitoring Officer

Background Papers:

- 1 Supplementary Planning Guidance for Smaller Scale Wind Turbine Development;
- 2 Landscape Sensitivity and Capacity Study

Appendices:

- Appendix 1: Consultation Report: Planning Guidance for Smaller Scale Wind Turbine Development: Landscape and Visual Impact Assessment
- Appendix 2: Consultation Report: Heads of the Valleys Landscape Sensitivity and Capacity Study'
- Appendix 3: Consultation Report: Caerphilly County Borough Landscape Sensitivity and Capacity Study'

This page is intentionally left blank

Planning Guidance for Smaller Scale Wind Turbine Development Landscape and Visual Impact Assessment Requirements Supplementary Planning Guidance Consultation Report

Gillespies were commissioned by Blaenau Gwent County Borough Council on behalf of the Heads of the Valleys Local Authorities to prepare this study. The assessment approach was developed with the client group and with representatives from the South Wales Landscape Liaison Group.

This report sets out the consultation that was undertaken on the draft document, including a summary of the responses received and how they have been taken into account by the Council.

A 6 week consultation exercise was carried out between 7th November 2014 and 19th December 2014. The consultation included an email to over 100 organisations which included all Welsh Local Planning Authorities, Statutory Bodies, National organisations, local interest groups and Planning and Landscape Consultants. The email informed them of the consultation and provided a link to the document and comment form.

A consultation event was held on Tuesday 16th of December at the Norwegian Church, Cardiff. This was well attended by environmental groups, local authority planners and landscape architects and landscape consultants.

Ten responses to the consultation were received. These were from a range of Local Planning Authorities, Industry Representatives and environmental groups including NRW.

The following table contains the representations made during the consultation period and the response to them. Where appropriate, the document has been amended to take account of the views received.

Questionnaire Results

- All 7 agreed that guidance is required to ensure landscape and visual impacts of wind turbines are addressed in a consistent manner.
- 4 agreed and no one disagreed with the typologies proposed in the guidance
- All agreed with the size of the study areas being proposed for each typology
- 3 agreed and 3 neither agreed or disagreed with the minimum requirements for the submission of and EIA screening
- 4 agreed and 3 disagreed with the methodology proposed for EIA screening
- 6 agreed and 1 disagreed with the proposed approach to cumulative effects and the proposed search distances
- 4 agreed and 2 disagreed with the proposed cumulative threshold for other infrastructure

- All 7 agreed with the general minimum requirements of information to be provided for Landscape and Visual Impact Assessment 6 agreed and 1 disagreed with the specific requirements for Landscape and Visual Impact Assessment
- 5 agreed and 1 disagreed with the use of LANDMAP as part of the Landscape and Visual Impact Assessment

Please note that not everyone answered the questionnaire and not everyone answered every question.

Respondent	Agree / Disagree / Neither Agree or Disagree	Comment	Response / Proposed Change
Q1: Do you agree that the use of a common methodology across Wales for undertaking Landscape Sensitivity and Capacity studies would be helpful?			
Judith Jones Head of Town Planning Merthyr Tydfil CBC	Agree		Noted
Ian Gates Associate Director, Landscape AMEC E&I UK Ltd	Agree	<p>It is agreed that a common methodology across Wales would be helpful nevertheless there are several important caveats and points that should be emphasised.</p> <p>Firstly that even more than the Heads of the Valleys Report such a nationwide study would be at a strategic level and would not be a substitute for a more detailed study for each proposed individual wind turbine development.</p> <p>Secondly that such approach and its implementation are rather belated given the level of proposed, consented and operational wind farm development across Wales in the past two decades. There is the issue of how such a study would relate to TAN8 which was based upon a similar type of exercise.</p> <p>Thirdly there is the issue of cost and logistics as well as how to assure that all the Welsh local authorities treat the results of the study in the same manner.</p>	<p>Noted</p> <p>Agree</p> <p>Agree</p> <p>Noted</p>

Respondent	Agree / Disagree / Neither Agree or Disagree	Comment	Response / Proposed Change
Jeny Rawlings Senior Development Manager Airvolution Energy Ltd	Agree	We agree with this in principle; however there are still significant inaccuracies which persist, e.g. as highlighted by the report authors in Unit 24 (presumably referring to LANDMAP Aspect Area (AA) 13); and AA1b which has recently changed its' name, which can result in confusion.	As LANDMAP is being constantly updated it is inevitable that there will be changes. All Guidance stresses that the most recent LANDMAP data should be used for an application
Sorrel Jones Conservation Officer Gwent Wildlife Trust	Agree	<p>We agree that this type of study is very helpful for developers, local planning authorities and third parties, such as the local community, in providing clarity and identifying sensitive areas. We welcome this particular study, as the Heads of the Valleys area is complex and varied in terms of landscape, with areas that are highly vulnerable and areas that can accommodate some wind turbine development.</p> <p>However, applying this methodology across Wales will need to take regional variation, such as differing priorities into account. The obvious example will be that National Parks and AONBs will have stricter criteria than other areas, and the methodology must accommodate this. Similarly, there must be flexibility within the methodology to reflect the differing development priorities for different areas.</p>	Noted.

Respondent	Agree / Disagree / Neither Agree or Disagree	Comment	Response / Proposed Change
Sergio Zappulo Development Manager REG Windpower	Agree	<p>Providing that an appropriate and robust methodology is to be applied, it would be very welcome for a common methodology to be used across Wales, as this would offer certainty and comparability of all such assessments.</p> <p>In this regard, it is important to ensure that judgements made in this study are benchmarked in relation to the whole of the Welsh landscape, not just the study area. That is to say, those landscapes considered to be of 'high' sensitivity are truly the highest-sensitivity landscapes across Wales, not simply the most sensitive in the Heads of the Valleys.</p>	<p>Noted</p> <p>It was not within the scope of our study to do this. We do not know of any sensitivity studies in England or Wales that have attempted to assess sensitivity on a national basis.</p>

Respondent	Agree / Disagree / Neither Agree or Disagree	Comment	Response / Proposed Change
<p>Phil Ratcliffe Development Planning Officer Rhonda Cynon Taff CBC</p>	<p>Agree</p>	<p>Whilst agreeing that a common methodology across Wales would be helpful, the methodology itself causes specific concern for Rhondda Cynon Taf County Borough Council in relation to the TAN 8 SSAs. Rhondda Cynon Taf is the only LPA with land in a SSA in the HOV area (part of SSA F).</p> <p>Stage Three of the methodology adopts the implicit objective of TAN 8 to accept significant change in landscape character resulting from wind turbine development located within the SSA. This overlooks the intention in TAN 8 that local planning authorities will undertake local refinement of their SSAs (paragraph 2.4), and so applies the acceptance of significant change to the whole, broad-brush, unrefined SSA (in Rhondda Cynon Taf). The methodology thereby risks producing an outcome that overrides the intrinsic sensitivity of the SSA landscape derived from its underlying susceptibility and value. The refinement of SSA F in Rhondda Cynon Taf was carried out by multi-criteria analysis in accordance with the methodology in TAN 8 Annex D. The refined SSA F in Rhondda Cynon Taf (significantly smaller than the unrefined SSA) has been criticised as lacking weight in planning since it was “noted as a background paper” by the County Borough Council i.e. it was neither adopted nor rejected. Nevertheless, two important point emerge:</p>	<p>Noted</p> <p>References in the introduction have been strengthened to confirm that this study is intended for developments that considered suitable for areas outside SSA only. Wording used in the guidance has been repeated. Note added and reference made to the TAN 8 Annex D Study of Strategic Search Areas E and F: South Wales Valleys Final report (2006) both in the introduction and in the landscape objectives section to make explicit that the current study does not supersede there refinement study.</p>

Respondent	Agree / Disagree / Neither Agree or Disagree	Comment	Response / Proposed Change
		<p>1. The refined SSA has generally been successful in guiding where development should be carried out in SSA F (see attached map);</p> <p>2. Due to the density of built and approved development, SSA F is now nearing the maximum target set by the Welsh Government Minister for Environment and Sustainable Development in July 2011. This relieves development pressure in the undeveloped parts of the unrefined SSA (that is, outside the refined SSA).</p> <p>The methodology of accepting significant landscape change within the unrefined SSA F but outside the refined SSA F risks additional development on the high ground between the Cynon and Rhondda Fach valleys and between the Rhondda Fawr and Ogmoredale valleys, with significant cumulative landscape and visual effects on the residents of the densely-settled valley floors.</p> <p>There are two suggested options.</p> <ul style="list-style-type: none"> · The TAN8 annex D study and the refined SSA boundary are noted and mapped respectively, with text to state that the study does not supersede these boundaries, or areas of high landscape sensitivity defined in the study. · The HOV study excludes areas 1, 3, 4 and 5. <p>The SSAs present special issues of intensity of development and proximity to settlements. Therefore, it is suggested that more thought will need to be given to the methodology for assessing sensitivity not only in and around SSA F but also in other SSAs elsewhere in Wales. A strong vision is needed to prevent unacceptable effects on the landscapes and populations of these areas: the methodology does not adequately address these.</p>	

Respondent	Agree / Disagree / Neither Agree or Disagree	Comment	Response / Proposed Change
Q2: Do you agree with the proposed wind farm typologies?			
Judith Jones Head of Town Planning Merthyr Tydfil CBC	Agree	Please see the related response to Q2 of the landscape and visual impact assessment requirements questionnaire.	Noted
Ian Gates Associate Director, Landscape AMEC E&I UK Ltd	Disagree	<p>Whilst it is agreed that the adoption of a set of typologies is helpful (notwithstanding the constant overarching caveat that there will always be the need for detailed individual LVIAs for any proposed wind turbine development), we do not agree with the definition of the wind farm typologies that has been proposed. It is biased towards the generation of a definition that a proposed wind farm should be categorised as being 'large' or 'very large' with the commensurate greater restrictions upon its strategic acceptability.</p> <p>Under the proposed typology a proposed wind farm would be categorised as being 'very large' if it consists of more than five turbines of any height or a single turbine with a blade tip height in excess of 109m. This typology does not adequately reflect the recent development in turbine technology or the numbers of turbines contained in the wind farm developments that have been consented or become operational in the area that is covered by the Heads of the Valleys Study. It would appear inappropriate that the proposed Pen Bryn Oer Wind Farm which comprises three 110m blade tip turbines would be placed in the same 'very large' typology as the currently being constructed Pen-y-Cymoedd Wind Farm which consists of 76 turbines that will be 145m blade tip height.</p>	Because this study is concerned with smaller scale development only it is appropriate that both these schemes should fall into the very large category

Respondent	Agree / Disagree / Neither Agree or Disagree	Comment	Response / Proposed Change
		<p>The typology should be redefined so as to better reflect the range of wind turbine development that is operational, consented and proposed across the Heads of the Valleys study area. The corollary of adopting the present typology will be the sort of distribution of sensitivities for 'large' and 'very large' turbines as shown in Figures 14 and 15 in which the large majority or all of the study area is categorised as being of 'medium-high' or 'high' sensitivity. This outcome is not particularly helpful in differentiating varying sensitivity and capacity across different landscape units nor does it reflect the actual pattern of wind farm development that has arisen across the study area.</p>	<p>The aim of the study was not to reflect what has happened but to look at landscape sensitivity - this is only one possible aspect of the suitability of a site for WTD</p>
<p>Jeny Rawlings Senior Development Manager Airvolution Energy Ltd</p>	<p>Disagree</p>	<p>One very fundamental issue is that the Airvolution Energy (AvE) proposals for two turbines at Hafod-y-Dafal south east of Cwm do not fit into any of these proposed "Typologies". At two turbines in extent, it should fall under the "Small" typology. However at a maximum of 131m to tip, it could also fall under "Very Large".</p> <p>Another example might be a single turbine of 80m to tip which could be categorised as either "Micro" or "Medium" depending on whether the tip height or extent criteria were used.</p>	<p>We hope we have resolved this confusion by making the criteria clearer. Development must meet both criteria. The turbines at Hafod-y- dafal are greater than 109m to blade tip height and must therefore be in the very large typology.</p> <p>We have revised the typology tables to try and make this clearer. We have omitted the between ranges for the turbines - which we now realise</p>

Respondent	Agree / Disagree / Neither Agree or Disagree	Comment	Response / Proposed Change
		<p>Planning Guidance for Wind Turbine Development Landscape and Visual Impact Assessment Requirements (LVIAR) which is referred to as the source document for the Typologies, states under Table 1: “...to decide in which typology a development belongs <u>it must satisfy both the height and the turbine numbers criteria</u>. See the examples on page 0.5”. However if a development (such as Hafod) does <u>not</u> satisfy both criteria, there is no indication of how to resolve this incompatibility, and the illustrated examples in LVIAR (Figure 1) merely compound this conundrum.</p> <p>Since this underpins the determination of any and all conclusions arising from the Landscape Sensitivity and Capacity Study Final Report (LSCS), the report “falls at the first hurdle” and is therefore effectively not fit for purpose. Surely it is not being suggested that every development must comply with both criteria, or otherwise be automatically rejected?</p> <p>Interestingly, in LSCS it appears that the authors have “interpolated” between the two typology criteria as in Fig.07 and also Section 4 Hafod appears to be classified as “Medium” (and wrongly recorded as being two proposals) even though this approach is contrary to the aforementioned guidance as laid out in LVIAR. For this reason, we are unsure as to which typology the Hafod development should be classified under and hence the appropriate specifics which apply, both in terms of the standard and extent of information now considered acceptable for the typology in question (LVIAR) and the capacity and sensitivity of the landscape to the typology in question (LSCS).</p>	<p>confused the issue.</p> <p>Hafod was incorrectly shown on the plan and described previously.</p> <p>Plan amended to show Hafod-y-Dafal as Very Large and text changed</p>

Respondent	Agree / Disagree / Neither Agree or Disagree	Comment	Response / Proposed Change
Sorrel Jones Conservation Officer Gwent Wildlife Trust	Disagree	There needs to be greater clarity as to how to determine the typology of a wind turbine development. For example, should a single 109m turbine be classified as a micro, large, or something in between?	
Sergio Zappulo Development Manager REG Windpower	Neither Agree nor Disagree	The typologies include consideration of both turbine height and turbine numbers. We query the interaction between height and number. This can lead to inconsistencies such as, for example, a single turbine of 110m and a group of five turbines at 79m would both be considered a 'very large' development, despite having significant differences in terms of their likely interaction with the landscape. In our experience, turbine height is more critical in judging the principle of wind turbine development within an area (ie sensitivity). Turbine numbers may be more relevant to a consideration of 'capacity'. It is noted that, for operational and consented schemes, only height has been considered (page 11) and the reasons for this difference is not stated. If this is appropriate for operational and consented schemes, it may be appropriate to focus on height for all schemes.	We have addressed this emphasising the fact that this sensitivity study is for smaller scale development and by clarifying the typologies.
		It could be more clearly stated how the cut-off heights were arrived at. Reference is made to the <i>Planning Guidance for Wind Turbine Development: Landscape and Visual Impact Assessment Requirements</i> , although the consultation draft of this document does not provide this detail either. In defining these typologies, it is not clear if regard was had to the turbines currently operating and planned in the study area, or likely future trends. For example, there are a number of consented schemes in the study area with turbines of 145m, which is significantly greater than the 110m cut-off for the 'very large' category. The document could clarify that the 'very large'	Cut off heights were chose to align with other studies

Respondent	Agree / Disagree / Neither Agree or Disagree	Comment	Response / Proposed Change
		category does indeed have no upper limit, and that the conclusions in relation to 110m turbines would remain valid for turbines of 150m+ which may be proposed in the future.	
Phil Ratcliffe Development Planning Officer Rhonda Cynon Taff CBC	Neither Agree nor Disagree	The typologies are simple but seem to be quite restrictive. With most wind energy sensitivity studies, the size of turbine and the number of turbines are separated to allow flexibility in the future with changes in technologies and pattern of development. Single or double turbines over 109m to VBT are now coming forward so it is likely that the Very Large category will be challenged.	Developments in the <i>Very Large category will be assessed on a case by case basis.</i>
		It is apparent that the strategy is to concentrate any Large or Very Large developments in SSAs and Medium or smaller developments everywhere else. Whilst this might be true of the HOV study area, we are not sure that this will achieve government policy/targets if applied everywhere in Wales.	This study is only concerned with the landscape sensitivity of the HOV area and not with achieving government policy/targets across Wales.
		The only difficulty encountered with applying the typologies is where one development comprises turbines in more than one height category e.g. 3 at 100m plus 7 at 120m. Splitting the scheme into two typologies results in one Large typology adjacent to one Very Large typology, which should probably be treated as one Very Large typology. A note to cover this situation is needed.	Generally we think that schemes which incorporate different turbines should be discouraged. The scheme described would fall under the very large typology due to the number of turbines involved (10). I believe such situations, which are likely to be rare, can be left to the good sense of the planning officer. In addition the scheme described would be greater than 5MW and we have made it clearer that the study is aimed at under 5MW schemes.
Q3: Do you agree with the proposed definition of sensitivity?			

Respondent	Agree / Disagree / Neither Agree or Disagree	Comment	Response / Proposed Change
Judith Jones Head of Town Planning Merthyr Tydfil CBC	Disagree	<p>The inconsistent use of terminology between definitions of sensitivity makes comparisons between them more difficult. For instance, the definitions for “low and high sensitivity” explicitly address the vulnerability of the key landscape characteristics, while the term “vulnerable” is absent from the definition of “medium” sensitivity.</p> <p>It would also be beneficial if there was more consistency between the definitions when describing the impacts on the character of the landscape and the value placed on the landscape. The descriptions currently vary as follows: “significant adverse effects”, “result in change” and “significant effects”.</p>	We have reviewed these and consider that these are not inconsistencies in terminology but aim to describe the different kinds of effects that might be expected from landscapes that have low medium or high sensitivity
Ian Gates Associate Director, Landscape AMEC E&I UK Ltd	Disagree	<p>The definitions are broadly correct but there are some amendments that would be helpful and reflect the reality of wind farm landscape assessments. Amongst these small-scale changes are: For Low Sensitivity given that for almost any wind turbine an LVIA would conclude that there would be some significant effects upon landscape character even if these are spatially restricted to the immediate vicinity of the proposed turbine, it is unrealistic to state that this definition only applies to areas (or landscape units) where no significant adverse effects would arise.</p> <p>We consider that the use of the terms ‘area’ and ‘landscape’ appear to be used interchangeably. This definition is too vague in the context of this Study and should be replaced by ‘landscape unit’ as this is the scale at which the Study has been undertaken.</p>	<p>This would be true in an English context but TAN 8 explicitly refers to no significant change outside SSAs</p> <p>The effect are not just limited to the landscape unit in which the development is proposed but may be on the surrounding or adjacent units - therefore to replace area and landscape with landscape unit would be inaccurate</p>

Respondent	Agree / Disagree / Neither Agree or Disagree	Comment	Response / Proposed Change
Jeny Rawlings Senior Development Manager Airvolution Energy Ltd	Disagree	Table 2; Definition of Sensitivity; although the text correctly acknowledges that sensitivity is determined by consideration of both susceptibility and value, the sensitivity criteria in Table 2 are not specifically referred to in the text; make no mention of either susceptibility or value, and appear to “pre-judge” significance of effects; reading in fact more like effects criteria than sensitivity criteria.	The sensitivity definitions are a two sentence summary and cannot include everything. The detailed consideration of susceptibility and value and made clear in the methodology and in the actual study
Sorrel Jones Conservation Officer Gwent Wildlife Trust	Agree		Noted
Sergio Zappulo Development Manager REG Windpower	Agree	The sensitivity definitions are appropriate and clearly stated. It is generally accepted by planners that all commercial-scale wind turbines are likely to give rise in a change in landscape character at a local scale. It would be helpful for the study to acknowledge this to ensure that these definitions are not read to imply that any change in character, no matter how small, is unacceptable.	TAN 8 explicitly refers to no significant change outside SSAs which is the wording used here for low sensitivity
Phil Ratcliffe Development Planning Officer Rhonda Cynon Taff CBC	Disagree	There are 3 definitions (low, medium and high) but 5 different levels of sensitivity identified in the study area. This is confusing and could be contentious at public inquiries. There should be 5 definitions to explain low to medium and medium to high.	It is very common for intermediate assessments of medium/high to be given without a separate definition
Q4: Do you agree with the proposed criteria for assessing landscape and visual susceptibility to wind turbine development?			

Respondent	Agree / Disagree / Neither Agree or Disagree	Comment	Response / Proposed Change
Judith Jones Head of Town Planning Merthyr Tydfil CBC	Disagree	It is unclear whether cultural heritage features, such as scheduled ancient monuments (SAMs) and listed buildings, form part of the criteria for assessing landscape and visual susceptibility. These heritage features are known to be susceptible to wind turbine development, particularly in respect of harm to their settings. Whilst it is possible that SAMs and listed buildings are considered under the criteria relating to <i>Built Environment</i> and <i>Skylines and Settings</i> , it is not explicit in the explanatory text.	In this study heritage features are assessed in terms of their contribution to the landscape. A separate cultural heritage assessment of impacts on setting would need to be undertaken.
Ian Gates Associate Director, Landscape AMEC E&I UK Ltd	Disagree	This response will provide brief comments on each criterion. Scale – agree that VS8 is the correct LANDMAP Survey Collector Response to use. Do not agree with the statement that “A large height differential ... by lessening the size of the turbines” as poorly sited turbines in an elevated location close to lower lying areas can increase the sense of the turbines being overbearing in these less elevated areas in the manner that has been identified in some LVIA reviews provided to local authorities in south Wales that have been prepared by White Associates, as is implied in the remainder of the commentary on this criterion in the Study. This sentence could be interpreted as contradicting the justification for the landform criterion.	We think this criterion is clear. They are inevitably very brief description of some quite complex ideas which are likely to be explored in depth for particular schemes.
		Landform – see comment above. Suggest altering so that ‘high hills/mountains’ is high susceptibility and ‘hills/valleys, rolling land undulating’ is medium susceptibility. Landcover pattern – broadly agree apart from the statement that the presence of a field pattern will	As above
		inherently result in high susceptibility: if the field pattern is regular and/or large scale and/or is formed by ditches; low trimmed hedgerows or post and wire fences.	A mosaic field pattern, not just any field pattern has high susceptibility

Respondent	Agree / Disagree / Neither Agree or Disagree	Comment	Response / Proposed Change
		<p>Built environment – it is agreed that the presence of existing manmade features will generally reduce a Landscape Unit’s (LU’s) sensitivity to the presence of wind turbines. As is recognised in the supporting text the statement that the frequency of “built form and human intervention” is indicative of reduced sensitivity does appear to contradict the need for visual sensitivity to be considered (as it correctly is later on). The LANDMAP Survey Collector Responses VS20; use of construction materials and VS25: sense of place are weak proxies for considering effects upon built environment compared with the other three criteria listed under this heading.</p>	<p>Don't understand how this contradicts the need for visual sensitivity to be considered. It is well understood that different attribute of the landscape may result in differing susceptibility for example absences of residential properties makes it less likely that there will be residential issues but may indicate that it is a wild and remote landscape that will be susceptible for other reasons.</p> <p>The LANDMAP Survey Collector Responses VS20; use of construction materials and VS25: sense of place are additional information not proxies</p>
		<p>Skylines and setting – generally agree although if it is accepted that wind farms themselves form a distinctive skyline feature then this criterion would mitigate against extending existing wind farms or grouping together wind farm developments thereby reducing the potential for extending existing wind farms.</p>	<p>Whilst turbines are clearly skyline features they are not generally considered to be distinctive features requiring protection. We always have to believe that decision makers will apply common sense when they consider individual applications</p>

Respondent	Agree / Disagree / Neither Agree or Disagree	Comment	Response / Proposed Change
		<p>Movement – Generally agree but the criterion needs to be more subtle and specific about different types of movement within an LU and do not agree that the responses to Survey Collector Question VS18: Level of Human Access provides a good indication of the amount of movement in an LU. Had always assumed it was a reference to the density of the PRoW network or presence of Open Access Land. These are not good proxies for the effects that would be generated by the movement of turbine blades. Should rely upon observation during survey.</p>	<p>Question VS18: Level of Human Access provides additional information to observation during survey. The method for assessing VS18 refers to busy roads, motorways, town centres, small villages, rural roads, mountain footpaths etc. and in this respect supported observations during field survey.</p>
		<p>Visibility, key views and vistas – This criterion runs the risk of conflating landscape and visual sensitivity. With regard to landscape sensitivity it is not agreed that a high degree of enclosure and topographical variation and/or high levels of landcover are less susceptible. For VS9: enclosure, the equation of a sense of enclosure with low susceptibility to wind turbine development and exposure with high susceptibility are not in accordance with wind farm design guidance.</p>	<p>The difference here is that we are dealing with smaller scale development where enclosure in some instances may enable a smaller turbine to be accommodated.</p>
		<p>Intervisibility and Associations with Adjacent Landscapes. – This criterion is essentially a repeat of the previous criterion.</p>	<p>It depends on similar physical characteristics but focuses on different aspects</p>

Respondent	Agree / Disagree / Neither Agree or Disagree	Comment	Response / Proposed Change
		<p>Typical Receptors – Whilst the comments on the relative visual sensitivities of different broad categories of visual receptors is agreed as they accord with the general approach that has always been adopted in the different editions of the GLVIA, it could be interpreted as being contrary to the earlier built environment criteria. It also effectively requires an outline visual receptor baseline study to be undertaken.</p>	<p>It is well understood that different attribute of the landscape may result in differing susceptibility for example absences of residential properties makes it less like that there will be residential issues but may indicate that it is a wild and remote landscape that will be susceptible for other reasons.</p>
		<p>Views to and from important landscape and cultural heritage features. – Whilst it is agreed that these are important considerations, they are better considered at the more detailed stage when an LVIA and/or Cultural Heritage Impact Assessment is undertaken. As it is proposed that the response to this criterion is prepared solely upon the basis of site visit(s) it is not clear how this could be meaningfully considered at the scale of LUs and it is best considered under more detailed assessments for individual wind energy developers.</p>	<p>In the actual LU assessments this criteria is very useful as it indicates the features that are important to consider that this should be helpful to both developer and LPAs</p>
		<p>Scenic Quality and Character – at the strategic level at which this Study is concerned it is agreed that Survey Collector Responses VS46-VS48 are appropriate to use although as the supporting text strongly indicates there is a large degree of overlap with the criterion applied for landscape value. Also given that for many of the other criteria suggested the Study correctly advocates that LANDMAP data is supported by observation during study, the same approach should be adopted for this criterion. Simple reliance upon LANDMAP Collector Survey Responses seems to be a broad brush approach even at this ‘strategic level’.</p>	<p>Text added</p>

Respondent	Agree / Disagree / Neither Agree or Disagree	Comment	Response / Proposed Change
		<p>Remoteness Tranquillity – It is agreed that LANDMAP Survey Collector Response VS24 is useful for reviewing this criterion, it is not the case that inaccessible or remote LUs are inherently of high susceptibility to wind farm development nor are “accessible /frequented /busy” landscapes always of low susceptibility. There is some contradiction with the criteria suggested under the ‘movement’ and ‘built development’ headings. Also at the scale of LUs these attributes are likely to vary considerably within individual LUs.</p>	<p>It is well understood that different attribute of the landscape may result in differing susceptibility for example absences of residential properties makes it less like that there will be residential issues but may indicate that it is a wild and remote landscape that will be susceptible for other reasons.</p>
		<p>Landscape Value – compared with the 12 separate criteria that are advanced to assess landscape and visual susceptibility the use of just two criteria for landscape value; one of which is solely concerned with historic value could be considered to be unbalanced. Also the approach of using designations as a proxy could be criticised for ignoring earlier statements in the Study (as well as in other guidance) that even some nationally designated areas may have potential in some of their parts to accommodate certain types of landscape change. The statement that local landscape designations, namely SLAs, closely follow very sensitive national designations is disputed especially given that in some parts of the study area SLAs are very extensive covering nearly all the upland areas.</p>	<p>Wording has been amended</p>

Respondent	Agree / Disagree / Neither Agree or Disagree	Comment	Response / Proposed Change
		<p>Also it is not agreed that the outstanding or high values for LANDMAP Survey Collector Responses LH45; GL31; and GL33 should be interpreted as these LUs having a high landscape value with regard to wind turbine development. This is because these geological or ecological evaluations are often generated by the presence of one or two RIG sites or a small number of locally rare habitats; phenomena that would be avoided by any well-designed wind turbine proposal. The presence of a RIG site at the other side of an LU should have no influence upon suitability to host a wind turbine development.</p>	<p>This section is not identifying susceptibility to wind turbines. It is identifying indicators of landscape value as recommended by GLVIA3.</p>
		<p>Historic Value – Again even at a strategic scale this approach is simplistic; there should be a consideration of the reasons for the high or outstanding evaluations for the HL38-HL40 Survey Collector Responses to allow a review as to whether these could be affected by wind turbine development. Also from experience of undertaking LVIA's in this part of south Wales we are aware that a high proportion of HLAAs have been ascribed with high or outstanding evaluations thereby making it highly likely that a high proportion of LUs will be attributed with high landscape value in this study.</p>	<p>This criteria is measuring the value placed on the landscape and if a large number of aspect areas have been ascribed a high historic value that it a fact to be taken into consideration. The assessment for each LU has looked in more details at the reasons for the evaluation.</p>

Respondent	Agree / Disagree / Neither Agree or Disagree	Comment	Response / Proposed Change
Jeny Rawlings Senior Development Manager Airvolution Energy Ltd	Disagree	Table 3 and Stage 1“Landscape and Visual Sensitivity Criteria”. LSCS purports to be informed by GLVIA3. However GLVIA3 indicates that landscape and visual assessment should be carried out as two separate but related activities. In this report they appear to be combined. This could lead to some confusion. Whilst we agree with some perceptual attributes such as skylines and settings, key views and vistas and intervisibility can help to determine landscape susceptibility (even though it’s wrongly in our opinion listed under “visual criteria”) we do not agree with the specific “typical (visual) receptors” criteria. This is because visual assessment relates to point-based rather than generic receptors and its inclusion in the criteria could render the overall conclusions questionable (see below , Q12,for an example of this).	Effects of wind turbines on landscape character are predominantly as a result of visual changes - in this way they are not typical development. We are not aware of any wind turbine sensitivity studies that have assessed landscape and visual sensitivity separately although may have divided their criteria in to landscape and visual criteria whilst acknowledging the overlap. Typical (visual) receptors is one criteria and we do not consider that it could render the overall conclusions questionable.
Sorrel Jones Conservation Officer Gwent Wildlife Trust	Agree		Noted
Sergio Zappulo Development Manager REG Windpower	Agree	The criteria are clearly described and their application is explained. There is some doubt as the specific applications of LANDMAP answers: for example under the Landcover Pattern criterion, the answers for VS16 include ‘formal’ under low sensitivity, although a formal landscape may be more sensitive to interruption. VS16 also includes the possible answer ‘organised’ which does not fall under any of the sensitivity levels. Other examples could be quoted but generally the approach is both clearly set out and properly grounded in established good practice.	The study does not remove the need for case by case analysis which should highlight a 'formal' landscape that would be harmed by interruption

Respondent	Agree / Disagree / Neither Agree or Disagree	Comment	Response / Proposed Change
Jill Kibble Planning Liaison CPRW Montgomeryshire Branch		We feel this is a very thorough appraisal and that similar work could usefully be done in other LPAs. We are not landscape experts and would not presume to comment on the detailed methodologies. We have considered the response made by CPRW Brecon and Radnorshire Branch and would fully endorse all the points they have cogently made particularly as regards Third Party Consultation requirement with interested stakeholders who have intimate understanding of the area under consideration. We would also emphasise that landscape has an economic component and that in some areas of Wales, for example Montgomeryshire, rural tourism and quiet outdoor pursuits are of considerable importance (12% of GDP) and that there is a considerable value to employers in the quality of the environment when recruiting senior staff. Landscape thus has more than an aesthetic value and planning officers must weigh economic value in the balance. Failure to do so has, of course, been the subject of recent applications for Judicial Review in Powys.	The impact on tourism is part of the planning balance but not part of the landscape sensitivity assessment although scenic value is often an indicator of value to tourism

Respondent	Agree / Disagree / Neither Agree or Disagree	Comment	Response / Proposed Change
		<p>Our only additional comment over and above those provided by Brecon and Radnorshire would be on Landmap.</p> <p>Landmap can be a useful tool but has a tendency to encourage 'salami slicing' of the landscape into parcels that are not necessarily topographical entities and when considering massive, moving and vertical structures in the landscape the visibility over a considerable area, that probably encompasses a number of Landmap classifications, is essential. It is not the Landmap Visual / Sensory classification of the land on which the turbine itself stands that is of prime importance but the whole context of the landscapes in which it is seen. Landmap is irrelevant to the viewer who has a sensory perception of the quality of the landscape in its entirety.</p>	<p>Our Landscape Units are wider than the LANDMAP aspect areas but the assessment also requires a consideration of intervisibility between landscape units which should encompass the idea of seeing the landscape as a whole.</p>
<p>Phil Ratcliffe Development Planning Officer Rhonda Cynon Taff CBC</p>	<p>Disagree</p>	<p>The criteria are agreed except:</p> <p>Landcover pattern: VS 16 –'formal' is defined in LANDMAP as elements/features with a formal designed relationship with each other. This is clearly sensitive. Suggest that: low susceptibility is regular, medium susceptibility is organised and high susceptibility is random and formal. Aesthetic/perceptual and experiential criteria:</p> <p>The use of scenic quality, character and integrity values may be seen as double counting with overall value.</p> <p>VS 24 – safe and settled are duplicated in medium and high</p>	<p>In fact the only time in the study area the answer for VS 16 is formal it is in relation to commercial forestry which clearly does not have high sensitivity</p> <p>We see it as confirmation rather than double counting as we do not use a scoring system</p> <p>Corrected</p>

Respondent	Agree / Disagree / Neither Agree or Disagree	Comment	Response / Proposed Change
		susceptibility	
Q5: Do you agree with the proposed Stage 1 Assessment Framework?			
Judith Jones Head of Town Planning Merthyr Tydfil CBC	Agree		Noted
Ian Gates Associate Director, Landscape AMEC E&I UK Ltd	Disagree	Whilst we agree with the overarching approach and the need to draw upon LANDMAP Survey Collector Responses and strongly agree that these need to be supported and enhanced by site work there are a number of weaknesses in the approach suggested. In particular some of the criteria are contradictory with regard to attributes such as topography and landform; the relative isolation of the LU with regard the presence of settlements and level of public access; how to deal with relative isolation; and the use of Collector Survey Responses that are determined by the presence of location specific phenomena such as RIG sites.	It is acknowledged in the study that some indicators of susceptibility <u>are</u> contradictory and this has to be considered in the overall assessment
		Also it is important to understand that whilst LANDMAP is a very useful source of information and has the large advantage that it is a quality assured database that extends across all parts of Wales, the Survey Collector Responses were generally compiled on the basis of field work that was undertaken almost a decade ago i.e. before the majority of the present operational wind turbines were present. Although this is acknowledged later in the methodology, it is not clear how they incorporated into the final indicative landscape capacities	They were incorporated into the final indicative landscape capacities through the use of the online WT database & site survey

Respondent	Agree / Disagree / Neither Agree or Disagree	Comment	Response / Proposed Change
Jeny Rawlings Senior Development Manager Airvolution Energy Ltd	Disagree	See Above	Noted
Sorrel Jones Conservation Officer Gwent Wildlife Trust	Agree		Noted

Respondent	Agree / Disagree / Neither Agree or Disagree	Comment	Response / Proposed Change
Sergio Zappulo Development Manager REG Windpower	Neither Agree nor Disagree	<p>We broadly agree with the assessment framework as setting out an appropriate approach to landscape sensitivity and capacity evaluation. It is accepted that there is no published guidance on carrying out a landscape sensitivity study. Nevertheless, a widely accepted approach has been developed and implemented by landscape consultants, using a criteria-based analysis of landscape characteristics to determine relative sensitivity. We are content that, in outline, the Heads of the Valleys study follows this approach to arrive at a clear and robust methodology.</p> <p>However, we are less clear as to the way that cumulative effects have been incorporated. This remains the most problematic area of assessing landscape capacity for wind energy.</p> <p>The overview on page 8 states that sensitivity is based on landscape susceptibility, value and presence of wind turbines. This page goes on to state that capacity is based on sensitivity, unit size and presence of wind turbines. Since presence of wind turbines is considered in sensitivity, it is being double-counted in the assessment of capacity.</p>	<p>We see it as confirmation rather than double counting as we do not use a scoring system</p>

Respondent	Agree / Disagree / Neither Agree or Disagree	Comment	Response / Proposed Change
		<p>On page 12, the judgement of sensitivity is explained differently. Here it is stated that landscape susceptibility, visual susceptibility, landscape value, and visual receptors are the factors contributing to sensitivity. There is no mention of wind turbines. “Presence of modern structures such as wind farms” is referred to under the ‘Built Environment’ criterion as a factor which may reduce landscape susceptibility. But presence of wind turbines is not set out as a separate factor as indicated on page 8.</p> <p>Pages 19-20 detail the sensitivity evaluation process. This describes a desk-based assessment of sensitivity based on susceptibility and value, backed up by field work. In contrast to the overview on page 8 there is no mention of existing wind turbines. However, at Stage 3, the first paragraph on page 21 states that sensitivity was derived from susceptibility, value and ‘the potential for cumulative effects’. It is unclear how this ‘potential’ was assessed or how it has been incorporated into sensitivity, other than as one factor affecting the ‘Built Environment’ criterion.</p> <p>This lack of clarity continues into the actual assessments. For example, Landscape Unit 1 is assigned medium-high sensitivity in part because of the ‘presence of existing large scale wind farm’ (page 34). Mention is made of wind turbines in the susceptibility evaluation for this unit, but in the context of the evaluation criteria this would have the effect of reducing susceptibility.</p> <p>In summary, it is not clear how the study addresses existing development, and how this affects sensitivity in particular. Our view is that the presence of wind turbines, in common with other forms of development, may affect the susceptibility of the landscape, but should not be additionally considered as a separate ‘layer’ in the assessment of sensitivity. It is more appropriate to consider this aspect in the evaluation of (remaining) capacity (see our response to 00)</p>	<p>It is not possible to mention everything every time. The study must be read as a whole.</p> <p>Decisions on those circumstances where adding turbines to a landscape that already contains turbines is acceptable, possibly because the existing turbines mean that the degree of change is reduced, and where it results in cumulatively adverse effects is a judgement that still needs to be made on a case by case basis.</p>

Respondent	Agree / Disagree / Neither Agree or Disagree	Comment	Response / Proposed Change
Phil Ratcliffe Development Planning Officer Rhonda Cynon Taff CBC	Agree	Generally agree. Suggest that it is important that all the main text paragraphs are numbered as this document is likely to be referred to frequently, especially at inquiries.	It would be quite a task to go back and number all the paragraphs now. This has not been raised before and many sensitivity studies do not have numbered paragraph but rely on page numbers.
Q6: Do you agree with the proposed methodology for assessing Landscape and Visual Sensitivity?			
Judith Jones Head of Town Planning Merthyr Tydfil CBC	Agree		Noted

Respondent	Agree / Disagree / Neither Agree or Disagree	Comment	Response / Proposed Change
Ilan Gates Associate Director, Landscape AMEC E&I UK Ltd	Disagree	<p>As stated in the response to Q5 it is not clear how the key field survey component is taken into consideration in Stage Two. Whilst we agree with all the field survey bullet points that are listed on pages 19-20 with regard to the amalgamation of these with the results of the LANDMAP Desktop review under the 14 separate criteria the methodology merely states in the final paragraph on page 20 that “Based on the results of the field surveys, the draft evaluations of landscape unit sensitivity were refined ...”. This absence of methodological clarity is a major weakness. This is reflected in the key comment on page 19 (second text column, second paragraph) in which it is stated that “Sensitivity can vary locally within landscape units and the overall evaluation represents the general sensitivity across the landscape unit to reflect the strategic nature of the study.” The corollary of this statement must be that whilst the Study provides some broad landscape, visual and historic landscape context for wind turbines in the study area the acceptability of any proposed wind turbine development remains reliant upon it being subject to a detailed and thorough LVIA.</p>	<p>It is correct that whilst the Study provides broad landscape, visual and historic landscape context for wind turbines in the study area the acceptability of any particular wind turbine development remains reliant upon it being subject to a detailed and thorough LVIA. This is always the case with sensitivity studies which cannot assess individual sites or individual proposals.</p>

Respondent	Agree / Disagree / Neither Agree or Disagree	Comment	Response / Proposed Change
Jeny Rawlings Senior Development Manager Airvolution Energy Ltd	Disagree	<p>See above; in our opinion visual receptors <i>per se</i> have no place in a <u>landscape</u> sensitivity and capacity study and may lead to misleading and inaccurate conclusions being drawn (see above qualified explanation under Q4 comments).</p> <p>A judgement on the sensitivity to change to each typology is made for each landscape unit. However Table 2 is not referred to and even if it were, we have reservations about the criteria used, and the way in which they may have been used, as aforementioned in Q3.</p> <p>Although it is stated that field survey was used to test and refine the findings of the report, it still comes across as a primarily GIS- based desk exercise with little evidence of this “refinement”.</p>	Effects of wind turbines on landscape character are predominantly as a result of visual changes - in this way they are not typical development. We are not aware of any wind turbine sensitivity studies that have assessed landscape and visual sensitivity separately although may have divided their criteria in to landscape and visual criteria whilst acknowledging the overlap.
Sorrel Jones Conservation Officer Gwent Wildlife Trust	Agree	Although we support the overall methodology and the different data sources and criteria used, the weak point in this methodology is that the ultimate judgement on overall sensitivity is subjective. Obviously the judgement is informed by the available information, and made by experts, but this could potentially introduce inconsistency if the methodology is applied elsewhere.	There is no alternative to subjective judgement with regard to wind turbines and landscape impact
Sergio Zappulo Development Manager REG Windpower	Agree	We comment in Q5 in relation to the inclusion of cumulative effects in this section. Otherwise we accept that this section clearly sets out the process undertaken.	See answer above

Respondent	Agree / Disagree / Neither Agree or Disagree	Comment	Response / Proposed Change
Phil Ratcliffe Development Planning Officer Rhonda Cynon Taff CBC	Disagree	The methodology omits consideration of the TAN 8 annex D SSA refinement studies, their refined boundaries, and the implications arising from these.	See answer above where consideration of wind farm scale development has been specifically excluded
Q7: Do you agree with the use of professional judgement to determine the most appropriate landscape objectives?			
Judith Jones Head of Town Planning Merthyr Tydfil CBC	Agree		Noted
Ian Gates Associate Director, Landscape AMEC E&I UK Ltd	Agree	The use of professional judgement is in line with the overarching approach advocated within GLVIA3 and the manner in which the Landscape Objectives are tied into the TAN8 objectives provides a sense of consistency.	Noted

Respondent	Agree / Disagree / Neither Agree or Disagree	Comment	Response / Proposed Change
Jeny Rawlings Senior Development Manager Airvolution Energy Ltd	Agree	<p>Yes, in principle we agree with the use of professional judgement to determine landscape objectives, but this must be carried out with the help of stated criteria. With this in mind, we have the following query.</p> <p>Stage 3; Objective 2 states;</p> <p>“Landscape accommodation is applicable to landscapes where the conservation of landscape character and visual amenity has been assessed to be of moderate to high importance”.</p> <p>Presumably this is referring to LANDMAP but there is no cross-reference to this and begs the question, in the context of this report, exactly how is this “importance” assessed and using what criteria?</p>	How the importance is assessed and the criteria used are set out in the susceptibility and value criteria tables
Sorrel Jones Conservation Officer Gwent Wildlife Trust	Disagree	It is unclear as to why professional judgement is needed as the objectives are very clearly allied to SSAs, Designated Landscapes, and land outside SSAs and Designated Landscapes. It would be simpler to apply the objectives accordingly. As for question 6, using subjective judgement could potentially introduce inconsistency if the methodology is applied elsewhere.	Professional judgement is always required
Sergio Zappulo Development Manager REG Windpower	Agree	The application of professional judgement is appropriate, and is an approach advocated by GLVIA3. However, the three objectives are simply applied to protected landscapes (protection), landscapes outside TAN8 search areas (accommodation), and landscapes within TAN8 search areas (change). The use of professional judgement was presumably quite limited.	Noted

Respondent	Agree / Disagree / Neither Agree or Disagree	Comment	Response / Proposed Change
Phil Ratcliffe Development Planning Officer Rhonda Cynon Taff CBC		Question not clear.	
Q8: Do you agree with the Landscape Objectives set for the Heads of the Valleys Area?			
Judith Jones Head of Town Planning Merthyr Tydfil CBC	Agree		Noted
Ian Gates Associate Director, Landscape AMEC E&I UK Ltd	Neither Agree nor Disagree	Although as stated above it is agreed that linking in the study to TAN8 is beneficial, the reliance upon TAN8 criteria in the determination of Objectives 2 & 3 does have the consequence that the landscape objectives for the landscape units has essentially been pre-determined by the TAN8 study which is nearly a decade old and whose underlying methodology has been subject to criticism and refinement.	We have now emphasised the fact that the study is not aimed at large scale wind farms i.e. those associated with SSAs
Jeny Rawlings Senior Development Manager Airvolution Energy Ltd	Disagree	Stage 3; Objective 2 states; “This objective aims to retain the overall character, quality and integrity of the landscape, whilst accepting that occasional small to medium scale developments may be allowed. Such development may have an effect on the local landscape <i>but should not bring about significant adverse changes in character.</i> ” Does this latter half of the sentence mean throughout the Landscape Unit? Or would localised significant effects be acceptable? This is not clear.	It would depend on the degree of harm

Respondent	Agree / Disagree / Neither Agree or Disagree	Comment	Response / Proposed Change
		<p>“Wind turbines should not become either the dominant or the key characteristic of a landscape”. Again is this referring to the whole landscape unit, or is, for example, a two turbine proposal at the extremities of the Unit within which a development is situated and with limited effects elsewhere, likely to be considered acceptable? Again, not clear.</p>	<p>The units have been defined for the purpose of the study so a development at the extremity of the unit could be dominating in an adjacent unit.</p>
<p>Sorrel Jones Conservation Officer Gwent Wildlife Trust</p>	<p>Agree</p>	<p>See Question 7.</p>	<p>Noted</p>
<p>Sergio Zappulo Development Manager REG Windpower</p>	<p>Neither Agree nor Disagree</p>	<p>The introduction of landscape objectives is to be welcomed and provides a clear means by which the study can be applied to planning decisions. The objectives for protection and change appear appropriate as the end points on a continuum of sensitivity, but accommodation must necessarily incorporate a broader spectrum including some sensitive areas and some less sensitive. The statement that only “occasional small to medium scale developments may be allowed” implies blanket restriction rather than recognising this variability. The statement that “wind turbines should not become either the dominant or the key characteristic” is a more appropriate test to apply, rather than a height-based restriction.</p>	<p>This has been changed as the small to medium did not refer to the typologies</p>
<p>Phil Ratcliffe Development Planning Officer Rhonda Cynon Taff CBC</p>	<p>Disagree</p>	<p>Objective 2 states that only up to occasional medium scale developments may be allowed. This effectively means no windfarms or turbines over 80m to VBT outside SSAs. Whilst desirable in many areas this seems highly restrictive overall.</p>	<p>This has been changed as the small to medium did not refer to the typologies</p>

Respondent	Agree / Disagree / Neither Agree or Disagree	Comment	Response / Proposed Change
		<p>Objective 3' s definition indicate a 'notable amount of wind turbine developments'. This effectively covers the descriptive range of a landscape with windfarms, a windfarm landscape and a windfarm. All these will occur in an SSA and it is suggested that this should be explained. We also suggest that the definition should be changed to a 'notable amount of windfarms'. The reason is that in SSAs different rules apply as the areas are under particular pressure. Smaller developments are causing cumulative impact problems between the larger clusters of windfarms which are there to effectively meet the national targets.</p>	<p>We have added a note referring to the SSA studies and changed the definition to windfarms</p>
<p>Q9: Do you agree with the methodology for identifying the indicative landscape capacities?</p>			
<p>Judith Jones Head of Town Planning Merthyr Tydfil CBC</p>	<p>Agree</p>		<p>Noted</p>
<p>Ian Gates Associate Director, Landscape AMEC E&I UK Ltd</p>	<p>Neither Agree nor Disagree</p>	<p>The four listed criteria are all important in establishing the indicative landscape capacity of each of the 33 LUs. However, once again it is not clear how the four criteria have been balanced in arriving at the final indicative capacity. It is noted that the individual LU sheets contained in Section 4 list the wind farm developments operational, consented or proposed for each LU but it is not apparent how the size of each LU has been taken into consideration. It would be useful if each LU's size in ha were given somewhere on the LU information sheet.</p> <p>It is assumed that the Study is relying upon "<i>professional judgement</i>" in interpreting the information set out on each LU's sheet to determine that LU's indicative landscape capacity but the structure of</p>	<p>The study cannot remove the need for a detailed LVIA and the detailed site survey work that should accompany it.</p>

Respondent	Agree / Disagree / Neither Agree or Disagree	Comment	Response / Proposed Change
		<p>the study and the LU sheets means that there is inevitably a strong emphasis upon the first bullet point i.e. the landscape and visual susceptibility and landscape value with the other three bullet points considerations being ‘bolted on’. Consequently contrary to the indication that the Study seeks to promote, it is heavily based upon the desktop study of the LANDMAP Survey Collector Responses under its 14 headings which as has been established earlier in this response contains a number of weaknesses, contradictions and double counting.</p> <p>This is tacitly acknowledged in another of the caveats that are occasionally inserted into the text; namely in the second paragraph of the second column on page 23 when it is stated that <i>“The indicative landscape capacity helps to identify the type of developments which could be potentially accommodated. However, this does not in itself suggest that all planning applications for the wind turbine development of the typology identified will be appropriate to these areas.”</i> It could also be argued that the corollary of this statement may be to suggest that no developments of a typology identified as being above the capacity of an LU will necessarily be inappropriate in that area.</p>	
		<p>With regard to the untitled and un-numbered figure on page 23 it is helpful to note that the Study concludes that landscapes (or LUs) with low sensitivity have the greatest capacity and that these are described as <i>“Typically a landscape with a number of wind turbine developments”</i>. However the Study does not make it clear whether the presence of the wind turbine developments contributes to a landscape’s low sensitivity.</p>	<p>We have reconsider this figure and omitted it</p>

Respondent	Agree / Disagree / Neither Agree or Disagree	Comment	Response / Proposed Change
Jeny Rawlings Senior Development Manager Airvolution Energy Ltd	Disagree	See above Comments in Q8.	See response above
Sorrel Jones Conservation Officer Gwent Wildlife Trust	Agree		Noted
Sergio Zappulo Development Manager REG Windpower	Agree	We broadly agree with the approach taken here, which is adequately set out and accords with accepted good practice. The inclusion of existing and consented turbines is a key factor in determining the remaining	Noted
Phil Ratcliffe Development Planning Officer Rhonda Cynon Taff CBC	Neither Agree nor Disagree	Suggest that the landscape sensitivity left-hand column should indicate <i>higher</i> sensitivity at the top and <i>lower</i> sensitivity at the bottom rather than just high and low which is too definite. Also the threshold definitions should have the same wording as the objectives e.g. Typically a landscape with a notable amount of windfarms- on the bottom right column.	We have omitted this figure
Q10: Do you agree with the assessment of the Landscape Character Baseline?			

Respondent	Agree / Disagree / Neither Agree or Disagree	Comment	Response / Proposed Change
Judith Jones Head of Town Planning Merthyr Tydfil CBC	Agree		Noted
Ian Gates Associate Director, Landscape AMEC E&I UK Ltd	Agree	Factual information with no errors identified	Noted
Jeny Rawlings Senior Development Manager Airvolution Energy Ltd	Neither Agree nor Disagree		Noted
Sorrel Jones Conservation Officer Gwent Wildlife Trust	Neither Agree nor Disagree		Noted
Sergio Zappulo Development Manager REG Windpower	Agree	This is useful background context which summarises the relevant sensitive landscapes of the study area.	Noted

Respondent	Agree / Disagree / Neither Agree or Disagree	Comment	Response / Proposed Change
Phil Ratcliffe Development Planning Officer Rhonda Cynon Taff CBC	Disagree	<p>Second paragraph, page 24- 'Millstone Grit' should be substituted with 'Pennant Sandstone'.</p> <p>We suggest that the TAN8 annex D study should be mentioned here if the study ultimately covers this area. The wording could read:</p> <p>TAN8 and Strategic Search Area (SSA) F</p> <p>An Annex D refinement study has been carried out for SSA F including an assessment of landscape sensitivity for technically feasible areas and the definition of a refined SSA boundary. This boundary is shown on figure X in conjunction with the overall SSA boundary. It should be noted that this study has not reviewed the Annex D study or come to a view on its findings. It does not supersede the definition of the refined boundary, or areas of high landscape sensitivity defined in the Annex D study.</p>	Changed Note added to reflect this
Q11: Do you agree with the proposed Landscape Types?			
Judith Jones Head of Town Planning Merthyr Tydfil CBC	Agree		Noted
Ian Gates Associate Director, Landscape AMEC E&I UK Ltd	Agree	It is agreed that the LANDMAP Visual & Sensory Aspect Level 3 Classification is appropriate.	Noted

Respondent	Agree / Disagree / Neither Agree or Disagree	Comment	Response / Proposed Change
Jeny Rawlings Senior Development Manager Airvolution Energy Ltd	Neither Agree nor Disagree		Noted
Sorrel Jones Conservation Officer Gwent Wildlife Trust	Neither Agree nor Disagree		Noted
Sergio Zappulo Development Manager REG Windpower	Agree	We have not examined the proposed landscape types in detail, though they are clearly derived from application of LANDMAP and appear to be appropriate.	Noted
Q12: Do you agree with the proposed Landscape Units?			
Judith Jones Head of Town Planning Merthyr Tydfil CBC	Agree		Noted

Respondent	Agree / Disagree / Neither Agree or Disagree	Comment	Response / Proposed Change
<p>Ian Gates Associate Director, Landscape AMEC E&I UK Ltd</p>	<p>Neither Agree nor Disagree</p>	<p>It remains unclear as to how the LUs were defined. It is not explained in Section 3 or in Section 2 page 11 where they are introduced.</p> <p>These comments are only concerned with the LUs that are relevant to the proposed Pen Bryn Oer Wind Farm which would be located in Caerphilly Borough Council on elevated ground between Tredegar and Rhymney.</p> <p>The boundaries of the most relevant LUs (LU16; LU18; LU19 & LU20) are logical and relate to the boundaries of the LANDMAP VSAs found in this area.</p>	<p>The basis for defining the study units is set out on page 11</p>

Respondent	Agree / Disagree / Neither Agree or Disagree	Comment	Response / Proposed Change
Jeny Rawlings Senior Development Manager Airvolution Energy Ltd	Disagree	Landscape Units embody a number of the individual LANDMAP aspect areas (AAs) which can produce potentially misleading and confusing results. For example, Unit 23 (encapsulating the Upland Grazing AA where the Hafod proposals would be located) includes extensive Urban and Amenity AAs which, because of the inclusion of visual criteria in the capacity assessment, results in a much higher sensitivity to turbine development than would be the case if just the Upland Grazing AA was assessed, despite Unit 23 generally being classed as a “medium to large scale landscape” and therefore less sensitive to development. The Unit 23 assessment concludes that it would have “...higher sensitivity to larger development due to the presence of visual receptors and the potential effects on the scale, landform and pattern of the valley”. Considering the proposed development is not within the valley itself and has very little intervisibility with it and that, in our opinion, visual receptivity should not feature in the assessment (see Q6), we would question the relevance and accuracy of this conclusion in respect of Hafod.	The definition of the landscape units has taken into account visual links between adjacent aspect areas. As explained above the key impact of wind turbines on landscape character is as a result of visual change
Sorrel Jones Conservation Officer Gwent Wildlife Trust	Neither Agree nor Disagree		Noted

Respondent	Agree / Disagree / Neither Agree or Disagree	Comment	Response / Proposed Change
Sergio Zappulo Development Manager REG Windpower	Neither Agree nor Disagree	We have not examined the proposed Landscape Units in detail, though they appear to be logical in their definition of discrete areas. We note that most of the units incorporate a selection of landscape types. Landscape sensitivity is generally driven by landscape type, with upland moorland types being generally less sensitive than enclosed valley types, for example. There is likely to be significant variation in landscape sensitivity within those landscape units which include a variety of types. It is important that this variation is recognised in the unit-based evaluations.	Noted. We believe it is addressed. The aspect areas which are discrete types were too small to be useful for a strategic study.
Phil Ratcliffe Development Planning Officer Rhonda Cynon Taff CBC	Neither Agree nor Disagree	Note that the only ridge top which is not a character area, Cefn y Rhondda, lies between the Rhondda Fawr and Rhondda Fach valleys. This is of concern and even if it is physically omitted it must be properly addressed in the descriptions of the 2 adjoining areas. 1: description should include the scarp slopes to the north. 2: description should include the scarp slopes to the south. 3: mention narrow ridge top 4: mention narrow ridge top	Information added in relation to detailed comments below
		12: Merthyr East Valley Side – these are not the earthworks but a large scale coal recovery scheme (Ffos y Fran) which has about a 15 year life span and then will be completely restored. Does this affect any of your conclusions?	No. Still a man-made earthwork in the landscape

Respondent	Comment	Response
Q13: If you have any other comments on the Heads of the Valleys assessments, please use this space to report them.		
Judith Jones Head of Town Planning Merthyr Tydfil CBC	It is recommended that the assessments be tested against previous planning applications and appeals to ascertain whether they are broadly in line with previous decisions.	That is on going
	The assessments should also be updated at appropriate intervals in order to take account of landscape change.	Most sensitivity studies are only updated if major landscape change takes place
	Finally, it should be noted that Planning Policy Wales was revised in July 2014.	Change made
Ian Gates Associate Director, Landscape AMEC E&I UK Ltd	As a general comment on the LU sheets it is not clear what the percentage figures quoted in the tables refer to.	Appendix 4 added to explain this
	Comments are provided on the two LUs: LU18 – Mynydd Bedwellte and Associated Upland and LU19 – Heads of the Valleys Corridor. LU18 - Mynydd Bedwellte This would be the host LU for the three proposed 110m blade tip height turbines at Pen Bryn Oer Wind Farm.	Sentence reworded to say: a very large development comprising three turbines at the northern end of the unit currently in planning.
	Landform – disagree that a broad ridge should be assessed as having a high sensitivity to wind turbine development. If the topography at Bryn Oer Patch were to be reasonably considered to be a plateau as opposed to a broad ridge it would be considered to possess low landscape susceptibility.	This is a matter of professional judgement. VS4 Topographic states 65% hills and valleys which does not suggest plateau. The remainder is high hills/mountains or rolling/undulating. Also the contours do not suggest this is a plateau. The northern end of the unit is broader and it may be argued is more of a hill than a broad ridge but with regard to the unit overall broad ridge is more appropriate.

Respondent	Comment	Response
	<p>Built environment –it is acknowledged that LU18 contains only severely limited built development, although there are two properties in the northern part of the LU. In these circumstances little weight can be given to the response to VS20: use of construction materials. The main comment relates to the Study’s approach of relating low levels of built development with high susceptibility as the corollary is that wind turbines are better sited close to areas with a high level of built development which is likely to mean a large number of visual receptors, probably including a large number of high sensitivity visual receptors. The explanation of this criterion (Page 14) states that “it is concerned with the presence of built structures and human development present in the landscape.” Hence consideration should not be restricted to identifying built development but instead should be extended to fully include indications of human presence. In the case of the northern part of LU18 around the Pen Bryn Oer Wind Farm site the land-use history of the area which has included open cast mining and relatively recent restoration is apparent in landscape and visual terms through the readily discernible presence of restored rough grazing, access tracks and post and wire fencing.</p>	<p>As noted above. The criteria may result in differing susceptibility. The overall judgement is made taking all attributes into account. The detail given in this response is appropriate at detailed LVIA level but not at strategic sensitivity study level. The overriding reason for high susceptibility here is the fact there is little built development and a strong sense of place which could be affected by incongruous development.</p>
	<p>Skylines and setting – it is strongly disputed that the skyline formed by the elevated northern end of LU18 is “distinctive”. There are no cairns present in the northern part. The Cefn Golau Cemetery does not contribute to the skyline (being on the lower side of the Sirhowy Valley and in LU19) and the Cemetery cannot be seen from the Rhymney Valley to the west. Consequently the medium susceptibility assessed for this criterion should be revised to low susceptibility.</p>	<p>Not agreed. The uplands form very distinctive skylines for the valleys that are not dependent on the presence of cairns. Skyline is an important and valued element of the setting of surrounding settlement. Reworded to make clear that the cairns are not necessarily on the skyline. Distinctive open skyline. Cairns and the Cefn Golau cholera cemetery, seen from the valleys on either side. Upland setting for neighbourhood settled valleys.</p>

Respondent	Comment	Response
	<p>Movement – it is reiterated that the level of human access can be assumed to be an accurate proxy for the level of movement. It is disputed that the northern part of LU18 should be described as secluded given the relative proximity of Tredegar, Rhymney and the A465 corridor (with the recently upgraded A465) and if it is accepted that the presence of PRowS is a proxy for the level of movement it should be noted that there is a moderate density of PRowS in the northern part of LU18 as well as a carpark and an area of Open Access Land. Hence the high susceptibility assessed for this criterion should be reduced to medium susceptibility.</p>	<p>Currently movement may be visible from this LU but within the LU there is very little movement which give it high susceptibility to the introduction of movement.</p>
	<p>Visibility, key views and vistas – it is reiterated that the attribution of susceptibility for this criterion is counter intuitive: wind farms are overwhelmingly located in open upland locations and such locations are generally favoured by wind farm siting and design guidance. Consequently whilst it is agreed that the northern part of LU18 is open and therefore has extensive outward views, this attribute applies to all upland areas in the Study Area that aren't under forestry. Consequently the assessment that LU18 has a high susceptibility to this criterion is not accepted and should be reduced to medium.</p>	<p>Disagree with the premise. Wind turbines do tend to be located in upland areas but this does not mean that they will always impact on distinctive skylines. Where there is a possibility that they will impact on distinctive skylines there will be an increased susceptibility</p>
	<p>Intervisibility – this is a criterion where a general assessment is of limited value as it will be largely determined by the details of the individual wind farms that are operational, consented or proposed for any LU. As was demonstrated in the ZTV figures that accompanied the LVIA in the Pen Bryn Oer ES, the ZTVs that would be generated by the proposed wind farm would be relatively compact and would not extend as far south as Mynydd Bedwellte itself.</p>	<p>The sensitivity study does not remove the need for a detailed LVIA.</p>
	<p>Views to/from landscape and cultural heritage features – the proposed Pen Bryn Oer Wind Farm would not impact upon views to the west or into the (Sirhowy) Valley from Cefn Golau. The aforementioned ZTVs also show that from the southern part of LU18 the proposed Pen Bryn Oer turbines would not be visible in northern views towards the Brecon Beacons national Park. Consequently the assessed medium landscape susceptibility should be reduced to low landscape susceptibility.</p>	<p>The sensitivity study does not remove the need for a detailed LVIA</p>

Respondent	Comment	Response
	<p>Scenic quality and character – it is acknowledged that the values quoted are extracted from LANDMAP but with regard to the northern part of LU18 it is strongly disputed that scenic quality and integrity should be assessed as high given that a good proportion of the northern part of LU18 has only recently been restored. Consequently the high landscape susceptibility assessment should be downgraded to medium landscape susceptibility.</p>	<p>VS48 Character is 98% high for the area which demonstrates that although VS46 Scenic Quality is 50% high the unit as a whole has merit in terms of its strength of character and has an important role to play in separating development in the valleys east and west along its whole length.</p>
	<p>Remoteness and tranquillity – the description provided for LU18 is not applicable to its northern part around the proposed Pen Bryn Oer Wind Farm. It is disputed that this part of LU18 should be described as “attractive” although the assessment of medium landscape susceptibility for this criterion is accepted.</p>	<p>The sensitivity study does not remove the need for a detailed LVIA</p>
	<p>Landscape value – given that a proportion of the northern part of LU18 is located in an SLA (local landscape designation) it is agreed that a medium landscape susceptibility for this criterion is justifiable. Historic value – given that the land-use history of the northern part of LU18 has been associated with open cast mining and restoration it is not agreed that it should be assessed as high for historic rarity and integrity. Reference to the LANDMAP HLAA database shows that most of the northern part of LU18 including the Pen Bryn Oer site itself is not within an HLAA with an overall evaluation that is high or outstanding. Consequently the high landscape susceptibility for this criterion should not be high but should be reduced to low.</p>	<p>The unit is assessed as a whole because of the role it plays in separating the two valleys and associated development. Impacting on part of this unit will affect the unit as a whole.</p>
	<p>Summary of sensitivity to wind turbine development– with regard to what the typology defines as large and very large wind turbine development the reasons stated for the high assessed landscape sensitivity are weak. They are primarily derived from the two value criteria (thereby supporting the criticism of the methodology that the number of variables used to derive the value component of the sensitivity is too small and therefore results in it being imbalanced and places too much importance upon the historic value which is a weakly assessed criterion) within which the historic criterion is inappropriately assessed. Aside from the disputed high assessment of LU18’s historic value the other stated reason for the LU’s high landscape sensitivity to large or very large wind turbines is that they would be seen from the Brecon Beacons National Park. This reason prompts two comments:</p>	<p>The sensitivity criteria explanations were brief for all units because the evaluation against each criteria provides more detailed explanation. The summary of sensitivity points out key reasons where appropriate.</p>

Respondent	Comment	Response
	<p>Once again the extent of the ZTV within the National Park will be heavily dependent upon the design and location of an individual wind turbine development. With regard to the proposed Pen Bryn Oer Wind Farm, despite its location in the northern part of LU18 i.e. the closest part to the National Park, the landscape assessment in the ES calculated that its blade tip ZTV only covered 5.2% of the total area of the National Park which does not equate to a high score on this criterion;</p>	<p>The sensitivity study does not remove the need for a detailed LVIA. The importance of the impacts on Nationally designated landscapes are not determined by the proportion of the nationally designated landscape affected.</p>
	<p>This is a good example of the problems in the adoption of an unbalanced typology. It remains unclear as to how a reduction in the blade tip height of the proposed wind turbine from 110m (as per Pen Bryn Oer and classified as very large) to 80m (classified as medium) could result in the assessed sensitivity of LU18 dropping from high to low. The reduction in the extent of the ZTV for the same number of turbines at 80m blade tip height within the National Park would be at most a couple of percent less than that for the proposed 110m blade tip height turbines. It is also not agreed that landscape effects upon the National Park would be the same were the proposed wind farm at Pen Bryn Oer to be for 30 turbines of the same height as it is for three turbines yet this is the conclusion that the adopted typology is forced to draw.</p>	<p>Only sensitivity to turbines less than 50m to Blade tip has been assessed as low. Medium turbines have been assessed as low/medium which on reconsidering has been revised to medium The typology has been misunderstood. 30 turbines would result in the same impact and for this reason any development of six turbines or more would be considered very large.</p>
	<p>Landscape Objective – the stated landscape objective is Objective 2: “to maintain the landscape character” which is defined in Table 5 as “accepting that occasional small to medium developments may be allowed.” Consequently the critical issue once again is the distorted typology under which the proposed Pen Bryn Oer Wind Farm is assessed on the basis of it being a “very large” development by virtue of it comprising turbines that are over 109m high. It would still be considered to be “very large” even if it were to be comprised of a single 110m high turbine. The adherence to the typology places too great a restriction on potential wind farm development in LU18. Given the detailed assessment that is provided for LU18 it is not clear why if Pen Bryn Oer were to consist of four 80m high turbines it would be acceptable but because it consists of three (or even one) 110m high turbine it is assessed as being unacceptable. A proposed wind farm consisting of four 80m high turbines in the same location would have similar intervisibility to the north and the National Park; would still be intervisible with other upland LUs and the Sirhowy and Rhymney Valleys; would still impact upon the purported distinctive skyline; would still be visible from the Cefn</p>	<p>The wording of the landscape objective has been revised to make it clear that it refers to wind turbine development that is potentially suitable outside SSAs rather than referring to the typologies</p>

Respondent	Comment	Response
	Golau Cemetery and would have the same, if not greater effect upon the moderate number of PRowS and the open access area.	
	Baseline wind turbine development (March 2014) – the veracity of the Study is brought into question by the fact that it does not mention the proposed Pen Bryn Oer Wind Farm despite the planning application being submitted in the Summer of 2013.	Reference added
	Indicative Overall Capacity – the Study accepts that there is “some capacity for medium scale development” which once again leads to the issue of the way in which the typology is distorting the results of the Study undermining its credibility.	Hopefully the revised typology descriptions will make this clearer

Respondent	Comment	Response
	<p>Guidance on siting – this states that effects upon views from the National Park from the north of LU18 must be considered. The Pen Bryn Oer landscape assessment did assess effects upon the National Park in depth and concluded that landscape effects upon the National Park would not be significant. It should be noted that the National Park did not object to the proposed Pen Bryn Oer wind Farm. Likewise the historic environment assessment concluded that there would be no significant effects upon designated and other cultural heritage features whilst it should be noted that despite extensive consultation on viewpoint selection no consultees considered it necessary for the selection of a viewpoint within or close to Cefn Golau Cemetery. <i>The</i> cumulative assessment considered the potential for sequential cumulative effects in detail (using a accurate cumulative baseline) and concluded that there would be no significant cumulative effects and that there would be visual separation with the other single and two turbine wind turbine developments within 10km. It again should be noted that no objection has been raised on cumulative issues. The visual assessment included all the various groups of residential and recreational visual receptors located in the settlements of Tredegar and Rhymney (as well as many other settlements) and broke these receptors down into much smaller groups and concluded that whilst some residential visual receptors located within 1.5km and a smaller number of recreational receptors within 3km would sustain significant visual effects their numbers were relatively low for a wind turbine development and should be considered to be acceptable. Once again no objections were raised in this regard. The only stated reason for refusal was the effect upon the SLA and this will form the basis of the forthcoming appeal. Given the land-use history and baseline characteristics of the northern part of LU18 it is difficult to accord with the statement that this part of the SLA provides a strong example of natural beauty.</p>	<p>As noted this scheme is going to appeal and these site specific issues will no doubt be considered in detail at the appeal.</p>

Respondent	Comment	Response
	<p>Hence it is concluded that even when assessed against LU18's siting guidance the proposed Pen Bryn Oer Wind Farm accords with at least four of the five criteria. This conclusion must serve to indicate that with regard to LU18 at least the Study is overly restrictive and does not result in a balanced assessment of landscape sensitivity and capacity.</p>	<p>The sensitivity study does not remove the need for a detailed LVIA</p>
	<p>LU19 – Heads of the Valleys Corridor This is located to the immediate north and east of the proposed Pen Bryn Oer Wind Farm which is located in LU18. However a detailed review has been undertaken of the completed assessment sheet for LU19 in accordance with the Study's methodology regarding the inclusion of LUs as set out in the bottom paragraph in the left hand text column on page 11.</p>	
	<p>Landform – the landform is more accurately described as hills and valleys as opposed to undulating and rolling (as is demonstrated in the LU's title). Under the criteria set out for this criterion a hills and valleys type of landform would still be considered as being a landform of high susceptibility to wind turbine development but the veracity of this assertion has already been questioned. Based upon numerous site visits to LU19 it is concluded that a more reasonable assessment would be that LU19's landform possess medium susceptibility to this type of development.</p>	<p>LANDMAP VS4 Topographic - rolling undulating 95%</p>
	<p>Landcover pattern – it is agreed that LU19's landcover pattern is complex with broken patterns and the juxtaposition of different land-uses but overall it is more accurately assessed as having low as opposed to medium landscape susceptibility.</p>	<p>Our professional judgement concluded that the susceptibility was medium because of potential cumulative effects of further change (not wind turbine development) in this corridor.</p>
	<p>Built Environment – the large majority of the Clydach Gorge Registered Historic Landscape is sited outside LU19 and the western end that is within LU19 is outside the proposed Pen Bryn Oer Wind Farm's blade tip ZTV. It remains difficult to understand how the contributory components of this criterion relate to an LU's capacity to accept a wind turbine development e. g. the fact that 51% of the built development in LU19 is apparently considered to be constructed using inappropriate construction materials.</p>	<p>Information has been taken from LANDMAP and the evaluation follows the method agreed with the client group.</p>

Respondent	Comment	Response
	Skyline and setting – agree that LU19 does not possess a distinct skyline and that therefore landscape susceptibility under this criterion is low.	Noted
	Movement – agree that the key landscape role that is played by the recently upgraded A465 ensures that landscape susceptibility under this criterion is low.	Noted
	Visibility, key views and vistas – as LU19 consists primarily of urban development it is more likely that views are generally relatively restricted by nearby built development however on the basis of site visits it is acknowledged that views to the surrounding elevated areas are important hence the medium landscape susceptibility assessment is justified.	Noted
	Intervisibility – on the basis of detailed knowledge of LU19 gained through site visits it is difficult to understand how the LANDMAP derived comments utilised in this response can be helpful in determining landscape susceptibility nor how they can act as a proxy for actual on-site observation for this criterion. This is a good example of where less reliance on LANDMAP and greater emphasis upon the field survey component as set out in the bullet points on page 19 would be helpful. Indeed it is difficult to identify where information gathered during the field survey has been utilised in any of the responses in the LU19 survey sheet.	This sensitivity study does not remove the need for a detailed LVIA. It does highlight where and why there is higher susceptibility.

Respondent	Comment	Response
	<p>Types of Receptors – it is agreed that there are a large number of visual receptors within LU19 but as the response emphasises a good proportion of these are people at their place of work and using the ‘A’ roads, especially the A465. Under GLVIA3 (and early versions of GLVIA) these types of visual receptor are usually accorded lower visual sensitivity in comparison to residential and recreational receptors. It is also worth noting that just taking account of the overall number of potential visual receptors in an LU is an unsophisticated approach even at this strategic level; LVIA authors are aware that in settlements the availability of outward views is frequently restricted by nearby built development and/or vegetation and is influenced by the settlement’s morphology and aspect. Once again the veracity of the Study would be aided were the observations of the field survey component to be utilised in framing the response to this criterion. Consequently the high assessed susceptibility under this criterion is not accepted and should be reduced to medium susceptibility.</p>	<p>Due to the presence of a large number of residential receptors in this LU we feel the susceptibility remains as high. It is clearly within the scope of any individual application to demonstrate (via detailed LVIS) that due to the location chosen there are no significant residential issues.</p>
	<p>Views to/from landscape and cultural; heritage features – given that the main topographical feature of LU19 is a valley and based again on site visits there is only limited intervisibility with the National Park from within LU19, especially once the high level of built development is taken into account (for outward views). With specific regard to the proposed Pen Bryn Oer Wind Farm, its location to the south-west would ensure that its presence would have no effect upon the intervisibility between LU19 and the National Park. Consequently with specific reference to the proposed Pen Bryn Oer Wind Farm the assessed medium landscape susceptibility should be reduced to low landscape susceptibility.</p>	<p>This sensitivity study does not remove the need for a detailed LVIA.</p>
	<p>Scenic quality and character – agree with the assessed low landscape susceptibility.</p>	<p>Noted</p>
	<p>Remoteness and tranquillity - agree with the assessed low landscape susceptibility.</p>	<p>Noted</p>

Respondent	Comment	Response
	<p>Landscape value – given that this is a strategic level study there is little benefit in bringing in site specific sites and features such as Bedwellte Park unless it is in relation to actual field observations (Bedwellte Park is in the midst of Tredegar and contains a high level of mature trees so is unlikely to be affected by wind turbine development and certainly not by the proposed Pen Bryn Oer Wind Farm). The relatively low values quoted for VS50; VS49; LH45; GL31 & GL33 are more indicative of low landscape susceptibility than medium landscape susceptibility.</p>	<p>Specific sites are referenced to ensure that proposals take into account their presence. Not all proposals within an LU are likely to have an impact on the sites identified</p>
	<p>Historic value – again would dispute that the quoted LANDMAP evaluations justify the high assessed landscape susceptibility for this criterion. The use of the Tredegar Conservation Area as a justification is an example of an overly deterministic approach and failure to use the field work to add a degree of realism to the Study to make it more accurate and therefore credible. The Tredegar Conservation Area is focused upon the town centre of an industrial settlement and rather than simply stating that its designation automatically results in high value it would be helpful if some consideration were to be given as to how the presence of wind turbine development elsewhere in LU19 could affect the attributes for which the Conservation Area has been designated.</p>	<p>This sensitivity study does not remove the need for a detailed LVIA.</p>
	<p>Summary of sensitivity to wind turbine development – the Study’s commentary text notes that “although a number of criteria suggest lower or medium sensitivity this area (LU) is densely settled and there will be residential amenity issues which will limit the potential size of wind energy development.” This is a sweeping statement which implies that a high settlement density outweighs not just all the other components included in the sensitivity study but also the other factors purportedly included in the Study as listed on pages 19 and 23. It could be argued that the Study is being wilfully naive in implying that a wind turbine development would ever be sited in close proximity to settlements of the size that are found in LU19. Issues such as residential visual amenity have to be assessed on a site by site basis. Even where a wind turbine development is located in moderate proximity to a number of residential properties as is the case with the proposed Pen Bryn Oer Wind Farm, effects upon residential amenity do not necessarily make the wind turbine unacceptable with regard to residential visual amenity.</p>	<p>This sensitivity study does not remove the need for a detailed LVIA.</p>

Respondent	Comment	Response
	<p>Finally it is again difficult to understand how LU19 would have low assessed sensitivity to a small wind turbine i.e. with a blade tip height of 50m but were the turbine's height to increase to 51m and therefore become a medium wind turbine under the typology, LU19's assessed sensitivity would increase to medium or high.</p>	<p>This sensitivity study does not remove the need for a detailed LVIA. Any development close to the boundary between typologies would be considered against both conclusions.</p>
	<p>Landscape Objective 2: Maintain the landscape character – it is not agreed that this is the correct landscape objective for LU19. In the context of the large amount of change that is taking place in parts of this LU, in particular the recent change associated with the A465 corridor itself, low levels of landscape management; the presence of restored landscapes that are only becoming established and the mosaic of sometimes competing land-uses, the objective should be to encourage suitable landscape change although the landscape objectives have been defined so that this landscape objective can only be applied in an SSA.</p>	<p>TAN 8 has been used to determine the objectives which related to wind turbine development - not other forms of development.</p>
	<p>Indicative Overall Capacity – same comments as provided for this subject for LU18.</p>	

Respondent	Comment	Response
	<p>Guidance on siting – with specific regard to how the proposed Pen Bryn Oer wind Farm would accord with the guidelines for LU19 the following brief comments apply:</p> <ul style="list-style-type: none"> i) Views into and out of National Park – the location of the proposed Pen Bryn Oer Wind Farm to the immediate south-west of LU19 would ensure that its turbines could have no effect upon these views; ii) No development in Clydach Gorge and National Park - the proposed Pen Bryn Oer Wind Farm fully accords with this guidance iii) Maintain natural beauty of SLAs in the area and their special qualities – SLA in LU19 is restricted to its eastern parts therefore the proposed Pen Bryn Or Wind Farm would have minimal effects upon it; iv) Maintain the role of green wedges – as the only green wedge in LU19 is on the eastern side of Tredegar the limited presence of the proposed Pen Bryn Oer Wind Farm would not have an adverse impact upon its purpose and function; v) Bedwellty Park Registered Park and Garden - as noted earlier the Park’s setting and attributes would be unaffected by the proposed Pen Bryn Oer Wind Farm; vi) Tredegar Conservation Area – as noted earlier the Conservation Area’s valued characteristics and setting would not be significantly affected by the highly limited presence of the proposed Pen Bryn Oer Wind Farm in this part of LU19 (as demonstrated by the ZTVs in the LVIA in the June 2013 ES); vii) Protect the settings of designated and other important cultural heritage features and key views to and from these features – not enough information to comment; viii) Avoid cumulative effects with other large scale infrastructure – as set out in the assessment sheet for LU19 there are three other proposed single turbines in LU19 and these were all included in the cumulative assessment contained in the LVIA and ES. No significant cumulative effects were assessed and cumulative landscape and visual effects were not given as a reason for refusal; ix) avoid loss of trees and woodland – no trees or woodland would be lost in LU19 (or any other LU). 	<p>These responses are appropriate in terms of an individual application they are not relevant to the study itself. However, they do indicate how an individual application can be assessed against the criteria identified. We have not reviewed the statements made here with regard to the Pen Bryn Oer wind Farm and cannot say whether the scheme does or does not comply with the criteria.</p>

Respondent	Comment	Response
<p>Sorrel Jones Conservation Officer Gwent Wildlife Trust</p>	<p>We feel that this report performs well in assessing landscape sensitivity, but is less clear in terms of landscape capacity for turbine development. One of the most difficult issues faced by planners is assessing cumulative impacts of development, with turbines being a particularly difficult issue.</p> <p>The assessments generally give an indication of the type of wind turbine development that would be acceptable, but fall short in indicating how much development can be accommodated. It is clear that many individual, small scale turbines can be as damaging as a large scale development, and local authorities urgently need guidance as to where to draw the line. This is particularly important where turbine development have already been approved and built; some developers feel that once one turbine has been accepted, this provides a green light for more. It would be helpful for local authorities to have some guidance to support their decision, should they need to refuse development when landscape capacity has been reached.</p> <p>We strongly advocate an additional step in each assessment to determine an overall capacity for each landscape unit, whereby the acceptable number of developments as well as the typology is considered.</p>	<p>This is not possible and has not been attempted in other sensitivity studies that have been undertaken outside SSA's. Within SSAs a different approach was adopted where the aim was that they should accommodate the maximum possible. This is not the approach outside the SSAs</p>
<p>Sergio Zappulo Development Manager REG Windpower</p>	<p>We have looked in detail at the assessments for Unit 1 and Unit 4, as these are areas in which REG Windpower hold a specific interest. However, based on our review of the document we feel that similar observations may be made in relation to many of the unit assessments.</p> <p>We broadly agree with the assessments in relation to the separate criteria for Landscape Unit 1. However, the overall conclusion for sensitivity to 'Very Large' wind turbines states: "Medium - high sensitivity to very large development on account of historic value and presence of existing large scale wind farm". The assessment elsewhere (including in the assessments for built environment and movement) notes that the presence of wind turbines reduces susceptibility; this seems logical. It is therefore not clear why or how the presence of turbines increases overall sensitivity in this unit (see our comments on Q5).</p>	<p>It is commonly accepted that whilst existing turbine development may reduce sensitivity it also has the potential to increase sensitivity due to the potential for cumulative impacts.</p>

Respondent	Comment	Response
	<p>The section on Landscape Capacity is less clear. The 'Baseline wind turbine development' includes the Abergorki 3-turbine scheme (in planning), whereas the approach to the assessment only refers to operation and consented schemes being considered. It is not clear how this scheme influences overall capacity: i.e. does the assessment of capacity consider the capacity of the unit over and above Abergorki, or without Abergorki?</p>	<p>Abergorki is mentioned for information even though it is not yet consented. Any developer proposing development in this unit would have to be aware of the proposed scheme at Abergorki because if it is consented and built it will reduce the capacity for wind turbine development in this unit.</p>
	<p>It is not clear how the conclusions of 'Indicative overall capacity' have been reached. The conclusion explains that it is possible that there is little capacity in the northern extent due to developments which are consented but not yet built. However, it does not explain why this is the case for the remainder of the unit. It also states that there is limited capacity for large or very large scale development – this is despite the sensitivity assessment concluding different sensitivities for these two scales of development – a medium sensitivity to large turbines, and a medium-high sensitivity to very large turbines.</p>	<p>Sensitivity and capacity do not correspond directly and the limited capacity of the unit relates to the fact that there is already a large amount of development in the SSA in the unit.</p>
	<p>The indicative overall capacity does not make clear the influence of TAN8 SSA F which covers 78% of the area. The landscape objective is to accept landscape change within the SSA – but the overall capacity suggests there is limited capacity for large or very large scale development.</p>	<p>The SSA designation does not influence sensitivity but does indicate acceptance of landscape change within the SSA. This study is not concerned with development within the SSA. Outside the SSA the objective is to maintain landscape character.</p>
	<p>We note the final point within the guidance on siting - that proposals should appear separate from existing large scale wind farms. However, we consider this should be expanded to include, alternatively, siting proposed wind farms so that they form a logical and natural extension to existing wind farms.</p>	<p>Not appropriate as this study is not concerned with 'wind farms' that may be proposed for the SSA</p>
	<p>For Unit 4 the Summary of Sensitivity states that landform, built environment, sensitive receptors and historic value contribute to "high landscape sensitivity" to large and very large development. However, the adjacent coloured boxes seem to rate these as medium- high.</p>	<p>Wording changed to medium-high to reflect the assessment</p>

Respondent	Comment	Response
	The indicative overall capacity for Unit 4 could be written more clearly to distinguish between the area within the SSA and the area outside the SSA.	Wording has been changed to make this clearer
Phil Ratcliffe Development Planning Officer Rhonda Cynon Taff CBC	Landscape Unit 1: Landform- should note that plateau less sensitive but areas close to and on scarp slopes/dramatic landforms are very sensitive.	Wording amended
	Skylines and settings- as above.	Wording amended
	Visibility etc.- there are two scenic viewpoints, at Craig y Llyn and Bwlch y Clawdd, which should be mentioned.	Reference to viewpoints added
	Summary of sensitivity- this appears to suggest that medium or large turbines can be accommodated in the area just because very large development can be accommodated. Our experience with various planning applications have shown that these will appear awkward or incongruous in relation to the existing large scale windfarms in the area or visually link them together potentially resulting in complete visual coverage of the whole SSA and its surrounds. We suggest that this should be properly addressed and discouraged. We suggest that these should also be medium to high in sensitivity and text should address the issue in the additional comments and in the guidance on siting in the landscape capacity/guidance.	The issue with regard to potential cumulative impacts where large schemes are seen with smaller development is addressed elsewhere in the study
	Other susceptible landscape... Features- these should include dramatic glacial landforms	Wording amended
	Baseline turbine development- spellings incorrect	Spellings amended
	Indicative overall capacity- suggest that 2 nd sentence should read: <i>'Although the sensitivity to medium to very large scale development ranges from medium to high it is possible that due to the scale and extent of development consented and constructed that this unit has little capacity left for further development.'</i>	Wording amended as suggested
	Guidance on siting- suggest add: Large scale development should be located in the TAN 8 SSA F refined areas .	Wording amended

Respondent	Comment	Response
	'Avoid siting single/double turbines where they can be seen in juxtaposition with large scale developments, or where they may visually link large scale developments.'	Wording amended as suggested
	Landscape Unit 2: Scale is actually medium and large – LANDMAP is wrong	Percentage for medium – vast 21%, large 30% Medium 49%
	Landform – add to first sentence 'with dramatic glaciated landforms'.	Wording amended as suggested
	Landcover pattern – the fieldscapes east of Rhigos are actually reclaimed to very high standard- this should be acknowledged so that the medium susceptibility still takes this into account.	Reference to high standard of reclamation added
	Skylines and settings- the distinctive skyline of Hirwaun Common should be stated as being very sensitive.	Reference to the distinctive skyline of Hirwaun Common added
	Summary of sensitivity – medium and large and very large- should mention sensitivity in the relationship with the scarp slope as well.	Wording amended
	Indicative overall capacity- the proximity of medium, large and very large scale development to the scarp slope, and the juxtaposition with the larger scale development to the south are also issues.	Wording amended
	Landscape unit 3: Landform should mention narrow Cefn Rhondda ridge top.	Wording amended
	Intervisibility etc. – built form in the Valley bottom <i>sometimes</i> restricts views.... Also note views over the area from Bwlch y Clawdd viewpoint to the west .	Wording amended
	Summary sensitivity- large/very large turbines – add 'and association of the very large windfarm typology with the coalfield plateau, not the valley'.	Wording amended
	Guidance on siting- amend first sentence-' large scale development should be located in the TAN 8 SSA F refined areas .	Wording amended
	Add : Consider cumulative effects of development on both sides of the Valley to avoid 'surrounding' settlement with development.	Wording amended
	Avoid siting wind turbines on... add Graig Fach after Graig Fawr...	Wording amended
	Great care is needed on Cefn y Rhondda and associated ridgeline due to its sensitive narrow character and the existing prominent development.	Wording amended

Respondent	Comment	Response
	<i>Add-</i> Avoid siting single/double turbines where they can be seen in juxtaposition with existing large and very large developments, or where they may visually link those developments.'	Wording amended
	Landscape unit 4: Indicative overall capacity- first sentence should read: 'The focus within TAN 8 SSA F and its refined areas is on strategic scale windfarms. Second sentence should read 'the area in and around this area is already developed an overall remaining capacity is very limited'	Wording amended
	Guidance on siting – Great care is needed on Cefn y Rhondda and associated ridgeline due to its sensitive narrow character and the existing prominent development.	Wording amended
	Landscape unit 5: Summary of sensitivity – suggest that large should also be medium high. 'Proximity to, and intervisibility with, valleys' should also be mentioned in this and the very large turbine comments.	Sensitivity has not been changed but reference to valleys added
	Note that sensitivity to large turbines is low on the map- which is hopefully incorrect.	Plan amended
	Baseline wind turbine development- note that the area is outside the TAN8 annex D study refined area.	Reference to the refined area added
	Indicative overall capacity – suggest that just states that the capacity of the area is limited where there is intervisibility with the adjacent valleys.	Wording amended
	Guidance on siting – omit first sentence starting 'larger scale development...'	Wording amended
	Landscape unit 8: Guidance on siting – 5 th bullet – substitute significant adverse for overbearing.	Wording amended
Q14: What status should Landscape Sensitivity and Capacity Assessments have? Should they be adopted as Supplementary Planning Guidance by Local Planning Authorities?		

Respondent	Comment	Response
Judith Jones Head of Town Planning Merthyr Tydfil CBC	The Landscape Sensitivity and Capacity Assessments have the potential to be adopted as supplementary planning guidance within Merthyr Tydfil as they provide advice on landscape capacity and guidance on the siting of wind turbines which is linked to the landscape related criteria within LDP Policies BW5 and TB7. The Local Development Plan Manual does however state that an SPG should not be used to determine the appropriate type, scale and level of development for particular sites (paragraph 7.3.5). Can the <i>indicative overall capacity</i> findings be interpreted as doing this?	The indicative overall capacity findings do not relate to specific sites
Peter Seaman Chairman Campaign for the Protection of Rural Wales (CPRW)	1. This is a highly specialised study of one part of Wales	
	We are not professional landscape consultants and do not think we have sufficient expertise to comment in detail on the methodology used.	Noted
	Without detailed knowledge of the area, it is difficult to comment on whether the precise findings accord with the public understanding of landscape value and capacity. However we welcome the general advice and methodology, and the clear presentation of capacity in relation to different turbine sizes. We also endorse the emphasis on the role of unbiased professional judgement of experienced landscape architects.	Noted
	2. Extension to other parts of Wales	
	A stated aim is to achieve consistency across local authorities when considering applications for single or multiple applications which fall short of “wind farms”. If this is to be extended beyond the pilot area, it would obviously be desirable for the capacity studies to be performed by the same team, or at least by applying the same principles with the same care and similar balance of professional judgement. This is particularly important since the Heads of Valleys region is very different from other areas of Wales which may, for instance, rely more heavily on outdoor pursuits and rural tourism for regeneration.	Noted
In as much as the capacity study protects landscape from inappropriate development and sites development as sensitively as possible, it is right that all LPAs have similar protection. This is both because impacts will be experienced across LPA boundaries and because curbs on irresponsible development in one area of Wales will inevitably divert wind turbine development to anywhere regarded as more permissive.	Noted	

Respondent	Comment	Response
	<p>However, we fear that, in practice, motivation and cost could prevent extension to the detriment of poorer, less populated rural areas whose LPAs may remain without any such assessment. Perhaps worse, some LPAs may end up with less objective, sensitive and discriminating capacity studies incorporating vested interests of Developers.</p>	Noted
	<p>3. Reaching Capacity and Feed-back Effect of Turbine Development.</p>	
	<p>Although it is beyond the remit of this guidance, it is unclear whether “capacity” can be reached and, if so, how this will be decided. This will depend upon planning decisions about whether areas with wind turbines are regarded as having a changed “wind turbine” character and can thus “accept” more turbines or whether there is a threshold of cumulative impact of existing turbines which becomes a bar to any more. The capacity assessment assumes that industrialised, populated areas are more suitable for new construction and, if this principle is applied to wind-turbines, turbine construction will have a positive feedback on future development and capacity studies will only have a very limited impact in landscape protection. Similarly, we do not know whether capacity studies done at a future date would prove more restrictive or more permissive. Wind turbine siting is caught in this inherent ambiguity because developers tend to choose prominent skylines in tranquil, sparsely populated rural areas without any vertical buildings over 15m – precisely those areas deemed most vulnerable in the LANDMAP-based capacity assessment. It remains to be seen how the present capacity study will be applied and whether there is a planning will to protect any of these areas lying outside National Parks and AONBs from small and medium wind development.</p>	Noted
	<p>The Campaign for the Protection of Rural Wales (CPRW) established in 1928 is Wales’ foremost countryside Charity. Through its work as an environmental watchdog it aims to secure the protection and improvement of the rural landscape, environment and the well being of those living in the rural areas of Wales</p>	Noted

Respondent	Comment	Response
Sorrel Jones Conservation Officer Gwent Wildlife Trust	We believe that these assessments should be adopted as SPG to ensure that they are used as guidance by developers and Planning Authorities. Adoption will also help to raise overall awareness of landscape sensitivity. This guidance, together with the forthcoming <i>Planning Guidance for Wind Turbine Development: Landscape and Visual Impact Assessment Requirements</i> will help developers to select appropriate locations for turbines, and also help to protect sensitive and valued landscapes.	Noted
Phil Ratcliffe Development Planning Officer Rhonda Cynon Taff CBC	Should not be as SPG in RCT until the SSA issues are resolved. It would be helpful to have this status elsewhere (outside SSAs).	Noted
	Additional Comments	
	SECTION 5: GUIDANCE FOR WIND ENERGY DEVELOPMENT 5 th para page 164- suggest for sentence should read 'No settlements should have the sense of being surrounded by wind turbines, such as developments on both sides of a valley'.	Amended
	Turbine size and scale- the '50% higher' rule would mean that most turbines near buildings should not be higher than 12m tall which seems rather restrictive.	Amended
	Factors relating to location – landscape character- topography – suggest sentence is amended to read 'turbines can dominate the landform if not carefully sited'.	Amended

Respondent	Comment	Response
	<p>Factors relating to siting – Filling in gaps between clusters of wind turbines- suggest entire text should read:</p> <p>Where there are large scale windfarms in an area, the introduction of single or double turbines between clusters can create visual links between developments. There is also potential for incongruous juxtapositions between the different scales of developments. Therefore, where site analysis indicates that maintaining visual separation between and around windfarm clusters is desirable, the gap between developments should be maintained.</p>	Amended
	<p>APPENDIX 2 REFERENCE DOCUMENTS</p> <p>SNH visual representation of windfarms guidance should be updated to 2014. Consequently the Highland Council standards should be deleted, as this has influenced the revised SNH guidance.</p>	SNH guidance updated but reference to Highlands Standards retained. Neither of these are proscriptive in Wales and the Highlands council standards are well suited to smaller scale development
	<p>APPENDIX 3 BASELINE INFORMATION</p> <p>Add:</p> <p>Consortium of South Wales Valleys Authorities (2006): TAN8 annex D refinement study for strategic search areas E and F: South Wales valleys. Prepared by Arup.</p>	Added to reference documents

Respondent	Agree Disagree Neither Agree or Disagree	Comment	Response	Change
<p>Q1: Do you agree that guidance is required to ensure landscape and visual impacts of wind turbines are addressed in a consistent manner? If you agree please indicate below what status should the guidance have, should it be Supplementary Planning Guidance, a Planning Advisory Note or simply for information?</p>				
Phil Ratcliff, Development Planning Officer Rhondda Cynon Taf County Borough Council	Agree	Planning Advisory Note status is more appropriate than SPG, since the material is procedural rather than policy. However, it will be a matter for individual Local Planning Authorities to decide.		
Sarah Chapple Landscape Architect Soltys Brewster Consulting	Agree			
Judith Jones Head of Town Planning Merthyr Tydfil CBC	Agree	In terms of status, the guidance would most likely be adopted as a planning advisory note for the purposes of Merthyr Tydfil due to the procedural nature of the guidance and the non-direct link to the requirements of renewable energy and landscape related policies within the Local Development Plan.		
Oliver Buxton Project Manager Seren Energy Ltd	Agree	Supplementary Planning Guidance		

Respondent	Agree Disagree Neither Agree or Disagree	Comment	Response	Change
Peter Seaman Chairman Campaign for the Protection of Rural Wales (CPRW)	Agree	<p>Guidance is very welcome in principle.</p> <p>Guidance encourages LPAs to go through a systematic process and demand a minimum of maps of proper scale, precise information about locations and details of turbines applied for and of other turbines (in planning, consented and operational), precise details of distances from dwellings, correct ZTVs, photomontages and wireframes, and other key features. We have witnessed the hasty determination of many wind turbine applications without the Developer being required to supply very basic essential information of the proper quality. Consistency in EIA screening is very welcome.</p> <p>EIA, where appropriate, tends to provide better quality environmental information and gives a better time-scale for third parties to respond to bring up important environmental information missed by Developers. We agree that there should be a transparent relation between threshold for EIA and both the scale of development and environmental sensitivity of the location.</p> <p>Guidance would carry most weight as SPG applied throughout Wales.</p>	Noted	
Mary O'Connor Associate Director WYG Group	Agree	For information only.	Noted	
Natural Resource Wales	Agree	Optional to each planning authority, they may use as guidance or adopt as SPG.	Noted	

Respondent	Agree Disagree Neither Agree or Disagree	Comment	Response	Change
Q2: Do you agree with the typologies being proposed in the guidance (pages 0.3 and 0.5)? (Introduction)				
<p>Phil Ratcliff Development Planning Officer Rhondda Cynon Taf County Borough Council</p>	<p>Neither Agree nor Disagree</p>	<p>The typologies are simple but seem to be quite restrictive. With most wind energy sensitivity studies, the size of turbine and the number of turbines are separated to allow flexibility in the future with changes in technologies and pattern of development. Single or double turbines over 109m to VBT are now coming forward so it is likely that the Very Large category will be challenged.</p> <p>It is apparent that the strategy is to concentrate any Large or Very Large developments in SSAs and Medium or smaller developments everywhere else. Whilst this might be true of the HOV study area, we are not sure that this will achieve government policy/targets if applied everywhere in Wales.</p> <p>The only difficulty encountered with applying the typologies is where one development comprises turbines in more than one height category e.g. 3 at 100m plus 7 at 120m. Splitting the scheme into two typologies results in one Large typology adjacent to one Very Large typology, which should probably be treated as one Very Large typology. A note to cover this situation is needed.</p>	<p>Not entirely sure what is meant by <i>it is likely that the Very Large category will be challenged</i>. These would fall within the V large category.</p> <p>We are unable to comment on government policy/targets.</p> <p>Generally we think that schemes which incorporate different turbines should be discouraged. The scheme described would fall under the very large typology due to the number of turbines involved (10). I believe such situations, which are likely to be rare, can be left to the good sense of the planning officer. In addition the scheme described would be greater than 5MW and we are proposing to make it clearer that the guidance is aimed at under 5MW schemes.</p>	

Respondent	Agree Disagree Neither Agree or Disagree	Comment	Response	Change
Sarah Chapple Landscape Architect SoltysBrewster Consulting	Agree		Noted	
Judith Jones Head of Town Planning Merthyr Tydfil CBC	Agree	<p>The proposed typologies in Table 1 are generally considered to be appropriate. There are, however, inaccuracies in Figure 1 (Illustrative Example) and it is considered that this illustration could cause confusion.</p> <p>There is a minor concern that the typologies could encourage a high number of wind turbines within certain landscape units. For instance, certain landscape units are identified as having no capacity for large/very large scale wind turbines, but some capacity for medium scale wind turbines. In order to generate 2MW of energy within this landscape, a developer is likely to propose four, 0.5 MW, medium scale turbines rather than one, 2MW, large scale turbine. Would the former have a less detrimental impact on the landscape than the latter?</p>	<p>Noted</p> <p>If an area has been assessed as having no capacity for large /very large turbines that is a landscape judgment. A developer could put forward a scheme with 4 turbines up to 45m although there is not much evidence that this is the current pattern of development proposals. Such a proposal would fall to be judged on its merits and whether it was consistent with the siting criteria.</p>	Inaccuracies have been corrected
Oliver Buxton Project Manager Seren Energy Ltd	Agree		Noted	

Respondent	Agree Disagree Neither Agree or Disagree	Comment	Response	Change
Peter Seaman Chairman Campaign for the Protection of Rural Wales (CPRW)	Neither Agree nor Disagree	<p>A clear typology is useful in principle but: Incorporating the potentially independent variables of turbine tip-height and turbine number into a single typology of “development size” causes conceptual difficulties.</p> <p>The information could be clearer. Introduction Table 1 says <i>“To decide in which typology a development belongs it must satisfy both the height and the turbine numbers criteria. See the examples on page 0.5.”</i> This is misleading as you cannot necessarily satisfy both. Deciding on development size is a sequential process: you have to decide turbine height and, after this, apply the number to find the minimum development size.</p> <p>If the advantages of a single typology are accepted, is this typology the best possible for purpose?</p> <p>The results are often difficult to reconcile with ordinary experience: examples are: 1 x 80m turbine, 4 x 80m turbines and 4 x 50m turbines are all in same medium type which does not necessarily require EIA; 5 x 50m turbines do not necessarily require EIA; 3 x 50m turbines are three magnitudes of type different from 6 x 50m turbines. A “small” 50m turbine is</p>	<p>You must satisfy both criteria to be included in a typology. So, for example, more than five turbines of any size would constitute a very large scheme. This is not however a common development scenario and we considered that significant numbers of small turbines would be likely to have significant impacts and therefore justify being included in a typology for which the requirements are more onerous</p> <p>We looked at a number of typologies . Most are concerned with 'wind farms' rather than smaller scale development and have not come across a better example that addresses smaller scale development</p> <p>The guidance cannot state categorically that any development which is not Schedule 1 (EIA regs) must have an EIA, that is the role of the LPA. Any typology will have a range across a category where the top of the range is closer to the bottom of the range</p>	

Respondent	Agree Disagree Neither Agree or Disagree	Comment	Response	Change
		<p>already 3 times higher than most neighbouring buildings and towers over trees. In view of the devastating negative impact turbines can have on our landscape, visual receptors, and residential amenity, we think the “numbers” contribution to the final typology is too permissive (number in each typology too high) with respect to EIA being required..</p> <p>Suggest reducing the numbers to reflect impact: Small - 2 or fewer; Medium - 3 or fewer; Large - 4 or fewer</p> <p>The Typologies have not addressed the problem of same Developer adding to existing development.</p>	<p>above. Consequently our requirements have been considered in terms of being sufficient for the top of the range (not the middle) although sometimes this may make them appear quite demanding from the lowest point of the range.</p> <p>This change is minor and we do not feel it is justified</p> <p>This is addressed in the cumulative section</p>	
<p>Mary O'Connor Associate Director WYG Group</p>		<p>The category “very large” is confusing; surely even six wind turbines especially at over 100m height must constitute a “wind farm” scale development?</p> <p>Categories might be better expressed in a matrix</p>	<p>This is a good point. I think it has become clear that we need to explicitly exclude 'wind farms' (over 5MW) from the guidance. This will need a revision to the introductory sentence and to be made explicit on the matrix proposed in response to comment below.</p> <p>As the topologies have not been well</p>	<p>Revise introduction. <i>This guidance is aimed at smaller community based wind farm schemes (generally less than 5 MW) as described in Planning Policy Wales Technical Advice Note 8 Planning For Renewable Energy as suitable for areas outside Strategic Search Areas.</i></p> <p>Add matrix - use the</p>

Respondent	Agree Disagree Neither Agree or Disagree	Comment	Response	Change
		<p>where the height of turbines and the number of turbines can be accounted for</p> <p>Other categories seem logical</p>	understood we will add a matrix	matrix to exclude schemes above 5MW
Natural Resource Wales	Neither Agree or Disagree	<p>We would prefer to have typologies that also refer to power output in addition to heights. An example of this multi faceted typology is evident in the recently adopted Conwy LDP, elements copied below*. There are many similarities to the typology of this guidance and combining some of the additional detail from this approach would be more informative and our preferred approach.</p> <ul style="list-style-type: none"> • Align the terminology used in Table 1 to be consistent with the thresholds used for SSAs and NSIPs to provide clarity. • State the range in all typologies rather than 'or less'. For example, small to medium with range 50-79m • Identify the size of turbines and range of cluster sizes separately to give multiple contexts to the scale of development in the note at the bottom of the 	<p>The guidance is intended to help LPAs dealing with small scale development proposals. It is very hard for guidance that tries to cover everything to provide the nuanced guidance that we were asked to prepare for the range of small scale wind turbine applications that the LPAs are having to deal with. We will make the guidance more explicit that it is excluding schemes that would be considered as wind farms within an SSA. this will automatically also rule out NSIPs. The landscape and visual impact of WTD is not dependant on the power output and we therefore do not think it is useful to include it.</p> <p>We have removed the range from all the tables as 'less than' is more accurate.</p>	<p>Add note to intro that this guidance is not intended for either SSAs or NSIPs projects</p> <p>Range removed from all tables</p>

Respondent	Agree Disagree Neither Agree or Disagree	Comment	Response	Change
		<p>table. There is a considerable difference between 6 or more small scale turbines and 6 or more very large turbines. For example, could a medium class be either 51-80 m OR comprising of 4 turbines?</p> <ul style="list-style-type: none"> • Any modifications in the typologies may need to be reflected in updated study area distances and the document updated accordingly. • It would be important to link any changes to the typology & study areas with any Natural Resources Wales Turbine and Vertical Structures guidance for consistency. Natural Resources Wales would welcome engaging in any discussion relating to any proposed amendments/additional information to be included in the typology. <p>*We would prefer to have typologies that also refer to power output in addition to heights, example from Conwy.</p> <p>Micro Under 50kW</p> <ul style="list-style-type: none"> • Single or twin turbine applications. • Turbine below 20m to blade tip. <p>Small Under 5MW</p> <ul style="list-style-type: none"> • Turbines up to 3 in number. • Turbines below 50m to blade tip. • Viewed as a small group. <p>Medium Over 5MW but below 25MW</p> <ul style="list-style-type: none"> • Turbines up to 9 in number. • Turbines below 80m to blade tip. • Viewed as a large group. <p>Large Over 25MW</p> <ul style="list-style-type: none"> • Turbines over 10 in number. 	<p>We would welcome discussions with NRW in achieving consistency with any forthcoming guidance on Wales Turbine and Vertical Structures.</p> <p>See comment above</p>	

Respondent	Agree Disagree Neither Agree or Disagree	Comment	Response	Change
		<ul style="list-style-type: none"> • Turbines over 80m to blade tip. • Viewed as a large-scale wind farm. • Located within the SSA. Very Large Over 25MW <ul style="list-style-type: none"> • Turbines over 10 in number. • Turbines over 110m to blade tip. • Viewed as a very large-scale wind farm. • Located within the SSA. Strategic Over 50MW <ul style="list-style-type: none"> • Typically over 15 in number • Turbines typically over 100m to blade tip. • Viewed as nationally strategic • Located within the SSA Applications for which are determined by National Infrastructure Planning delivered through PINS.		
Q3: Do you agree with the size of study areas being proposed for each typology				
Phil Ratcliff Development Planning Officer Rhondda Cynon Taf County Borough Council	Agree	Need to state in all the tables that the study area is a radius from the turbine site (i.e. not a diameter!).	Agreed	Will add
Sarah Chapple Landscape Architect SoltysBrewster Consulting	Agree		Noted	
Judith Jones Head of Town Planning Merthyr Tydfil CBC	Agree		Noted	

Respondent	Agree Disagree Neither Agree or Disagree	Comment	Response	Change
Oliver Buxton Project Manager Seren Energy Ltd	Agree		Noted	
Peter Seaman Chairman Campaign for the Protection of Rural Wales (CPRW)	Agree (given revision of numbers in Typologies)	A clear definition of “ study area ” would help non-professionals not to confuse this with the variable search areas for specific features in Q4	Will add however this guidance is aimed at professionals, both those submitting applications and those reviewing them and some level of knowledge has to be assumed. It is our experience that non-professional who are interested in wind turbine applications quickly become very knowledgeable.	Will add clearer definition of study area
Mary O’Connor Associate Director WYG Group	Agree	No evidence base is given for the study area extents; however, the range of “minimum” study areas is reasonable & possibility of flexibility in relation to presence of sensitive receptors beyond these	Noted	
Natural Resource Wales	Agree	NRW has provided comments previously on the size of the study areas proposed. The study area distances have been slightly increased following these discussions so we are happy with the current relationship of height to study area. If there are any changes to the height classes in the typology then	Noted	
Q4: Do you agree with the minimum requirements for submission of an EIA screening opinion for each typology				

Respondent	Agree Disagree Neither Agree or Disagree	Comment	Response	Change
Phil Ratcliff Development Planning Officer Rhondda Cynon Taf County Borough Council	Neither Agree nor Disagree	Page 1.1 states that Large and Very Large developments will require a detailed LVIA, which seems to be the explanation of why there is no Section D or E for Large and Very Large developments. Could this important point be made more clear and prominent? Should it say LVIA <i>and</i> CLVIA?		We will reiterate this point and include CLVIA as well as LVIA
Sarah Chapple Landscape Architect SoltysBrewster Consulting	Agree		Noted	
Judith Jones Head of Town Planning Merthyr Tydfil CBC	Agree		Noted	
Oliver Buxton Project Manager Seren Energy Ltd	Neither Agree nor Disagree		Noted	

Respondent	Agree Disagree Neither Agree or Disagree	Comment	Response	Change
Peter Seaman Chairman Campaign for the Protection of Rural Wales (CPRW)	Agree (given revision of numbers in Typologies)	Mention that Public Rights of Way must be clearly visible Each section mentions the on-line database: All parts of Wales need an online wind turbine data base. The database for S.Wales is an exceedingly impressive and powerful tool. The amount of development, reporting and data-input required may make it too costly and technically ambitious as a model for all other areas. However it would be very useful if a reduced version with more limited data and features were required for all areas of Wales. As an absolute minimum LPA's should be required to have an up-to-date map of all OCP turbines with location and height in order to verify application information and to inform developers and third parties. Maps could be backed up by clearly arranged tables of applications awaiting data entry.	It is not within the power of this guidance to require this.	Will add
Mary O'Connor Associate Director WYG Group	Neither Agree nor Disagree	Generally agree except requirements re "other large scale infrastructure" (c10, d10) for which the information may not be readily available; heights of mast and pylons are not likely to be available.	If they are unavailable that will be sufficient 'defence' for not providing them. It would be useful if the demand for such data promoted its more ready availability.	
Q5: Do you agree with the methodology for EIA Screening				

Respondent	Agree Disagree Neither Agree or Disagree	Comment	Response	Change
Judith Jones Head of Town Planning Merthyr Tydfil CBC	Agree	<p>In general, the methodology for EIA Screening is considered to be acceptable. The recognition in the explanatory notes that professional judgement will still be required in certain circumstances is particularly welcome given that the distance thresholds are likely to indicate that more EIAs may be required.</p> <p>It is recommended that the methodology be tested against previous screening opinions and directions to ascertain whether it is broadly in line with previous decisions.</p> <p>Finally, Figure 2 indicates that both small and medium scale wind turbines include 50 m high turbines. This should be amended to avoid confusion.</p>	This would only confirm that the guidance is in line with current practice. It would not provide any information on whether current practice is based on sound and consistent principles. It is the principles set out in the guidance that we need to be agreeing.	Will amend
Oliver Buxton Project Manager Seren Energy Ltd	Agree		Noted	
Peter Seaman Chairman Campaign for the Protection of Rural Wales (CPRW)	Agree (given revision of numbers in Typologies)		Noted	

Respondent	Agree Disagree Neither Agree or Disagree	Comment	Response	Change
Mary O'Connor Associate Director WYG Group	Disagree	<p>The methodology provides a simplified approach to screening, and where “EIA may be required”, the focus should be on whether the proposal is <u>likely</u> to give rise to <u>significant effects</u></p> <p><u>In Note 1, p2.2, distinction should be made between landscape & visual impact assessment (LVIA) forming part of an EIA and landscape and visual appraisal which is outside the EIA framework. The guidance in GLVIA3 and Landscape Institute’s Statement of Clarification in this regard should be followed. (http://landscapeinstitute.org/PDF/Contribute/GLVIA3StatementofClarification1-13.pdf)</u></p>	<p>The presence of sensitive receptors within certain distances is an indicator of whether the proposal is likely to give rise to significant effects. However professional judgements will still be required as their presence may not give rise to significant effects (due for example to screening) or receptors beyond the distance identified may have very heightened sensitivity. This can only be judged in the context of a particular application</p>	<p>Note added to the bottom of page 0.2. <i>There is a difference between a landscape and visual assessment that forms part of an EIA, a Landscape and Visual Impact Assessment (LVIA), and one that does not form part of an EIA which is described as a Landscape and Visual Appraisal (LVA). Throughout this guidance the term LVIA has been used to cover both kinds of assessment.</i></p>

Respondent	Agree Disagree Neither Agree or Disagree	Comment	Response	Change
		Query whether the LANDMAP requirements are consistent with Guidance Note 3		<i>Guidelines for Landscape and Visual Impact Assessment Third Edition Statement of Clarification 1/13 published by the landscape Institute provides further clarification.</i>
Natural Resource Wales	Disagree	<ul style="list-style-type: none"> The assessment for whether a project requires an Environmental Statement (ES) should be based on whether a project is a schedule 2 project and then meets the thresholds as set out in Circular 11/99. The criteria in figure 2 in assessing whether an ES is required are misleading and removes the judgement from the decision maker as to whether significant effects are likely. 	The presence of sensitive receptors within certain distances is an indicator of whether the proposal is likely to give rise to significant effects. Professional judgements will still be required as their presence may not give rise to significant effects (due for example to screening) or receptors beyond the distance identified may have very heightened sensitivity. This can only be judged in the context of a particular application	

Respondent	Agree Disagree Neither Agree or Disagree	Comment	Response	Change
		<ul style="list-style-type: none"> The figure 2 methodology should take on board the comments in question 2 on definitions of turbine class. The Environment Circular 11/99 Indicative Criteria/ Thresholds states 'the likelihood of significant effects will generally depend upon the scale of the development, and its visual impact, as well as potential noise impacts. EIA is more likely to be required for commercial developments of 5 or more turbines, or more than 5 MW of new generating capacity'. Figure 2 requires a reconsideration to take this point on board. As an example, if a scheme consists of 5 turbines or more it does not automatically mean an ES is required. All it means is that an ES is more likely to be required and this is where an assessment of the significance of effects is important. 	<p>Unclear what the point here is. the Environment Circular 11/99 Indicative Criteria/ Thresholds states that developments of more than 5 turbines are likely to require an EIA. However EIAs have been required of many smaller schemes and the brief for this work was to help LPAs decide when they should be asking for an EIA for schemes that are less than 5 turbines / 5MW but above the EIA regs schedule 2 criteria.</p> <p>Figure 2 is clear that it cannot say that an EIA is required this is a decision for the LPA it can only provide guidance on when it is likely.</p>	
Q6: Do you agree with the approach to cumulative effects and the proposed search area distances				

Respondent	Agree Disagree Neither Agree or Disagree	Comment	Response	Change
Phil Ratcliff Development Planning Officer Rhondda Cynon Taf County Borough Council	Disagree	<p>There is a slight confusion throughout page 2.3 and table 3 where turbines are said to have / belong to a typology. This is confusing because <i>turbines</i> have heights, whereas <i>turbine developments</i> have typologies. For example:</p> <ul style="list-style-type: none"> • Where it says “Small turbines within 8km”, I believe it really means “Small developments within 8km”; • In table 3, instead of “Typology of Application Turbine(s)”, for clarity it needs to say “Typology of Application Development” • In table 3, I believe “the typology will be determined by the height to blade tip criteria only” is meant to say “the typology will be determined only by (a) the height to [vertical] blade tip and (b) the number of turbines” - unless the existing sentence is factually correct, in which case some more explanation would be helpful. <p>For clarity, a definition is needed within the body of table 3, e.g. the CSA will be land within the stated distance of the application development.</p>	<p>The online database only categories turbines by height. It does not consider turbine numbers. We do not consider that this causes a problem with regard to CLVIA issues as turbine heights are the most determinative feature with regard to the distance at which there is potential for cumulative issues. Page 2.3 and Table 3 have been revised to make this clearer.</p>	<p>Page 2.3 and Table 3 revised to clarify the fact that the Online database only categorises turbines in terms of height</p>
Sarah Chapple Landscape Architect SoltysBrewster Consulting	Agree		Noted	
Judith Jones Head of Town Planning Merthyr Tydfil CBC	Agree		Noted	

Respondent	Agree Disagree Neither Agree or Disagree	Comment	Response	Change
Oliver Buxton Project Manager Seren Energy Ltd	Agree		Noted	
Peter Seaman Chairman Campaign for the Protection of Rural Wales (CPRW)	Agree	Make clear that this refers to EIA screening and LPAs have discretion to increase distances in scoping requirements for LVIA	This is the case for all the distances given in this section of the guidance .	
Mary O'Connor Associate Director WYG Group	Agree		Noted	
Natural Resource Wales	Agree	As with Q3, NRW has provided comments previously on the size of the study areas proposed. The study area distances have been slightly increased following these discussions so we are happy with the current relationship of height to study area. If there are any changes to the height classes in the typology then the study area distances would require appropriate amendment based on the agreed parameters to redefine the study and search areas.	Noted	
Q7: Do you agree with the proposed cumulative thresholds for Other Infrastructure				

Respondent	Agree Disagree Neither Agree or Disagree	Comment	Response	Change
<p>Phil Ratcliff Development Planning Officer Rhondda Cynon Taf County Borough Council</p>	<p>Agree</p>	<p>Last paragraph above Table 4:</p> <ul style="list-style-type: none"> • "... potential cumulative <i>landscape and visual</i> impacts ..." • There is some confusion here as the first sentence refers to EIA and the second to LVIA /CLVIA. This needs expanding to say what it really means, which isn't clear now. I suspect the first sentence should refer to LVIA/CLIA and not to EIA. <p>Other Large Scale Infrastructure is defined elsewhere in the document, but the definition needs repeating in table 4. Need to clarify in Table 4 that occurrence of only <i>existing</i> OLSI is being taken into account.</p> <p>Important Note on page 2.4: Need to add another caveat to the effect of: "This guidance only considers landscape and visual effects. Even if the LPA concludes that EIA is not necessary on landscape and visual grounds, EIA may still be necessary on the grounds of likely significant effects other than landscape and visual effects."</p>	<p>Do not agree that there is any confusion here. This part of the guidance relates to EIA screening, the comment is making a separate point that even if an EIA is not required large and very large developments will always require a detailed assessment of landscape and visual effects and cumulative landscape and visual effects .</p> <p>Definition repeated. It would be reasonable to assess large scale infrastructure that was consented or in planning so we do not thing we should stress existing</p> <p>We don't think this is necessary as the Guidance says early on that it is only concerned with L&V effects. The note here is to address an approach we have come across in applications that say because no EIA was required it means there can be no significant effects and no reasons for refusing it.</p>	<p>added</p> <p>Definition repeated.</p>

Respondent	Agree Disagree Neither Agree or Disagree	Comment	Response	Change
Sarah Chapple Landscape Architect Soltys Brewster Consulting	Agree		Noted	
Judith Jones Head of Town Planning Merthyr Tydfil CBC	Agree	Although examples of other infrastructure can be found within the document, it would be helpful if they were clearly defined within this section.		Definition repeated.
Oliver Buxton Project Manager Seren Energy Ltd	Agree		Noted	
Peter Seaman Chairman Campaign for the Protection of Rural Wales (CPRW)	Disagree	Table 4. Given the vast range of possibilities, it seems too ambitious (and provocative) to establish these cumulative thresholds. Table 4 is confusing because micro, small, and medium seem to apply to application typology but it is not clear to this reader to what turbine heights the numbers of turbines in the (horizontally colour-coded) second column apply and how anyone can establish a threshold when there is a mixture of turbine sizes and infrastructure of different height in any study area	The second column is derived from the cumulative search areas in Table 3. Professional judgement will be required. The thresholds are indicative	add within cumulative search areas to Table 4
Mary O'Connor Associate Director WYG Group	Disagree	"other large scale infrastructure" is not defined; Why only infrastructure and not other forms of development? Comment re distinction between LVIA and appraisals above applies here too.	Large scale infrastructure is the most likely to be an issue but professional judgment may bring in other forms of development	Definition repeated LVIA /LVA distinction referred to in introduction

Respondent	Agree Disagree Neither Agree or Disagree	Comment	Response	Change
Natural Resource Wales	Neither Agree nor Disagree	<ul style="list-style-type: none"> • P.2.3 Table 4 – do the distances in Table 3 apply? E.g. more than 15 medium (80m) turbines within 12km would be a threshold for EIA? 15 seems like quite a lot – significant effects could potentially result from less than this if they were close to a sensitive asset? • Table 4 sets out cumulative thresholds. Whilst this may be useful as a guide, it should always be based on a case by case assessment depending on the topography, landscape, setting and so on. 	Note added about case by case assessment. This stage in the screening process only comes into play if it has been concluded that there are no other reasons (such as the presence of sensitive assets) that might trigger an EIA	
Q8: Do you agree with the general minimum requirements of information to be provided for Landscape Visual Impact Assessments				
Phil Ratcliff Development Planning Officer Rhondda Cynon Taf County Borough Council	Agree	Non-EIA LVIAs are often called landscape and visual appraisals (LVAs). Need to specifically include this term to clarify that they are covered by the guidance.		Note added to introduction
Sarah Chapple Landscape Architect SoltysBrewster Consulting	Agree		Noted	
Judith Jones Head of Town Planning Merthyr Tydfil CBC	Agree		Noted	
Oliver Buxton Project Manager Seren Energy Ltd	Agree		Noted	

Respondent	Agree Disagree Neither Agree or Disagree	Comment	Response	Change
Peter Seaman Chairman Campaign for the Protection of Rural Wales (CPRW)	Agree	Suggest amendment to include: The details of any road construction/road improvement schemes required to provide access to the proposal site beyond the site boundary should be included in the minimum requirements. The preferred route or options for any new grid connections should be included even if there is no definitive decision.		Added Added
Mary O'Connor Associate Director WYG Group	Agree	Make & model of turbine is unlikely to be known at this stage Details of grid connection is unlikely to be known at this stage Comment re distinction between LVIA and appraisals above applies here too.	It says where known It says where known	Added to introduction
Natural Resource Wales	Agree		Noted	
Q9: Do you agree with the proposed specific requirements for Landscape Visual Impact Assessment				

Respondent	Agree Disagree Neither Agree or Disagree	Comment	Response	Change
<p>Phil Ratcliff Development Planning Officer Rhondda Cynon Taf County Borough Council</p>	<p>Agree</p>	<p>3.3</p> <ul style="list-style-type: none"> The Typology column is confusing by including qualification of the listed typologies with overlapping height criteria (e.g. 50m is both Small and Medium), but the typologies are defined by height and number in the repeated Table 2 on page 3.2, so the typologies shouldn't need any qualification in Table 5. Need to state Study Area is radius. Suggest it should be called a Minimum Study Area. <p>The requirement for a written assessment has been missed out for Large and Very Large – or is written assessment implicit in “Full CLVIA”?</p> <p>Application of LANDMAP data: 2nd sentence is inaccurate. Should read: “Aspect areas outside the site should be considered in line with LANDMAP Guidance Note 3: using LANDMAP for landscape and visual impact assessment of onshore wind turbines” (see Part 3: Section C of this guidance).</p>	<p>We were asked to add heights as a quick reminder so people didn't need to keep referring back to the original table. Although Table 2 is opposite in the document here people often print out single pages. I think the document as a whole makes it clear that typologies also include number of turbines Table 2 says it is a minimum study area radius to be clarified elsewhere</p> <p>Yes implicit in full CLVIA</p>	<p>Adjusted to avoid overlap Will consider adding numbers as well</p> <p>Will consider adding to this table</p> <p>Revised in line with suggestion <i>All aspect areas affected by the footprint of the development should be considered in detail. Aspect areas outside the site should be considered in line with LANDMAP Guidance Note 3: Using LANDMAP for Landscape and Visual Impact Assessment of Onshore Wind Turbines. (See Part 3: Section C of this guidance)</i></p>

Respondent	Agree Disagree Neither Agree or Disagree	Comment	Response	Change
Sarah Chapple Landscape Architect SoltysBrewster Consulting	Agree		Noted	
Judith Jones Head of Town Planning Merthyr Tydfil CBC	Agree		Noted	
Oliver Buxton Project Manager Seren Energy Ltd	Agree		Noted	

Respondent	Agree Disagree Neither Agree or Disagree	Comment	Response	Change
Peter Seaman Chairman Campaign for the Protection of Rural Wales (CPRW)	Agree with reservations	<p>Objective visualisation of the proposed scheme, easily understood by the public, is important for all schemes.</p> <p>A 25m Micro turbine is higher than surrounding residences and a visualisation of its relation to existing buildings is important in assessing impact. Wirelines alone should not be sufficient for Small and Medium Types as they do not give the LPA and the public a clear enough impression of the impact of the proposal on its site and surroundings .</p> <p>Residential Study Areas</p> <p>We agree that it is better to have Residential Study Area as a function of tip height rather than Development Type but query the smaller Residential Study Areas generated for Micro and Small Types and suggest a minimum RSA of 500m to allow impact on residential amenity to be properly assessed.</p> <p>Public Access</p> <p>Although National Trails are mentioned in the guidance, there is no mention of other rights of way or the impacts of any scheme when viewed from land designated as Open Access land under the CROW Act. There does not seem to be any discussion of key visual receptors which should be included in a LVIA.</p> <p>Any micro siting allowance should be included in the application information and all distances adjusted accordingly.</p> <p>Without this, the indicative distances in the guidance can be breached.</p>	<p>It is not considered proportionate to ask for wirelines or photomontages for micro turbines. It is not considered proportionate to insist on photomontages for small and medium turbines but LPAs may request them if they believe they are dealing with a particularly sensitive location.</p> <p>10 x blade tip height has been generally shown to include all properties where it is likely that unacceptable effects will occur. The note says that if there is clear visibility then properties just beyond this distance should also be included</p> <p>The Guidance says the assessment should be carried out in accordance with GLVIA3 which sets out how an assessment should be undertaken and, for example it identified that the users of PRowS and open access land have high sensitivity.</p> <p>Agreed that Micro-siting can be a significant issue with regard to the residential assessment so a note has been added to this effect</p>	<p>Residential study area note to be amended to include a reference to micro siting <i>The Residential Study Area is the area within which a residential visual amenity assessment should be</i></p>

Respondent	Agree Disagree Neither Agree or Disagree	Comment	Response	Change
Mary O'Connor Associate Director WYG Group	Disagree	Computer generated ZTVs should not be <u>required</u> ; manually drawn zone of visual influence or visual envelopes may be acceptable – the emphasis should be on the purpose i.e. to identify where visual receptors may be found. The LANDMAP requirements should be consistent with Guidance Note 3	Computer generated ZTVs are a commonly expected requirement for wind turbines We have worked with NRW to agree requirements	
Natural Resource Wales	Agree		Noted	
Q10: Do you agree with the proposed use of LANDMAP as part of the Landscape Visual Impact Assessment				
Phil Ratcliff Development Planning Officer Rhondda Cynon Taf County Borough Council	Agree		Noted	
Sarah Chapple Landscape Architect SoltysBrewster Consulting	Agree		Noted	
Judith Jones Head of Town Planning Merthyr Tydfil CBC	Agree		Noted	
Oliver Buxton Project Manager Seren Energy Ltd	Agree		Noted	

100156

Respondent	Agree Disagree Neither Agree or Disagree	Comment	Response	Change
Peter Seaman Chairman Campaign for the Protection of Rural Wales (CPRW)	Agree with reservatio ns	We appreciate the importance of LANDMAP for Wales and the advantages of the “layer/aspect” methodology but nevertheless we recognise that LANDMAP data is more robust in some instances than others and evaluations made in the past are themselves a matter of judgement and may not always reflect contemporary situations or value attributed by the public. We think it is important to allow flexibility to take this into account to avoid excessive wind energy development on aspect areas which are highly valued by the public but not classified as high or outstanding in Visual/Sensory Scenic quality or Character.	Agree that the quality of LANDMAP data can be variable and have added a note to this effect to the note at the bottom of page 3.6	It is essential that the LVIA analyses and interprets the LANDMAP data and does not merely quote from it. <i>The quality of LANDMAP data can be variable.</i>
Mary O’Connor Associate Director VYG Group	Neither Agree nor Disagree	Any LANDMAP requirements should be consistent with Guidance Note 3 It is not always straightforward to “interpret” the LANDMAP information and the interaction of the aspects	Agreed	
Natural Resource Wales	Agree	Under initial consideration <ul style="list-style-type: none"> The first sentence ‘all aspect layers’ should be changed to ‘all aspect areas’ Second paragraph, add ‘regardless of their overall evaluation’ at the end (so that it is clear that if the turbine is located within an aspect area it is considered fully even if it is not outstanding or high) Under detailed consideration <ul style="list-style-type: none"> The first sentence ‘all aspect layers’ should be changed to ‘all aspect areas’ 	I think adding this note may be confusing here. It is stressed in Table 6 in the heading to column 4	Changed to all aspect areas Changed to all aspect areas

Respondent	Comment	Response	Change
Phil Ratcliff Development Planning Officer Rhondda Cynon Taf County Borough Council	Part 3 section C photomontage guidance: As stated above, the visual representation of windfarms good practice guidance, SNH 2014 should be referred to. Therefore the Highland Council guidance is not needed.	2014 SHN Guidance will be referenced. Highlands Council Standards have not been superseded. As we are in Wales photomontages are not required to be done to either of these standards but it is worth pointing developers to the Highlands Council Standards as we consider they are less onerous than the latest SNH guidance and as informative, especially when dealing with small scale developments.	
Kay Foster Senior Landscape Officer Conwy Council	I would like to say that I find the document very concise	THANK YOU - WE TRIED HARD	
Sarah Chapple Landscape Architect Soltys Brewster Consulting	I attended the consultation seminar at the Norwegian Church which was really helpful. One comment – Is there anyway a ‘How to Use’ guide could be produced for the ICLLOUD Mapping system It looks like a great resource but it would be helpful if there was some kind of tutorial available to make better use of the system	This may depend on if funding is available. There is some quite good guidance on the GIS cloud site	

Respondent	Comment	Response	Change
<p>Colette Bosley Principal Landscape and Countryside Officer Monmouthshire County Council</p>	<ul style="list-style-type: none"> Introduction 0.7 – A statement on the need for suitably qualified Landscape Architect here would be helpful to ensure landscape consultants are at the table from the beginning. e.g. “Developers and agents considering the submission of a planning application for wind development are advised to engage a Landscape Consultant from an early stage to ensure professional judgement is applied in undertaking the Landscape and Visual Impact Assessment (LVIA). A LVIA will be required of all wind turbine applications. This document however clarifies that the scope of the LVIA study varies and is to be proportionate to the scale of proposed development and sensitivity of its landscape and visual context, and sets out the steps and considerations required in establishing whether or not the proposal requires an Environmental Impact Assessment.” Part one; minimum requirements for the EIA screening It came up in the seminar, but needs clarification in the document after section D the information to be provided for Large and Very large developments, otherwise it appears there are some missing pages. 3.4 note 3. “The choice of viewpoints and which ones require photomontage visualisations will need to be agreed with the determining authority”. 3.11 – the text loses the message. Suggest inserting at the top – The assessment of cumulative effects often needs to look beyond the Typology Study Area 	<p>We have added a note about a Landscape Consultant but we think the other part reiterates what is said elsewhere</p> <p>Note on page 1,1 given more emphasis and note added to Page 1.2 under turbine typologies</p>	<p>Added <i>Developers considering the submission of a planning application for wind development are advised to engage a Landscape Consultant from an early stage to ensure professional judgement is applied in undertaking the Landscape and Visual Impact Assessment (LVIA)</i></p> <p><i>The location of viewpoints and visualisations will need to be agreed with the planning authority.</i></p> <p>Text revised</p>

Respondent	Comment	Response	Change
<p>Barbara Morgan Network Rail</p>	<p>Network Rail has been consulted by Blaenau Gwent County Borough Council on the Wind Turbine Development. Thank you for providing us with this opportunity to comment on this Planning Policy document.</p> <p>Network Rail is a statutory undertaker responsible for maintaining and operating the country's railway infrastructure and associated estate. Network Rail owns, operates, maintains and develops the main rail network. This includes the railway tracks, stations, signalling systems, bridges, tunnels, level crossings and viaducts. The preparation of development plan policy is important in relation to the protection and enhancement of Network Rail's infrastructure. In this regard, please find our comments below.</p> <p>Developers of turbines must consider shadow flicker and its effect upon railway infrastructure. Network Rail would request that developers must consider when constructing wind turbines or wind farms the likely effect upon the railway, particularly where safety is critical. There may be a minimal risk to driver's vision (how they perceive signalling, the route ahead, stopping in the case of emergency etc.) which may be impacted by a wind turbine(s).</p> <p>Network Rail utilises radio/signalling equipment and we would not want to see this interfered with by wind farms/wind turbines, particularly as it is safety critical and absolutely integral to the operation of the railway.</p> <p>There is some concern that vibration from turbines can affect ground conditions; with the possible issue here being embankments and potential instability, in which case Network Rail would raise an objection to any applications for turbines close enough to the railway to create these issues and would wish consultation on a possible repositioning. The construction of the towers, heavy blades, gearbox and generator as well as guy lines</p>	<p>I do not think that any of these comments are relevant to the landscape and visual aspects of wind turbine development</p>	

Respondent	Comment	Response	Change
	<p>to hold the tower in place put strain on the ground at the base of the structure.</p> <p>Many wind turbines are now a minimum of a 45 metre long tall tower with concomitant long blades, as such it may be necessary for the developer of any proposal for a wind turbine or turbines to gain consent from Network Rail's Structures Engineers and Level Crossing Managers to cross Network Rail infrastructure in particular over a Network Rail bridge prior to construction on site. Consent may be needed as bridges have a maximum load and a wind turbine(s) plus blades and vehicle transporting said equipment may be over the limit for that bridge.</p> <p>Network Rail should be consulted on applications for wind turbine(s) as standard, and this should be added to the council's policy. We would also request the policy to require applicants to engage in pre-application consultation with the Network Rail Asset Protection Team to determine if a proposed wind turbine(s) / wind farm(s) impacts upon Network Rail land and the safety, integrity and operation of the railway and its infrastructure for the reasons as stated above.</p> <p>At this stage the construction and usage of wind turbine(s) is relatively rare, but Network Rail Town Planning has seen an increase in applications and it is highly probable that the numbers of developments with wind turbine(s) will increase as the drive toward sustainable, renewable, carbon neutral energy production increases.</p>		

Respondent	Comment	Response	Change
Oliver Buxton Project Manager Seren Energy Ltd	<p>I welcome this more prescriptive advice for smaller scale wind development. However my only concern is the line “<i>it is likely that all wind turbine development where the turbine height to blade tip is greater than 80m or where there are more than five turbines will require an EIA.</i>” There is already clear guidance from a circular in regards to EIA thresholds and guidance. This additional threshold for 80m tip is unnecessary. A single turbine with a tip height of, for example 86.5m (Enercon E53 800kW) in an appropriate location away from sensitive landscapes should not be subject of an EIA. The screening process is already suitable and this addition is unnecessary.</p>	<p>Many authorities do not find the existing guidance clear enough hence commissioning this guidance. The guidance says 'it is likely an EIA will be required'. In the example given of a turbine towards the bottom end of its typology in a non-sensitive location it would be up to the developer to put forward a case as to why an EIA was not required.</p>	
Peter Seaman Chairman Campaign for the Protection of Rural Wales (CPRW)	<p>CPRW welcomes a fairer, clearer and more consistent approach to EIA screening and LVIAs for wind energy applications which can be applied throughout Wales.</p> <p>Third Parties should be mentioned in the Guidance. The guidance says it is written for Planning Officers and Developers to introduce clarity, consistency and avoid lengthy discussion of irrelevant issues. Third Party stakeholders are not mentioned. All those current and future generations who derive health and pleasure from the countryside, Welsh residents and independent organisations, including conservation charities, are also stakeholders – perhaps the most important ones. They have a right to public consultation processes and an interest in improved information and fair process resulting from good guidance.</p> <p>A plan for on-going assessment and timely review and updating of the guidance should be included. The problems of applying out-dated guidance are amply illustrated by the plight of wind farm neighbours resulting from the retention of ETSU-R-97 guidance for noise assessment of wind turbines.</p>	<p>We agree that third parties should be involved. With regard to the process of deciding what should accompany an application for WTD this involvement will be via consultation with the LPA. It is beyond the remit of this guidance to prescribe what those consultation processes should be - that would need a separate piece of work.</p> <p>I don't know what provision there is for review of the document</p>	

Respondent	Comment	Response	Change
	<p>We can predict neither the future of onshore wind energy nor the unintended consequences of this guidance. We have all witnessed how rapidly the wind energy sector changes in response to energy and planning policy, economic incentives, technological development and the decrease in available sites. It is significant that we are calling the 79m single turbines so popular with Developers “medium developments” when these turbines are larger than those making up extensive windfarms a decade ago. 70m to 80m turbines are usually derated to 500kw in order to avoid the step-decrease in feed-in tariff over 500kw, demonstrating how quickly development adapts to economic incentives. The proposed guidance itself could have an analogous impact on patterns of application by making it clear how to bring a development in under the EIA threshold – like the impact of the recently abolished stamp-duty “slab-tax” on house prices. For instance, the guidance might encourage the peppering of the countryside with small groups of 3 turbines just under either 51m or 81m.</p> <p>It should be made even clearer at the outset that this is not guidance for making planning decisions.</p> <p>Perhaps the “Important notes” (2.4.) should be highlighted in the introduction.</p> <p>Ultimately an ES is a Developer’s business case targeted at LPA permission and it is only too easy for a demonstration of superficially correct <u>procedure</u> to be interpreted by Planning Officers and Statutory Consultees as a demonstration of correct information and correct <u>planning conclusions</u>. This very slippery slope should be avoided at all costs. ETSU-R-97 illustrates how</p>	<p>Whilst there is truth in this comment, taken to its logical conclusion it would mean that no guidance was ever produced and no thresholds set for fear of unintended consequences. A review of the effectiveness / consequences of the Guidance would be good practice.</p> <p>It is clear in the name - one of the reasons for sticking with a long winded name instead of something snappy</p> <p>We think that it is better where it is. the heading Important Note should make it hard to overlook.</p> <p>A well produced, clearly written assessment that includes all the correct information is always a help and never a hindrance in</p>	

Respondent	Comment	Response	Change
	<p><i>"guidance for assessment of wind turbine noise"</i> has made it virtually impossible for Planning Officers not to accept any Developer's noise assessment, whatever the scientific shortcomings.</p> <p>If the current approach is to be successful:</p> <ul style="list-style-type: none"> · All EIA screening assessments and scoping exercises should be undertaken by accredited staff. Staff should be required to complete specific professional training in this approach and should only be accredited when they have demonstrated their competence in applying the methodology. <p>A public register of all turbine schemes should be maintained and the outcome of any screening / scoping exercise of any such scheme should be included in the register.</p> <ul style="list-style-type: none"> · An Authority should be required to publish their decisions, with reasons, why a scheme submitted to them does not require an EIA screening request or how a EIA screening decision is reached. <p>We are also aware that the success of this approach relies heavily on the quality of the data and landscape information upon which any judgements are based. We therefore believe that any such assessment must be based upon professionally and independently accredited landscape capacity and sensitivity studies which themselves use the same methodology.</p> <p>An on-line Database is essential to this project</p> <p>As an absolute minimum LPA's should be required to have an up-to-date map of all OCP turbines with location and height in order</p>	<p>determining applications.</p> <p>We do not have a remit to impose this</p> <p>We do not have a remit to impose this but the online database is planned to include information of refused and withdrawn applications as well as approved ones</p> <p>It is unclear as to whether this is already required by the EIA regs with regard to Schedule 2 development</p> <p>Independently accredited landscape capacity and sensitivity studies are currently being undertaken for various areas within Wales</p> <p>We do not have a remit to impose this</p>	

Respondent	Comment	Response	Change
	to verify application information and to inform developers and third parties. Maps could be backed up by clearly arranged tables of applications awaiting data entry.		
Mary O'Connor Associate Director WYG Group	<p>Photomontages: the guidance referred to is now out of date: revised SNH guidance has been published in July 2014 and supersedes Highland Council guidance; the LI Advice Note is under revision in response to the new SNH guidance;</p> <p>NB: the SNH guidance on visualisations is for commercial scale wind farms in Scotland (see Introduction to the Guidance) not for smaller scale development and not for developments outside of Scotland; it should be reviewed critically before adopting it for less than commercial scale wind developments in Wales and only adopted so far as it is usefully applicable.</p> <p>p3.12: there is confusion here about location and visual receptor – see GLVIA3 which is clear that the visual receptor is the person viewing the landscape and not the location of the person e.g. the national trail as stated here.</p> <p>Consistency should be ensured between this and the Carmarthenshire & Pembrokeshire Guidance.</p> <p>The Online WT Database is very welcome; support should be</p>	<p>To be updated</p> <p>Agreed</p> <p>Agreed</p> <p>This has been achieved as far as possible although one of the key purposes of this guidance was to establish study and search areas which more accurately reflected likely significant effects and this has meant a reduction in the minimum study areas from some existing guidance. If we keep consistency with everything that has gone before we can't bring in change.</p> <p>Agreed</p>	<p>We will revise this section in the light of the updated guidance and add a note on scale.</p> <p>Changed</p>

Respondent	Comment	Response	Change
	sought from Welsh Government to extend it to all Wales.		
Natural Resource Wales	<p>Natural Resources Wales welcomes this guidance and the collaborative approach that has been instrumental in developing it.</p> <p>We have engaged in providing feedback on this document on previous occasions whilst it was still in draft form, notably on 5th March, 6th March, 4 June, 9 June and 1 July 2014. Our comments have been considered and included at all stages and where they have not been included – satisfactory explanations have been given. Therefore only additional comments are included in this document.</p> <p>An officer has recently used this draft guidance in a live case as a test and found it to be a very logical process that will help in deciding on EIA requirements. Previously a ZTV would have been requested for the extent of visibility in order to inform their decision, but as the flow chart in figure 2 follows a logical process based on distances from more sensitive landscape areas, they felt it would make the screening process much simpler.</p> <p>Natural Resources Wales would be very pleased to work with you to arrange an event to launch and communicate the Guidance to Local Planning Authorities, Natural Resources Wales staff, consultants and developers.</p> <p>Additional comments on the draft document follow:</p> <p>0.1 Suggest replace ‘Environmental assessment is a procedure that ensures that the environmental implications of proposals are taken into account before decisions are made. An Environmental Impact Assessment (EIA) assesses the possible impact that a proposed project may have on the environment and this information is submitted to the Local Planning Authority (LPA) or the Welsh Government in the form of an Environmental Statement (ES)’.</p> <p>With:</p>	<p>This wording followed legal advice and we would like to keep it. It is more strictly factual with regard to EIA regulations than the suggested replacement.</p>	

Respondent	Comment	Response	Change
	<p>'Environmental Impact Assessment (EIA) is a process by which information about the likely environmental effects of certain projects is collected, assessed and taken into account both by the applicant, as part of project design, and by the decision making body (Local Planning Authority or if called in, by Welsh Government) in deciding whether permission should be granted. Thus EIA has two roles – improving decision making and project planning.'</p> <p>Introduction p.2 - CLVIA – should this say that other development as well as wind turbines should be considered (as referenced on p.4 Part 2)?</p> <p>P.1.2 a8 – it would be helpful if the site plan showed features such as mature trees/woodland/hedgerows as well as contour lines/spot heights.</p> <p>P1.3 b4 –Include sensitive seascapes?</p> <p>P.1.5 – the screening distances e.g. 3km from the National Park for medium, there could be significant effects within the 5km study area?</p>	<p>This would not be a usual requirement at a screening stage. If an applicant was relying on such screening as a reason for not requiring an EIA it would be up to them to add it to their plans and make their case.</p> <p>We are not aware of an agreed definition of a sensitive seascape</p> <p>Effects with 5km would be assessed even if an EIA was not required. The purpose of the screening is to identify likely triggers for an EIA not to cover all possible significant effects</p>	<p>Reference added</p>

This page is intentionally left blank

Heads of the Valleys Sensitivity and Capacity Study Supplementary Planning Guidance Consultation Report

Gillespies were commissioned by Blaenau Gwent County Borough Council on behalf of the Heads of the Valleys Local Authorities to prepare this study. The assessment approach was developed with the client group and with representatives from the South Wales Landscape Liaison Group.

This report sets out the consultation that was undertaken on the draft document, including a summary of the responses received and how they have been taken into account by the Council.

A 6 week consultation exercise was carried out between 7th November 2014 and 19th December 2014. The consultation included an email to over 100 organisations which included all Welsh Local Planning Authorities, Statutory Bodies, National organisations, local interest groups and Planning and Landscape Consultants. The email informed them of the consultation and provided a link to the document and comment form.

A consultation event was held on Tuesday 16th of December at the Norwegian Church, Cardiff. This was well attended by environmental groups, local authority planners and landscape architects and landscape consultants.

Eight responses to the consultation were received. These were from a range of Local Planning Authorities, Industry Representatives and environmental groups.

The table on page 3 contains the representations made during the consultation period and the response to them. Where appropriate, the document has been amended to take account of the views received.

Questionnaire Results

- All respondents agreed that there should be a common methodology for landscape sensitivity and capacity studies across Wales
- 3 out of 6 disagreed with the proposed wind farm typologies
- 4 out of 6 disagreed with the proposed definition of sensitivity
- 4 out of 6 disagreed with the criteria for assessing landscape and visual susceptibility
- 4 out of 6 disagreed with the Stage 1 Assessment Framework
- 3 agreed and 3 disagreed with the methodology for assessing Landscape and Visual Sensitivity
- 4 out of 5 agreed with the use of professional judgement to determine the most appropriate landscape objectives
- 2 agreed and 2 disagreed with the Landscape objectives set for the Heads of the Valleys Area

- 3 agreed and 1 disagreed with the methodology for identifying the indicative landscape capacities
- 3 agreed and 1 disagreed with the Landscape Character baseline
- 3 agreed and no one disagreed with the proposed Landscape Types
- 1 agreed and 1 disagreed with the Landscape units

Please note that not everyone answered the questionnaire and not everyone answered every question.

Respondent	Agree / Disagree / Neither Agree or Disagree	Comment	Response / Proposed Change
Q1: Do you agree that the use of a common methodology across Wales for undertaking Landscape Sensitivity and Capacity studies would be helpful?			
Judith Jones Head of Town Planning Merthyr Tydfil CBC	Agree		Noted
Ian Gates Associate Director, Landscape AMEC E&I UK Ltd	Agree	<p>It is agreed that a common methodology across Wales would be helpful nevertheless there are several important caveats and points that should be emphasised.</p> <p>Firstly that even more than the Heads of the Valleys Report such a nationwide study would be at a strategic level and would not be a substitute for a more detailed study for each proposed individual wind turbine development.</p> <p>Secondly that such approach and its implementation are rather belated given the level of proposed, consented and operational wind farm development across Wales in the past two decades. There is the issue of how such a study would relate to TAN8 which was based upon a similar type of exercise.</p> <p>Thirdly there is the issue of cost and logistics as well as how to assure that all the Welsh local authorities treat the results of the study in the same manner.</p>	<p>Noted</p> <p>Agree</p> <p>Agree</p> <p>Noted</p>

Respondent	Agree / Disagree / Neither Agree or Disagree	Comment	Response / Proposed Change
Jeny Rawlings Senior Development Manager Airvolution Energy Ltd	Agree	We agree with this in principle; however there are still significant inaccuracies which persist, e.g. as highlighted by the report authors in Unit 24 (presumably referring to LANDMAP Aspect Area (AA) 13); and AA1b which has recently changed its' name, which can result in confusion.	As LANDMAP is being constantly updated it is inevitable that there will be changes. All Guidance stresses that the most recent LANDMAP data should be used for an application
Sorrel Jones Conservation Officer Gwent Wildlife Trust	Agree	<p>We agree that this type of study is very helpful for developers, local planning authorities and third parties, such as the local community, in providing clarity and identifying sensitive areas. We welcome this particular study, as the Heads of the Valleys area is complex and varied in terms of landscape, with areas that are highly vulnerable and areas that can accommodate some wind turbine development.</p> <p>However, applying this methodology across Wales will need to take regional variation, such as differing priorities into account. The obvious example will be that National Parks and AONBs will have stricter criteria than other areas, and the methodology must accommodate this. Similarly, there must be flexibility within the methodology to reflect the differing development priorities for different areas.</p>	Noted.
Sergio Zappulo Development Manager REG Windpower	Agree	<p>Providing that an appropriate and robust methodology is to be applied, it would be very welcome for a common methodology to be used across Wales, as this would offer certainty and comparability of all such assessments.</p> <p>In this regard, it is important to ensure that judgements made in this study are benchmarked in relation to the whole of the Welsh landscape, not just the study area. That is to say, those landscapes considered to be of 'high' sensitivity are truly the highest-sensitivity landscapes across Wales, not simply the most sensitive in the Heads of the Valleys.</p>	<p>Noted</p> <p>It was not within the scope of our study to do this. We do not know of any sensitivity studies in England or Wales that have attempted to assess sensitivity on a national basis.</p>

Respondent	Agree / Disagree / Neither Agree or Disagree	Comment	Response / Proposed Change
Phil Ratcliffe Development Planning Officer Rhonda Cynon Taff CBC	Agree	<p>Whilst agreeing that a common methodology across Wales would be helpful, the methodology itself causes specific concern for Rhondda Cynon Taf County Borough Council in relation to the TAN 8 SSAs. Rhondda Cynon Taf is the only LPA with land in a SSA in the HOV area (part of SSA F).</p> <p>Stage Three of the methodology adopts the implicit objective of TAN 8 to accept significant change in landscape character resulting from wind turbine development located within the SSA. This overlooks the intention in TAN 8 that local planning authorities will undertake local refinement of their SSAs (paragraph 2.4), and so applies the acceptance of significant change to the whole, broad-brush, unrefined SSA (in Rhondda Cynon Taf). The methodology thereby risks producing an outcome that overrides the intrinsic sensitivity of the SSA landscape derived from its underlying susceptibility and value. The refinement of SSA F in Rhondda Cynon Taf was carried out by multi-criteria analysis in accordance with the methodology in TAN 8 Annex D. The refined SSA F in Rhondda Cynon Taf (significantly smaller than the unrefined SSA) has been criticised as lacking weight in planning since it was “noted as a background paper” by the County Borough Council i.e. it was neither adopted nor rejected. Nevertheless, two important point emerge:</p>	<p>Noted</p> <p>References in the introduction have been strengthened to confirm that this study is intended for developments that considered suitable for areas outside SSA only. Wording used in the guidance has been repeated. Note added and reference made to the TAN 8 Annex D Study of Strategic Search Areas E and F: South Wales Valleys Final report (2006) both in the introduction and in the landscape objectives section to make explicit that the current study does not supersede there refinement study.</p>

Respondent	Agree / Disagree / Neither Agree or Disagree	Comment	Response / Proposed Change
		<p>1. The refined SSA has generally been successful in guiding where development should be carried out in SSA F (see attached map);</p> <p>2. Due to the density of built and approved development, SSA F is now nearing the maximum target set by the Welsh Government Minister for Environment and Sustainable Development in July 2011. This relieves development pressure in the undeveloped parts of the unrefined SSA (that is, outside the refined SSA).</p> <p>The methodology of accepting significant landscape change within the unrefined SSA F but outside the refined SSA F risks additional development on the high ground between the Cynon and Rhondda Fach valleys and between the Rhondda Fawr and Ogmere valleys, with significant cumulative landscape and visual effects on the residents of the densely-settled valley floors.</p> <p>There are two suggested options.</p> <ul style="list-style-type: none"> · The TAN8 annex D study and the refined SSA boundary are noted and mapped respectively, with text to state that the study does not supersede these boundaries, or areas of high landscape sensitivity defined in the study. · The HOV study excludes areas 1, 3, 4 and 5. <p>The SSAs present special issues of intensity of development and proximity to settlements. Therefore, it is suggested that more thought will need to be given to the methodology for assessing sensitivity not only in and around SSA F but also in other SSAs elsewhere in Wales. A strong vision is needed to prevent unacceptable effects on the landscapes and populations of these areas: the methodology does not adequately address these.</p>	

Respondent	Agree / Disagree / Neither Agree or Disagree	Comment	Response / Proposed Change
Q2: Do you agree with the proposed wind farm typologies?			
Judith Jones Head of Town Planning Merthyr Tydfil CBC	Agree	Please see the related response to Q2 of the landscape and visual impact assessment requirements questionnaire.	Noted
Ian Gates Associate Director, Landscape AMEC E&I UK Ltd	Disagree	<p>Whilst it is agreed that the adoption of a set of typologies is helpful (notwithstanding the constant overarching caveat that there will always be the need for detailed individual LVIAs for any proposed wind turbine development), we do not agree with the definition of the wind farm typologies that has been proposed. It is biased towards the generation of a definition that a proposed wind farm should be categorised as being 'large' or 'very large' with the commensurate greater restrictions upon its strategic acceptability.</p> <p>Under the proposed typology a proposed wind farm would be categorised as being 'very large' if it consists of more than five turbines of any height or a single turbine with a blade tip height in excess of 109m. This typology does not adequately reflect the recent development in turbine technology or the numbers of turbines contained in the wind farm developments that have been consented or become operational in the area that is covered by the Heads of the Valleys Study. It would appear inappropriate that the proposed Pen Bryn Oer Wind Farm which comprises three 110m blade tip turbines would be placed in the same 'very large' typology as the currently being constructed Pen-y-Cymoedd Wind Farm which consists of 76 turbines that will be 145m blade tip height.</p>	Because this study is concerned with smaller scale development only it is appropriate that both these schemes should fall into the very large category

Respondent	Agree / Disagree / Neither Agree or Disagree	Comment	Response / Proposed Change
		<p>The typology should be redefined so as to better reflect the range of wind turbine development that is operational, consented and proposed across the Heads of the Valleys study area. The corollary of adopting the present typology will be the sort of distribution of sensitivities for 'large' and 'very large' turbines as shown in Figures 14 and 15 in which the large majority or all of the study area is categorised as being of 'medium-high' or 'high' sensitivity. This outcome is not particularly helpful in differentiating varying sensitivity and capacity across different landscape units nor does it reflect the actual pattern of wind farm development that has arisen across the study area.</p>	<p>The aim of the study was not to reflect what has happened but to look at landscape sensitivity - this is only one possible aspect of the suitability of a site for WTD</p>
<p>Jeny Rawlings Senior Development Manager Airvolution Energy Ltd</p>	<p>Disagree</p>	<p>One very fundamental issue is that the Airvolution Energy (AvE) proposals for two turbines at Hafod-y-Dafal south east of Cwm do not fit into any of these proposed "Typologies". At two turbines in extent, it should fall under the "Small" typology. However at a maximum of 131m to tip, it could also fall under "Very Large".</p> <p>Another example might be a single turbine of 80m to tip which could be categorised as either "Micro" or "Medium" depending on whether the tip height or extent criteria were used.</p> <p>Planning Guidance for Wind Turbine Development Landscape and Visual Impact Assessment Requirements (LVIAR) which is referred to as the source document for the Typologies, states under Table 1: "...to decide in which typology a development belongs <u>it must satisfy both the height and the turbine numbers criteria</u>. See the examples on page 0.5". However if a development (such as Hafod) does <u>not</u> satisfy</p>	<p>We hope we have resolved this confusion by making the criteria clearer. Development must meet both criteria. The turbines at Hafod-y-dafal are greater than 109m to blade tip height and must therefore be in the very large typology.</p> <p>We have revised the typology tables to try and make this clearer. We have omitted the between ranges for the turbines - which we now realise confused the issue.</p> <p>Hafod was incorrectly shown on the plan and described previously.</p>

Respondent	Agree / Disagree / Neither Agree or Disagree	Comment	Response / Proposed Change
		<p>both criteria, there is no indication of how to resolve this incompatibility, and the illustrated examples in LVIAR (Figure 1) merely compound this conundrum.</p> <p>Since this underpins the determination of any and all conclusions arising from the Landscape Sensitivity and Capacity Study Final Report (LSCS), the report “falls at the first hurdle” and is therefore effectively not fit for purpose. Surely it is not being suggested that every development must comply with both criteria, or otherwise be automatically rejected?</p> <p>Interestingly, in LSCS it appears that the authors have “interpolated” between the two typology criteria as in Fig.07 and also Section 4 Hafod appears to be classified as “Medium” (and wrongly recorded as being two proposals) even though this approach is contrary to the aforementioned guidance as laid out in LVIAR. For this reason, we are unsure as to which typology the Hafod development should be classified under and hence the appropriate specifics which apply, both in terms of the standard and extent of information now considered acceptable for the typology in question (LVIAR) and the capacity and sensitivity of the landscape to the typology in question (LSCS).</p>	Plan amended to show Hafod-y-Dafal as Very Large and text changed
Sorrel Jones Conservation Officer Gwent Wildlife Trust	Disagree	There needs to be greater clarity as to how to determine the typology of a wind turbine development. For example, should a single 109m turbine be classified as a micro, large, or something in between?	

Respondent	Agree / Disagree / Neither Agree or Disagree	Comment	Response / Proposed Change
Sergio Zappulo Development Manager REG Windpower	Neither Agree nor Disagree	<p>The typologies include consideration of both turbine height and turbine numbers. We query the interaction between height and number. This can lead to inconsistencies such as, for example, a single turbine of 110m and a group of five turbines at 79m would both be considered a ‘very large’ development, despite having significant differences in terms of their likely interaction with the landscape. In our experience, turbine height is more critical in judging the principle of wind turbine development within an area (ie sensitivity). Turbine numbers may be more relevant to a consideration of ‘capacity’. It is noted that, for operational and consented schemes, only height has been considered (page 11) and the reasons for this difference is not stated. If this is appropriate for operational and consented schemes, it may be appropriate to focus on height for all schemes.</p>	<p>We have addressed this emphasising the fact that this sensitivity study is for smaller scale development and by clarifying the typologies.</p>
		<p>It could be more clearly stated how the cut-off heights were arrived at. Reference is made to the <i>Planning Guidance for Wind Turbine Development: Landscape and Visual Impact Assessment Requirements</i>, although the consultation draft of this document does not provide this detail either. In defining these typologies, it is not clear if regard was had to the turbines currently operating and planned in the study area, or likely future trends. For example, there are a number of consented schemes in the study area with turbines of 145m, which is significantly greater than the 110m cut-off for the ‘very large’ category. The document could clarify that the ‘very large’ category does indeed have no upper limit, and that the conclusions in relation to 110m turbines would remain valid for turbines of 150m+ which may be proposed in the future.</p>	<p>Cut off heights were chose to align with other studies</p>

Respondent	Agree / Disagree / Neither Agree or Disagree	Comment	Response / Proposed Change
Phil Ratcliffe Development Planning Officer Rhonda Cynon Taff CBC	Neither Agree nor Disagree	The typologies are simple but seem to be quite restrictive. With most wind energy sensitivity studies, the size of turbine and the number of turbines are separated to allow flexibility in the future with changes in technologies and pattern of development. Single or double turbines over 109m to VBT are now coming forward so it is likely that the Very Large category will be challenged.	Developments in the <i>Very Large category will be assessed on a case by case basis.</i>
		It is apparent that the strategy is to concentrate any Large or Very Large developments in SSAs and Medium or smaller developments everywhere else. Whilst this might be true of the HOV study area, we are not sure that this will achieve government policy/targets if applied everywhere in Wales.	This study is only concerned with the landscape sensitivity of the HOV area and not with achieving government policy/targets across Wales.
		The only difficulty encountered with applying the typologies is where one development comprises turbines in more than one height category e.g. 3 at 100m plus 7 at 120m. Splitting the scheme into two typologies results in one Large typology adjacent to one Very Large typology, which should probably be treated as one Very Large typology. A note to cover this situation is needed.	Generally we think that schemes which incorporate different turbines should be discouraged. The scheme described would fall under the very large typology due to the number of turbines involved (10). I believe such situations, which are likely to be rare, can be left to the good sense of the planning officer. In addition the scheme described would be greater than 5MW and we have made it clearer that the study is aimed at under 5MW schemes.
Q3: Do you agree with the proposed definition of sensitivity?			

Respondent	Agree / Disagree / Neither Agree or Disagree	Comment	Response / Proposed Change
Judith Jones Head of Town Planning Merthyr Tydfil CBC	Disagree	The inconsistent use of terminology between definitions of sensitivity makes comparisons between them more difficult. For instance, the definitions for “low and high sensitivity” explicitly address the vulnerability of the key landscape characteristics, while the term “vulnerable” is absent from the definition of “medium” sensitivity. It would also be beneficial if there was more consistency between the definitions when describing the impacts on the character of the landscape and the value placed on the landscape. The descriptions currently vary as follows: “significant adverse effects”, “result in change” and “significant effects”.	We have reviewed these and consider that these are not inconsistencies in terminology but aim to describe the different kinds of effects that might be expected from landscapes that have low medium or high sensitivity
Ian Gates Associate Director, Landscape AMEC E&I UK Ltd	Disagree	The definitions are broadly correct but there are some amendments that would be helpful and reflect the reality of wind farm landscape assessments. Amongst these small-scale changes are: For Low Sensitivity given that for almost any wind turbine an LVIA would conclude that there would be some significant effects upon landscape character even if these are spatially restricted to the immediate vicinity of the proposed turbine, it is unrealistic to state that this definition only applies to areas (or landscape units) where no significant adverse effects would arise.	This would be true in an English context but TAN 8 explicitly refers to no significant change outside SSAs
		We consider that the use of the terms ‘area’ and ‘landscape’ appear to be used interchangeably. This definition is too vague in the context of this Study and should be replaced by ‘landscape unit’ as this is the scale at which the Study has been undertaken.	The effect are not just limited to the landscape unit in which the development is proposed but may be on the surrounding or adjacent units - therefore to replace area and landscape with landscape unit would be inaccurate

Respondent	Agree / Disagree / Neither Agree or Disagree	Comment	Response / Proposed Change
Jeny Rawlings Senior Development Manager Airvolution Energy Ltd	Disagree	Table 2; Definition of Sensitivity; although the text correctly acknowledges that sensitivity is determined by consideration of both susceptibility and value, the sensitivity criteria in Table 2 are not specifically referred to in the text; make no mention of either susceptibility or value, and appear to “pre-judge” significance of effects; reading in fact more like effects criteria than sensitivity criteria.	The sensitivity definitions are a two sentence summary and cannot include everything. The detailed consideration of susceptibility and value and made clear in the methodology and in the actual study
Sorrel Jones Conservation Officer Gwent Wildlife Trust	Agree		Noted
Sergio Zappulo Development Manager REG Windpower	Agree	The sensitivity definitions are appropriate and clearly stated. It is generally accepted by planners that all commercial-scale wind turbines are likely to give rise in a change in landscape character at a local scale. It would be helpful for the study to acknowledge this to ensure that these definitions are not read to imply that any change in character, no matter how small, is unacceptable.	TAN 8 explicitly refers to no significant change outside SSAs which is the wording used her for low sensitivity
Phil Ratcliffe Development Planning Officer Rhonda Cynon Taff CBC	Disagree	There are 3 definitions (low, medium and high) but 5 different levels of sensitivity identified in the study area. This is confusing and could be contentious at public inquiries. There should be 5 definitions to explain low to medium and medium to high.	It is very common for intermediate assessments of medium/high to be given without a separate definition

Respondent	Agree / Disagree / Neither Agree or Disagree	Comment	Response / Proposed Change
Q4: Do you agree with the proposed criteria for assessing landscape and visual susceptibility to wind turbine development?			
Judith Jones Head of Town Planning Merthyr Tydfil CBC	Disagree	It is unclear whether cultural heritage features, such as scheduled ancient monuments (SAMs) and listed buildings, form part of the criteria for assessing landscape and visual susceptibility. These heritage features are known to be susceptible to wind turbine development, particularly in respect of harm to their settings. Whilst it is possible that SAMs and listed buildings are considered under the criteria relating to <i>Built Environment</i> and <i>Skylines and Settings</i> , it is not explicit in the explanatory text.	In this study heritage features are assessed in terms of their contribution to the landscape. A separate cultural heritage assessment of impacts on setting would need to be undertaken.
Ian Gates Associate Director, Landscape AMEC E&I UK Ltd	Disagree	This response will provide brief comments on each criterion. Scale – agree that VS8 is the correct LANDMAP Survey Collector Response to use. Do not agree with the statement that “A large height differential ... by lessening the size of the turbines” as poorly sited turbines in an elevated location close to lower lying areas can increase the sense of the turbines being overbearing in these less elevated areas in the manner that has been identified in some LVIA reviews provided to local authorities in south Wales that have been prepared by White Associates, as is implied in the remainder of the commentary on this criterion in the Study. This sentence could be interpreted as contradicting the justification for the landform criterion.	We think this criterion is clear. They are inevitably very brief description of some quite complex ideas which are likely to be explore in depth for particular schemes.
		Landform – see comment above. Suggest altering so that ‘high hills/mountains’ is high susceptibility and ‘hills/valleys, rolling land undulating’ is medium susceptibility. Landcover pattern – broadly agree apart from the statement that the presence of a field pattern will inherently result in high susceptibility: if the field pattern is regular and/or large scale and/or is formed by ditches; low trimmed hedgerows or post and wire fences.	As above A mosaic field pattern, not just any field pattern has high susceptibility

Respondent	Agree / Disagree / Neither Agree or Disagree	Comment	Response / Proposed Change
		<p>Built environment – it is agreed that the presence of existing manmade features will generally reduce a Landscape Unit’s (LU’s) sensitivity to the presence of wind turbines. As is recognised in the supporting text the statement that the frequency of “built form and human intervention” is indicative of reduced sensitivity does appear to contradict the need for visual sensitivity to be considered (as it correctly is later on). The LANDMAP Survey Collector Responses VS20; use of construction materials and VS25: sense of place are weak proxies for considering effects upon built environment compared with the other three criteria listed under this heading.</p>	<p>Don't understand how this contradicts the need for visual sensitivity to be considered. It is well understood that different attribute of the landscape may result in differing susceptibility for example absences of residential properties makes it less likely that there will be residential issues but may indicate that it is a wild and remote landscape that will be susceptible for other reasons.</p> <p>The LANDMAP Survey Collector Responses VS20; use of construction materials and VS25: sense of place are additional information not proxies</p>
		<p>Skylines and setting – generally agree although if it is accepted that wind farms themselves form a distinctive skyline feature then this criterion would mitigate against extending existing wind farms or grouping together wind farm developments thereby reducing the potential for extending existing wind farms.</p>	<p>Whilst turbines are clearly skyline features they are not generally considered to be distinctive features requiring protection. We always have to believe that decision makers will apply common sense when they consider individual applications</p>

Respondent	Agree / Disagree / Neither Agree or Disagree	Comment	Response / Proposed Change
		<p>Movement – Generally agree but the criterion needs to be more subtle and specific about different types of movement within an LU and do not agree that the responses to Survey Collector Question VS18: Level of Human Access provides a good indication of the amount of movement in an LU. Had always assumed it was a reference to the density of the PRoW network or presence of Open Access Land. These are not good proxies for the effects that would be generated by the movement of turbine blades. Should rely upon observation during survey.</p>	<p>Question VS18: Level of Human Access provides additional information to observation during survey. The method for assessing VS18 refers to busy roads, motorways, town centres, small villages, rural roads, mountain footpaths etc. and in this respect supported observations during field survey.</p>
		<p>Visibility, key views and vistas – This criterion runs the risk of conflating landscape and visual sensitivity. With regard to landscape sensitivity it is not agreed that a high degree of enclosure and topographical variation and/or high levels of landcover are less susceptible. For VS9: enclosure, the equation of a sense of enclosure with low susceptibility to wind turbine development and exposure with high susceptibility are not in accordance with wind farm design guidance.</p>	<p>The difference here is that we are dealing with smaller scale development where enclosure in some instances may enable a smaller turbine to be accommodated.</p>
		<p>Intervisibility and Associations with Adjacent Landscapes. – This criterion is essentially a repeat of the previous criterion.</p>	<p>It depends on similar physical characteristics but focuses on different aspects</p>
		<p>Typical Receptors – Whilst the comments on the relative visual sensitivities of different broad categories of visual receptors is agreed as they accord with the general approach that has always been adopted in the different editions of the GLVIA, it could be interpreted as being contrary to the earlier built environment criteria. It also effectively requires an outline visual receptor baseline study to be undertaken.</p>	<p>It is well understood that different attribute of the landscape may result in differing susceptibility for example absences of residential properties makes it less like that there will be residential issues but may indicate that it is a wild and remote landscape that will be susceptible for other reasons.</p>

Respondent	Agree / Disagree / Neither Agree or Disagree	Comment	Response / Proposed Change
		Views to and from important landscape and cultural heritage features. – Whilst it is agreed that these are important considerations, they are better considered at the more detailed stage when an LVIA and/or Cultural Heritage Impact Assessment is undertaken. As it is proposed that the response to this criterion is prepared solely upon the basis of site visit(s) it is not clear how this could be meaningfully considered at the scale of LUs and it is best considered under more detailed assessments for individual wind energy developers.	In the actual LU assessments this criteria is very useful as it indicates the features that are important to consider that this should be helpful to both developer and LPAs
		Scenic Quality and Character – at the strategic level at which this Study is concerned it is agreed that Survey Collector Responses VS46-VS48 are appropriate to use although as the supporting text strongly indicates there is a large degree of overlap with the criterion applied for landscape value. Also given that for many of the other criteria suggested the Study correctly advocates that LANDMAP data is supported by observation during study, the same approach should be adopted for this criterion. Simple reliance upon LANDMAP Collector Survey Responses seems to be a broad brush approach even at this ‘strategic level’.	Text added
		Remoteness Tranquillity – It is agreed that LANDMAP Survey Collector Response VS24 is useful for reviewing this criterion, it is not the case that inaccessible or remote LUs are inherently of high susceptibility to wind farm development nor are “accessible /frequented /busy” landscapes always of low susceptibility. There is some contradiction with the criteria suggested under the ‘movement’ and ‘built development’ headings. Also at the scale of LUs these attributes are likely to vary considerably within individual LUs.	It is well understood that different attribute of the landscape may result in differing susceptibility for example absences of residential properties makes it less like that there will be residential issues but may indicate that it is a wild and remote landscape that will be susceptible for other reasons.

Respondent	Agree / Disagree / Neither Agree or Disagree	Comment	Response / Proposed Change
		<p>Landscape Value – compared with the 12 separate criteria that are advanced to assess landscape and visual susceptibility the use of just two criteria for landscape value; one of which is solely concerned with historic value could be considered to be unbalanced. Also the approach of using designations as a proxy could be criticised for ignoring earlier statements in the Study (as well as in other guidance) that even some nationally designated areas may have potential in some of their parts to accommodate certain types of landscape change. The statement that local landscape designations, namely SLAs, closely follow very sensitive national designations is disputed especially given that in some parts of the study area SLAs are very extensive covering nearly all the upland areas.</p>	<p>Wording has been amended</p>
		<p>Also it is not agreed that the outstanding or high values for LANDMAP Survey Collector Responses LH45; GL31; and GL33 should be interpreted as these LUs having a high landscape value with regard to wind turbine development. This is because these geological or ecological evaluations are often generated by the presence of one or two RIG sites or a small number of locally rare habitats; phenomena that would be avoided by any well-designed wind turbine proposal. The presence of a RIG site at the other side of an LU should have no influence upon suitability to host a wind turbine development.</p>	<p>This section is not identifying susceptibility to wind turbines. It is identifying indicators of landscape value as recommended by GLVIA3.</p>
		<p>Historic Value – Again even at a strategic scale this approach is simplistic; there should be a consideration of the reasons for the high or outstanding evaluations for the HL38-HL40 Survey Collector Responses to allow a review as to whether these could be affected by wind turbine development. Also from experience of undertaking LVIA's in this part of south Wales we are aware that a high proportion of HLAAs have been ascribed with high or outstanding evaluations thereby making it highly likely that a high proportion of LUs will be attributed with high landscape value in this study.</p>	<p>This criteria is measuring the value placed on the landscape and if a large number of aspect areas have been ascribed a high historic value that it a fact to be taken into consideration. The assessment for each LU has looked in more details at the reasons for the evaluation.</p>

Respondent	Agree / Disagree / Neither Agree or Disagree	Comment	Response / Proposed Change
Jeny Rawlings Senior Development Manager Airvolution Energy Ltd	Disagree	Table 3 and Stage 1“Landscape and Visual Sensitivity Criteria”. LSCS purports to be informed by GLVIA3. However GLVIA3 indicates that landscape and visual assessment should be carried out as two separate but related activities. In this report they appear to be combined. This could lead to some confusion. Whilst we agree with some perceptual attributes such as skylines and settings, key views and vistas and intervisibility can help to determine landscape susceptibility (even though it’s wrongly in our opinion listed under “visual criteria”) we do not agree with the specific “typical (visual) receptors” criteria. This is because visual assessment relates to point-based rather than generic receptors and its inclusion in the criteria could render the overall conclusions questionable (see below , Q12,for an example of this).	Effects of wind turbines on landscape character are predominantly as a result of visual changes - in this way they are not typical development. We are not aware of any wind turbine sensitivity studies that have assessed landscape and visual sensitivity separately although may have divided their criteria in to landscape and visual criteria whilst acknowledging the overlap. Typical (visual) receptors is one criteria and we do not consider that it could render the overall conclusions questionable.
Sorrel Jones Conservation Officer Gwent Wildlife Trust	Agree		Noted
Sergio Zappulo Development Manager REG Windpower	Agree	The criteria are clearly described and their application is explained. There is some doubt as the specific applications of LANDMAP answers: for example under the Landcover Pattern criterion, the answers for VS16 include ‘formal’ under low sensitivity, although a formal landscape may be more sensitive to interruption. VS16 also includes the possible answer ‘organised’ which does not fall under any of the sensitivity levels. Other examples could be quoted but generally the approach is both clearly set out and properly grounded in established good practice.	The study does not remove the need for case by case analysis which should highlight a 'formal' landscape that would be harmed by interruption

Respondent	Agree / Disagree / Neither Agree or Disagree	Comment	Response / Proposed Change
Jill Kibble Planning Liaison CPRW Montgomeryshire Branch		<p>We feel this is a very thorough appraisal and that similar work could usefully be done in other LPAs. We are not landscape experts and would not presume to comment on the detailed methodologies. We have considered the response made by CPRW Brecon and Radnorshire Branch and would fully endorse all the points they have cogently made particularly as regards Third Party Consultation requirement with interested stakeholders who have intimate understanding of the area under consideration. We would also emphasise that landscape has an economic component and that in some areas of wales, for example Montgomeryshire, rural tourism and quiet outdoor pursuits are of considerable importance (12% of GDP) and that there is a considerable value to employers in the quality of the environment when recruiting senior staff. Landscape thus has more than an aesthetic value and planning officers must weigh economic value in the balance. Failure to do so has, of course, been the subject of recent applications for Judicial Review in Powys.</p>	<p>The impact on tourism is part of the planning balance but not part of the landscape sensitivity assessment although scenic value is often an indicator of value to tourism</p>
		<p>Our only additional comment over and above those provided by Brecon and Radnorshire would be on Landmap. Landmap can be a useful tool but has a tendency to encourage 'salami slicing' of the landscape into parcels that are not necessarily topographical entities and when considering massive, moving and vertical structures in the landscape the visibility over a considerable area, that probably encompasses a number of Landmap classifications, is essential. It is not the Landmap Visual / Sensory classification of the land on which the turbine itself stands that is of prime importance but the whole context of the landscapes in which it is seen. Landmap is irrelevant to the viewer who has a sensory perception of the quality of the landscape in its entirety.</p>	<p>Our Landscape Units are wider than the LANDMAP aspect areas but the assessment also requires a consideration of intervisibility between landscape units which should encompass the idea of seeing the landscape as a whole.</p>

Respondent	Agree / Disagree / Neither Agree or Disagree	Comment	Response / Proposed Change
Phil Ratcliffe Development Planning Officer Rhonda Cynon Taff CBC	Disagree	The criteria are agreed except: Landcover pattern: VS 16 –‘formal’ is defined in LANDMAP as elements/features with a formal designed relationship with each other. This is clearly sensitive. Suggest that: low susceptibility is regular, medium susceptibility is organised and high susceptibility is random and formal. Aesthetic/perceptual and experiential criteria:	In fact the only time in the study area the answer for VS 16 is formal it is in relation to commercial forestry which clearly does not have high sensitivity
		The use of scenic quality, character and integrity values may be seen as double counting with overall value.	We see it as confirmation rather than double counting as we do not use a scoring system
		VS 24 – safe and settled are duplicated in medium and high susceptibility	Corrected
Q5: Do you agree with the proposed Stage 1 Assessment Framework?			
Judith Jones Head of Town Planning Merthyr Tydfil CBC	Agree		Noted

Respondent	Agree / Disagree / Neither Agree or Disagree	Comment	Response / Proposed Change
Ian Gates Associate Director, Landscape AMEC E&I UK Ltd	Disagree	<p>Whilst we agree with the overarching approach and the need to draw upon LANDMAP Survey Collector Responses and strongly agree that these need to be supported and enhanced by site work there are a number of weaknesses in the approach suggested. In particular some of the criteria are contradictory with regard to attributes such as topography and landform; the relative isolation of the LU with regard the presence of settlements and level of public access; how to deal with relative isolation; and the use of Collector Survey Responses that are determined by the presence of location specific phenomena such as RIG sites.</p>	<p>It is acknowledged in the study that some indicators of susceptibility <u>are</u> contradictory and this has to be considered in the overall assessment</p>
		<p>Also it is important to understand that whilst LANDMAP is a very useful source of information and has the large advantage that it is a quality assured database that extends across all parts of Wales, the Survey Collector Responses were generally compiled on the basis of field work that was undertaken almost a decade ago i.e. before the majority of the present operational wind turbines were present. Although this is acknowledged later in the methodology, it is not clear how they incorporated into the final indicative landscape capacities</p>	<p>They were incorporated into the final indicative landscape capacities through the use of the online WT database & site survey</p>
Jeny Rawlings Senior Development Manager Airvolution Energy Ltd	Disagree	See Above	Noted
Sorrel Jones Conservation Officer Gwent Wildlife Trust	Agree		Noted

Respondent	Agree / Disagree / Neither Agree or Disagree	Comment	Response / Proposed Change
Sergio Zappulo Development Manager REG Windpower	Neither Agree nor Disagree	<p>We broadly agree with the assessment framework as setting out an appropriate approach to landscape sensitivity and capacity evaluation. It is accepted that there is no published guidance on carrying out a landscape sensitivity study. Nevertheless, a widely accepted approach has been developed and implemented by landscape consultants, using a criteria-based analysis of landscape characteristics to determine relative sensitivity. We are content that, in outline, the Heads of the Valleys study follows this approach to arrive at a clear and robust methodology.</p> <p>However, we are less clear as to the way that cumulative effects have been incorporated. This remains the most problematic area of assessing landscape capacity for wind energy.</p> <p>The overview on page 8 states that sensitivity is based on landscape susceptibility, value and presence of wind turbines. This page goes on to state that capacity is based on sensitivity, unit size and presence of wind turbines. Since presence of wind turbines is considered in sensitivity, it is being double-counted in the assessment of capacity.</p> <p>On page 12, the judgement of sensitivity is explained differently. Here it is stated that landscape susceptibility, visual susceptibility, landscape value, and visual receptors are the factors contributing to sensitivity. There is no mention of wind turbines. "Presence of modern structures such as wind farms" is referred to under the 'Built Environment' criterion as a factor which may reduce landscape susceptibility. But presence of wind turbines is not set out as a separate factor as indicated on page 8.</p> <p>Pages 19-20 detail the sensitivity evaluation process. This describes a desk-based assessment of sensitivity based on susceptibility and value, backed up by field work. In contrast to the overview on page 8 there is no mention of existing wind turbines. However, at Stage 3,</p>	<p>We see it as confirmation rather than double counting as we do not use a scoring system</p> <p>It is not possible to mention everything every time. The study must be read as a whole.</p> <p>Decisions on those circumstances where adding turbines to a landscape that already contains turbines is acceptable, possibly because the</p>

Respondent	Agree / Disagree / Neither Agree or Disagree	Comment	Response / Proposed Change
		<p>the first paragraph on page 21 states that sensitivity was derived from susceptibility, value and 'the potential for cumulative effects'. It is unclear how this 'potential' was assessed or how it has been incorporated into sensitivity, other than as one factor affecting the 'Built Environment' criterion.</p> <p>This lack of clarity continues into the actual assessments. For example, Landscape Unit 1 is assigned medium-high sensitivity in part because of the 'presence of existing large scale wind farm' (page 34). Mention is made of wind turbines in the susceptibility evaluation for this unit, but in the context of the evaluation criteria this would have the effect of reducing susceptibility.</p> <p>In summary, it is not clear how the study addresses existing development, and how this affects sensitivity in particular. Our view is that the presence of wind turbines, in common with other forms of development, may affect the susceptibility of the landscape, but should not be additionally considered as a separate 'layer' in the assessment of sensitivity. It is more appropriate to consider this aspect in the evaluation of (remaining) capacity (see our response to Q9).</p>	<p>existing turbines mean that the degree of change is reduced, and where it results in cumulatively adverse effects is a judgement that still needs to be made on a case by case basis.</p>
<p>Phil Ratcliffe Development Planning Officer Rhonda Cynon Taff CBC</p>	<p>Agree</p>	<p>Generally agree. Suggest that it is important that all the main text paragraphs are numbered as this document is likely to be referred to frequently, especially at inquiries.</p>	<p>It would be quite a task to go back and number all the paragraphs now. This has not been raised before and many sensitivity studies do not have numbered paragraph but rely on page numbers.</p>
<p>Q6: Do you agree with the proposed methodology for assessing Landscape and Visual Sensitivity?</p>			

Respondent	Agree / Disagree / Neither Agree or Disagree	Comment	Response / Proposed Change
Judith Jones Head of Town Planning Merthyr Tydfil CBC	Agree		Noted
Ian Gates Associate Director, Landscape AMEC E&I UK Ltd	Disagree	<p>As stated in the response to Q5 it is not clear how the key field survey component is taken into consideration in Stage Two. Whilst we agree with all the field survey bullet points that are listed on pages 19-20 with regard to the amalgamation of these with the results of the LANDMAP Desktop review under the 14 separate criteria the methodology merely states in the final paragraph on page 20 that “Based on the results of the field surveys, the draft evaluations of landscape unit sensitivity were refined ...”. This absence of methodological clarity is a major weakness. This is reflected in the key comment on page 19 (second text column, second paragraph) in which it is stated that “Sensitivity can vary locally within landscape units and the overall evaluation represents the general sensitivity across the landscape unit to reflect the strategic nature of the study.” The corollary of this statement must be that whilst the Study provides some broad landscape, visual and historic landscape context for wind turbines in the study area the acceptability of any proposed wind turbine development remains reliant upon it being subject to a detailed and thorough LVIA.</p>	<p>It is correct that whilst the Study provides broad landscape, visual and historic landscape context for wind turbines in the study area the acceptability of any particular wind turbine development remains reliant upon it being subject to a detailed and thorough LVIA. This is always the case with sensitivity studies which cannot assess individual sites or individual proposals.</p>

Respondent	Agree / Disagree / Neither Agree or Disagree	Comment	Response / Proposed Change
Jeny Rawlings Senior Development Manager Airvolution Energy Ltd	Disagree	<p>See above; in our opinion visual receptors <i>per se</i> have no place in a <u>landscape</u> sensitivity and capacity study and may lead to misleading and inaccurate conclusions being drawn (see above qualified explanation under Q4 comments).</p> <p>A judgement on the sensitivity to change to each typology is made for each landscape unit. However Table 2 is not referred to and even if it were, we have reservations about the criteria used, and the way in which they may have been used, as aforementioned in Q3.</p> <p>Although it is stated that field survey was used to test and refine the findings of the report, it still comes across as a primarily GIS- based desk exercise with little evidence of this “refinement”.</p>	Effects of wind turbines on landscape character are predominantly as a result of visual changes - in this way they are not typical development. We are not aware of any wind turbine sensitivity studies that have assessed landscape and visual sensitivity separately although may have divided their criteria in to landscape and visual criteria whilst acknowledging the overlap.
Sorrel Jones Conservation Officer Gwent Wildlife Trust	Agree	Although we support the overall methodology and the different data sources and criteria used, the weak point in this methodology is that the ultimate judgement on overall sensitivity is subjective. Obviously the judgement is informed by the available information, and made by experts, but this could potentially introduce inconsistency if the methodology is applied elsewhere.	There is no alternative to subjective judgement with regard to wind turbines and landscape impact
Sergio Zappulo Development Manager REG Windpower	Agree	We comment in Q5 in relation to the inclusion of cumulative effects in this section. Otherwise we accept that this section clearly sets out the process undertaken.	See answer above
Phil Ratcliffe Development Planning Officer Rhonda Cynon Taff CBC	Disagree	The methodology omits consideration of the TAN 8 annex D SSA refinement studies, their refined boundaries, and the implications arising from these.	See answer above where consideration of wind farm scale development has been specifically excluded
Q7: Do you agree with the use of professional judgement to determine the most appropriate landscape objectives?			

Respondent	Agree / Disagree / Neither Agree or Disagree	Comment	Response / Proposed Change
Judith Jones Head of Town Planning Merthyr Tydfil CBC	Agree		Noted
Ian Gates Associate Director, Landscape AMEC E&I UK Ltd	Agree	The use of professional judgement is in line with the overarching approach advocated within GLVIA3 and the manner in which the Landscape Objectives are tied into the TAN8 objectives provides a sense of consistency.	Noted
Jeny Rawlings Senior Development Manager Airvolution Energy Ltd	Agree	<p>Yes, in principle we agree with the use of professional judgement to determine landscape objectives, but this must be carried out with the help of stated criteria. With this in mind, we have the following query.</p> <p>Stage 3; Objective 2 states;</p> <p>“Landscape accommodation is applicable to landscapes where the conservation of landscape character and visual amenity has been assessed to be of moderate to high importance”.</p> <p>Presumably this is referring to LANDMAP but there is no cross-reference to this and begs the question, in the context of this report, exactly how is this “importance” assessed and using what criteria?</p>	How the importance is assessed and the criteria used are set out in the susceptibility and value criteria tables

Respondent	Agree / Disagree / Neither Agree or Disagree	Comment	Response / Proposed Change
Sorrel Jones Conservation Officer Gwent Wildlife Trust	Disagree	It is unclear as to why professional judgement is needed as the objectives are very clearly allied to SSAs, Designated Landscapes, and land outside SSAs and Designated Landscapes. It would be simpler to apply the objectives accordingly. As for question 6, using subjective judgement could potentially introduce inconsistency if the methodology is applied elsewhere.	Professional judgement is always required
Sergio Zappulo Development Manager REG Windpower	Agree	The application of professional judgement is appropriate, and is an approach advocated by GLVIA3. However, the three objectives are simply applied to protected landscapes (protection), landscapes outside TAN8 search areas (accommodation), and landscapes within TAN8 search areas (change). The use of professional judgement was presumably quite limited.	Noted
Phil Ratcliffe Development Planning Officer Rhonda Cynon Taff CBC		Question not clear.	
Q8: Do you agree with the Landscape Objectives set for the Heads of the Valleys Area?			
Judith Jones Head of Town Planning Merthyr Tydfil CBC	Agree		Noted

Respondent	Agree / Disagree / Neither Agree or Disagree	Comment	Response / Proposed Change
Ian Gates Associate Director, Landscape AMEC E&I UK Ltd	Neither Agree nor Disagree	Although as stated above it is agreed that linking in the study to TAN8 is beneficial, the reliance upon TAN8 criteria in the determination of Objectives 2 & 3 does have the consequence that the landscape objectives for the landscape units has essentially been pre-determined by the TAN8 study which is nearly a decade old and whose underlying methodology has been subject to criticism and refinement.	We have now emphasised the fact that the study is not aimed at large scale wind farms i.e. those associated with SSAs
Jeny Rawlings Senior Development Manager Airvolution Energy Ltd	Disagree	Stage 3; Objective 2 states; “This objective aims to retain the overall character, quality and integrity of the landscape, whilst accepting that occasional small to medium scale developments may be allowed. Such development may have an effect on the local landscape <i>but should not bring about significant adverse changes in character.</i> ” Does this latter half of the sentence mean throughout the Landscape Unit? Or would localised significant effects be acceptable? This is not clear.	It would depend on the degree of harm
		“Wind turbines should not become either the dominant or the key characteristic of a landscape”. Again is this referring to the whole landscape unit, or is, for example, a two turbine proposal at the extremities of the Unit within which a development is situated and with limited effects elsewhere, likely to be considered acceptable? Again, not clear.	The units have been defined for the purpose of the study so a development at the extremity of the unit could be dominating in an adjacent unit.
Sorrel Jones Conservation Officer Gwent Wildlife Trust	Agree	See Question 7.	Noted

Respondent	Agree / Disagree / Neither Agree or Disagree	Comment	Response / Proposed Change
Sergio Zappulo Development Manager REG Windpower	Neither Agree nor Disagree	The introduction of landscape objectives is to be welcomed and provides a clear means by which the study can be applied to planning decisions. The objectives for protection and change appear appropriate as the end points on a continuum of sensitivity, but accommodation must necessarily incorporate a broader spectrum including some sensitive areas and some less sensitive. The statement that only “occasional small to medium scale developments may be allowed” implies blanket restriction rather than recognising this variability. The statement that “wind turbines should not become either the dominant or the key characteristic” is a more appropriate test to apply, rather than a height-based restriction.	This has been changed as the small to medium did not refer to the typologies
Phil Ratcliffe Development Planning Officer Rhonda Cynon Taff CBC	Disagree	Objective 2 states that only up to occasional medium scale developments may be allowed. This effectively means no windfarms or turbines over 80m to VBT outside SSAs. Whilst desirable in many areas this seems highly restrictive overall.	This has been changed as the small to medium did not refer to the typologies
		Objective 3’ s definition indicate a ‘notable amount of wind turbine developments’. This effectively covers the descriptive range of a landscape with windfarms, a windfarm landscape and a windfarm. All these will occur in an SSA and it is suggested that this should be explained. We also suggest that the definition should be changed to a ‘notable amount of windfarms’. The reason is that in SSAs different rules apply as the areas are under particular pressure. Smaller developments are causing cumulative impact problems between the larger clusters of windfarms which are there to effectively meet the national targets.	We have added a note referring to the SSA studies and changed the definition to windfarms
Q9: Do you agree with the methodology for identifying the indicative landscape capacities?			

Respondent	Agree / Disagree / Neither Agree or Disagree	Comment	Response / Proposed Change
Judith Jones Head of Town Planning Merthyr Tydfil CBC	Agree		Noted
Ian Gates Associate Director, Landscape AMEC E&I UK Ltd	Neither Agree nor Disagree	<p>The four listed criteria are all important in establishing the indicative landscape capacity of each of the 33 LUs. However, once again it is not clear how the four criteria have been balanced in arriving at the final indicative capacity. It is noted that the individual LU sheets contained in Section 4 list the wind farm developments operational, consented or proposed for each LU but it is not apparent how the size of each LU has been taken into consideration. It would be useful if each LU's size in ha were given somewhere on the LU information sheet.</p> <p>It is assumed that the Study is relying upon "<i>professional judgement</i>" in interpreting the information set out on each LU's sheet to determine that LU's indicative landscape capacity but the structure of the study and the LU sheets means that there is inevitably a strong emphasis upon the first bullet point i.e. the landscape and visual susceptibility and landscape value with the other three bullet points considerations being 'bolted on'. Consequently contrary to the indication that the Study seeks to promote, it is heavily based upon the desktop study of the LANDMAP Survey Collector Responses under its 14 headings which as has been established earlier in this response contains a number of weaknesses, contradictions and double counting.</p> <p>This is tacitly acknowledged in another of the caveats that are occasionally inserted into the text; namely in the second paragraph of the second column on page 23 when it is stated that "<i>The indicative landscape capacity helps to identify the type of developments which</i></p>	The study cannot remove the need for a detailed LVIA and the detailed site survey work that should accompany it.

Respondent	Agree / Disagree / Neither Agree or Disagree	Comment	Response / Proposed Change
		<p><i>could be potentially accommodated. However, this does not in itself suggest that all planning applications for the wind turbine development of the typology identified will be appropriate to these areas.</i> It could also be argued that the corollary of this statement may be to suggest that no developments of a typology identified as being above the capacity of an LU will necessarily be inappropriate in that area.</p>	
		<p>With regard to the untitled and un-numbered figure on page 23 it is helpful to note that the Study concludes that landscapes (or LUs) with low sensitivity have the greatest capacity and that these are described as <i>“Typically a landscape with a number of wind turbine developments”</i>. However the Study does not make it clear whether the presence of the wind turbine developments contributes to a landscape’s low sensitivity.</p>	We have reconsider this figure and omitted it
Jeny Rawlings Senior Development Manager Airvolution Energy Ltd	Disagree	See above Comments in Q8.	See response above
Sorrel Jones Conservation Officer Gwent Wildlife Trust	Agree		Noted
Sergio Zappulo Development Manager REG Windpower	Agree	We broadly agree with the approach taken here, which is adequately set out and accords with accepted good practice. The inclusion of existing and consented turbines is a key factor in determining the remaining	Noted

Respondent	Agree / Disagree / Neither Agree or Disagree	Comment	Response / Proposed Change
Phil Ratcliffe Development Planning Officer Rhonda Cynon Taff CBC	Neither Agree nor Disagree	Suggest that the landscape sensitivity left-hand column should indicate <i>higher</i> sensitivity at the top and <i>lower</i> sensitivity at the bottom rather than just high and low which is too definite. Also the threshold definitions should have the same wording as the objectives e.g. Typically a landscape with a notable amount of windfarms- on the bottom right column.	We have omitted this figure
Q10: Do you agree with the assessment of the Landscape Character Baseline?			
Judith Jones Head of Town Planning Merthyr Tydfil CBC	Agree		Noted
Ian Gates Associate Director, Landscape AMEC E&I UK Ltd	Agree	Factual information with no errors identified	Noted
Jeny Rawlings Senior Development Manager Airvolution Energy Ltd	Neither Agree nor Disagree		Noted
Sorrel Jones Conservation Officer Gwent Wildlife Trust	Neither Agree nor Disagree		Noted

Respondent	Agree / Disagree / Neither Agree or Disagree	Comment	Response / Proposed Change
Sergio Zappulo Development Manager REG Windpower	Agree	This is useful background context which summarises the relevant sensitive landscapes of the study area.	Noted
Phil Ratcliffe Development Planning Officer Rhonda Cynon Taff CBC	Disagree	<p>Second paragraph, page 24- 'Millstone Grit' should be substituted with 'Pennant Sandstone'.</p> <p>We suggest that the TAN8 annex D study should be mentioned here if the study ultimately covers this area. The wording could read:</p> <p>TAN8 and Strategic Search Area (SSA) F</p> <p>An Annex D refinement study has been carried out for SSA F including an assessment of landscape sensitivity for technically feasible areas and the definition of a refined SSA boundary. This boundary is shown on figure X in conjunction with the overall SSA boundary. It should be noted that this study has not reviewed the Annex D study or come to a view on its findings. It does not supersede the definition of the refined boundary, or areas of high landscape sensitivity defined in the Annex D study.</p>	<p>Changed</p> <p>Note added to reflect this</p>
Q11: Do you agree with the proposed Landscape Types?			
Judith Jones Head of Town Planning Merthyr Tydfil CBC	Agree		Noted

Respondent	Agree / Disagree / Neither Agree or Disagree	Comment	Response / Proposed Change
Ian Gates Associate Director, Landscape AMEC E&I UK Ltd	Agree	It is agreed that the LANDMAP Visual & Sensory Aspect Level 3 Classification is appropriate.	Noted
Jeny Rawlings Senior Development Manager Airvolution Energy Ltd	Neither Agree nor Disagree		Noted
Sorrel Jones Conservation Officer Gwent Wildlife Trust	Neither Agree nor Disagree		Noted
Sergio Zappulo Development Manager REG Windpower	Agree	We have not examined the proposed landscape types in detail, though they are clearly derived from application of LANDMAP and appear to be appropriate.	Noted
Q12: Do you agree with the proposed Landscape Units?			
Judith Jones Head of Town Planning Merthyr Tydfil CBC	Agree		Noted

Respondent	Agree / Disagree / Neither Agree or Disagree	Comment	Response / Proposed Change
<p>Ian Gates Associate Director, Landscape AMEC E&I UK Ltd</p>	<p>Neither Agree nor Disagree</p>	<p>It remains unclear as to how the LUs were defined. It is not explained in Section 3 or in Section 2 page 11 where they are introduced.</p> <p>These comments are only concerned with the LUs that are relevant to the proposed Pen Bryn Oer Wind Farm which would be located in Caerphilly Borough Council on elevated ground between Tredegar and Rhymney.</p> <p>The boundaries of the most relevant LUs (LU16; LU18; LU19 & LU20) are logical and relate to the boundaries of the LANDMAP VSAs found in this area.</p>	<p>The basis for defining the study units is set out on page 11</p>
<p>Jeny Rawlings Senior Development Manager Airvolution Energy Ltd</p>	<p>Disagree</p>	<p>Landscape Units embody a number of the individual LANDMAP aspect areas (AAs) which can produce potentially misleading and confusing results. For example, Unit 23 (encapsulating the Upland Grazing AA where the Hafod proposals would be located) includes extensive Urban and Amenity AAs which, because of the inclusion of visual criteria in the capacity assessment, results in a much higher sensitivity to turbine development than would be the case if just the Upland Grazing AA was assessed, despite Unit 23 generally being classed as a “medium to large scale landscape” and therefore less sensitive to development. The Unit 23 assessment concludes that it would have “...higher sensitivity to larger development due to the presence of visual receptors and the potential effects on the scale, landform and pattern of the valley”. Considering the proposed development is not within the valley itself and has very little intervisibility with it and that, in our opinion, visual receptivity should not feature in the assessment (see Q6), we would question the relevance and accuracy of this conclusion in respect of Hafod.</p>	<p>The definition of the landscape units has taken into account visual links between adjacent aspect areas. As explained above the key impact of wind turbines on landscape character is as a result of visual change</p>

Respondent	Agree / Disagree / Neither Agree or Disagree	Comment	Response / Proposed Change
Sorrel Jones Conservation Officer Gwent Wildlife Trust	Neither Agree nor Disagree		Noted
Sergio Zappulo Development Manager REG Windpower	Neither Agree nor Disagree	We have not examined the proposed Landscape Units in detail, though they appear to be logical in their definition of discrete areas. We note that most of the units incorporate a selection of landscape types. Landscape sensitivity is generally driven by landscape type, with upland moorland types being generally less sensitive than enclosed valley types, for example. There is likely to be significant variation in landscape sensitivity within those landscape units which include a variety of types. It is important that this variation is recognised in the unit-based evaluations.	Noted. We believe it is addressed. The aspect areas which are discrete types were too small to be useful for a strategic study.
Phil Ratcliffe Development Planning Officer Rhonda Cynon Taff CBC	Neither Agree nor Disagree	Note that the only ridge top which is not a character area, Cefn y Rhondda, lies between the Rhondda Fawr and Rhondda Fach valleys. This is of concern and even if it is physically omitted it must be properly addressed in the descriptions of the 2 adjoining areas. 1: description should include the scarp slopes to the north. 2: description should include the scarp slopes to the south. 3: mention narrow ridge top 4: mention narrow ridge top	Information added in relation to detailed comments below
		12: Merthyr East Valley Side – these are not the earthworks but a large scale coal recovery scheme (Ffos y Fran) which has about a 15 year life span and then will be completely restored. Does this affect any of your conclusions?	No. Still a man-made earthwork in the landscape

Respondent	Comment	Response
Q13: If you have any other comments on the Heads of the Valleys assessments, please use this space to report them.		
Judith Jones Head of Town Planning Merthyr Tydfil CBC	It is recommended that the assessments be tested against previous planning applications and appeals to ascertain whether they are broadly in line with previous decisions.	That is on going
	The assessments should also be updated at appropriate intervals in order to take account of landscape change.	Most sensitivity studies are only updated if major landscape change takes place
	Finally, it should be noted that Planning Policy Wales was revised in July 2014.	Change made
Ian Gates Associate Director, Landscape AMEC E&I UK Ltd	As a general comment on the LU sheets it is not clear what the percentage figures quoted in the tables refer to.	Appendix 4 added to explain this
	Comments are provided on the two LUs: LU18 – Mynydd Bedwellte and Associated Upland and LU19 – Heads of the Valleys Corridor. LU18 - Mynydd Bedwellte This would be the host LU for the three proposed 110m blade tip height turbines at Pen Bryn Oer Wind Farm.	Sentence reworded to say: a very large development comprising three turbines at the northern end of the unit currently in planning.
	Landform – disagree that a broad ridge should be assessed as having a high sensitivity to wind turbine development. If the topography at Bryn Oer Patch were to be reasonably considered to be a plateau as opposed to a broad ridge it would be considered to possess low landscape susceptibility.	This is a matter of professional judgement. VS4 Topographic states 65% hills and valleys which does not suggest plateau. The remainder is high hills/mountains or rolling/undulating. Also the contours do not suggest this is a plateau. The northern end of the unit is broader and it may be argued is more of a hill than a broad ridge but with regard to the unit overall broad ridge is more appropriate.

Respondent	Comment	Response
	<p>Built environment –it is acknowledged that LU18 contains only severely limited built development, although there are two properties in the northern part of the LU. In these circumstances little weight can be given to the response to VS20: use of construction materials. The main comment relates to the Study’s approach of relating low levels of built development with high susceptibility as the corollary is that wind turbines are better sited close to areas with a high level of built development which is likely to mean a large number of visual receptors, probably including a large number of high sensitivity visual receptors. The explanation of this criterion (Page 14) states that “it is concerned with the presence of built structures and human development present in the landscape.” Hence consideration should not be restricted to identifying built development but instead should be extended to fully include indications of human presence. In the case of the northern part of LU18 around the Pen Bryn Oer Wind Farm site the land-use history of the area which has included open cast mining and relatively recent restoration is apparent in landscape and visual terms through the readily discernible presence of restored rough grazing, access tracks and post and wire fencing.</p>	<p>As noted above. The criteria may result in differing susceptibility. The overall judgement is made taking all attributes into account. The detail given in this response is appropriate at detailed LVIA level but not at strategic sensitivity study level. The overriding reason for high susceptibility here is the fact there is little built development and a strong sense of place which could be affected by incongruous development.</p>
	<p>Skylines and setting – it is strongly disputed that the skyline formed by the elevated northern end of LU18 is “distinctive”. There are no cairns present in the northern part. The Cefn Golau Cemetery does not contribute to the skyline (being on the lower side of the Sirhowy Valley and in LU19) and the Cemetery cannot be seen from the Rhymney Valley to the west. Consequently the medium susceptibility assessed for this criterion should be revised to low susceptibility.</p>	<p>Not agreed. The uplands form very distinctive skylines for the valleys that are not dependent on the presence of cairns. Skyline is an important and valued element of the setting of surrounding settlement. Reworded to make clear that the cairns are not necessarily on the skyline. Distinctive open skyline. Cairns and the Cefn Golau cholera cemetery, seen from the valleys on either side. Upland setting for neighbourhood settled valleys.</p>

Respondent	Comment	Response
	<p>Movement – it is reiterated that the level of human access can be assumed to be an accurate proxy for the level of movement. It is disputed that the northern part of LU18 should be described as secluded given the relative proximity of Tredegar, Rhymney and the A465 corridor (with the recently upgraded A465) and if it is accepted that the presence of PRowS is a proxy for the level of movement it should be noted that there is a moderate density of PRowS in the northern part of LU18 as well as a car park and an area of Open Access Land. Hence the high susceptibility assessed for this criterion should be reduced to medium susceptibility.</p>	<p>Currently movement may be visible from this LU but within the LU there is very little movement which give it high susceptibility to the introduction of movement.</p>
	<p>Visibility, key views and vistas – it is reiterated that the attribution of susceptibility for this criterion is counter intuitive: wind farms are overwhelmingly located in open upland locations and such locations are generally favoured by wind farm siting and design guidance. Consequently whilst it is agreed that the northern part of LU18 is open and therefore has extensive outward views, this attribute applies to all upland areas in the Study Area that aren't under forestry. Consequently the assessment that LU18 has a high susceptibility to this criterion is not accepted and should be reduced to medium.</p>	<p>Disagree with the premise. Wind turbines do tend to be located in upland areas but this does not mean that they will always impact on distinctive skylines. Where there is a possibility that they will impact on distinctive skylines there will be an increased susceptibility</p>
	<p>Intervisibility – this is a criterion where a general assessment is of limited value as it will be largely determined by the details of the individual wind farms that are operational, consented or proposed for any LU. As was demonstrated in the ZTV figures that accompanied the LVIA in the Pen Bryn Oer ES, the ZTVs that would be generated by the proposed wind farm would be relatively compact and would not extend as far south as Mynydd Bedwellte itself.</p>	<p>The sensitivity study does not remove the need for a detailed LVIA.</p>
	<p>Views to/from landscape and cultural heritage features – the proposed Pen Bryn Oer Wind Farm would not impact upon views to the west or into the (Sirhowy) Valley from Cefn Golau. The aforementioned ZTVs also show that from the southern part of LU18 the proposed Pen Bryn Oer turbines would not be visible in northern views towards the Brecon Beacons national Park. Consequently the assessed medium landscape susceptibility should be reduced to low landscape susceptibility.</p>	<p>The sensitivity study does not remove the need for a detailed LVIA</p>

Respondent	Comment	Response
	<p>Scenic quality and character – it is acknowledged that the values quoted are extracted from LANDMAP but with regard to the northern part of LU18 it is strongly disputed that scenic quality and integrity should be assessed as high given that a good proportion of the northern part of LU18 has only recently been restored. Consequently the high landscape susceptibility assessment should be downgraded to medium landscape susceptibility.</p>	<p>VS48 Character is 98% high for the area which demonstrates that although VS46 Scenic Quality is 50% high the unit as a whole has merit in terms of its strength of character and has an important role to play in separating development in the valleys east and west along its whole length.</p>
	<p>Remoteness and tranquillity – the description provided for LU18 is not applicable to its northern part around the proposed Pen Bryn Oer Wind Farm. It is disputed that this part of LU18 should be described as “attractive” although the assessment of medium landscape susceptibility for this criterion is accepted.</p>	<p>The sensitivity study does not remove the need for a detailed LVIA</p>
	<p>Landscape value – given that a proportion of the northern part of LU18 is located in an SLA (local landscape designation) it is agreed that a medium landscape susceptibility for this criterion is justifiable. Historic value – given that the land-use history of the northern part of LU18 has been associated with open cast mining and restoration it is not agreed that it should be assessed as high for historic rarity and integrity. Reference to the LANDMAP HLAA database shows that most of the northern part of LU18 including the Pen Bryn Oer site itself is not within an HLAA with an overall evaluation that is high or outstanding. Consequently the high landscape susceptibility for this criterion should not be high but should be reduced to low.</p>	<p>The unit is assessed as a whole because of the role it plays in separating the two valleys and associated development. Impacting on part of this unit will affect the unit as a whole.</p>
	<p>Summary of sensitivity to wind turbine development– with regard to what the typology defines as large and very large wind turbine development the reasons stated for the high assessed landscape sensitivity are weak. They are primarily derived from the two value criteria (thereby supporting the criticism of the methodology that the number of variables used to derive the value component of the sensitivity is too small and therefore results in it being imbalanced and places too much importance upon the historic value which is a weakly assessed criterion) within which the historic criterion is inappropriately assessed. Aside from the disputed high assessment of LU18’s historic value the other stated reason for the LU’s high landscape sensitivity to large or very large wind turbines is that they would be seen from the Brecon Beacons National Park. This reason prompts two comments:</p>	<p>The sensitivity criteria explanations were brief for all units because the evaluation against each criteria provides more detailed explanation. The summary of sensitivity points out key reasons where appropriate.</p>

Respondent	Comment	Response
	<p>Once again the extent of the ZTV within the National Park will be heavily dependent upon the design and location of an individual wind turbine development. With regard to the proposed Pen Bryn Oer Wind Farm, despite its location in the northern part of LU18 i.e. the closest part to the National Park, the landscape assessment in the ES calculated that its blade tip ZTV only covered 5.2% of the total area of the National Park which does not equate to a high score on this criterion;</p>	<p>The sensitivity study does not remove the need for a detailed LVIA. The importance of the impacts on Nationally designated landscapes are not determined by the proportion of the nationally designated landscape affected.</p>
	<p>This is a good example of the problems in the adoption of an unbalanced typology. It remains unclear as to how a reduction in the blade tip height of the proposed wind turbine from 110m (as per Pen Bryn Oer and classified as very large) to 80m (classified as medium) could result in the assessed sensitivity of LU18 dropping from high to low. The reduction in the extent of the ZTV for the same number of turbines at 80m blade tip height within the National Park would be at most a couple of percent less than that for the proposed 110m blade tip height turbines. It is also not agreed that landscape effects upon the National Park would be the same were the proposed wind farm at Pen Bryn Oer to be for 30 turbines of the same height as it is for three turbines yet this is the conclusion that the adopted typology is forced to draw.</p>	<p>Only sensitivity to turbines less than 50m to Blade tip has been assessed as low. Medium turbines have been assessed as low/medium which on reconsidering has been revised to medium The typology has been misunderstood. 30 turbines would result in the same impact and for this reason any development of six turbines or more would be considered very large.</p>
	<p>Landscape Objective – the stated landscape objective is Objective 2: “to maintain the landscape character” which is defined in Table 5 as “accepting that occasional small to medium developments may be allowed.” Consequently the critical issue once again is the distorted typology under which the proposed Pen Bryn Oer Wind Farm is assessed on the basis of it being a “very large” development by virtue of it comprising turbines that are over 109m high. It would still be considered to be “very large” even if it were to be comprised of a single 110m high turbine. The adherence to the typology places too great a restriction on potential wind farm development in LU18. Given the detailed assessment that is provided for LU18 it is not clear why if Pen Bryn Oer were to consist of four 80m high turbines it would be acceptable but because it consists of three (or even one) 110m high turbine it is assessed as being unacceptable. A proposed wind farm consisting of four 80m high turbines in the same location would have similar intervisibility to the north and the National Park; would still be intervisible with other upland LUs and the Sirhowy and Rhymney Valleys; would still impact upon the purported distinctive skyline; would still be visible from the Cefn Golau Cemetery and would have the same, if not greater effect upon the moderate number of PRowS and the open access area.</p>	<p>The wording of the landscape objective has been revised to make it clear that it refers to wind turbine development that is potentially suitable outside SSAs rather than referring to the typologies</p>

Respondent	Comment	Response
	Baseline wind turbine development (March 2014) – the veracity of the Study is bought into question by the fact that it does not mention the proposed Pen Bryn Oer Wind Farm despite the planning application being submitted in the Summer of 2013.	Reference added
	Indicative Overall Capacity – the Study accepts that there is “some capacity for medium scale development” which once again leads to the issue of the way in which the typology is distorting the results of the Study undermining its credibility.	Hopefully the revised typology descriptions will make this clearer
	Guidance on siting – this states that effects upon views from the National Park from the north of LU18 must be considered. The Pen Bryn Oer landscape assessment did assess effects upon the National Park in depth and concluded that landscape effects upon the National Park would not be significant. It should be noted that the National Park did not object to the proposed Pen Bryn Oer wind Farm. Likewise the historic environment assessment concluded that there would be no significant effects upon designated and other cultural heritage features whilst it should be noted that despite extensive consultation on viewpoint selection no consultees considered it necessary for the selection of a viewpoint within or close to Cefn Golau Cemetery. <i>The</i> cumulative assessment considered the potential for sequential cumulative effects in detail (using a accurate cumulative baseline) and concluded that there would be no significant cumulative effects and that there would be visual separation with the other single and two turbine wind turbine developments within 10km. It again should be noted that no objection has been raised on cumulative issues. The visual assessment included all the various groups of residential and recreational visual receptors located in the settlements of Tredegar and Rhymney (as well as many other settlements) and broke these receptors down into much smaller groups and concluded that whilst some residential visual receptors located within 1.5km and a smaller number of recreational receptors within 3km would sustain significant visual effects their numbers were relatively low for a wind turbine development and should be considered to be acceptable. Once again no objections were raised in this regard. The only stated reason for refusal was the effect upon the SLA and this will form the basis of the forthcoming appeal. Given the land-use history and baseline characteristics of the northern part of LU18 it is difficult to accord with the statement that this part of the SLA provides a strong example of natural beauty.	As noted this scheme is going to appeal and these site specific issues will no doubt be considered in detail at the appeal.

Respondent	Comment	Response
	Hence it is concluded that even when assessed against LU18's siting guidance the proposed Pen Bryn Oer Wind Farm accords with at least four of the five criteria. This conclusion must serve to indicate that with regard to LU18 at least the Study is overly restrictive and does not result in a balanced assessment of landscape sensitivity and capacity.	The sensitivity study does not remove the need for a detailed LVIA
	<p>LU19 – Heads of the Valleys Corridor</p> <p>This is located to the immediate north and east of the proposed Pen Bryn Oer Wind Farm which is located in LU18. However a detailed review has been undertaken of the completed assessment sheet for LU19 in accordance with the Study's methodology regarding the inclusion of LUs as set out in the bottom paragraph in the left hand text column on page 11.</p>	
	Landform – the landform is more accurately described as hills and valleys as opposed to undulating and rolling (as is demonstrated in the LU's title). Under the criteria set out for this criterion a hills and valleys type of landform would still be considered as being a landform of high susceptibility to wind turbine development but the veracity of this assertion has already been questioned. Based upon numerous site visits to LU19 it is concluded that a more reasonable assessment would be that LU19's landform possess medium susceptibility to this type of development.	LANDMAP VS4 Topographic - rolling undulating 95%
	Landcover pattern – it is agreed that LU19's landcover pattern is complex with broken patterns and the juxtaposition of different land-uses but overall it is more accurately assessed as having low as opposed to medium landscape susceptibility.	Our professional judgement concluded that the susceptibility was medium because of potential cumulative effects of further change (not wind turbine development) in this corridor.
	Built Environment – the large majority of the Clydach Gorge Registered Historic Landscape is sited outside LU19 and the western end that is within LU19 is outside the proposed Pen Bryn Oer Wind Farm's blade tip ZTV. It remains difficult to understand how the contributory components of this criterion relate to an LU's capacity to accept a wind turbine development e. g. the fact that 51% of the built development in LU19 is apparently considered to be constructed using inappropriate construction materials.	Information has been taken from LANDMAP and the evaluation follows the method agreed with the client group.
	Skyline and setting – agree that LU19 does not possess a distinct skyline and that therefore landscape susceptibility under this criterion is low.	Noted

Respondent	Comment	Response
	<p>Movement – agree that the key landscape role that is played by the recently upgraded A465 ensures that landscape susceptibility under this criterion is low.</p>	<p>Noted</p>
	<p>Visibility, key views and vistas – as LU19 consists primarily of urban development it is more likely that views are generally relatively restricted by nearby built development however on the basis of site visits it is acknowledged that views to the surrounding elevated areas are important hence the medium landscape susceptibility assessment is justified.</p>	<p>Noted</p>
	<p>Intervisibility – on the basis of detailed knowledge of LU19 gained through site visits it is difficult to understand how the LANDMAP derived comments utilised in this response can be helpful in determining landscape susceptibility nor how they can act as a proxy for actual on-site observation for this criterion. This is a good example of where less reliance on LANDMAP and greater emphasis upon the field survey component as set out in the bullet points on page 19 would be helpful. Indeed it is difficult to identify where information gathered during the field survey has been utilised in any of the responses in the LU19 survey sheet.</p>	<p>This sensitivity study does not remove the need for a detailed LVIA. It does highlight where and why there is higher susceptibility.</p>
	<p>Types of Receptors – it is agreed that there are a large number of visual receptors within LU19 but as the response emphasises a good proportion of these are people at their place of work and using the ‘A’ roads, especially the A465. Under GLVIA3 (and early versions of GLVIA) these types of visual receptor are usually accorded lower visual sensitivity in comparison to residential and recreational receptors. It is also worth noting that just taking account of the overall number of potential visual receptors in an LU is an unsophisticated approach even at this strategic level; LVIA authors are aware that in settlements the availability of outward views is frequently restricted by nearby built development and/or vegetation and is influenced by the settlement’s morphology and aspect. Once again the veracity of the Study would be aided were the observations of the field survey component to be utilised in framing the response to this criterion. Consequently the high assessed susceptibility under this criterion is not accepted and should be reduced to medium susceptibility.</p>	<p>Due to the presence of a large number of residential receptors in this LU we feel the susceptibility remains as high. It is clearly within the scope of any individual application to demonstrate (via detailed LVIS) that due to the location chosen there are no significant residential issues.</p>

Respondent	Comment	Response
	Views to/from landscape and cultural; heritage features – given that the main topographical feature of LU19 is a valley and based again on site visits there is only limited intervisibility with the National Park from within LU19, especially once the high level of built development is taken into account (for outward views). With specific regard to the proposed Pen Bryn Oer Wind Farm, its location to the south-west would ensure that its presence would have no effect upon the intervisibility between LU19 and the National Park. Consequently with specific reference to the proposed Pen Bryn Oer Wind Farm the assessed medium landscape susceptibility should be reduced to low landscape susceptibility.	This sensitivity study does not remove the need for a detailed LVIA.
	Scenic quality and character – agree with the assessed low landscape susceptibility.	Noted
	Remoteness and tranquillity - agree with the assessed low landscape susceptibility.	Noted
	Landscape value – given that this is a strategic level study there is little benefit in bringing in site specific sites and features such as Bedwellte Park unless it is in relation to actual field observations (Bedwellte Park is in the midst of Tredegar and contains a high level of mature trees so is unlikely to be affected by wind turbine development and certainly not by the proposed Pen Bryn Oer Wind Farm). The relatively low values quoted for VS50; VS49; LH45; GL31 & GL33 are more indicative of low landscape susceptibility than medium landscape susceptibility.	Specific sites are referenced to ensure that proposals take into account their presence. Not all proposals within an LU are likely to have an impact on the sites identified
	Historic value – again would dispute that the quoted LANDMAP evaluations justify the high assessed landscape susceptibility for this criterion. The use of the Tredegar Conservation Area as a justification is an example of an overly deterministic approach and failure to use the field work to add a degree of realism to the Study to make it more accurate and therefore credible. The Tredegar Conservation Area is focused upon the town centre of an industrial settlement and rather than simply stating that its designation automatically results in high value it would be helpful if some consideration were to be given as to how the presence of wind turbine development elsewhere in LU19 could affect the attributes for which the Conservation Area has been designated.	This sensitivity study does not remove the need for a detailed LVIA.
	Summary of sensitivity to wind turbine development – the Study’s commentary text notes that “although a number of criteria suggest lower or medium sensitivity this area (LU) is densely settled and there will be residential amenity issues which will limit the potential size of wind energy development.” This is a sweeping statement which implies that a high	This sensitivity study does not remove the need for a detailed LVIA.

Respondent	Comment	Response
	<p>settlement density outweighs not just all the other components included in the sensitivity study but also the other factors purportedly included in the Study as listed on pages 19 and 23. It could be argued that the Study is being wilfully naive in implying that a wind turbine development would ever be sited in close proximity to settlements of the size that are found in LU19. Issues such as residential visual amenity have to be assessed on a site by site basis. Even where a wind turbine development is located in moderate proximity to a number of residential properties as is the case with the proposed Pen Bryn Oer Wind Farm, effects upon residential amenity do not necessarily make the wind turbine unacceptable with regard to residential visual amenity.</p>	
	<p>Finally it is again difficult to understand how LU19 would have low assessed sensitivity to a small wind turbine i.e. with a blade tip height of 50m but were the turbine's height to increase to 51m and therefore become a medium wind turbine under the typology, LU19's assessed sensitivity would increase to medium or high.</p>	<p>This sensitivity study does not remove the need for a detailed LVIA. Any development close to the boundary between typologies would be considered against both conclusions.</p>
	<p>Landscape Objective 2: Maintain the landscape character – it is not agreed that this is the correct landscape objective for LU19. In the context of the large amount of change that is taking place in parts of this LU, in particular the recent change associated with the A465 corridor itself, low levels of landscape management; the presence of restored landscapes that are only becoming established and the mosaic of sometimes competing land-uses, the objective should be to encourage suitable landscape change although the landscape objectives have been defined so that this landscape objective can only be applied in an SSA.</p>	<p>TAN 8 has been used to determine the objectives which related to wind turbine development - not other forms of development.</p>
	<p>Indicative Overall Capacity – same comments as provided for this subject for LU18.</p>	

Respondent	Comment	Response
	<p>Guidance on siting – with specific regard to how the proposed Pen Bryn Oer wind Farm would accord with the guidelines for LU19 the following brief comments apply:</p> <ul style="list-style-type: none"> i) Views into and out of National Park – the location of the proposed Pen Bryn Oer Wind Farm to the immediate south-west of LU19 would ensure that its turbines could have no effect upon these views; ii) No development in Clydach Gorge and National Park - the proposed Pen Bryn Oer Wind Farm fully accords with this guidance iii) Maintain natural beauty of SLAs in the area and their special qualities – SLA in LU19 is restricted to its eastern parts therefore the proposed Pen Bryn Or Wind Farm would have minimal effects upon it; iv) Maintain the role of green wedges – as the only green wedge in LU19 is on the eastern side of Tredegar the limited presence of the proposed Pen Bryn Oer Wind Farm would not have an adverse impact upon its purpose and function; v) Bedwellty Park Registered Park and Garden - as noted earlier the Park’s setting and attributes would be unaffected by the proposed Pen Bryn Oer Wind Farm; vi) Tredegar Conservation Area – as noted earlier the Conservation Area’s valued characteristics and setting would not be significantly affected by the highly limited presence of the proposed Pen Bryn Oer Wind Farm in this part of LU19 (as demonstrated by the ZTVs in the LVIA in the June 2013 ES); vii) Protect the settings of designated and other important cultural heritage features and key views to and from these features – not enough information to comment; viii) Avoid cumulative effects with other large scale infrastructure – as set out in the assessment sheet for LU19 there are three other proposed single turbines in LU19 and these were all included in the cumulative assessment contained in the LVIA and ES. No significant cumulative effects were assessed and cumulative landscape and visual effects were not given as a reason for refusal; ix) avoid loss of trees and woodland – no trees or woodland would be lost in LU19 (or any other LU). 	<p>These responses are appropriate in terms of an individual application they are not relevant to the study itself. However, they do indicate how an individual application can be assessed against the criteria identified. We have not reviewed the statements made here with regard to the Pen Bryn Oer wind Farm and cannot say whether the scheme does or does not comply with the criteria.</p>

Respondent	Comment	Response
Sorrel Jones Conservation Officer Gwent Wildlife Trust	<p>We feel that this report performs well in assessing landscape sensitivity, but is less clear in terms of landscape capacity for turbine development. One of the most difficult issues faced by planners is assessing cumulative impacts of development, with turbines being a particularly difficult issue.</p> <p>The assessments generally give an indication of the type of wind turbine development that would be acceptable, but fall short in indicating how much development can be accommodated. It is clear that many individual, small scale turbines can be as damaging as a large scale development, and local authorities urgently need guidance as to where to draw the line. This is particularly important where turbine development have already been approved and built; some developers feel that once one turbine has been accepted, this provides a green light for more. It would be helpful for local authorities to have some guidance to support their decision, should they need to refuse development when landscape capacity has been reached.</p> <p>We strongly advocate an additional step in each assessment to determine an overall capacity for each landscape unit, whereby the acceptable number of developments as well as the typology is considered.</p>	This is not possible and has not been attempted in other sensitivity studies that have been undertaken outside SSA's. Within SSAs a different approach was adopted where the aim was that they should accommodate the maximum possible. This is not the approach outside the SSAs
Sergio Zappulo Development Manager REG Windpower	<p>We have looked in detail at the assessments for Unit 1 and Unit 4, as these are areas in which REG Windpower hold a specific interest. However, based on our review of the document we feel that similar observations may be made in relation to many of the unit assessments.</p> <p>We broadly agree with the assessments in relation to the separate criteria for Landscape Unit 1. However, the overall conclusion for sensitivity to 'Very Large' wind turbines states: "Medium - high sensitivity to very large development on account of historic value and presence of existing large scale wind farm". The assessment elsewhere (including in the assessments for built environment and movement) notes that the presence of wind turbines reduces susceptibility; this seems logical. It is therefore not clear why or how the presence of turbines increases overall sensitivity in this unit (see our comments on Q5).</p>	It is commonly accepted that whilst existing turbine development may reduce sensitivity it also has the potential to increase sensitivity due to the potential for cumulative impacts.

Respondent	Comment	Response
	The section on Landscape Capacity is less clear. The 'Baseline wind turbine development' includes the Abergorki 3-turbine scheme (in planning), whereas the approach to the assessment only refers to operation and consented schemes being considered. It is not clear how this scheme influences overall capacity: i.e. does the assessment of capacity consider the capacity of the unit over and above Abergorki, or without Abergorki?	Abergorki is mentioned for information even though it is not yet consented. Any developer proposing development in this unit would have to be aware of the proposed scheme at Abergorki because if it is consented and built it will reduce the capacity for wind turbine development in this unit.
	It is not clear how the conclusions of 'Indicative overall capacity' have been reached. The conclusion explains that it is possible that there is little capacity in the northern extent due to developments which are consented but not yet built. However, it does not explain why this is the case for the remainder of the unit. It also states that there is limited capacity for large or very large scale development – this is despite the sensitivity assessment concluding different sensitivities for these two scales of development – a medium sensitivity to large turbines, and a medium-high sensitivity to very large turbines.	Sensitivity and capacity do not correspond directly and the limited capacity of the unit relates to the fact that there is already a large amount of development in the SSA in the unit.
	The indicative overall capacity does not make clear the influence of TAN8 SSA F which covers 78% of the area. The landscape objective is to accept landscape change within the SSA – but the overall capacity suggests there is limited capacity for large or very large scale development.	The SSA designation does not influence sensitivity but does indicate acceptance of landscape change within the SSA. This study is not concerned with development within the SSA. Outside the SSA the objective is to maintain landscape character.
	We note the final point within the guidance on siting - that proposals should appear separate from existing large scale wind farms. However, we consider this should be expanded to include, alternatively, siting proposed wind farms so that they form a logical and natural extension to existing wind farms.	Not appropriate as this study is not concerned with 'wind farms' that may be proposed for the SSA
	For Unit 4 the Summary of Sensitivity states that landform, built environment, sensitive receptors and historic value contribute to "high landscape sensitivity" to large and very large development. However, the adjacent coloured boxes seem to rate these as medium- high.	Wording changed to medium-high to reflect the assessment

Respondent	Comment	Response
	The indicative overall capacity for Unit 4 could be written more clearly to distinguish between the area within the SSA and the area outside the SSA.	Wording has been changed to make this clearer
Phil Ratcliffe Development Planning Officer Rhonda Cynon Taff CBC	Landscape Unit 1: Landform- should note that plateau less sensitive but areas close to and on scarp slopes/dramatic landforms are very sensitive.	Wording amended
	Skylines and settings- as above.	Wording amended
	Visibility etc.- there are two scenic viewpoints, at Craig y Llyn and Bwlch y Clawdd, which should be mentioned.	Reference to viewpoints added
	Summary of sensitivity- this appears to suggest that medium or large turbines can be accommodated in the area just because very large development can be accommodated. Our experience with various planning applications have shown that these will appear awkward or incongruous in relation to the existing large scale windfarms in the area or visually link them together potentially resulting in complete visual coverage of the whole SSA and its surrounds. We suggest that this should be properly addressed and discouraged. We suggest that these should also be medium to high in sensitivity and text should address the issue in the additional comments and in the guidance on siting in the landscape capacity/guidance.	The issue with regard to potential cumulative impacts where large schemes are seen with smaller development is addressed elsewhere in the study
	Other susceptible landscape... Features- these should include dramatic glacial landforms	Wording amended
	Baseline turbine development- spellings incorrect	Spellings amended
	Indicative overall capacity- suggest that 2 nd sentence should read: <i>'Although the sensitivity to medium to very large scale development ranges from medium to high it is possible that due to the scale and extent of development consented and constructed that this unit has little capacity left for further development.'</i>	Wording amended as suggested
	Guidance on siting- suggest add: Large scale development should be located in the TAN 8 SSA F refined areas .	Wording amended
	<i>'Avoid siting single/double turbines where they can be seen in juxtaposition with large scale developments, or where they may visually link large scale developments.'</i>	Wording amended as suggested

Respondent	Comment	Response
	Landscape Unit 2: Scale is actually medium and large – LANDMAP is wrong	Percentage for medium – vast 21%, large 30% Medium 49%
	Landform – add to first sentence ‘with dramatic glaciated landforms’.	Wording amended as suggested
	Landcover pattern – the fieldscapes east of Rhigos are actually reclaimed to very high standard- this should be acknowledged so that the medium susceptibility still takes this into account.	Reference to high standard of reclamation added
	Skylines and settings- the distinctive skyline of Hirwaun Common should be stated as being very sensitive.	Reference to the distinctive skyline of Hirwaun Common added
	Summary of sensitivity – medium and large and very large- should mention sensitivity in the relationship with the scarp slope as well.	Wording amended
	Indicative overall capacity- the proximity of medium, large and very large scale development to the scarp slope, and the juxtaposition with the larger scale development to the south are also issues.	Wording amended
	Landscape unit 3: Landform should mention narrow Cefn Rhondda ridge top.	Wording amended
	Intervisibility etc. – built form in the Valley bottom <i>sometimes</i> restricts views.... Also note views over the area from Bwlch y Clawdd viewpoint to the west .	Wording amended
	Summary sensitivity- large/very large turbines – add ‘and association of the very large windfarm typology with the coalfield plateau, not the valley’.	Wording amended
	Guidance on siting- amend first sentence-‘ large scale development should be located in the TAN 8 SSA F refined areas .	Wording amended
	Add : Consider cumulative effects of development on both sides of the Valley to avoid ‘surrounding’ settlement with development.	Wording amended
	Avoid siting wind turbines on... add Graig Fach after Graig Fawr...	Wording amended
	Great care is needed on Cefn y Rhondda and associated ridgeline due to its sensitive narrow character and the existing prominent development.	Wording amended
	<i>Add-</i> Avoid siting single/double turbines where they can be seen in juxtaposition with existing large and very large developments, or where they may visually link those developments.’	Wording amended

Respondent	Comment	Response
	<p>Landscape unit 4: Indicative overall capacity- first sentence should read: 'The focus within TAN 8 SSA F and its refined areas is on strategic scale windfarms. Second sentence should read 'the area in and around this area is already developed an overall remaining capacity is very limited'</p>	Wording amended
	Guidance on siting – Great care is needed on Cefn y Rhondda and associated ridgeline due to its sensitive narrow character and the existing prominent development.	Wording amended
	<p>Landscape unit 5: Summary of sensitivity – suggest that large should also be medium high. 'Proximity to, and intervisibility with, valleys' should also be mentioned in this and the very large turbine comments.</p>	Sensitivity has not been changed but reference to valleys added
	Note that sensitivity to large turbines is low on the map- which is hopefully incorrect.	Plan amended
	Baseline wind turbine development- note that the area is outside the TAN8 annex D study refined area.	Reference to the refined area added
	Indicative overall capacity – suggest that just states that the capacity of the area is limited where there is intervisibility with the adjacent valleys.	Wording amended
	Guidance on siting – omit first sentence starting 'larger scale development...'	Wording amended
	<p>Landscape unit 8: Guidance on siting – 5th bullet – substitute significant adverse for overbearing.</p>	Wording amended
<p>Q14: What status should Landscape Sensitivity and Capacity Assessments have? Should they be adopted as Supplementary Planning Guidance by Local Planning Authorities?</p>		
Judith Jones Head of Town Planning Merthyr Tydfil CBC	The Landscape Sensitivity and Capacity Assessments have the potential to be adopted as supplementary planning guidance within Merthyr Tydfil as they provide advice on landscape capacity and guidance on the siting of wind turbines which is linked to the landscape related criteria within LDP Policies BW5 and TB7. The Local Development Plan Manual does however state that an SPG should not be used to determine the appropriate type, scale and level of development for particular sites (paragraph 7.3.5). Can the <i>indicative overall capacity</i> findings be interpreted as doing this?	The indicative overall capacity findings do not relate to specific sites

Respondent	Comment	Response
Peter Seaman Chairman Campaign for the Protection of Rural Wales (CPRW)	1. This is a highly specialised study of one part of Wales	
	We are not professional landscape consultants and do not think we have sufficient expertise to comment in detail on the methodology used.	Noted
	Without detailed knowledge of the area, it is difficult to comment on whether the precise findings accord with the public understanding of landscape value and capacity. However we welcome the general advice and methodology, and the clear presentation of capacity in relation to different turbine sizes. We also endorse the emphasis on the role of unbiased professional judgement of experienced landscape architects.	Noted
	2. Extension to other parts of Wales	
	A stated aim is to achieve consistency across local authorities when considering applications for single or multiple applications which fall short of “wind farms”. If this is to be extended beyond the pilot area, it would obviously be desirable for the capacity studies to performed by the same team, or at least by applying the same principles with the same care and similar balance of professional judgement. This is particularly important since the Heads of Valleys region is very different from other areas of Wales which may, for instance, rely more heavily on outdoor pursuits and rural tourism for regeneration.	Noted
	In as much as the capacity study protects landscape from inappropriate development and sites development as sensitively as possible, it is right that all LPAs have similar protection. This is both because impacts will be experienced across LPA boundaries and because curbs on irresponsible development in one area of Wales will inevitably divert wind turbine development to anywhere regarded as more permissive.	Noted
	However, we fear that, in practice, motivation and cost could prevent extension to the detriment of poorer, less populated rural areas whose LPAs may remain without any such assessment. Perhaps worse, some LPAs may end up with less objective, sensitive and discriminating capacity studies incorporating vested interests of Developers.	Noted
	3. Reaching Capacity and Feed-back Effect of Turbine Development.	

Respondent	Comment	Response
	<p>Although it is beyond the remit of this guidance, it is unclear whether “capacity” can be reached and, if so, how this will be decided. This will depend upon planning decisions about whether areas with wind turbines are regarded as having a changed “wind turbine” character and can thus “accept” more turbines or whether there is a threshold of cumulative impact of existing turbines which becomes a bar to any more. The capacity assessment assumes that industrialised, populated areas are more suitable for new construction and, if this principle is applied to wind-turbines, turbine construction will have a positive feedback on future development and capacity studies will only have a very limited impact in landscape protection. Similarly, we do not know whether capacity studies done at a future date would prove more restrictive or more permissive. Wind turbine siting is caught in this inherent ambiguity because developers tend to choose prominent skylines in tranquil, sparsely populated rural areas without any vertical buildings over 15m – precisely those areas deemed most vulnerable in the LANDMAP-based capacity assessment. It remains to be seen how the present capacity study will be applied and whether there is a planning will to protect any of these areas lying outside National Parks and AONBs from small and medium wind development.</p>	Noted
	<p>The Campaign for the Protection of Rural Wales (CPRW) established in 1928 is Wales’ foremost countryside Charity. Through its work as an environmental watchdog it aims to secure the protection and improvement of the rural landscape, environment and the well being of those living in the rural areas of Wales</p>	Noted
<p>Sorrel Jones Conservation Officer Gwent Wildlife Trust</p>	<p>We believe that these assessments should be adopted as SPG to ensure that they are used as guidance by developers and Planning Authorities. Adoption will also help to raise overall awareness of landscape sensitivity. This guidance, together with the forthcoming <i>Planning Guidance for Wind Turbine Development: Landscape and Visual Impact Assessment Requirements</i> will help developers to select appropriate locations for turbines, and also help to protect sensitive and valued landscapes.</p>	Noted

Respondent	Comment	Response
Phil Ratcliffe Development Planning Officer Rhonda Cynon Taff CBC	Should not be as SPG in RCT until the SSA issues are resolved. It would be helpful to have this status elsewhere (outside SSAs).	Noted
	Additional Comments	
	SECTION 5: GUIDANCE FOR WIND ENERGY DEVELOPMENT 5 th para page 164- suggest for sentence should read 'No settlements should have the sense of being surrounded by wind turbines, such as developments on both sides of a valley'.	Amended
	Turbine size and scale- the '50% higher' rule would mean that most turbines near buildings should not be higher than 12m tall which seems rather restrictive.	Amended
	Factors relating to location – landscape character- topography – suggest sentence is amended to read 'turbines can dominate the landform if not carefully sited'.	Amended
	Factors relating to siting – Filling in gaps between clusters of wind turbines- suggest entire text should read: Where there are large scale windfarms in an area, the introduction of single or double turbines between clusters can create visual links between developments. There is also potential for incongruous juxtapositions between the different scales of developments. Therefore, where site analysis indicates that maintaining visual separation between and around windfarm clusters is desirable, the gap between developments should be maintained.	Amended
APPENDIX 2 REFERENCE DOCUMENTS SNH visual representation of windfarms guidance should be updated to 2014. Consequently the Highland Council standards should be deleted, as this has influenced the revised SNH guidance.	SNH guidance updated but reference to Highlands Standards retained. Neither of these are proscriptive in Wales and the Highlands council standards are well suited to smaller scale development	

Respondent	Comment	Response
	<p>APPENDIX 3 BASELINE INFORMATION</p> <p>Add: Consortium of South Wales Valleys Authorities (2006): TAN8 annex D refinement study for strategic search areas E and F: South Wales valleys. Prepared by Arup.</p>	<p>Added to reference documents</p>

This page is intentionally left blank

**CAERPHELLY COUNTY BOROUGH SMALLER SCALE WIND TURBINE
DEVELOPMENT: LANDSCAPE SENSITIVITY AND CAPACITY STUDY**

Report of Consultation

1 Introduction

- 1.1 In line with the Council's agreed procedure for the preparation of Supplementary Planning Guidance (SPG), Smaller Scale Wind Turbine Development: Landscape Sensitivity and Capacity Study was subject to a 6-week public consultation between 26 August 2015 and 6 October 2015.
- 1.2 The consultation was undertaken using the following methods:
- Emails sent to key stakeholders including those that had been consulted as part of the wider 'Heads of the Valleys Smaller Wind Turbine Development' document;
 - Letters sent to Community Councils;
 - Letters sent to all neighbouring authorities and Elected Members;
 - Statutory notice placed in the Caerphilly Observer on 20 August 2015;
 - CD copies of the document made available for public inspection at all local libraries and Customer Service Centres in the County Borough and at the Council Offices at Pontllanfraith House;
 - The document was available to view electronically on the Council website.
- 1.3 A total of 4 responses were received from the following external consultees:
- Natural Resources Wales (NRW);
 - AJA Associates;
 - LDA Design; and
 - NATS Ltd; and

Letters were also received from the Coal Authority, stating that they had no comments to make on the SPG document.

Appendix 1: Summary of Responses

	AJ Associated	Disagree	SLA Boundary
--	---------------	----------	--------------

Summary Of Representation

Previously made representations on behalf of Bryn Quarry Ltd relating to the SLA designation in the Adopted LDP. Believe the SLA boundary should be drawn 1.5km north as the land between the two roads (A472 and B4254) are areas of a LANDMAP values.

Officer Response

All SLA boundaries are to be reviewed as part of the Replacement LDP. In addition, each application and LVIA will be judged on a case by case basis.

Recommendation

No change

	AJ Associated	Disagree	Inconsistencies in LU1 designation
--	---------------	----------	------------------------------------

Summary Of Representation

The boundaries of LU1 reflect many of the SLA boundaries, and like the SLA's it is far from being a homogenous area in terms of landscape character or sensitivity. These Landscape Units are strongly based upon the underlying LANDMAP Visual and Sensory [V&S] data. We observe that there are 5 different V&S aspect areas within LU1, the largest being CYNONVS143 classified as Hillside and Scarp Slope Mosaic [that Bryn Quarry itself lies within]. However, the remaining area [approximately 15%] includes V&S areas classified as upland grazing, urban and village, each with different sets of landscape and visual susceptibility criteria – they also differ greatly in overall evaluation, from Low to High. This is mirrored in other LANDMAP Aspects. Concern is expressed that these smaller aspect areas potentially skew the data, which results in a higher overall assessment of sensitivity to wind energy development.

Officer Response

The boundaries for LU1 have been established along the same lines as those units defined for the Heads of the Valleys study. The Landscape units are not landscape characters or types, but were determined taking account of place, landform, topography, indivisibility and receptors and were refined using local knowledge. In addition, the study cannot remove the need for a detailed LVIA and the detailed site survey work that should accompany it. Any variations in the landscape will be addressed as part of the specific LVIA.

Recommendation

No change

	AJ Associated	Disagree	Disagrees with sensitivity area in LU1
--	---------------	----------	--

Summary Of Representation

There are indications that there are also areas of lower sensitivity. Believe criteria has been assessed too highly and the land at Bryn quarry should quantify as a 'Low' sensitivity area.

Officer Response

The assessment criteria for all of the landscape units has already been established in the Heads of the Valleys study.

Recommendation

No change

	AJ Associated	Disagree	Disagrees with capacity assessment of LU1
--	---------------	----------	---

Summary Of Representation

Under 'Indicative overall capacity', draft document indicates that there is some capacity for medium scale development and limited capacity for large scale development. However, believe that there is potential land in the vicinity of Bryn Quarry which may well meet the criteria and would be suitable for medium and large scale wind energy developments.

Officer Response

The study cannot remove the need for a detailed LVIA and the detailed site survey work that should accompany it. Should it be deemed suitable for the applicants to wish to place large scale wind turbines in the area, the detailed LVIA will take this into account. Each application will be judged on a case by case basis.

Recommendation

No change

	Coal authority		Comment
--	----------------	--	---------

Summary Of Representation

No specific comments to make.

Officer Response

Noted

Recommendation

Noted

	LDA Design	Disagree	Larger set of criteria used in this landscape sensitivity
--	------------	----------	---

Summary Of Representation

Compared to most sensitivity and capacity studies, this uses a larger set of criteria. This could be an advantage except that there is perhaps not enough attention paid to how the criteria interact, and whether the combination and scoring of criteria has unduly affected the results. For instance – a small scale landscape with more complex landform (both rated as higher susceptibility) will nearly always have a high degree of enclosure (rated as low susceptibility). A landscape with more movement because it hosts a major road corridor (lower susceptibility), will nearly always have more visual receptors (higher susceptibility) and lack remoteness and tranquillity (lower susceptibility). The study also appears to place equal weighting on each criterion. In particular this is questionable in respect of the weighting of the three value criteria. LANDMAP has a bias in reporting most areas (nationwide) as being of High or Outstanding historic value; and a similar, though less pronounced, bias in terms of cultural value. This combination of using some ‘competing’ criteria, and other criteria with an inherent bias towards higher values will tend to produce results in which values tend to medium (as a result of the competing criteria), and perhaps higher (as a result of the criteria with a higher bias).

Officer Response

LANDMAP Data was used to provide a consistent, independently verified description of the characteristics of the landscape. The study recognises that there are different receptors, and that different susceptibilities will apply. Whilst it may be perceived that some areas fair better than others, it needs to be remembered that a detailed LVIA will need to take place before a formal planning decision is made on each site.

Recommendation

No change

	LDA Design	Disagree	Requirement of development sizes needed.
--	------------	----------	--

Summary Of Representation

There is a wealth of detail in terms of the analysis of the various susceptibility criteria, but very little in the consideration of suitable development sizes – both in terms of the explanation of the methodology, and in terms of the analysis for each landscape unit. There seems to be a default assumption that all landscapes must have at least Medium-High sensitivity to the Large and Very Large scale of development. It is clear that this is a policy-based assumption (page 6 table 1) – i.e. that such developments are only appropriate within SSAs. Using this as a guiding assumption colours the entire study – instead of being a landscape-led study to which policy is applied, it is a policy-led study. The contrast between the clear, traceable, and analytical approach to the susceptibility and value criteria; and the ‘present the answer’ approach of the capacity and sizing guidance undermines the capacity and sizing recommendations and suggests an inherent assumption that larger developments are intrinsically unacceptable.

Officer Response

Development sizes will be taken account of in a case by case basis. The purpose of the report was to provide guidance on the landscapes, not on the exact scale, form and location of the wind turbines to be placed in the locality.

Recommendation

No change

	NRW	Comment	Clarification
--	-----	---------	---------------

Summary Of Representation

Understand the title of the Heads of the Valleys study to be 'Wind Turbine Development' rather than 'Smaller Scale Wind Turbine Development' and suggest the titles reflect each other, for consistency.

Officer Response

The title of the Heads of the Valleys document is 'Smaller Scale Wind Turbine Development: Landscape Sensitivity and Capacity study'. The decision was taken to add 'smaller scale' to differentiate the SSA wind turbines defined under TAN8.

Recommendation

No change

	NRW	Comment	Clarification
--	-----	---------	---------------

Summary Of Representation

Section 6 Fig. 03. It is not very easy to distinguish between the colours of Historic Parks & Gardens Essential Setting and Special Landscape Areas.

Officer Response

Noted. This follows the designations in the Local Development Plan.

Recommendation

Colours to be amended in final document.

	NRW	Comment	Clarification
--	-----	---------	---------------

Summary Of Representation

Fig. 04. Is there a definition of Open Country?

Officer Response

As a result of the 2000 CROW Act, all authorities in England and Wales needed to map areas of Open Country. As this document is intended to be read and implemented by professionals, there is an assumed knowledge to the CROW. Part 1(2) of the CROW stipulates Open Country to mean land which—

(a) appears to the appropriate countryside body to consist wholly or predominantly of mountain, moor, heath or down, and (b) is not registered common land. As this definition is enshrined in law, there is no need to repeat it within the maps.

Recommendation

No change.

	NRW	Comment	Clarification
--	-----	---------	---------------

Summary Of Representation

Fig. 05. It would be useful to have a plan showing related units to ones adjacent in the Heads of the Valleys study.

Officer Response

Yes. This will all be pulled into one document for consideration to Full Council.

Recommendation

Noted.

	NRW	Comment	Clarification
--	-----	---------	---------------

Summary Of Representation

Fig. 06 & 07. The picture with regards to operational, consented, in planning has changed since Nov 14. The study may need to refer to the base line of Nov 14 in its findings, but should acknowledge the changing baseline in the publication, with perhaps a map at a fixed date or link to the Blaenau Gwent cumulative mapping website.

Officer Response

Noted. This will be included and updated in the final document.

Recommendation

Noted.

	NRW	Comment	Clarification
--	-----	---------	---------------

Summary Of Representation

Fig. 11. shows a high sensitivity to large turbines for Unit 9 and Fig.12 shows a medium-high sensitivity to very large turbines for Unit 9, whereas the text indicates no capacity for very large and some capacity for large and medium turbines. Is this correct?

Officer Response

This is an error. Figure 11 should show medium-high sensitivity to large turbines for Unit 9 and Figure 12 should show high sensitivity to very large turbines for Unit 9

Recommendation

Amend Figures accordingly.

	NRW	Comment	Clarification
--	-----	---------	---------------

Summary Of Representation

Is there a case for dividing Unit 1? It includes part of the Gelligaer Common Registered Historic Landscape, an area significant historically and different to other parts of the unit, which is quite large.

Officer Response

The boundaries for LU1 have been established along the same lines as those units defined for the Heads of the Valleys study. The Landscape units are not landscape characters or types, but were determined taking account of place, landform, topography, intervisibility and receptors and were refined using local knowledge. No change required as any anomalies within landscape units will be picked up through individual LVIAs.

Recommendation

No change.

	NRW	Comment	Clarification
--	-----	---------	---------------

Summary Of Representation

Is there an LDP relevant policy regarding cultural heritage (including Registered Landscapes) that would be worth referring to?

Officer Response

Noted. This will be included and updated in the final document.

Recommendation

Noted. Document will be amended.

	NRW	Comment	
--	-----	---------	--

Summary Of Representation

Unit 1. There are views across Gelligaer Common and from Gelligaer Common across the area. Question whether this should be high susceptibility, due to the Registered Landscape and presence of SAMs. The adjoining Unit 13 in the Heads of the Valleys study has this as high susceptibility. Should the sensitivity to large scale turbines be high, the text comment says they would be out of scale with the unit and visually prominent?

Officer Response

This is an error in the document. The sensitivity for Unit 1 to large scale turbines should be increased to high.

Recommendation

Amend the sensitivity for Unit 1 to large scale turbines to High.

This page is intentionally left blank



CABINET – 20TH JANUARY 2016

**SUBJECT: VISIT WALES ERDF PROJECTS – THE MON & BREC CANAL
ADVENTURE TRIANGLE**

REPORT BY: CORPORATE DIRECTOR - COMMUNITIES

1. PURPOSE OF REPORT

- 1.1 The new EU programmes were launched in Wales in November 2014. For some time before then, a range of proposals from Welsh Government and other bidders were under development and several have been approved now, with others at an advanced business planning stage.
- 1.2 This report focuses on the ERDF capital infrastructure operations – specifically those being developed as regional destination management priorities and led by Visit Wales. Three individual projects have been developed for the South East Wales region via the Destination Management Group (formerly the Tourism Sub-group of the South East Wales Directors of Environment and Regeneration (SEWDER) and these include one for the Mon and Brec Canal.
- 1.3 This proposal was considered and endorsed by CMT on 26th November. Since then, Visit Wales announced that the amount of ERDF funding available for the Mon & Brec Canal project has been reduced from £3.5m to £2.0m (a reduction from £1.75m to £1.0m for the Caerphilly elements). Therefore, this report has updated the financial package and the activities accordingly.

2. SUMMARY

- 2.1 Visit Wales is leading on a proposal for ERDF funding, entitled “Attractor Destinations”, designed to “...deliver a small number of regionally prioritised strategic tourism infrastructure projects that will help raise the quality and perception of destinations in Wales and encourage business investment and employment growth within the tourism sector in the region.” (source – WEFO website, see link at bottom of this report).
- 2.2 One of the identified priority destinations (via a scoring mechanism designed by the Destination Management Group) is the Mon & Brec Canal and during the past year, officers from Caerphilly and Torfaen have collaborated to develop a suitable proposal. These efforts have progressed to the point where it is approaching consideration for approval and the financial package now needs to be considered and endorsed by Caerphilly County Borough Council.
- 2.3 Financial details are set out in Section 6 of this report and include anticipated contributions from ERDF (see comment in paragraph 1.3 above), WG Targeted Match Funding (TMF), Natural Resources Wales and from Caerphilly County Borough Council.

3. LINKS TO STRATEGY

- 3.1 European funded projects contribute directly to the priorities and activities set out in “People, Business, Places”, Caerphilly’s Regeneration Framework and Action Plan and also links directly to the priorities set out in “Caerphilly Delivers”, the Single Integrated Plan. The Mon & Brec Canal proposal also directly relates to the Canal Action Plan, which was endorsed by Regeneration Scrutiny and CMT in mid-2015.
- 3.2 The proposal forms an integral element of a Destination Development Activity Hub in the eastern part of the County Borough, as identified in the emerging Destination Management Plan.

4. THE REPORT

- 4.1 During the past two years, a subgroup of SEWDER has worked to develop regional tourism proposals for ERDF support. This group, now known as the Destination Management Group, identified three priority destinations for SE Wales, which have been endorsed by SEWDER:
- Mon & Brec Canal
 - Rock UK (an outdoor activity centre in Bedlinog)
 - Porthcawl Harbour.
- 4.2 These destinations now form part of the umbrella Visit Wales proposal, which is at an advanced business planning stage with WEFO. Informed by EU guidance and the limited funding pot available, the three proposals are bidding for a share of approximately £7m ERDF and a very small (as yet unspecified) amount of WG Targeted Match Funding (TMF). A project with total costs of approximately £5m has been developed for the Canal, with Caerphilly’s elements totalling circa £1.874m.
- 4.3 The Caerphilly part of the proposal focuses on the upper section of what is known as the Crumlin Arm of the Canal (between Cwmcarn and Pontywaun – see map attached at Appendix 1). It comprises of the following elements, which have been developed between a number of teams, working together to develop a collaborative series of projects that benefit the tourism/leisure offer and also seek improvements to the canal structure itself:
- Restoration of the aqueduct at Cwmcarn
 - Improvements to the access road and arrival experience to Cwmcarn Visitor Centre
 - Work on canal boundary walls between Cwmcarn and Pontywaun
 - Landscaping and enhancement works to the entrance of the Forest Drive
 - Green cycle route improving linkages between the Canal and the Forest Drive
 - An outdoor recreational play area at the Visitor Centre
 - Access works at the entrance to the proposed private sector Zipwire attraction
 - Work on the existing car park at Twmbarlwm, minor car park works, reinstatement of motorbike damage and pedestrian links to the Visitor Centre
 - Construction of a new turning circle (winding hole) for the Canal near the entrance to the Forest Drive
 - A new car park, way-marking along routes and path link to the forest gate at the northwest corner of the common
 - Cycle route enhancements, linking the ‘Twrch’ and ‘Cafal’ cycle trails at Cwmcarn Forest Drive
 - Installation of a storage facility for canoes and bike equipment, along with a cycle hire facility
 - New car parking spaces at the Pit Wheel within Cwmcarn Forest Drive.
- 4.4 Clearly, this proposal encompasses developments in the vicinity as well as directly on the Canal – a holistic view has been adopted to develop the tourism offering in a part of the region being described here as the Mon & Brec Canal Adventure Triangle. Furthermore, restoration

of the Canal to full navigation along the Crumlin Arm would considerably exceed the available funding, so this proposal seeks to remove just one of the blockages.

- 4.5 In terms of outputs, it is acknowledged that tourism proposals do not generally create jobs to the level expected by other infrastructure investments, but they do have a significant local impact in terms of increased visitor numbers and improving the attractiveness and appeal of the area. Clearly, any increase in visitor numbers will lead to an increase in income at the Visitor Centre and car park. In addition, the Crumlin Arm runs adjacent to a local school and to a Communities first area (Ty Sign) and improvements in this area would have social and educational benefits. The anticipated outputs for this proposal are set out in the following table:

Programme Specific Outputs	Anticipated Achievement
Gross Jobs Created	5
Associated Jobs	0
Premises Created/refurbished (SQM)	300
Jobs Accommodated	1
Land Developed (HA)	1.3
Footway or Cycleway Created or reconstructed (KM)	29
Additional Tourism Visitors	35000
Project Specific Outputs	Anticipated Achievement
Land Improved or Protected (HA)	1691
Number of SINC protected/improved	6
New Access Routes Created or Improved (KM)	5
Interpretation Implemented	6 panels
Number of Access Control measures implemented	3
Schools Engaged	3
Volunteers Trained	25
Length of Boundary Restored (M)	200
No. of Car Parks created or restored	1
Volunteer days p/a	90
No of DDA Projects	1
Number of recreational facilities created	3

- 4.6 A financial profile and potential sources are set out in Section 6 of this report. It should be noted that, in recognition of budgetary constraints, officers have aimed to link this proposal to existing budgets and activities, primarily within the Engineering and Countryside teams.

5. EQUALITIES IMPLICATIONS

- 5.1 Equalities is a cross cutting theme for EU funding and each project must address this according to each theme. The planned investments inherent in the EU Funding programmes will however benefit many different groups in the community.

6. FINANCIAL IMPLICATIONS

- 6.1 A full project cost profile is attached as Appendix 2. The proposal is for a five year project, commencing in January 2016. The total cost for the Caerphilly elements is £1,874,107, including a contribution to Caerphilly County Borough Council staffing.

- 6.2 This report seeks approval to utilise proportions of the Engineering and Countryside indicative capital budgets. A total of £441,000 is proposed from Engineering (£229,000 in the current year and a further £212,000 in 2016-17).
- 6.3 The capital budget for this year has already been secured and is dedicated to essential canal restoration work in accordance with CADW requirements on the aqueduct in Cwmcarn. It is worth noting that this work forms part of the overall package of proposals being submitted to Visit Wales. In a similar vein, in 2016-17, it is proposed that a budget of £212,000 be secured for the project, primarily as a contribution to the programmed restoration of boundary walls and lining works, also included as a distinct project within the Visit Wales submission. In this way, the Council's obligations to maintain the Canal will be met, whilst at the same time the monies dedicated to it will help in contributing the match to this wider programme of investment.
- 6.4 In short, the Council's core capital allocation will be used for programmed improvement works along the northern part of the canal and will also act as the Council's match-funding source to unlock European and Welsh Government monies for other complementary projects.
- 6.5 The Countryside contribution of £60,000 over a four year period does not actually come directly from Caerphilly County Borough Council budgets. The Countryside and Landscape Team has secured funding from Natural Resources Wales (NRW) and the objectives for this funding dovetail with the project elements at Mynydd Maen.
- 6.6 The annual breakdown is set out at the bottom of the profile at Appendix 2. In summary, the proposed sources of funding are as follows:

Source of Funding	Amount
CCBC Canal Maintenance Budget 2015/16 (secured in principle)	£229,000
CCBC Canal Maintenance Budget 2016/17 (Indicative – not secured)	£212,000
Countryside / NRW (secured)	£60,000
ERDF (to be secured)	£1,000,000
WG Targeted Match Funding (to be secured)	£373,107
Total	£1,874,107

- 6.7 In addition to the project actions, improvements and outputs listed in section 4, this represents a significant added value to the Council investment as proposed. The £441,000 required will bring in over £1.4m of external funding and this Council funding contribution is only 24% (of which £229,000 is already approved via 15/16 Engineering capital budget for the canal and £212,000 already referenced in the Council Budget report in February 2015 as indicative capital budget for 2016/2017).
- 6.8 The report highlights costs for Finance, Procurement and Legal teams totalling £48K for supporting the schemes.
- 6.9 The Welsh Government Targeted Match Funding (TMF) represents a work in progress. Officers have only relatively recently been made aware that there would be an amount available for this proposal. However, an approach has now been made (and should be determined at the same time as the ERDF proposal). Feedback on the likelihood of success for TMF has been very positive.
- 6.10 In terms of timing, the proposal is currently being considered and discussed between Visit Wales and WEFO. VW is confident that approval will be obtained imminently, which will enable a start on site in January. This is critical to the Caerphilly Engineering element of the proposal, as £229K of the Engineering budget is included in the project for this current financial year, but the work needs to commence early in 2016.
- 6.11 If there is slippage, then it would be possible for Engineering to delay a little, but ultimately, there is the possibility that we would lose some of our match funding. If that happens, then we would need to approach WG to seek additional targeted match funding (TMF) to compensate.

7. PERSONNEL IMPLICATIONS

7.1 In terms of staff required to deliver this project, most of the activity is anticipated to be carried out by existing staff within the various teams involved. The above mentioned financial contributions will help to support a number of existing posts as set out in the Revenue profile table in Appendix 2. Key staffing implications will involve five specific areas of activity throughout the duration of the project and it is not likely that all costs will be recovered, or indeed be eligible for inclusion:

- Project management (Urban Renewal)
- Countryside
- Finance
- Legal
- Procurement.

7.2 There is one exception, where a job will be created as part of the delivery mechanism for the proposal – part of the Countryside led project would entail the creation of one new post to deliver it. This would be 100% externally funded by NRW and ERDF. The only element of cost for CCBC in this respect would be any redundancy payments at the end of the project (redundancy has been an eligible cost in previous ERDF rounds, so even this might be externally funded).

8. CONSULTATIONS

8.1 Responses from consultees have been incorporated into the report.

9. RECOMMENDATION

9.1 That Cabinet endorses the request to commit £229,000 of the Engineering budget already allocated for 2015-16 canal improvement works as match funding for this proposal, on the basis that it is used to carry out canal restoration work that complement the wider Visit Wales submission. It is further recommended that £212,000 of the Engineering indicative budget allocation for essential improvement works for 2016-17 be used to conduct the works and act as CCBC match to the wider programme.

9.2 That Cabinet notes the income forecast to be received from Natural Resources Wales over the next four years, totalling £60,000, and endorses that this should also be used to contribute to the project.

9.3 That Cabinet notes the level of staffing contributions as set out in the revenue section of Appendix 2 and acknowledges that this optimum level of income may not be achievable.

10. REASONS FOR THE RECOMMENDATIONS

10.1 The Mon and Brec Canal has been identified as a destination of regional significance and this project has been developed in partnership with Torfaen CBC. Newport Council is also an interested partner, but is not eligible for this element of ERDF support. Without the CCBC financial contribution, it would not be possible to participate in the project – WEFO has indicated that it expects a local authority contribution.

10.2 In addition to the stated outputs, the return on Caerphilly County Borough Council's investment would be very significant at over 320%. The project would maximise the value of our obligatory investment in maintaining the canal and might well reduce ongoing maintenance costs as a result. Moreover, Cwmcarn is a key tourist attraction, which has, due to Council and other funding, successfully diversified and expanded its range of services and activities in recent years, thus increasing income and reducing Council subsidy. Further investment will enhance the facility's sustainability moving forward.

11. STATUTORY POWER

11.1 Local Government Act 2000. This is a Cabinet function.

Author: A. Bolter, Group Manager (Strategy and Funding)
Consultees: Christina HARRY, Corporate Director Communities
Pauline Elliott, Head of Regeneration and Planning
Allan Dallimore, Team Leader – Urban Renewal
Glenn Cooper, Project Officer – Urban Renewal
Ryland Llewellyn, Snr Project Officer – Urban Renewal
Paul Hudson, Marketing & Events Manager
Terry Shaw, Head of Engineering Services
Kevin Kinsey, Acting Engineering Projects Group Manager
Phil Griffiths, Acting Countryside Manager
Ian MacVicar, Group Manager Operations - Asset Based Services
Michael Owen, Cwmcarn Forest Drive Project Manager
Stephen Harris, Interim Head of Corporate Finance
Gail Williams, Interim Head of Legal Services
Dave Roberts, Grants Manager
Mike Eedy, Finance Manager
Liz Lucas, Head of Procurement

Background Papers:

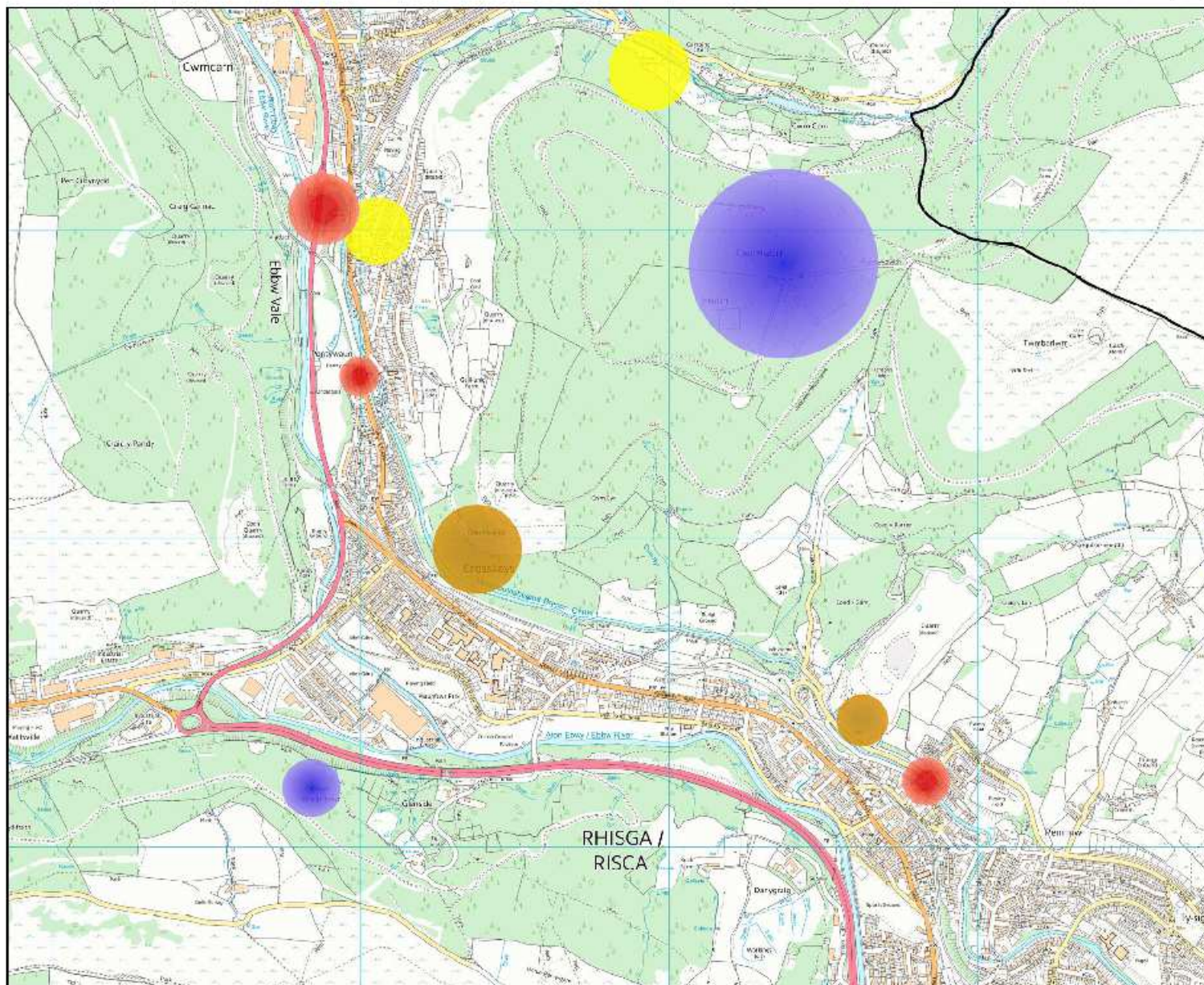
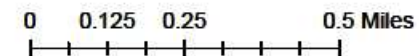
WG/WEFO ERDF Ideas Under Development -

<http://wefo.wales.gov.uk/applyingforfunding/funding2014-2020/ideas-under-development/?lang=en>

Appendices:

1 of 2 Project map
2 of 2 Caerphilly Project cost profile

Monmouth & Brecon Canal Adventure Triangle (CCBC Project Proposals)



Legend:

Forest Drive:

- 1 - New crossing & parking facilities
- 2 - Outdoor recreational area
- 3 - Green Cycle route links
- 4 - New Cycle routes
- 5 - Pit Wheel car park

Canal Works:

- 1 - Cwmcarn Aquaduct
- 2 - Canal Boundary wall restoration
- 3 - Turning circle (Cwmcarn)
- 4 - Canal storage facility
- 5 - Navigation Road Bridge
- 6 - Cycle Hire facility

Mynydd Maen:

- 1 - Improvements to access road
Cwmcarn visitor centre car park
enhancement
- 2 - Enhancement works around
Twmbarlwm
- 3 - Enhancement works to North
West Corner of Common
- 4 - Links to Sirhowy CP & Ynys
Hwyel

Other Works:

- 1 - Outdoor Activity & recreation
- 2 - Football Counters
- 3 - Works to link zip wire site

Caerphilly County Borough Council,
100025372, 2015

This page is intentionally left blank

ERDF ATTRACTOR TOURISM - VISIT WALES Canal Basin Construction, Tourism Infrastructure & Activity Provision
CAERPHELLY AREA - PROJECT COST PROFILE (5 YEAR VERSION) Jan 2016.

PROJECT EXPENDITURE - CAPITAL		Yr 1 2015/16 Jan 2016 - March 2016	Yr 2 2016/2017 April 16 to March 17	Year 3 2017/2018	Year 4 2018/19	Year 5 2019/20	TOTAL
ACTIVITY /PROJECT	DESCRIPTION OF WORKS						
1. CAPITAL - IMPLEMENTATION COSTS							
CWMCARN AQUEDUCT	Restoration of listed structure Aqueduct in accordance with CADW requirements creating attractive new destination feature	£ 202,300.00					£ 202,300.00
MYNYDD MAENTWMBARLWM PONDINGS	Improve the access road and arrival experience to Cwmcarn Visitor Centre, including a review of signage and orientation. Improve linkages to upland area. Car park enhancements and footfall counter installation.	£ 8,311.50	£ 19,393.50				£ 27,705.00
CWMCARN/PONTYWAUN	Repair and restore canal boundary walls including lining works and enhancements to ensure integrity of canal route for navigation.		£ 252,280.00	£ 108,120.00			£ 360,400.00
CWMCARN FOREST DRIVE ENTRANCE ENHANCEMENTS	Landscaping and enhancement works to entrance of Cwmcarn Forest Drive, including potential community artwork feature.		£ 35,000.00	£ 15,000.00			£ 50,000.00
GREEN CYCLE ROUTES	Green cycle routes linking Cwmcarn Forest Drive to Canal, including mountain bike routes and incorporating site of new pump track.		£ 36,000.00	£ 24,000.00			£ 60,000.00
ADVENTURE HUB FACILITIES	New outdoor and recreational play area at Visitor Centre		£ 104,000.00	£ 26,000.00			£ 130,000.00
ZIP WIRE (ACCESS TO ADAMS QUARRY)	Access improvements at Adams Quarry for proposed private sector Zip Wire facility.			£ 45,500.00			£ 45,500.00
MYNYDD MAEN	Around Twmbarlwm - minor car park works, reinstatement motor bike damage, pedestrian link to visitor centre.		£ 100,000.00	£ 25,000.00			£ 125,000.00
CWMCARN TURNING CIRCLE	Construction of new canal turning point opposite the entrance to the			£ 100,000.00	£ 25,000.00		£ 125,000.00

	Forest Drive						
MYNYDD MAEN/TWMBARLWM LINKS	North west corner of common - new car park, waymarking along routes, path link to forest gate.			£ 100,000.00			£ 100,000.00
CYCLE ROUTE	New 25K Cycle route linking to Cwmcarn			£ 104,348.00	£ 26,087.00		£ 130,435.00
FOREST DRIVE NEW PIT WHEEL CAR PARK	Enhancement of car parking provision 40 new spaces				£ 40,000.00		£ 40,000.00
CANAL ROUTE LANDSCAPE ENHANCEMENTS & RECREATIONAL SPACES	Canal towpath general landscape enhancements.				£ 35,000.00		£ 35,000.00
OTHER CAPITAL	Creation of new storage facility for canoe/bike equipment & Cycle Hire provision.			£ 12,495.00	£ 29,155.00		£ 41,650.00
Sub Total Implementation Costs		£ 210,611.50	£ 546,673.50	£ 560,463.00	£ 155,242.00	£ -	£ 1,472,990.00
DESIGN & MANAGEMENT FEES	Design Engineering Professional Fees (15% of Implementation Costs)	£ 31,591.73	£ 82,001.03	£ 84,069.45	£ 23,286.30	£ -	£ 220,948.50
Joint Costs							
JOINT ACTIVITY COSTS - PROJECT MANAGEMENT							
<i>See Revenue Staff Costs Below</i>							
Sub Total Other Capital		£ 31,591.73	£ 82,001.03	£ 84,069.45	£ 23,286.30	£ -	£ 220,948.50
TOTAL CAPITAL COSTS		£ 242,203.23	£ 628,674.53	£ 644,532.45	£ 178,528.30	£ -	£ 1,693,938.50
REVENUE EXPENDITURE							
ACTIVITY /PROJECT	DESCRIPTION OF WORKS	Yr 1 2015/16 Jan 2016 - March 2016	Yr 2 2016/2017 April 16 to March 17	Year 3 2017/2018	Year 4 2018/19	Year 5 2019/20	TOTAL
REVENUE COSTS							
JOINT PROJECT MANAGEMENT COSTS							
STAFF COSTS	Staff -Finance & Accounting	£ 2,117.00	£8,471.00	£8,471.00	£8,471.00	£8,470.00	£ 36,000.00
	Staff -Procurement Services	£353.00	£1412.00	£1412.00	£1412.00	£1411.00	£6,000.00
	Staff - Legal & Professional	£353.00	£1412.00	£1412.00	£1412.00	£1411.00	£6,000.00

Page 20

Staff - Countryside & Landscape
 Project Officer Grade 8 (3 years)
 Part Time @ 2.5 days a week
 (NRW Elements only)
 Staff - Urban Renewal Programme
 Managers

£ - £18,656.15 £18,656.15 £18,656.15 - £55,968.45

£3,100.00 £12,400.00 £12,400.00 £12,400.00 £12,400.00 £52,700.00

£5,923.00 £42,351.15 £42,351.15 £42,351.15 £23,692.00 £156,668.45

INDIRECT COSTS / OVERHEADS 15% of Direct staff costs £888.45 £6352.67 £6352.67 £6352.67 £3553.80 **£23,500.27**

TOTAL REVENUE COSTS **£6,811.45 £48,703.82 £48,703.82 £48,703.82 £27,245.80 £180,168.72**

GRAND TOTAL CAPITAL & REVENUE COSTS **£249,014.68 £677,378.35 £693,236.27 £227,232.12 £27,245.80 £1,874,107.22**

SOURCES OF FUNDING		Yr 1 2015/16 Jan 2016 - March 2016	Yr 2 2016/2017 April 16 to March 17	Year 3 2017/2018	Year 4 2018/19	Year 5 2019/20	TOTAL
Caerphilly County Borough Council	Canal Maintenance Budget allocation - (secured in principle)	£ 229,000.00					£ 229,000.00
Caerphilly County Borough Council	Canal Maintenance Budget allocation- Indicative - UNSECURED		£ 212,000.00				£ 212,000.00
Natural Resources Wales	Countryside & Landscapes Team - secured		£20,000.00	£20,000.00	£20,000.00	-	£ 60,000.00
ERDF	To be secured	£20,014.68	£445,378.35	£534,606.98		£ -	£ 1,000,000.00
		£249,014.68	£677,378.35	£554,606.98	£20,000.00		£ 1,501,000.00
Targeted Match Funding	To be secured		£0	£138,629.30	23,371.05	£27,245.80	£ 373,107.22
	TOTAL FUNDING	£ 249,014.68	£677,378.35	£693,236.27	£227,232.12	£27,245.80	£ 1,874,107.22

This page is intentionally left blank



CABINET – 20TH JANUARY 2016

SUBJECT: APPOINTMENT OF PUBLIC AND AGRICULTURAL ANALYSTS

REPORT BY: CORPORATE DIRECTOR, SOCIAL SERVICES

1. PURPOSE OF REPORT

- 1.1 To seek Cabinet approval for amendments to the appointment of public and agricultural analysts.

2. SUMMARY

- 2.1 Caerphilly County Borough Council has a statutory duty to enforce the Food Safety Act 1990, which requires the authority to appoint a Public Analyst to analyse food for foreign bodies and compositional and labelling purposes. There are similar provisions in the Agriculture Act 1970 relating to the need to appoint an Agricultural Analyst. This report seeks Cabinet approval for amendment to such appointments.

3. LINKS TO STRATEGY

- 3.1 Food law enforcement is a statutory duty of the authority and contributes towards the Healthier Caerphilly priority within the Caerphilly Local Service Board single integrated plan, Caerphilly Delivers.

4. THE REPORT

- 4.1 It is a requirement of the Food Safety Act 1990 Section 27 that every food authority in England and Wales appoints one or more persons to act as Public Analysts for the purposes of analysing samples procured under that Act. The Agriculture Act 1970 also requires an agricultural analyst to be appointed for the analysis of animal feeding stuffs and fertilisers. The Public Analyst Service tests products for sale in the market place on instructions from the client. The current appointments are:

Public Analysts

- **Cardiff Scientific Services, Croft Street, Roath, Cardiff CF24 3DY**
Alastair Low
- **Minton Treharne and Davies Limited, Unit 5 Llwyn yr Eos, Parc Menter, Cross Hands, Llanelli, SA14 6RA**
John Anthony Robinson
Susanne Brookes

- **Public Analyst Scientific Services, Valiant Way Wolverhampton WV9 5GB**
Alan Richards
Elizabeth Moran
Ronald Ennion
Kevin Wardle
Jeremy Wootten
Duncan Arthur
Stephen Guffogg
Peter Brown

Agriculture Analyst

- John Anthony Robinson of Minton Treharne and Davies Limited.

Deputy Agricultural Analysts

- **Minton Treharne and Davies Limited**
Susanne Brookes
- **Public Analyst Scientific Services, Valiant Way Wolverhampton WV9 5GB**
Alan Richards
Elizabeth Moran
Ronald Ennion
Kevin Wardle
Jeremy Wootten
Duncan Arthur
Stephen Guffogg
Peter Brown

- 4.2 A number of amendments to the above list of approved analysts require approval due to personnel changes within the various analyst services and due to the closure of Cardiff Scientific Services laboratory.
- 4.3 It is also recommended that changes are made to the Agriculture Analyst and Deputy Agriculture Analyst as specified in paragraph 4.4 below.
- 4.4 In view of the above amendments the recommended approved analysts for Caerphilly County Borough Council are as follows: -

Public Analysts

- **Minton Treharne and Davies Limited, Unit 5 Llwyn yr Eos, Parc Menter, Cross Hands, Llanelli, SA14 6RA, Merton House, Croescadam Close, Pentwyn Cardiff, CF23 8HF**
John Anthony Robinson
Susanne Brookes
Alastair David Low
- **Public Analyst Scientific Services, Valiant Way, Wolverhampton, WV9 5GB**
Ronald Anthony Ennion
Kevin Wardle
Alan Thomas Richards
Watney Elizabeth Moran
Jeremy Paul Wootten
Duncan Kenelm Arthur
Nigel Kenneth Payne
Joanne Hubbard

Agricultural Analyst

Ronald Anthony Ennion of Public Analyst Scientific Services, Valiant Way, Wolverhampton, WV9 5GB

Deputy Agricultural Analysts

- **Public Analyst Scientific Services, Valiant Way, Wolverhampton, WV9 5GB**
Alan Thomas Richards
Watney Elizabeth Moran
Kevin Wardle
Jeremy Paul Wootten
Duncan Kenelm Arthur
Nigel Kenneth Payne
Joanne Hubbard
- **Minton Treharne and Davies Limited, Unit 5 Llwyn yr Eos, Parc Menter, Cross Hands, Llanelli, SA14 6RA, Merton House , Croescadam Close, Pentwyn Cardiff CF23 8HF**
John Anthony Robinson
Susanne Brookes
Alastair David Low

5. EQUALITIES IMPLICATIONS

- 5.1 There are no potential equalities implications of this report and its recommendations on groups or individuals who fall under the categories identified in Section 6 of the Council's Strategic Equality Plan. There is no requirement for an Equalities Impact Assessment Questionnaire to be completed for this report.

6. FINANCIAL IMPLICATIONS

- 6.1 None.

7. PERSONNEL IMPLICATIONS

- 7.1 None.

8. CONSULTATION

- 8.1 This report has been sent to the Consultees listed below and all comments received are reflected in this report

9. RECOMMENDATIONS

- 9.1 That the Council amends the current list of authorised analysts and appoints the Public and Agricultural analysts listed in paragraph 4.4 of this report.

10. REASONS FOR RECOMMENDATION

- 10.1 In order to comply with statutory requirements and to ensure proper and effective enforcement of the legislation. To ensure compliance with the statutory duty to enforce the Food Safety Act 1990 and Agriculture Act 1970.

11. STATUTORY POWER

11.1 Local Government Act 1972, Food Safety Act 1990 and Agriculture Act 1970. The discharge of duties under the above legislation is a Cabinet function.

Author: Jacqui Morgan, Trading Standards, Licensing & Registrars Manager x 5034
Consultees: Cllr N George, Cabinet Member for Community & Leisure Services
David Street, Director of Social Services
Rob Hartshorn, Head of Public Protection
Gail Williams, Interim Head of Legal Services/Monitoring Officer
Sue Ead, Solicitor
Ceri Edwards, Environmental Health Manager
David A. Thomas, Senior Policy Officer (Equalities and Welsh Language)
Shaun Watkins, HR Manager
Mike Eedy, Finance Manager

Background Papers:
Cabinet Report - Appointment of Public and Agricultural Analysts 5th February 2014



CABINET – 20TH JANUARY 2016

SUBJECT: ACTIVE TRAVEL CONSULTATION ON EXISTING ROUTES MAP

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

-
- 1.1 The attached report, which was presented to the Regeneration and Environment Scrutiny Committee on 8th December 2015, sought Members' views on the draft Active Travel Existing Routes Maps and reported the responses from statutory and public consultation on the matter, prior to its presentation to Cabinet for approval.
 - 1.2 Members were informed that the Active Travel (Wales) Act 2013 places new duties on local authorities in Wales to produce and publish Active Travel maps. The first stage of the Act requires local authorities to produce an 'Existing Routes Map' that has to be submitted to the Welsh Government for approval by 22nd January 2016.
 - 1.3 The Existing Routes Maps prepared and consulted upon (included in Appendix 1 of the report) includes Active Travel routes in the County Borough that satisfy 4 points which summarise the definition of an existing active travel route (as detailed within the report). Of the 35 responses received during the consultation process (summarised in Appendix 2 of the report), 80% agreed with the routes as proposed.
 - 1.4 Members noted that one minor change is required to the proposed map to Link 13 (St. Cenydd Comprehensive school to Caerphilly town centre), which amends the origin of the Active Travel route to remove the road bridge from the route. If the bridge becomes compliant with the Disability Discrimination Act (DDA) then the map can be reviewed in the future.
 - 1.5 Officers confirmed that the next stage of the Active Travel scheme is contingent on a deadline being established by Welsh Government and that the work developed to date has contributed to a number of areas of Council strategy, including that of the South East Wales Valleys Local Transport Plan objective to develop innovative walking, cycling and Smarter Choices programmes.
 - 1.6 Following consideration and discussion of the report, the Regeneration and Environment Scrutiny Committee unanimously recommended to Cabinet that for the reasons contained therein, the results of consultation on the draft Active Travel Existing Routes Maps be noted, and that the proposed Existing Routes Maps (as detailed in the report) be endorsed prior to submission to Welsh Government by 22nd January 2015.
 - 1.7 Members are asked to consider these recommendations.

Author: R. Barrett, Committee Services Officer, Ext. 4245

Appendices:

Appendix 1 Report to Regeneration and Environment Scrutiny Committee on 8th December 2015
– Agenda Item 9

This page is intentionally left blank



REGENERATION AND ENVIRONMENT SCRUTINY COMMITTEE – 8TH DECEMBER 2015

SUBJECT: ACTIVE TRAVEL CONSULTATION ON EXISTING ROUTES MAP

REPORT BY: CORPORATE DIRECTOR - COMMUNITIES

1. PURPOSE OF REPORT

- 1.1 To seek Members views on the draft Active Travel Existing Routes Maps and to report the responses from the statutory and public consultation, prior to its presentation to Cabinet and for approval.

2. SUMMARY

- 2.1 The Active Travel (Wales) Act 2013 places new duties on local authorities in Wales to produce and publish Active Travel maps. The first stage of the Act requires local authorities to produce an 'Existing Routes Map' that has to be submitted to the Welsh Government for approval by 22 January 2016. The Maps prepared were widely consulted upon and of the 35 responses received, 80% agreed with the routes as proposed.

3. LINKS TO STRATEGY

- 3.1 To work towards the Council's corporate objective of improving peoples' living environment through targeted actions, regulation, information and advice.
- 3.2 Contributes to the Single Integrated Plan priority to 'improve local employment opportunities including access to opportunities across a wider geographical area'.
- 3.3 Contribute to the Caerphilly County Borough Local Development Plan aim to 'provide a modern, integrated and sustainable transport system that increases opportunity, promotes prosperity and protects the environment; where public transport, walking and cycling provide real travel alternatives.'
- 3.4 Contribute to the South East Wales Valleys Local Transport Plan (LTP) objective to develop innovative walking, cycling and Smarter Choices programmes.

4. THE REPORT

- 4.1 The Active Travel (Wales) Act 2013 came in to force in September 2014 and places new duties on local authorities in Wales to produce and publish Active Travel maps. The first stage of the Act requires local authorities to produce an 'Existing Routes Map' that has to be

submitted to the Welsh Government for approval by 22 January 2016. The Existing Routes Map relates to specific areas in Wales that are determined by population as specified in the Act.

- 4.2 The Act aims to make Active Travel the most attractive option for shorter journeys. It requires highways authorities in Wales to make year on year improvements in Active Travel routes through enhancements to routes and facilities for pedestrians and cyclists in all new road schemes and to have regard to the needs of walkers and cyclists in a range of other highway authority functions.
- 4.3 Caerphilly County Borough benefits from a fairly extensive network of walking and cycling infrastructure across the borough. However it is not the intention that the Active Travel Existing Routes Map will show all walking and cycling routes in the county borough. The maps only include existing routes that meet the definition of an Active Travel route as set down in the Act. The 4 points below summarise the definition of an existing active travel route:
1. Routes suitable for walking and cycling (including the use of mobility scooters).
 2. Routes that are within or link to those communities/ areas that are included within the Act. For the County Borough these are:

Aberbargoed, Abercarn, Abertridwr, Bargoed, Blackwood, Caerphilly, Cwmfelinfach, Llanbradach, Machen, Nelson, New Tredegar, Newbridge, Penmaenmawr, Pontllanfraith, Pontlottyn, Rhymney, Risca, Wattsville, Ynysddu, Ystrad Mynach.
 4. Routes that fit with the active travel journeys definition i.e. 'a journey made to or from a workplace or educational establishment or in order to access health, leisure or other services or facilities'. This covers short-distance commuting, travel to school, travel to shops, travel to leisure facilities etc. The route has to connect to facilities and services and be suitable for utility, everyday journeys. It does not cover routes or sections of routes that are just used for leisure or recreational purposes.
 5. Routes that the Local Authority considers fit for purpose in line with the requirements of the Welsh Government's 'Design Guidance Active Travel (Wales) Act 2013 (December 2013)'.
- 4.4 The Existing Routes Maps prepared and consulted upon only include Active Travel routes in the County Borough that satisfy the 4 points detailed above, see Appendix 1. As such some routes indicated on the map form part of a longer distance network used for all journey purposes, including leisure or recreational journeys.
- 4.5 The engagement and consultation process was carried out over a 12 week period. All contacts and the public were directed to the consultation via email or co-ordinators or through press release and through the Caerphilly Newline free paper. The respondents were asked to complete an online questionnaire that was made available in English and Welsh and in other formats. Paper copies were also made available at all libraries. Two responses were received in paper form and these were entered by hand into the snap survey used to analyse the responses received. Of the 35 responses received, 80% agreed with the routes as proposed.
- 4.6 Further interactive engagement with young people has been promoted in schools and the first event was held at Bedwas High School on 13th October 2015. The event has collected useful information from young people, which will help develop local routes for Active Travel.

5. EQUALITIES IMPLICATIONS

- 5.1 The South East Wales Valleys Local Transport Plan has undergone Caerphilly CBC's Equalities Impact Assessment (EIA) process. The information within the Active Travel Existing Routes Consultation Maps is a development of this Plan.
- 5.2 Stakeholders in affected minority groups were consulted during the consultation process in accordance with the Council's Equalities Consultation and Monitoring Guidance document.
- 5.3 A full equalities impact assessment is not needed because extensive consultation has been carried out and Active Travel was included in the assessment carried out for the Authorities South East Valleys Local Transport Plan.

6. FINANCIAL IMPLICATIONS

- 6.1 No direct financial implications in producing the Active Travel Maps. Developing a programme of improvements for Active Travel routes will form the basis of bids to the Welsh Government for transport funding.

7. PERSONNEL IMPLICATIONS

- 7.1 None.

8. CONSULTATIONS

- 8.1 The Active Travel Existing Routes consultation was extensive and all relevant responses have been incorporated into the final document presented here. The full list of consultees is shown in Appendix 3.
- 8.2 The consultation included statutory consultees, key external stakeholders, Caerphilly CBC Members and relevant officers, Town and Community Councils and equalities groups and neighbouring local authorities (See Appendix 3). There is also a WG requirement to consult with youth groups. Staff in the Transportation section have contacted schools to encourage participation. Bedwas High School hosted a successful morning event with pupils considering the local Active Travel Routes and requirements in their community. This activity will help promoted sustainable travel to young people and assist officers understand the needs of the community.
- 8.3 A total of 35 consultation responses were received, which have been reviewed and summarised in Appendix 2. The consultation report provides an overview of common themes or issues that were raised during the consultation. It also provides detail of any specific comments received that required consideration of whether changes to the Maps were needed. An overwhelming 80% agreed with the proposed active travel routes shown. One change is required to the proposed map to Link 13 (St. Cenydd Comprehensive school to Caerphilly town centre), which amends the origin of the Active Travel route to remove the road bridge. If the bridge becomes DDA compliant then the map can be reviewed in the future.
- 8.4 A general response was also received from a national body regarding good practice when designing infrastructure to accommodate those with particular disabilities. This information will be considered in the development and design of Active Travel infrastructure.
- 8.5 The comments received on this report from the list of consultees have been incorporated within the report.

9. RECOMMENDATIONS

- 9.1 To seek Members' views on the Active Travel consultation on existing routes maps prior to reporting to Cabinet for approval.

10. REASONS FOR THE RECOMMENDATIONS

- 10.1 To provide the required submission to the Welsh Government by the 22nd January 2015 and meet the Council's statutory obligations.

11. STATUTORY POWER

- 11.1 Active Travel (Wales) Act 2013.

Authors: Clive Campbell – Transportation Engineering Manager

Liz Gibby – Senior Assistant Engineer (Transport Strategy & Road Safety)

Consultees: Cllr T Williams – Cabinet Member for Highways, Transportation & Engineering

Cllr D T Davies – Chair of Regeneration and Environmental Scrutiny Committee

Cllr E Aldworth – Vice Chair of Regeneration and Environmental Scrutiny Committee

Chris Burns – Interim Chief Executive

Christina HARRY - Corporate Director – Communities

Terry Shaw – Head of Engineering Services

Pauline Elliott – Head of Regeneration and Planning

Gail Williams – Interim Head of Legal Services/Monitoring Officer

Mike Eedy – Finance Manager

Trish Reardon – HR Manager

David Thomas – Senior Policy Officer (Equalities and Welsh Language)

Appendices:

Appendix 1 – Active Travel Existing Routes Consultation Maps

Appendix 2 – Summary of responses to the Active Travel Existing Routes Maps Consultation

Appendix 3 – Active Travel Consultation Distribution List

Background Paper:

Adoption of South East Wales Valleys Local Transport Plan – report to Regeneration and Environment Scrutiny Committee 09-12-14

Caerphilly County Borough Council Active Travel Existing Routes Consultation Maps



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

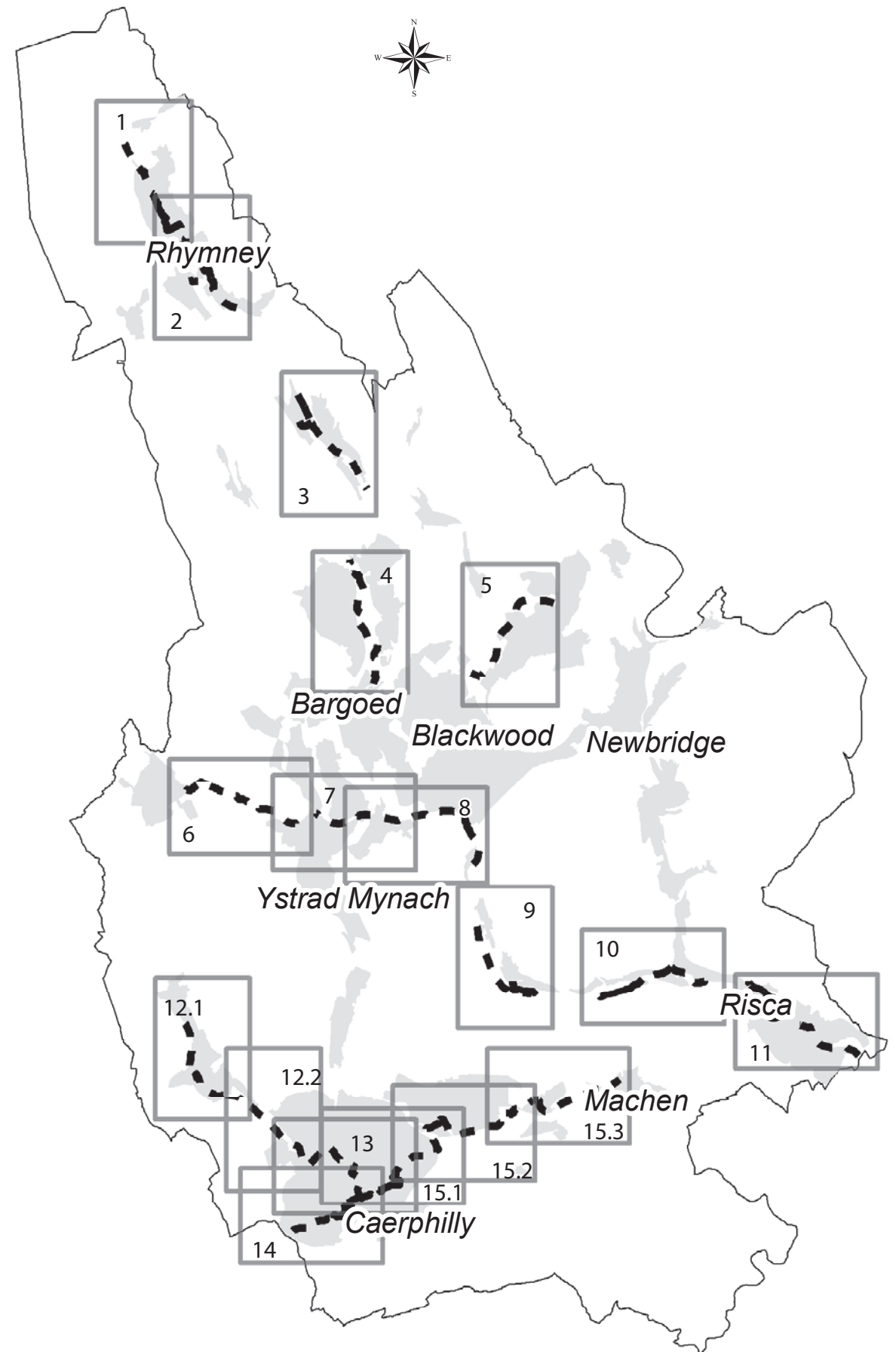


Caerphilly County Borough Council

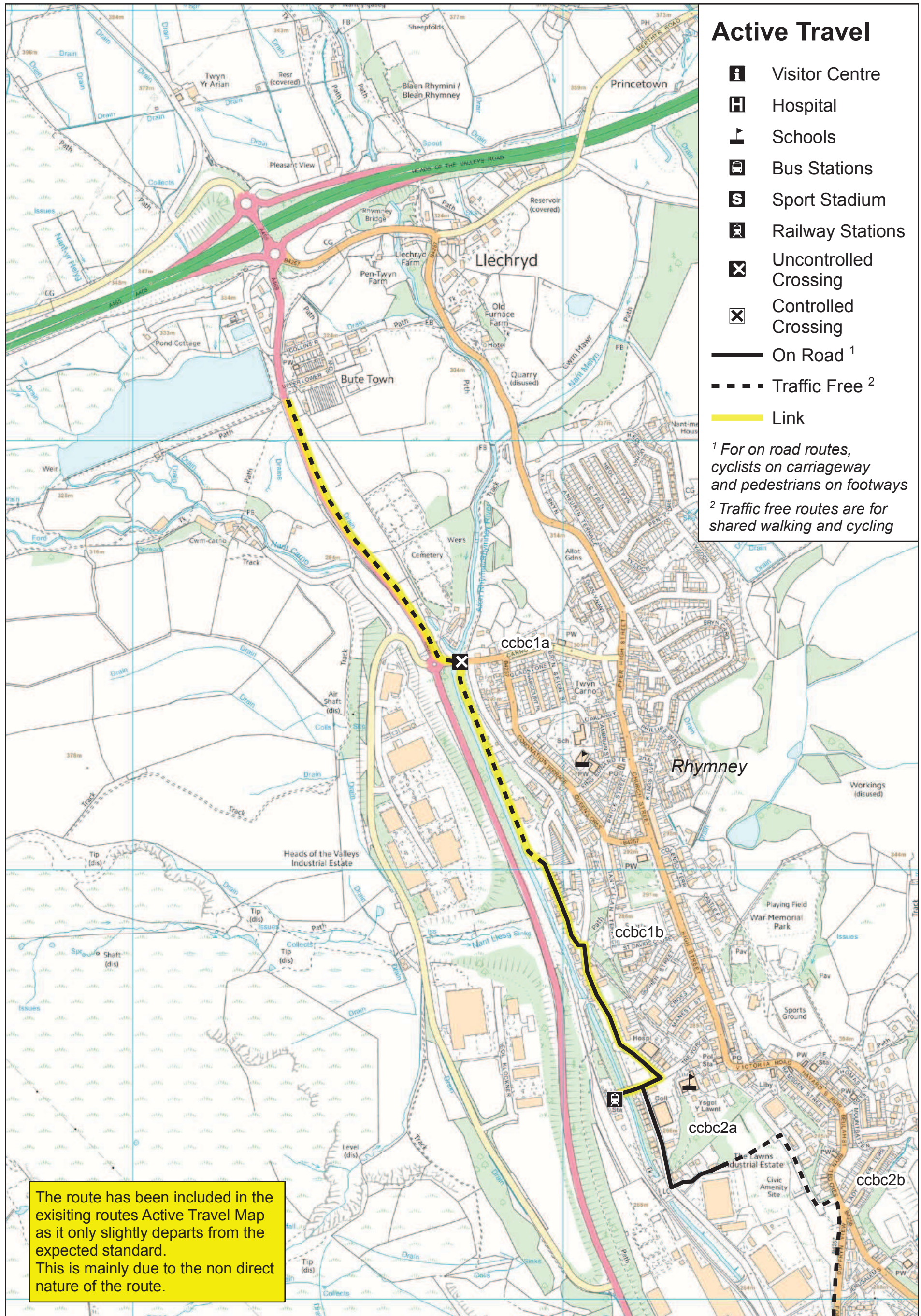
Active Travel

Existing Routes Consultation Maps

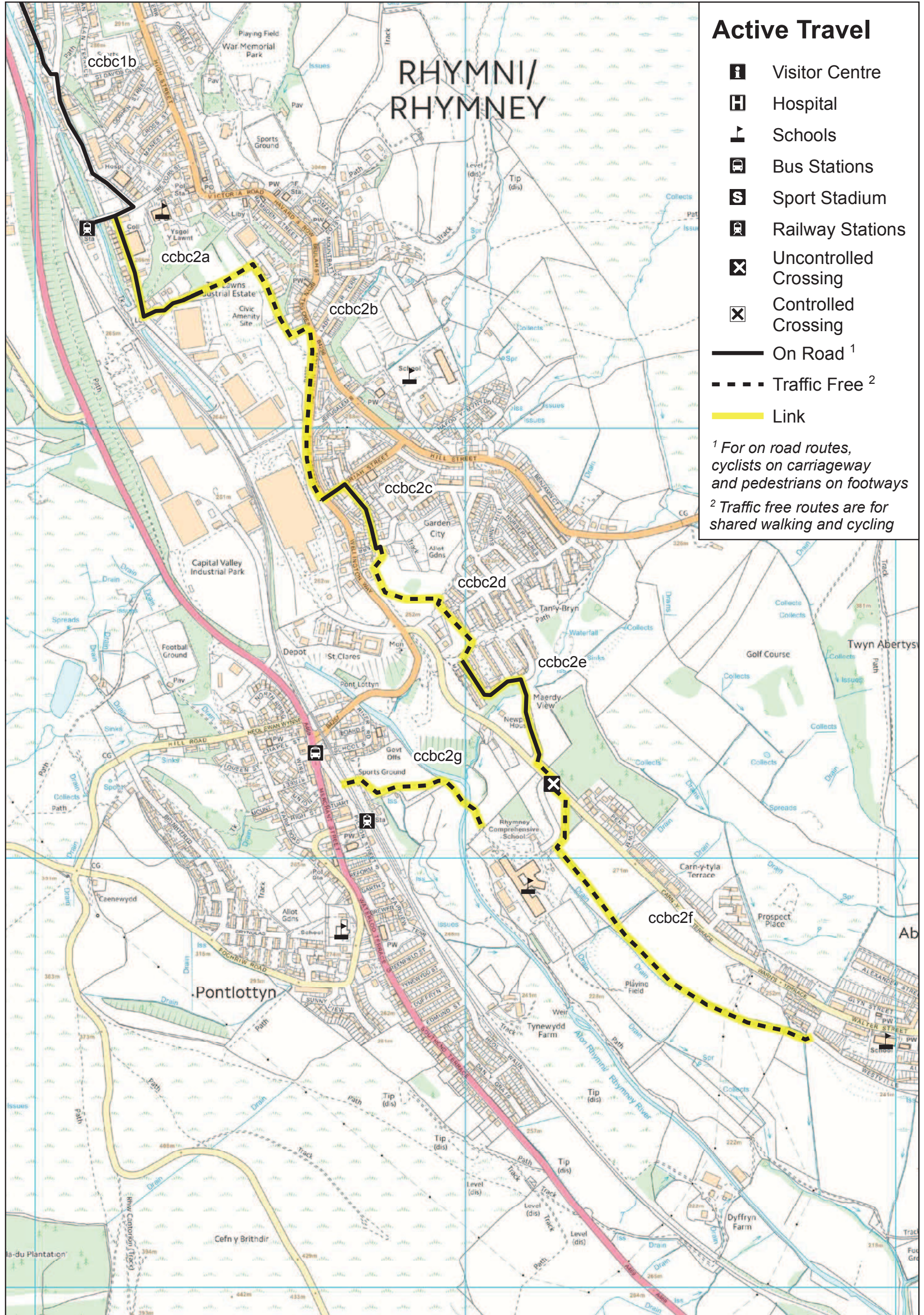
CCBC ID	LINK	Route Name
ccbc1	1	Bute Town to Rhymney Rail Station
ccbc2	2	Rhymney Rail Station to Abertysswg via Rhymney Comprehensive School
ccbc2g	2g	Pontlottyn to Rhymney Comprehensive School (Safe Routes in Communities)
ccbc3	3	New Tredegar North and South to Tirphil Rail Station and Village Centre
ccbc4a	4a	Aberbargoed to Bargoed Rail Station/ Bargoed Town Centre
ccbc4a	4b	Bargoed Rail Station / Town Centre to Pengam
ccbc5	5	Oakdale Business Park to North of Blackwood Town Centre
ccbc6	6	Nelson to Penallta Industrial Park/ Tredomen Business Park
ccbc7	7	Ystrad Mynach Town Centre to Hengoed Rail Station
ccbc8	8	Hengoed Rail Station to Wyllie
ccbc9	9	Ynysddu to Cwmfelinfach
ccbc10	10	Wattsville to Crosskeys
ccbc11	11	Crosskeys via Risca to Pontymister
ccbc12	12	Senghenydd to St Cenydd Comprehensive School
ccbc13	13	St Cenydd Comprehensive School to Caerphilly Town Centre
ccbc14	14	Boundary of Caerphilly along NCN route 4 to Caerphilly Town Centre
ccbc15	15	Caerphilly Town Centre to Machen via Bedwas and Trethomas



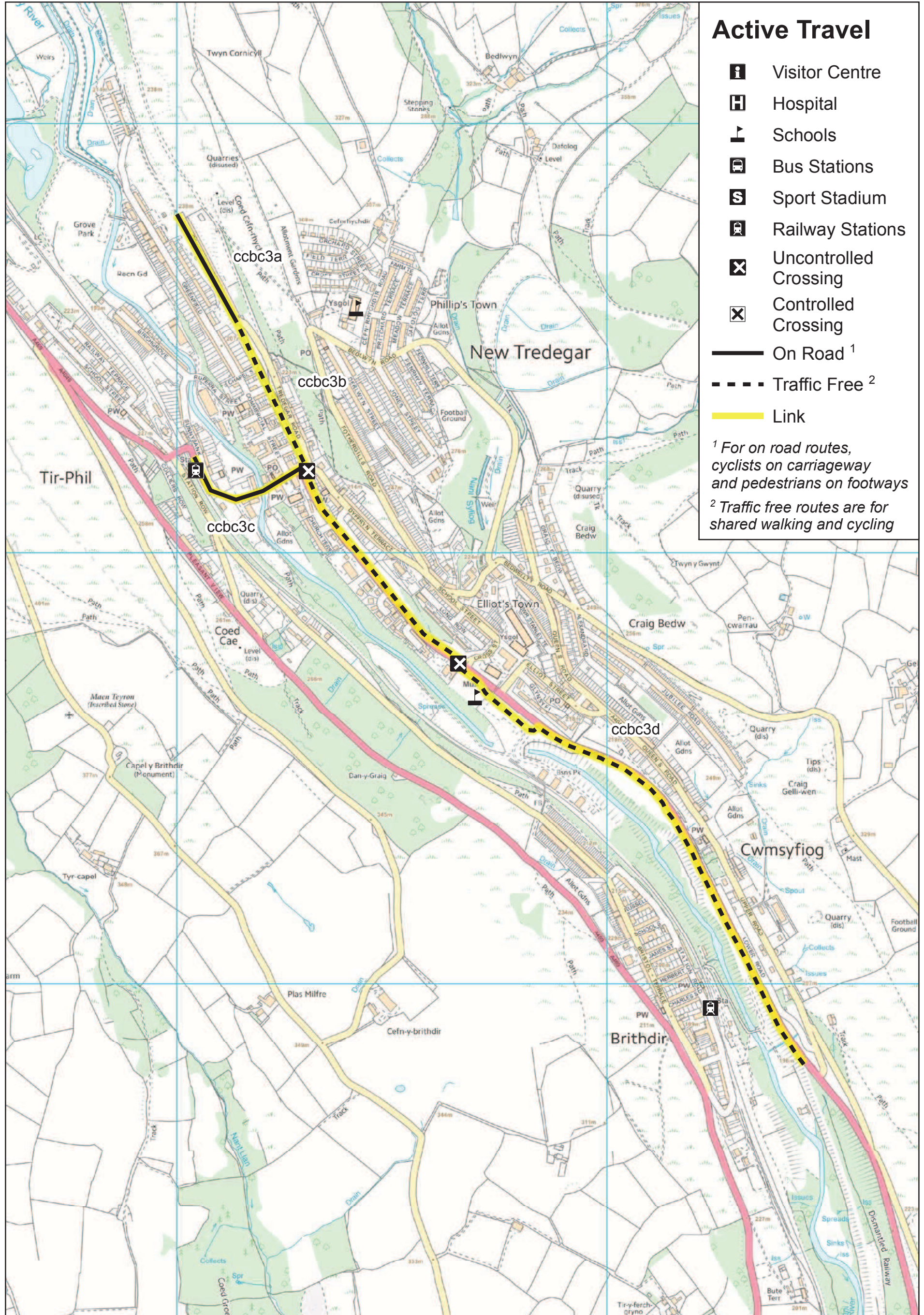
Link 1. Bute Town to Rhymney Rail Station. Section a and Section b



Link 2. Rhymney Rail Station to Abertysswg via Rhymney Comprehensive.
 Link 2g. Pontlottyn to Rhymney Comprehensive School (SRIC).
 Sections a to f and Section g



Link 3. New Tredegar North and South to Tirphil Rail Station and Village Centre. Sections a to d



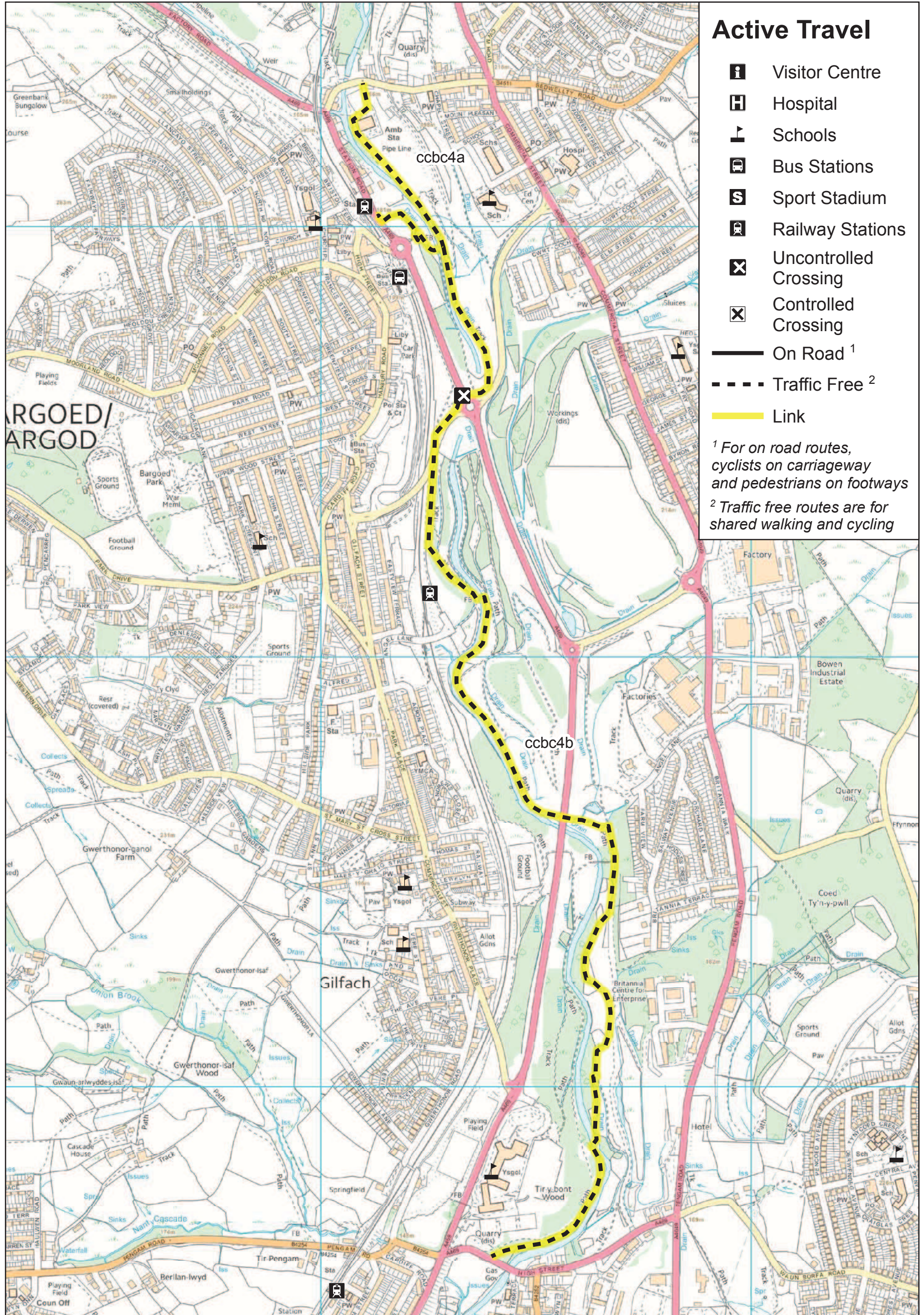
Active Travel

- Visitor Centre
- Hospital
- Schools
- Bus Stations
- Sport Stadium
- Railway Stations
- Uncontrolled Crossing
- Controlled Crossing
- On Road ¹
- Traffic Free ²
- Link

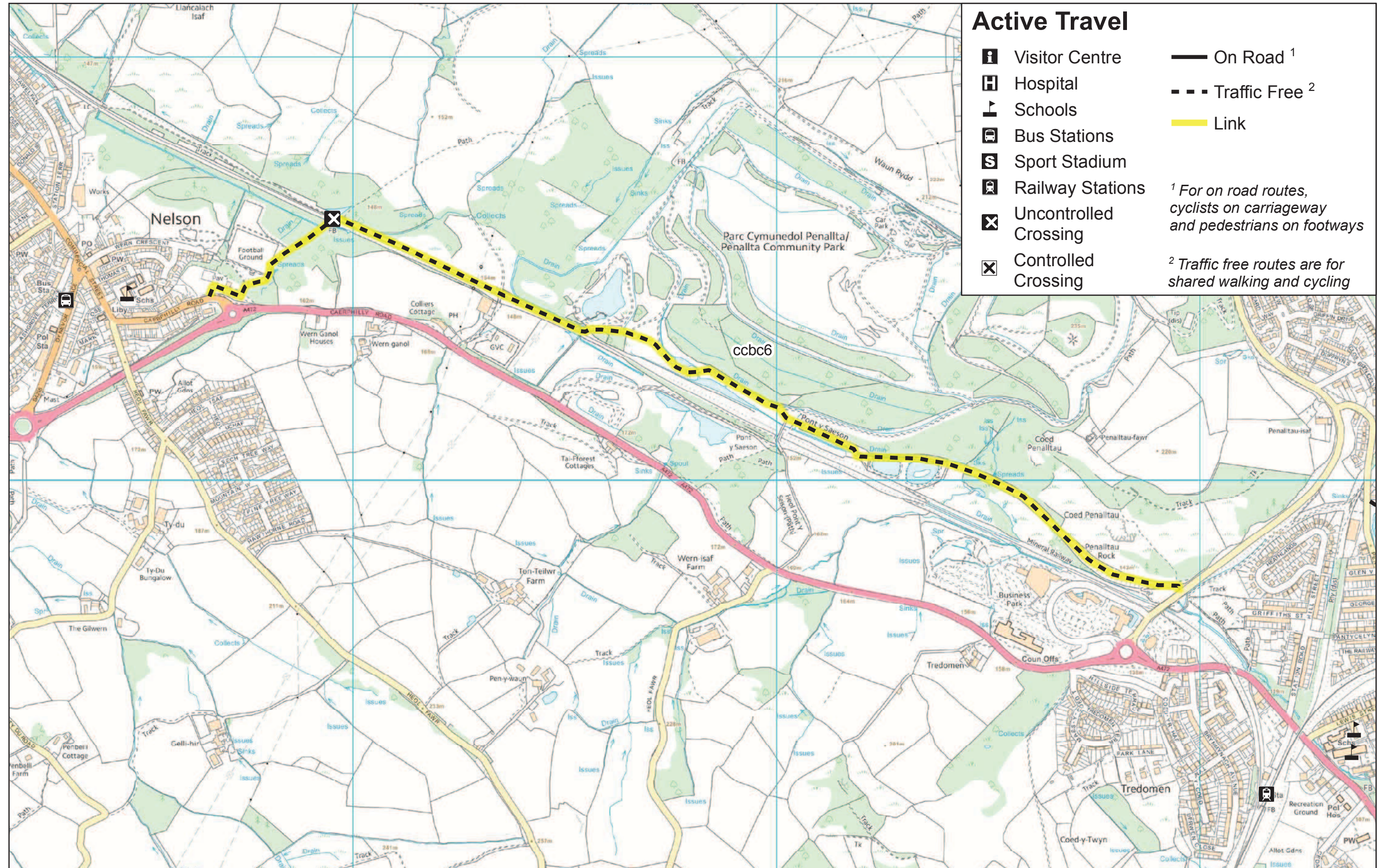
¹ For on road routes, cyclists on carriageway and pedestrians on footways

² Traffic free routes are for shared walking and cycling

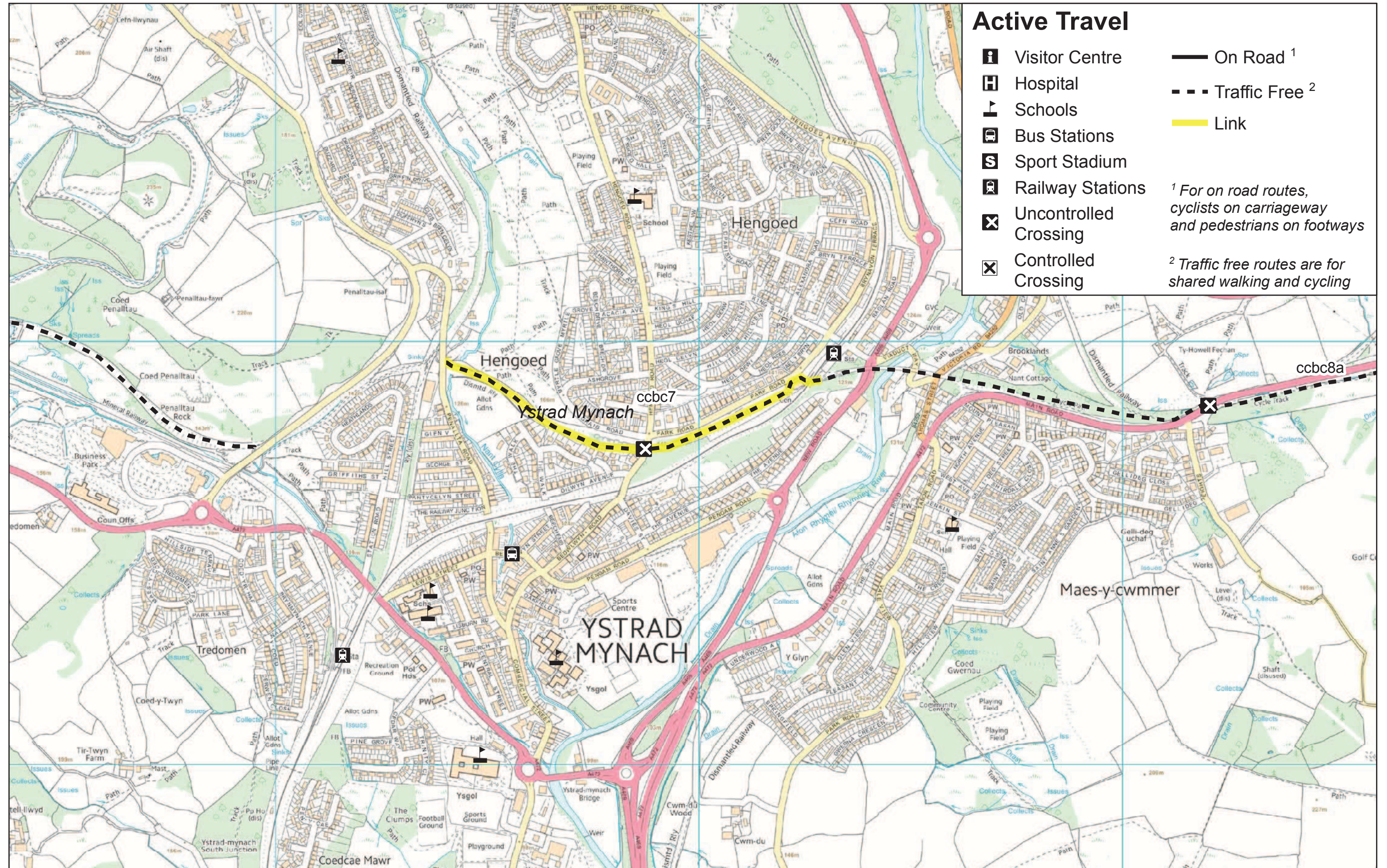
Link 4. Aberbargoed to Bargoed Rail Station/Bargoed Town Centre .
 Link 4b. Bargoed Town Centre to Pengam
 Sections a and Section b



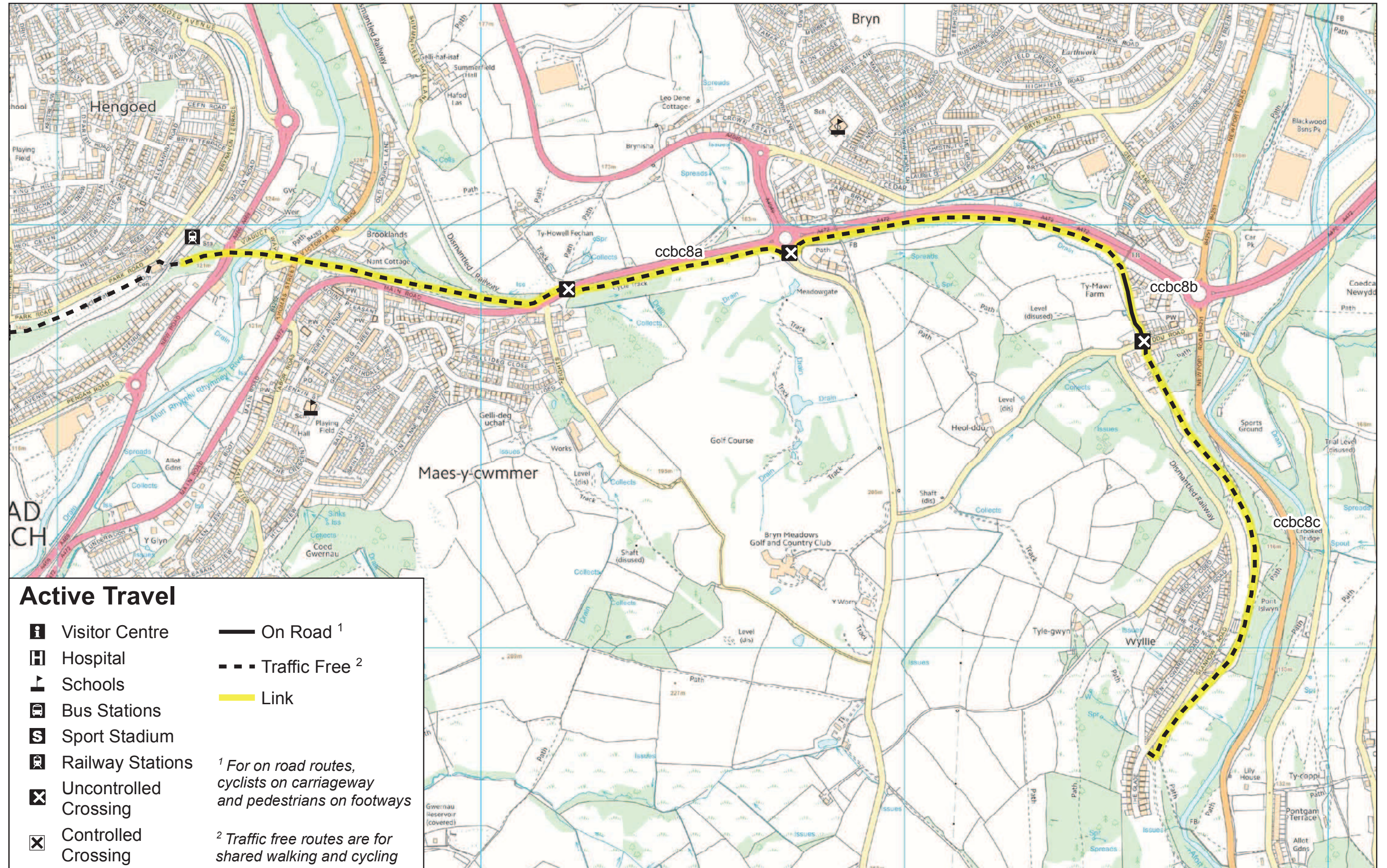
Link 6.
Nelson to Penallta Industrial Park/Tredomen Business Park.



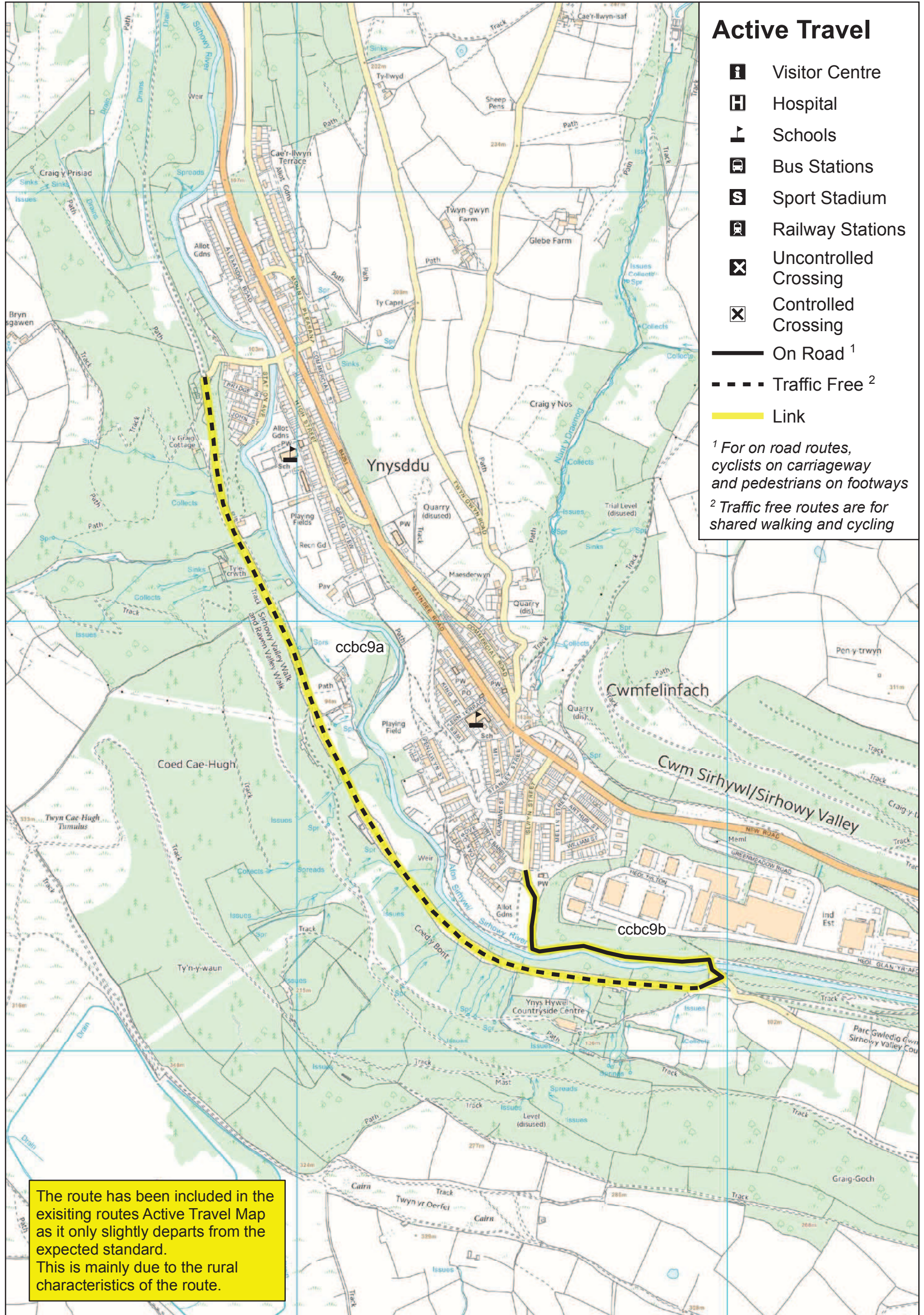
Link 7.
Ystrad Mynach Town Centre to Hengoed Rail Station.



Link 8. Hengoed Rail Station to Wyllye.
Section a to Section c



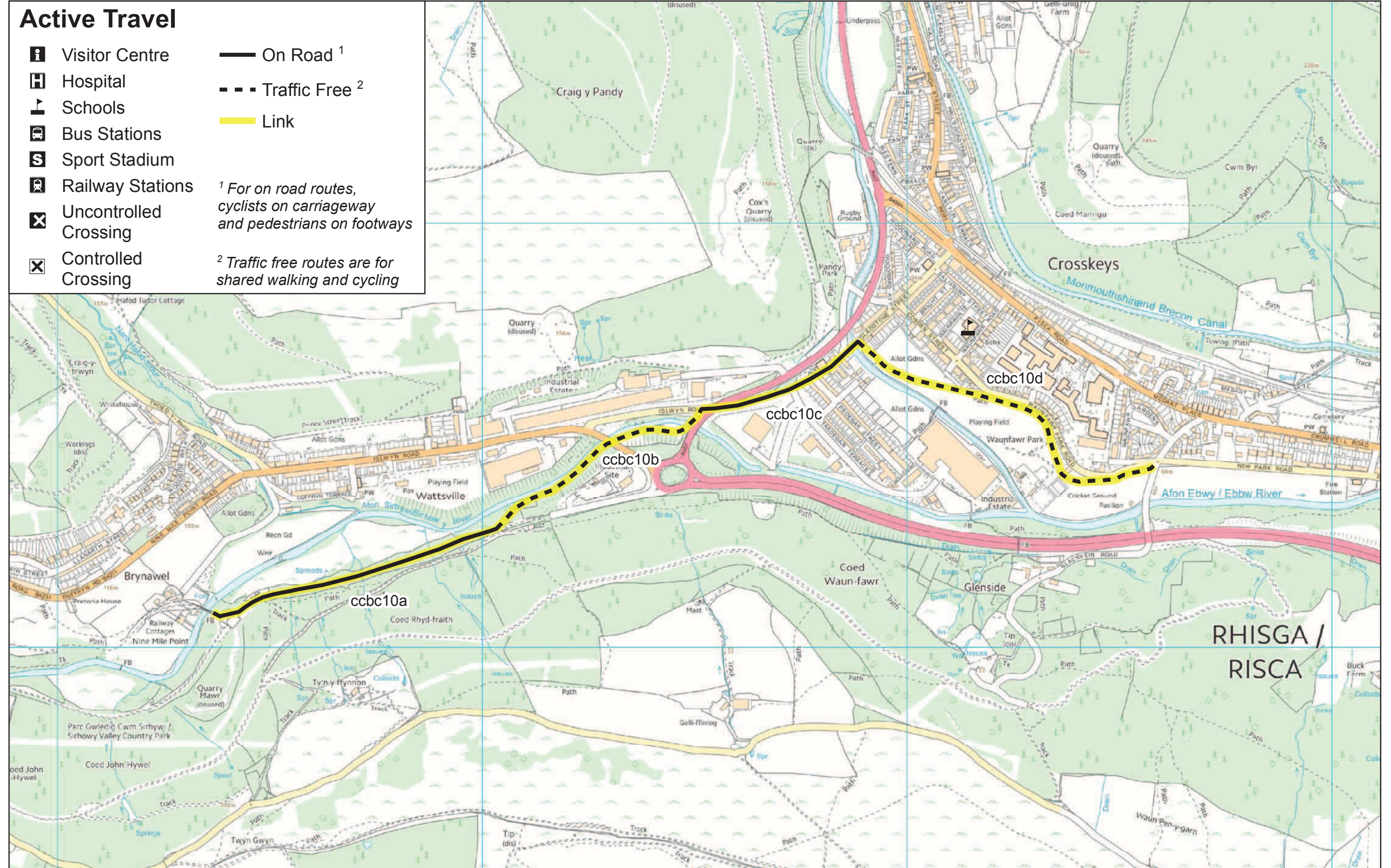
Link 9. Ynysddu to Cwmfelinfach.
Sections a to Section b



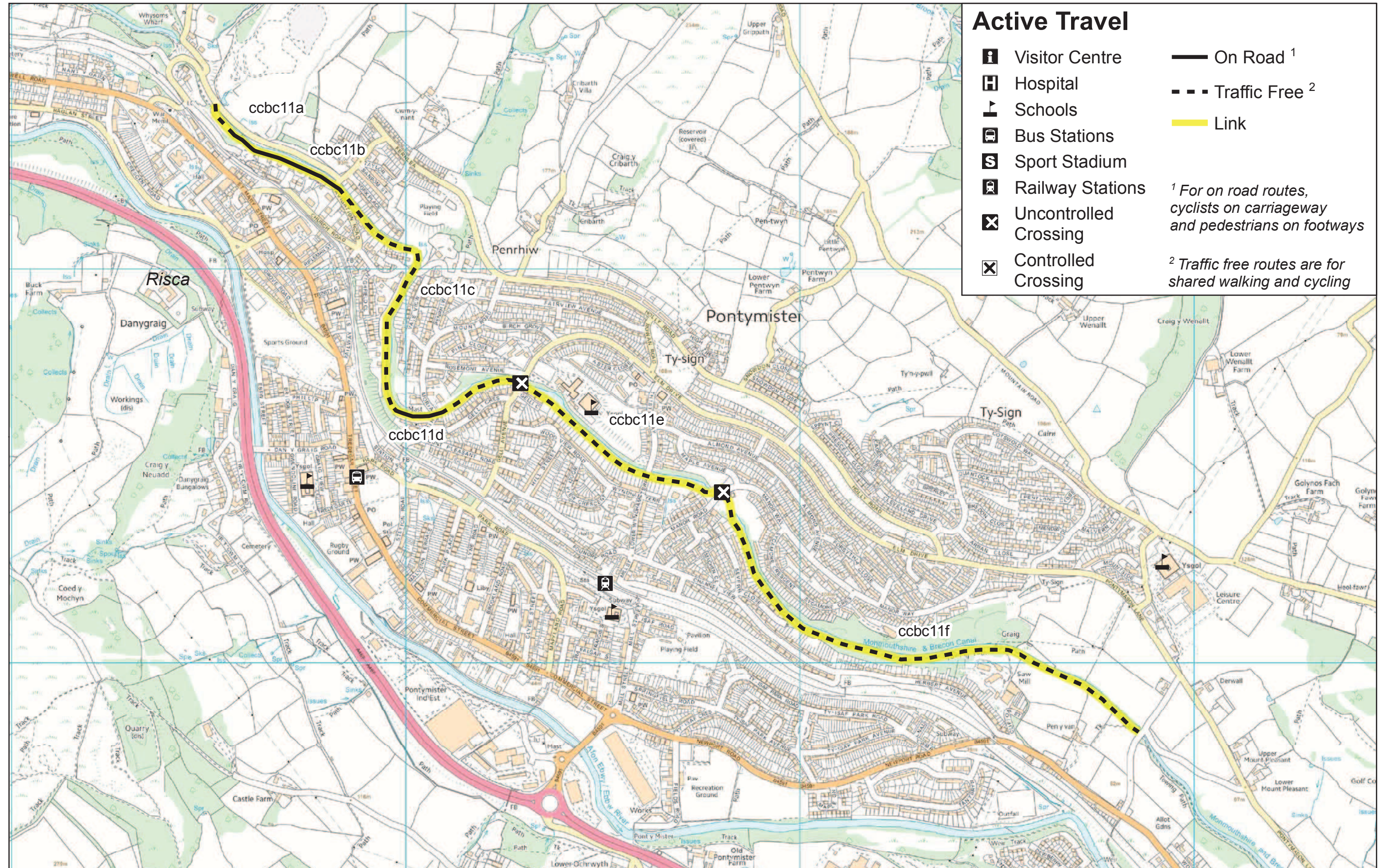
- ### Active Travel
- Visitor Centre
 - Hospital
 - Schools
 - Bus Stations
 - Sport Stadium
 - Railway Stations
 - Uncontrolled Crossing
 - Controlled Crossing
 - On Road ¹
 - Traffic Free ²
 - Link
- ¹ For on road routes, cyclists on carriageway and pedestrians on footways
- ² Traffic free routes are for shared walking and cycling

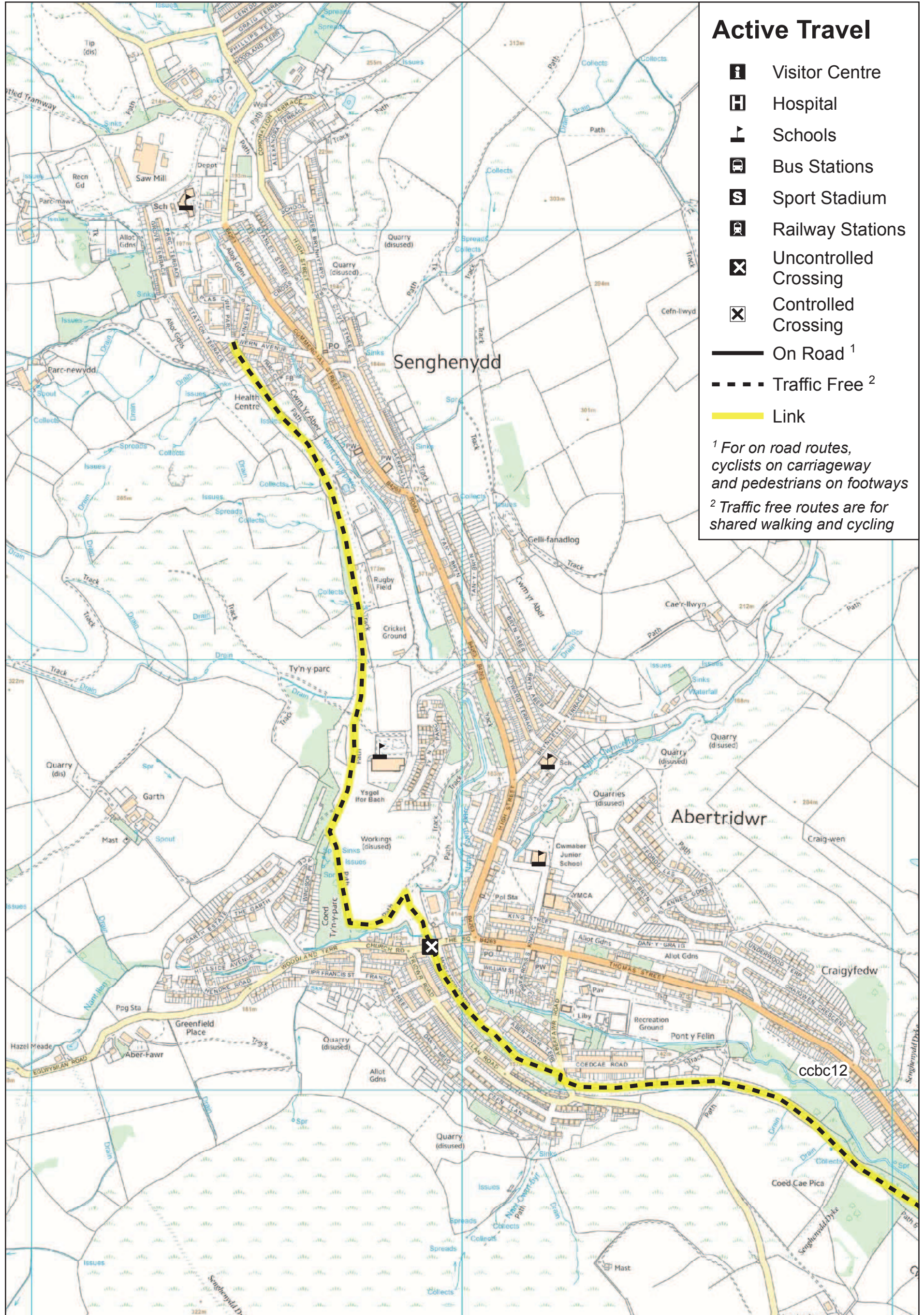
The route has been included in the existing routes Active Travel Map as it only slightly departs from the expected standard. This is mainly due to the rural characteristics of the route.

Link 10. Wattsville to Crosskeys.
Section a to Section d



Link 11. Crosskeys via Risca to Pontymister.
Section a to Section f



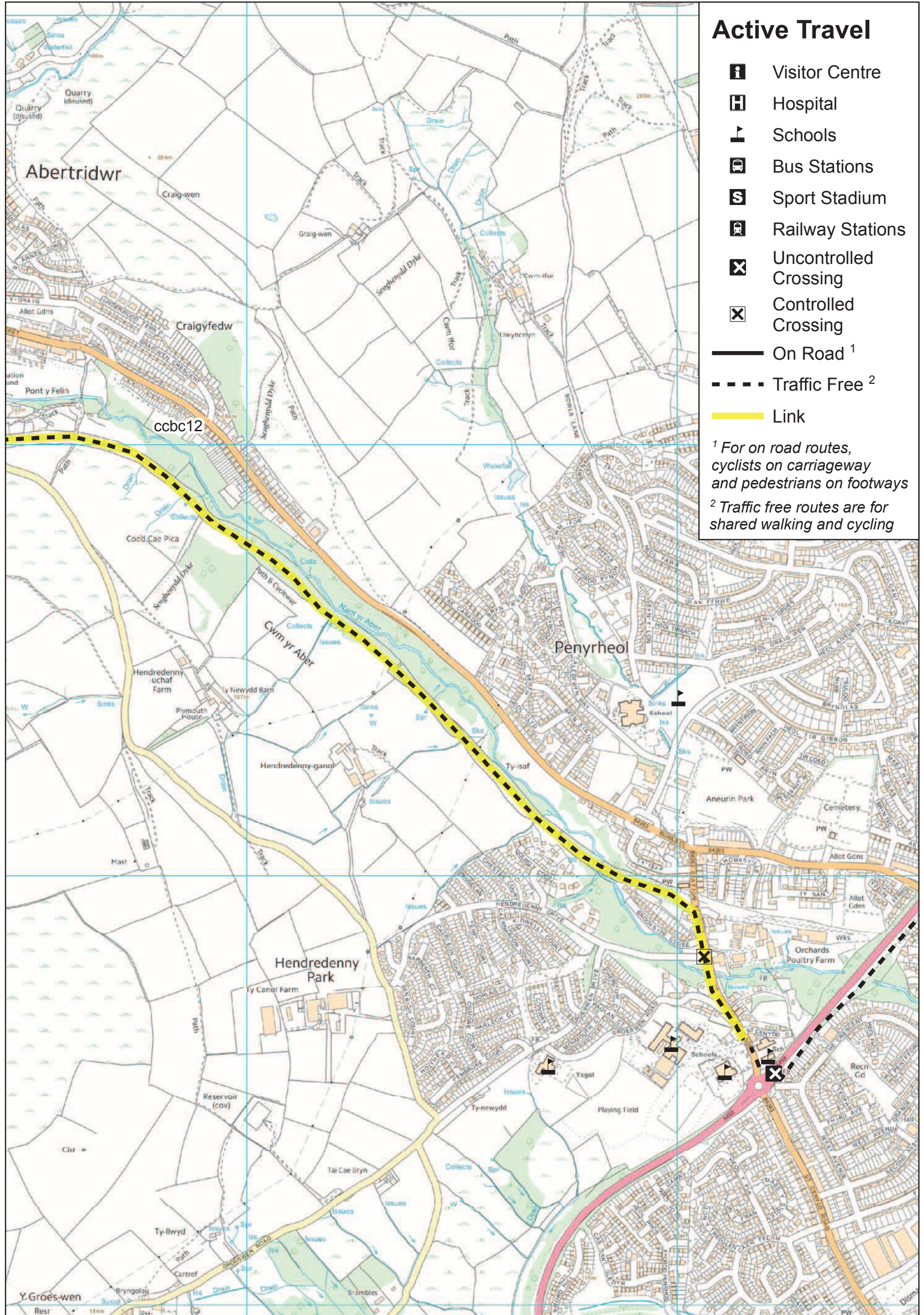


Active Travel

- Visitor Centre
- Hospital
- Schools
- Bus Stations
- Sport Stadium
- Railway Stations
- Uncontrolled Crossing
- Controlled Crossing
- On Road ¹
- Traffic Free ²
- Link

¹ For on road routes, cyclists on carriageway and pedestrians on footways

² Traffic free routes are for shared walking and cycling



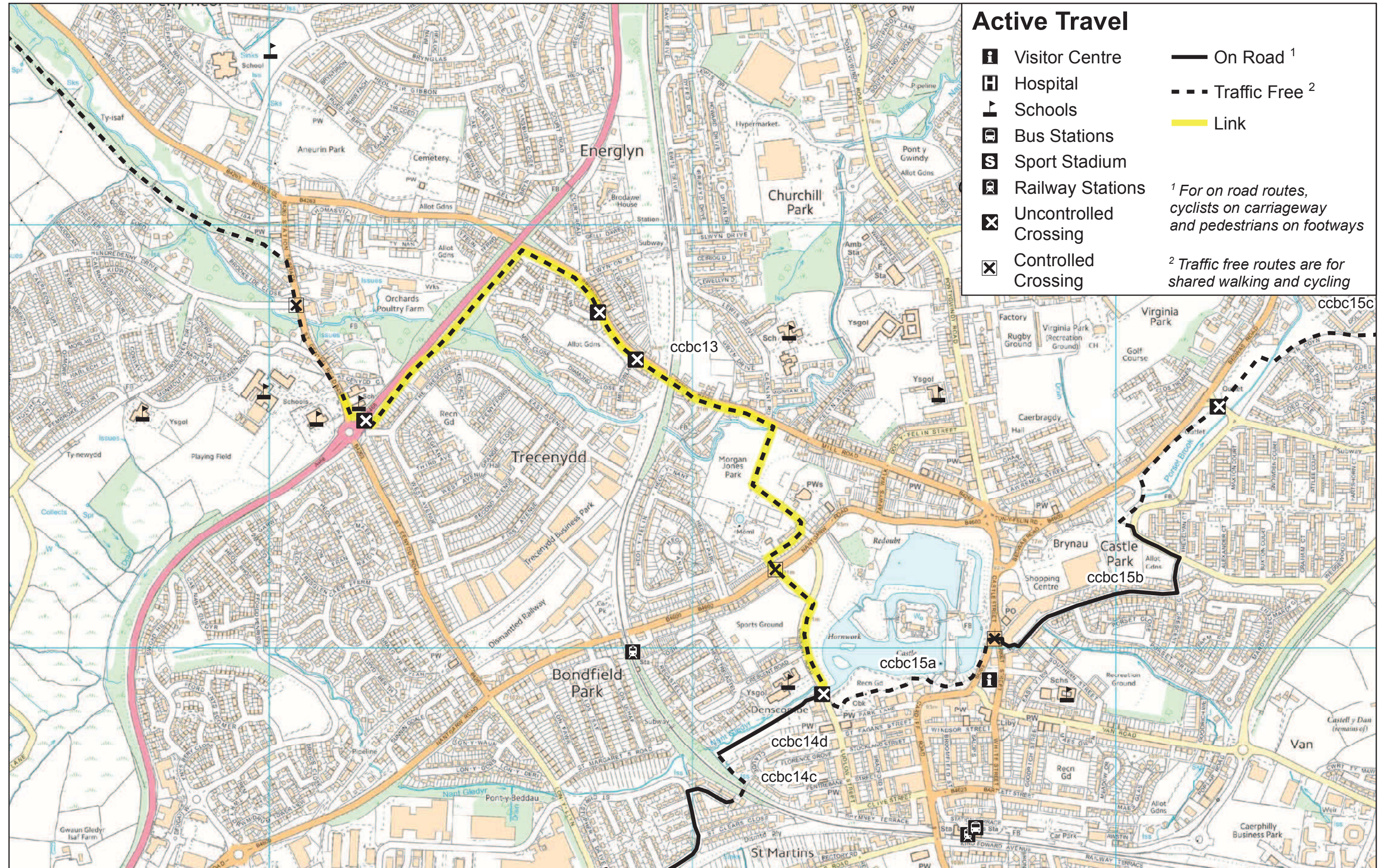
Active Travel

- Visitor Centre
- Hospital
- Schools
- Bus Stations
- Sport Stadium
- Railway Stations
- Uncontrolled Crossing
- Controlled Crossing
- On Road ¹
- Traffic Free ²
- Link

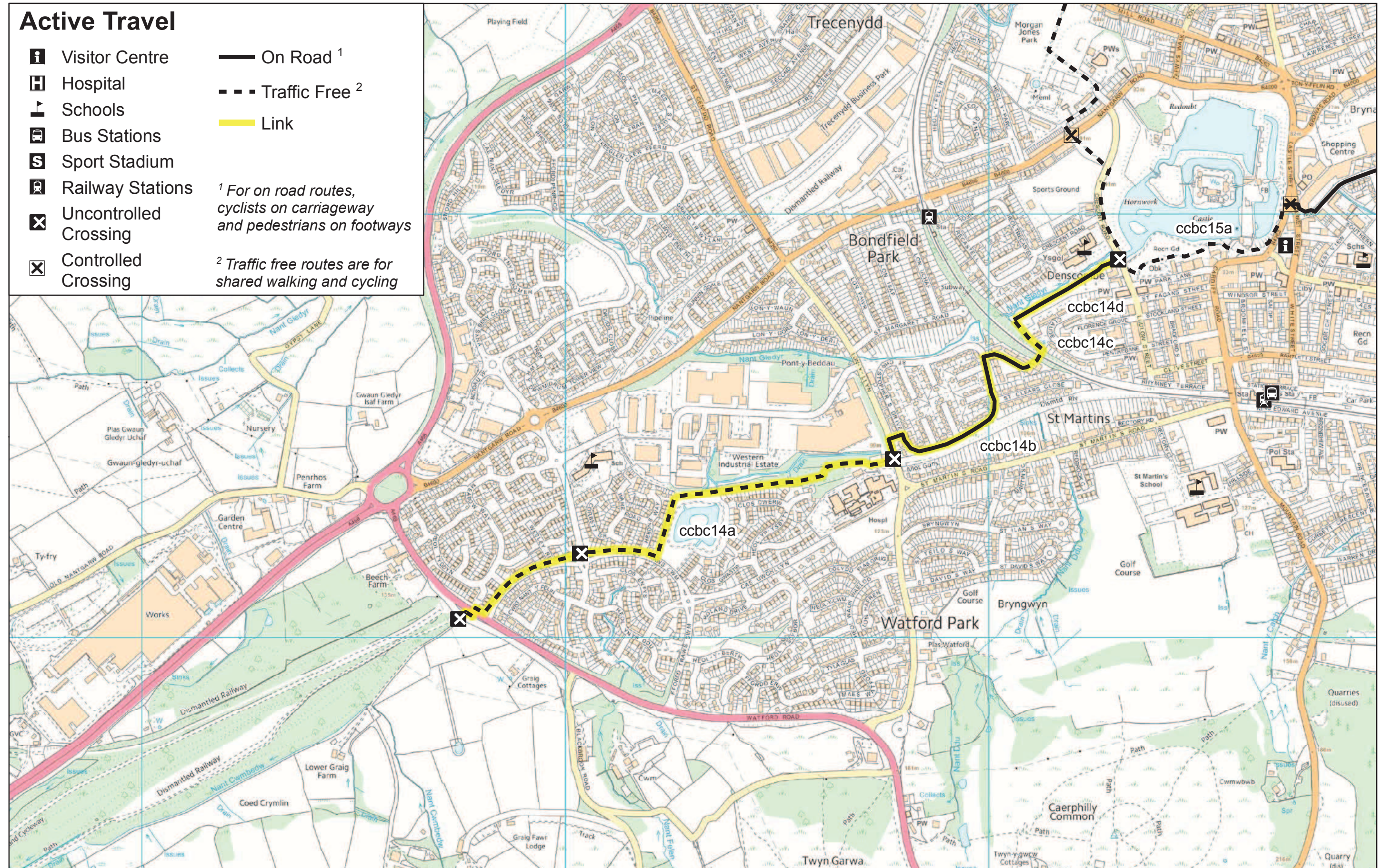
¹ For on road routes, cyclists on carriageway and pedestrians on footways

² Traffic free routes are for shared walking and cycling

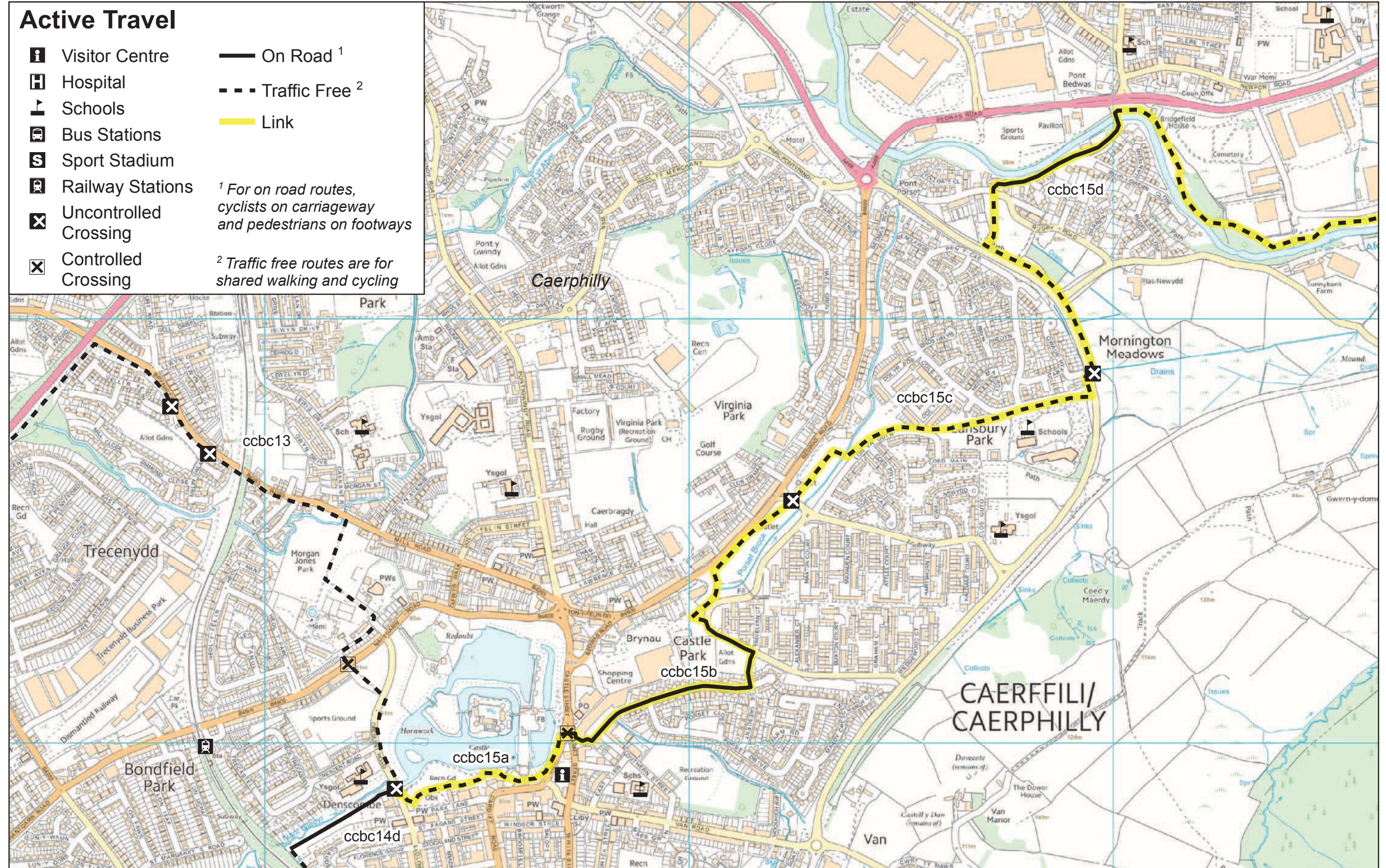
Link 13.
St Cenydd Comprehensive School to Caerphilly Town Centre.



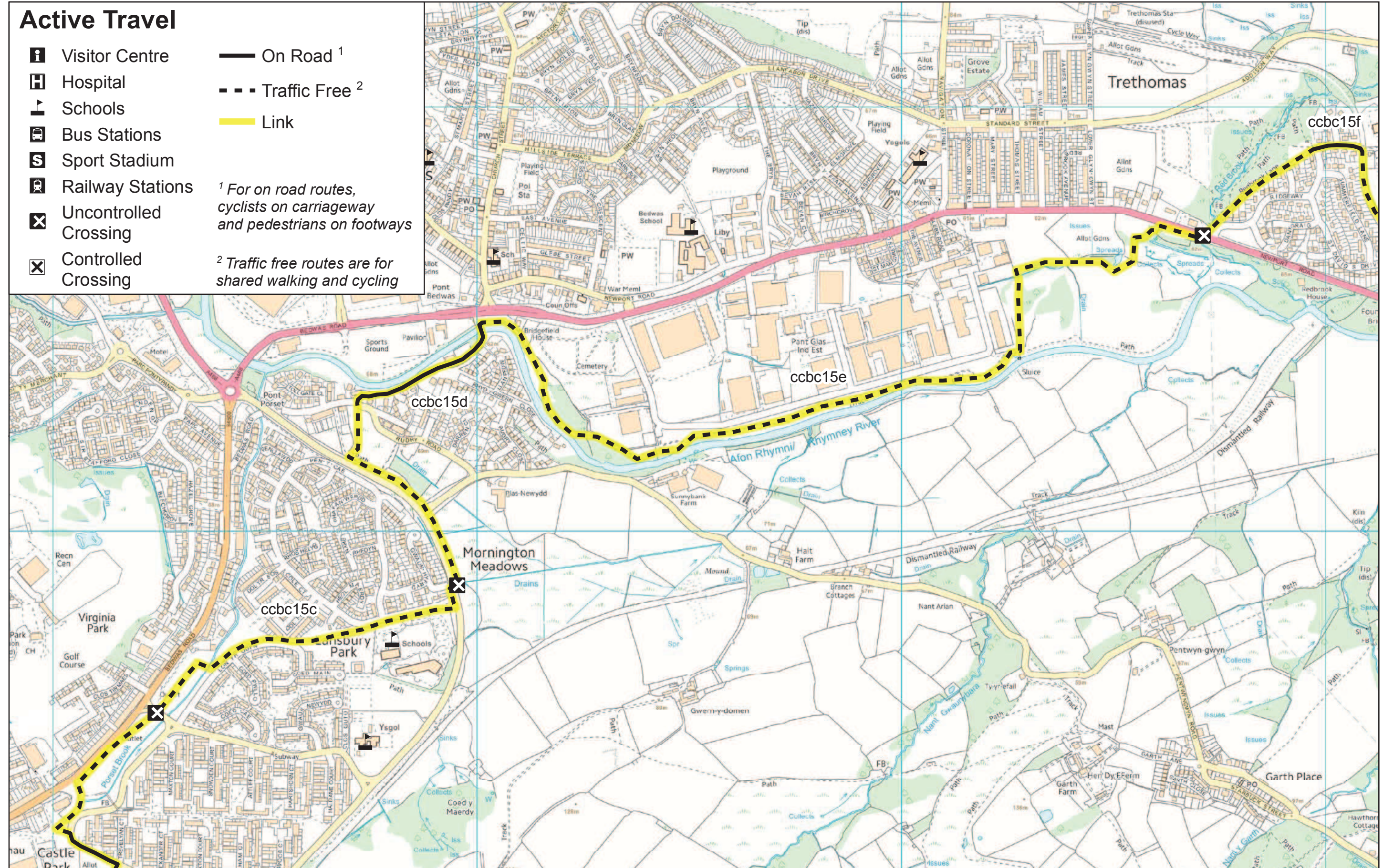
Link 14. Boundary of Caerphilly County Borough along NCN route 4 to Caerphilly Town Centre.
Section a to Section d



Link 15 (Map 1 of 3). Caerphilly Town Centre to Machen via Bedwas and Trethomas.
Section a to Section g



Link 15 (Map 2 of 3). Caerphilly Town Centre to Machen via Bedwas and Trethomas.
Section a to Section g



APPENDIX 2

SUMMARY OF RESPONSES TO THE ACTIVE TRAVEL EXISTING ROUTES CONSULTATION

- 1 The public consultation was live for 12 weeks and included Welsh and English questionnaires being made available to the general public, officers, stakeholders, equalities groups and partners. The location based comments received from the public consultation about the 'Proposed Active Travel Existing Routes Map' refer to 7 of the shared walking and cycling links. Most of the specific comments refer to links numbered 10 to 15.
- 2 Overall 35 respondents completed this questionnaire, of which 80% agreed with the proposed Active Travel existing route maps.
- 3 The main observations made relate to the following:-
 - Restrictions along routes
 - Concerns about journey time delay for cyclists whilst using off-road routes for utility journeys;
 - Use of shared routes in terms of cyclist/pedestrian conflicts (Crosskeys, Risca, and Pontywaun area).
 - One respondent suggested an embellishment to include measured distances/journey times to specific facilities/destinations. This useful suggestion will be considered and taken forward if practicable in the next stage of the route development and the production of the 'Active Travel Integrated Network Map'.
 - Accessibility to cycle paths for wheel chair users and non-standard bicycles: these matters were not specifically identified and respondents are encouraged to contact the Authority to see if their needs can be accommodated.
 - Some general maintenance matters were highlighted which require further investigation.
 - All useful suggestions will inform the next stage, which is production of the 'Active Travel Integrated Network Plan' for Caerphilly County Borough'.

4 Responses received to questions:

4.1 Question 1: 'Do you agree or disagree that the routes we have included are suitable for 'Active Travel'?'

Agree (28)

Disagree (7)

4.2 Question: 2 Please indicate which routes you feel are not suitable for 'Active Travel' and provide your reasons why in the space provided.

COMMENT	RESPONSE
<p>(1) Links from East to West are currently good, but more links are required north to south - especially from Ystrad Mynach to Caerphilly as there is a major gap in this vicinity.</p> <p>(2) Link12: Poor quality surface over some of the route for cycling. Narrow barrier to enter the path at Abertridwr on both sides of the road. Difficult to cross here as dropped kerbs aren't directly opposite cycle route. Glass usually on this route to the north. Route also finishes with no off road route to the centre of Senghenydd. At the south of the route- another barrier prevents disabled access. Shared pavement towards the schools useless- too narrow & have to give way 2 times in a very short period.</p> <p>(3) Link 10 ccbc10d through Waunfawr Park. An Active Travel route is a route that is suitable for commuting by bike. The route through Waunfawr Park is about 3 metres wide. This is not wide enough to allow walkers, cyclists and users of mobility vehicles going in both directions. A cyclist will want to overtake and that will mean diverting onto a grassy area, which over time will ruin the grass. Only a few weeks ago, a cyclist shouted at me for walking on the wrong side of</p>	<p>(1) Noted to be considered in the next phase.</p> <p>(2) A number of maintenance issues have been raised relating to surface quality and glass on the route, these will be passed to the appropriate Officer for consideration/action. The comment on the end of the route is noted and development of the integrated network will permit consideration of improvements to the walking and cycling Active Travel Network. Barriers have been put in place to discourage use by off road motorcyclists. The standard(width) of the route for shared use near St Cenydd School was achieved and doesn't prohibit the route been included as part of the existing routes map.</p> <p>(3) The standard of the shared walking and cycling path through Waunfawr Park met national design standards when constructed and does not prohibit</p>

<p>the path. Signs have been up for months indicating that this is a shared path and all users can use either side in both directions. This cyclist had not read the signs and he was cycling far too fast through a park. If it were ever to be adopted for commuting there would be far more speeding. The path is used a great deal by walkers, cyclists, people using mobility vehicles, parents or grandparents pushing babies and toddlers in prams or push along trikes. It is not suitable for use by someone who wants to get to and from work fast.</p> <p>(4) No routes from Caerphilly Town to Ystrad Mynach / Blackwood etc</p> <p>(5) In the current economical world the money could be spent on better causes.</p> <p>(6) Nearly all of the routes are unlit - this makes them unsuitable for use as a route too and from work for at least 4 months of the year. You cannot expect persons to use a route that may be deemed unsafe point that has been proved in the past.</p> <p>(7) The gradient on many of them also makes them unsuitable for the majority of the population over the age of 35.</p>	<p>the route from being included as part of the existing active travel routes map. The authority will seek to build new infrastructure to the standards contained in the Design Guidance Active Travel (Wales) Act 2013. It is pleasing that the route is well used.</p> <p>(4) Noted - The Authority is looking to develop routes connecting these communities. There are a number of constraints to provision of a safe cycling link that is traffic free.</p> <p>(5) Noted – This is a decision for Welsh Government who fund this initiative.</p> <p>(6) Some of the routes are unlit however the use of a particular route and its safety is a matter of personal choice. Many of the routes are overlooked by the community and a balanced approach is needed in terms of protecting the ecology of an area and providing sustainable infrastructure whilst reducing the carbon footprint where appropriate.</p> <p>(7) Noted.</p>
<p>(8) Link 13 ccbc 13: Poor quality surface, bridge has 20+ steps, again no disabled access using this route.</p> <p>(9) Link 15 ccbc 15a- very narrow shared path, which has signage to indicate that this cannot be cycled & needs to be walked.</p> <p>(10) Link 14 ccbc 14d, poor quality route through car park- not marked, dangerous when car park is busy. Has barrier at exit to car park up a narrow path- impossible to use for inexperienced users without getting off and walking.</p> <p>(11) Link 14 ccbc 14c route then goes under railway bridge- incredibly narrow due to metal barrier that splits walking and cycling routes. Cyclists again advised to walk this route. This then continues on the</p>	<p>(8) Comment on the bridge is noted. The length of route 13 will be reduced to remove the bridge section and will now provide a walking/cycling link from Trecenydd to Caerphilly Town Centre.</p> <p>Change to Map - The bridge is not DDA compliant at present.</p> <p>(9) The standard of the route does not prohibit the section being included in the Active Travel Existing Routes Map. However, it should be noted that the traffic free route runs through the Castle grounds and there is little scope to enhance the path.</p>

<p>road through estate- numerous parked cars- dangerous for any inexperienced cyclists.</p> <p>(12) Link 15 ccbc 15b is all on road, unsuitable to be used as an active travel route.</p> <p>(13) Route along the canal towpath in Risca I oppose this route for the same reason that I oppose the route through Waunfawr Park. Additionally it is dangerous because of the canal. When commuting people want to get to and from work fast. Even before this designation there have been huge problems because cyclists speed along the towpath.</p>	<p>(10)The comments are noted. However the section is a small part of the route and the constraints are partially due to the need to negotiate the rail network.</p> <p>(11)The comments are noted (See 10 above).</p> <p>(12)There is a footway for pedestrians and the cyclists are on road. The comments are noted.</p> <p>(13) The standard of the route does not prohibit the section being included in the Active Travel Existing Routes Map.</p>
<p>(14)Link14: ccbc 14a- poor quality route, shared pavement which gives way more than 6 times to minor roads- including a roundabout of which 2 arms have to be crossed.</p> <p>(15)Final crossing onto Taff Trail dangerous as cars doing 40mph+ on A469</p> <p>(16) Link 14 ccbc 14b- as above, poor quality route, on road, have to get off bike due to signage & narrow railway bridge.</p> <p>(17) Link 15 ccbc 15a- route shared with pedestrians, not wide enough-severe climb here makes it unsuitable for learner cyclists. Route then has downhill section with barriers to prevent access again. Have to then walk bike- this is not active travel!</p>	<p>(14)Whilst the route has a number of junctions/crossings The standard of the route does not prohibit the section being included in the Active Travel Existing Routes Map.</p> <p>(15) Crossing of the A469 the speed limit on the A469 has been evaluated and whilst a delay for cyclists may occur crossing the road it is considered to negligible.</p> <p>(16)The standard of the route does not prohibit the section being included in the Active Travel Existing Routes Map.</p> <p>(17)The gradient is for small sections of the route across the Castle grounds and does not prohibit the section being included in the Active Travel Existing Routes Map. Barriers are in place to prevent conflict between fast moving cyclists and pedestrians.</p>
<p>(18) Link 13 ccbc 13- shared pavement- barriers joining route to the west, barriers in Morgan Jones Park. No direct link to crossing on Nantgarw road.</p>	<p>(18) Some physical barriers are put in place to prohibit use by motorbikes.</p> <p>(19)(20)(21) Some barriers are used to discourage and</p>

<p>(19) Link 14 issues with ccbc 14d as above</p> <p>(20) Link 15 issues with ccbc 15a as above</p> <p>(21) Link 15 issues with ccbc 15b as above</p> <p>(22) Link 15 ccbc 15c- low quality surface in parts (tree routes etc)- shared path gets extremely narrow towards Lansbury park- less than 1.5m for bidirectional cycling + pedestrians. Another cycle barrier here that serves no purpose but prevents some disabled/non standard cycle access. Crossing road next to Mornington Meadows dangerous- fast traffic here. Shared pavement not too bad here, as quite wide & foot traffic low.</p> <p>(23) Link 15 ccbc 15d- poor quality surface- speed bumps placed on this surface to restrict car speed- no way to avoid these on bikes. Narrow road- and can be busy due to the pub here. Horrible right turn onto shared cycleway before traffic lights. Again- another cycle barrier to prevent easy access, coupled with a steep incline- not easy for beginner cyclists.</p> <p>(24) Link 15 ccbc 15e- lovely route in general, however cycle barrier to west restricts access. If foot traffic high, then path not hugely wide for cycling. Towards east- path gets quite bendy & reduces speed/access. Just before road- another cycle barrier, preventing access. Crossing road here horrible- fast road & 2 stage crossing. As you join</p> <p>(25) Link 15 ccbc 15f- another cycle barrier- 2 stage so less bad, but still not great. Quality of path surface here awful, lots of tree roots etc- also hardly ever cleared of leaves etc. Seems to have cycle marking on ground- however this has worn away.</p> <p>(26) Link 15 ccbc 15g- Pretty good path, only comment here is that the path ends & you are back onto the road.</p>	<p>prevent inappropriate use by motorised and non-motorised traffic especially where it is impossible to ensure segregation between vulnerable modes. The comments regarding the use of barriers are noted.</p> <p>(22) The critical width for cycle lane single direction is 1.5 metres. The route however is not marked in direction of flow in the cycling area and therefore is considered appropriate width given the volume and flow of cyclists. The walking and cycling routes are segregated. Some physical barriers are put in place to discourage use by motorcyclists accessing the route.</p> <p>(23) The maintenance of the road is monitored by the highways department and officers will be asked to consider if any remediation is necessary. The use of traffic calming is to ensure that vehicle speeds are kept to an appropriate level and enhance the safety for cyclists and other road users. Access to the off road cycle link is restricted by the river bridge and would be difficult to improve. The nature of the route prohibits the reduction in the gradient but is considered acceptable as it is only over a short distance. The cycle barrier aims to discourage use by motorcyclists.</p> <p>(24) The barrier is in place to restrict access for motorcyclists. The winding alignment is due to the topographical constraints along the route. The crossing of the A468 (Principal Road) is not considered to significantly delay the</p>
---	---

	<p>pedestrian/cyclists. (25) The quality/maintenance of the cycle path will be considered by the department and measures considered/taken if practicable. (26) Noted</p>
--	--

4.3 Question 3 Please use the following space for any further comments you wish to make to inform the development of the “Existing Routes”. It would greatly assist us if you provide as much detail as possible.

4.4

COMMENT	RESPONSE
<p>(1) I can only speak of link 14 from Caerphilly boundary to Caerphilly town centre, which is fine. I am unable to cycle to work as there is no safe route within the borough between Caerphilly and Ystrad Mynach - I could cycle up the Taff Trail and back down through Nelson but that doubles the journey</p> <p>(2) I consider that all physical barriers i.e. A frames, K barriers, chicanes etc. should be removed from the existing routes to enable cyclists to travel unimpeded thereby helping to reduce journey times. From my experience illegal off road motorcyclists are still able to access these routes from adjacent areas along their lengths and the barriers present more drawbacks than benefits. Such barriers also present significant challenges/hazards to horse riders and disabled persons in wheelchairs.</p> <p>(3) No comments - I regularly use the Oakdale Business Park to North of Blackwood Town Centre route and it is excellent. My only concern is what happens when the new school is built. The speed of traffic on this road far exceeds the 40mph speed limit.</p> <p>(4) I would like to see an extension of the Penallta-Nelson to Abercynon as there is a large workforce that goes to Abercynon it is also our</p>	<p>(1) The cycle link from Caerphilly to Ystrad Mynach will need to be developed and included in the next stage of the Active Travel Integrated Network. This additional link will be one of the projects progressed and is already included in the South East Wales Valleys Local Transport Plan/Caerphilly LDP.</p> <p>(2) The point made about physical barriers is noted however where installed they been included to address local problems and to ensure where possible the routes for walking and cycling are protected. If access is an issue then users may contact the council to see if their specific needs can be accommodated.</p> <p>(3) Noted. This is the subject of a separate planning application process.</p> <p>(4) The need to provide a dedicated cycle route connecting Networks in Abercynon and Caerphilly is acknowledged. The provision of</p>

nearest sports centre the old railway line still exists as a track and working with RCT, WG and Sustrans this extension is both viable and necessary without too much cost or infrastructure change.

- (5) Many of the routes are on or beside main routes - ideally, the routes need to have some kind of physical segregation from main traffic in order for cars and lorries not to collide with cyclist etc. Appropriate measures need to be taken at uncontrolled crossings.

It is very encouraging to see different modes of transport promoted in and around the County Borough, especially in areas where poor air quality is prevalent. Residents of the County Borough only stand to benefit from Active Travel both in terms of their health and in terms of the reduction in the number of cars using the roads causing increased levels of noise and congestion / pollution.

- (6) Environmental Health is fully supportive of the Active Travel Routes Maps and would be grateful if you keep us up to date of any new and proposed routes in and around the County Borough especially in the Caerphilly and Crumlin areas where they can be included within the Air Quality Action Plan.

- (7) A bus up to Bryn Aber Abertridwr would be great as it is up on the mountain and its hard to get to the shops and back when you have a disability or illness as the hill is very long and very steep.

- (8) It would be useful to show the links from the main route to the schools in the area for each Link route (map). People usually struggle with the last part of the route if they have to leave the main route to get somewhere when there is no additional guidance. Some people are not very confident with map reading, and thus find it difficult to find the start of the active travel route (even if it's in their local area).

Sometimes it's useful to include the postcode or highlight a specific feature or directions to the start, so they know where the route starts. This is also the case when leaving and joining the route mid way,

any route will need to undergo feasibility and be considered in a future LDP and South East Wales Regional Transport Plan.

- (5) The comments on cycle provision are noted. Future development of the cycle network will seek to provide the appropriate infrastructure and be compliant with the guidance provided in the Active Travel Wales Act (2013) where practicable. Support is noted for the development and promotion of cycling and walking networks and their wider environmental and health benefits.
- (6) Support for the development and promotion of cycling and walking networks and their wider environmental and a health benefit is noted. Officers will be informed of new projects in the forward programme of Active Travel Schemes.
- (7) Passed to the Integrated Transport Unit for consideration.
- (8) Development of the Integrated Network Map and how the information is made available the public will be a key activity. It is planned that the 'Active Travel Existing and Integrated Network Maps' will be made available both in electronic and paper based versions that can respond to all needs enabling the public to plan and make informed journeys.
- (9) Response to comments 8 & 9. The inclusion of distances to main destinations and settlements is a useful suggestion and will be included

which people will probably need to do for individual journeys. It would be useful to include distances for the routes for each link, as this would encourage people to use them for active travel and make it easier for them to plan their journeys. The routes could highlight the total distance for the route and/or be broken down into shorter sections to highlight the distance along the route (e.g. (9) Link 7, Hengoed rail station to Ystrad Mynach = ? miles, Ystrad Mynach to Maesycwmmmer = ? miles). If there are other traffic free routes off the main routes for each link, is it possible to highlight them. It might be that they only go for a few miles, but it might be the few miles someone needs to travel and this would highlight other options. They could be added as 'other traffic free routes diverting off the main route'. Is there an option to add additional routes? Looking at the map, there are quite a few areas that don't have any identified Active Travel Routes, such as Newbridge, Blackwood etc. but I'm guessing that there are traffic free routes/ paths in these areas. People will usually travel short distances for active travel to work, school etc. so it's important to identify all routes, especially the short ones.

- (10) Routes need to stop using shared pavements wherever possible. Any routes that do use these really need priority at side Roads; else they will not be as fast as using the road & hence will not be used. Shared paths where the path is narrow only encourages conflict between pedestrians & cyclists, so should not be used. Whilst it might seem good/cheap to route active travel through an estate. These routes are not used with the number of cars we now have on our roads as it becomes quite dangerous especially during school/work commutes. This also makes routes much slower than the direct route (that is usually possible by road). An example would be Morgan Park > Start of Taff Trail, using the road this takes me approx 10 minutes. If I use the provided 'cycle route' it takes 16 minutes almost twice as

where appropriate. The designated cycling/walking routes have not been included where either the community is not subject to the duty or there is no suitable route that the Highway Authority considers should be included in the 'Existing Active Travel Routes Map'. All Active Travel routes must define an origin and destination for the Minister to consider if the route can be adopted as an Active Travel Route, which means WG agrees that the criteria specified in the design guidance is satisfied. The integrated network map will identify where new routes are required or where existing routes not currently meeting the minimum standard require enhancement/or can be included. The duty requires continual improvement.

- (10) Shared use routes that segregate traffic from cyclists have been provided to meet all abilities and because there is often limited road space to reallocate for cycle lanes. The need to provide an on road cycle route would need a feasibility study. The suggestion will receive consideration in the development of the Integrated Network Plan.
- (11) The needs of non standard cycling equipment is difficult to cater for but may be considered in the design phase of new schemes. If access is an issue then users may contact the council to see if their specific needs can be

long. This is due to both the extended length of this route & the fact that I have to give way 10+ times. Nantgarw road easily has enough space to have a separate cycle path/lane on- if the hatching is removed. This would serve many houses- including lots of new build- that currently cannot easily access the current 'cycle path'. Please contact me if you require any pictures/videos, or further thoughts etc.

- (11) I find that any non standard active travel is very difficult in the borough For example I have a bike trailer for small children and can't get through many of the barriers designed to allow bikes through. Equally people with disability and my parents can't lift their bikes through some of the barriers
- (12) Although I understand that this is a mandatory exercise, the Authority seems to ignore the needs of walkers. Waunfawr Park and the canal towpath are used extensively by local people for leisurely walking and for the 30 mins, 5 times a week recommended by health experts. Both locations give people of all ages and even some in relatively ill health the chance to exercise in gloriously beautiful surroundings. Parents and grandparents use these routes to take babies and young children. Speeding cyclists put these in danger. Personnel in the Rights of Way department have been cut so that our extensive network of public footpaths is more overgrown than ever and illegal obstructions are not being addressed quickly. It should not be forgotten that keeping rights of way open and easy to use is also mandatory. The Authority seems to pick and choose which mandatory obligations it supports. (This is not a criticism of the Rights of Way Department, but a criticism of where the Authority puts its resources.) This is another way in, which the rights of walkers is being eroded. Cyclists have had tens, if not hundreds of thousands of pounds spent on them locally in Cwmcarn Forest, but they are not content with this and they use illegal tracks in the forest to speed

accommodated.

- (12) The canal Towpath is part of the National Cycle Network and the Authority permits use by cyclists. The use of any shared infrastructure requires courtesy and the authority has worked will local schools and the community to encourage safe cycling practices. The use of the rights of way network in the forestry and management of cycling behaviours is a matter for National Resources Wales. The Active Travel Wales Act (2013) seeks to encourage sustainable travel as part of everyday journeys i.e a journey made to or from a workplace or educational establishment or in order to access health, leisure or other services or facilities. The use of infrastructure included in the Active Travel Routes map for leisure or exercise will not be restricted.
- (13) The viewpoint is noted. The canal Towpath is part of the National Cycle Network and the Authority permits use by cyclists. The use of any shared infrastructure requires courtesy and the authority has worked will local schools and the community to encourage safe cycling practices.
- (14) The provision of a link from the bowls R/A to the start of the cycle route needs a feasibility study and will be considered in the development of the Integrated Network Plan. The suggestion of new safe route along the

downhill, emerging onto public footpaths and then the canal towpath. When such illegal activity is reported to NRW it is met with a shrug of the shoulders and a wry smile - 'Well, what can you do?' I appreciate that the Authority has little or no influence over NRW, but it could put its foot down and stand up for its non-cycling citizens and say 'It is time that we made sure that walkers rights are protected.'

- (13) The canal towpath from Pontywaun to Crosskeys is a Public Footpath, but the Authority has seen fit to allow cyclists to use it, thus further limiting the rights of walkers to have a stroll in peace. Yet another erosion of places where people can walk without being expected to stand aside for cyclists.
- (14) The Link from Abertridwr Cycle Path at the Bowls (link 12) to St Cenydd needs a dedicated cycle lane as road is very congested at rush hours and the hill slows cyclists down. All existing routes are fine but we desperately need a safe route along the A468 (St Cenydd School to Penrhos roundabout). There is plenty of verge there.
- (15) Ideally a route should be developed to connect NCN Route 4 with NCN Route 47 parallel to the A469 and A468 from Bedwas Bridge to the Cedar Tree roundabout and then past Llanbradach and through to Ystrad Mynach. This would provide greater connectivity to key employment sites at Bedwas Industrial Estate, Dyffryn Industrial Estate, Ystrad Mynach Hospital, Sporting Centre of Excellence and a link to Penallta Industrial Estate, helping to increase journey options and reduce congestion on an extremely busy road network at the Cedar Tree at key travel times during the day.
- (16) Some of the routes are very difficult for disabled people to use. Cycling is fantastic but if you are a novice you cannot cycle on a main road. For me to get to any of the active travel routes I would have to make a car journey first. There are some great walks where I live but again a lot them you have to make a car journey first.

A468 (St Cenydd School to Penrhos R/A is noted and will be considered in the Integrated Network evaluation.

- (15) The link between NCN4 and NCN 47 parallel to the A469 will need to be developed and included in the next stage of the Active Travel Integrated Network plan. This additional link will be prioritised and is already included in the Authorities, South East Valleys Local Transport Plan and Caerphilly LDP. It is also noted that this corridor is congested at present and alternative cycling and walking infrastructure has the potential to alleviate problems during the peak hour.
- (16) Disability needs are an important part of access to sustainable travel routes. The use of cycle barriers has been used to address illegal use by motorised transport and the risks and problems that these modes can create for vulnerable modes. If access is a problem for an individual they are encouraged to contact the Authority to see if their needs can be accommodated. The Active Travel Wales (2013) duty focuses on certain communities. The first part of the duty requires the Authority to identify an existing routes network that meets the standard. The duty focuses on walking and cycling for short everyday journeys. The next stage will consider the 'Active Travel Integrated Network Map' and will consider additional

<p>(17) One of the main observations of these routes is the lack of use as a means of transport to and from work. While they serve a useful purpose as recreational facilities mainly for dog walkers and families with young children they are not used by the lycra clad cyclist. In fact the Lycra clad cyclists will not use them even if adjacent the carriageway a fact that causes unnecessary obstruction to other road users.</p> <p>(18) Not Suitable Link Map 13 Trecenydd R/A footbridge - Shown as uncontrolled crossing. In fact an impossible crossing - unsuitable for wheelchairs, manual or motorised due to type of ramp design. i.e. steps could be altered to provide a slope surface.</p> <p>(19) Changes Omissions from map: - a) Links from Ystrad Mynach College of Further Education to existing NCN4 Cycle path. b) Links from Ysbyty Ystrad Fawr to existing NCN4 Cycle path.</p> <p>(20) Link 12 1/2 - No link to Ysgol Ifor Bach to Cycle Path even though it passes its front door.</p> <p>(21) Link 13 - No link to Plasyfelin School, Cwrt Rawlin School both of which are very close to existing cycle path. Also nothing to Castle View Estate using subway under B4600 Nantgarw Road. Caerphilly.</p> <p>(22) Map 15 Existing Trethomas - Machen Cycle path. – Not marked from entrance top of Upper Glyn Gwyn Street to entrance by Signals feature on Ridgeway/Nr Graig y Rhacca School.</p> <p>(23) I think that the plans show a very good network that if developed will provide a safe environment for many people.</p>	<p>routes in these communities.</p> <p>(17) The observation regarding current use of the routes is noted. The Design Guidance Active Travel (Wales) Act 2013 encourages the Authority to designate cycle and walking routes that are assessed to comply with the standard and the designated journey purposes. These routes are considered to connect residents with workplaces, transport interchange, services and facilities. The conditions are specific and all of the routes have been assessed against the criteria. The Act aims to be inclusive and develop a Network to provide for all abilities. There will be many cyclists that feel confident about using the existing road network and the duty is not about discouraging this activity.</p> <p>(18) The observation regarding the bridge along route 13 is noted. Route 13 will be reduced to remove the bridge section and will now provide a walking/cycling link from Trecenydd to Caerphilly Town Centre. The bridge is not DDA compliant at present.</p> <p>(19) The links suggested are useful in the development of the Integrated Network Map. (Subject to funding availability).</p> <p>(20) Will be considered in the development of the Integrated Network Map (subject to funding availability).</p> <p>(21) Will be considered in the development of the Integrated Network Map (subject to funding</p>
---	---

	<p>availability).</p> <p>(22) Will be considered and included in the Integrated Network Map (subject to funding availability).</p> <p>(23) The positive comment on the network is noted.</p>
--	--

**ACTIVE TRAVEL CONSULTATION DISTRIBUTION LIST INCLUDING
PARTNERS/ EXTERNAL/INTERNAL STAKEHOLDERS**

INTERNAL STAKEHOLDERS

- Corporate Director for Communities
- Caerphilly CBC Heads of Service
- Caerphilly County Borough Ward Members
- Community and Town Councils

INTERNAL / EXTERNAL GROUPS VIA CO-ORDINATORS

- Howard Rees – Programme Manager for Partnership Development & Collaborative Improvement
- Jackie Dix – Policy & Research Manager – Voluntary Sector Liaison Committee
- Simon Dixon - Disability Access Officer - Caerphilly Disability Access Group
- Alison Palmer - Community Planning Co-ordinator
- Tina McMahon - Community Regeneration Manager
- Mandy Sprague - Development Officer for Older People
- Clare Jones - Children & Youth Partnership
- David A Thomas - Senior Policy Officer (Equalities & Welsh Language)
- Paul Cooke Team Leader, Sustainable Development & Living Environment

LOCAL GOVERNMENT (LAs & bodies in the S E Wales Valleys)

- Cardiff City Council
- Monmouthshire County Council
- Newport CC: City Council
- Merthyr County Borough Council
- Blaenau Gwent County Borough Council
- Torfaen County Borough Council
- Rhondda Cynon Taff County Borough Council

PUBLIC SECTOR & STATUTORY BODIES

- Brecon Beacons National Park Authority
- Cadw Welsh Government
- The Crown Estate
- Natural Resources Wales
- Welsh Water

HEALTH AND EDUCATION SECTOR

- Coleg y Cymoedd
- Aneurin Bevan University Health Board
- Abertawe Bro Morgannwg University Health Board

- Cwm Taf University Health Board
- University of South Wales
- Health Challenge Wales
- Planet Health Cymru

RAIL OPERATORS

- Arriva Trains Wales
- First Great Western
- Network Rail

PRINCIPAL BUS OPERATORS

- NAT Group
- First Cymru
- Stagecoach in South Wales

COMMUNITY TRANSPORT ORGANISATIONS

- Community Transport Association (Wales)

EQUESTRIAN ORGANISATIONS

- British Horse Society

MOTORCYCLING ORGANISATIONS

- British Motorcyclists Federation

CYCLING ORGANISATIONS

- Cyclists Touring Club (Cymru)
- Sustrans Cymru
- Wheels for Wellbeing

ROAD ORGANISATIONS

- Freight Transport Association (Wales)
- RAC Foundation
- South Wales Trunk Road Agency
- **WALKING ORGANISATIONS**
- Ramblers Cymru

PUBLIC TRANSPORT USER & INDUSTRY ORGANISATIONS ORGANISATIONS REPRESENTING BUSINESSES

- Confederation of British Industry (Wales)
- Federation of Small Businesses (Wales)
- Institute of Directors (Wales)
- South Wales Chamber of Commerce

ENVIRONMENTAL GROUPS

- Canal and River Trust
- Friends of the Earth Cymru
- Groundwork
- Living Streets

- Open Spaces Society
- The Wildlife Trust of South & West Wales
- Woodland Trust

MISCELLANEOUS

- The National Trust
- Railway Paths
- Campaign for Better Transport
- Wales TUC

PROTECTED GROUPS UNDER EQUALITY ACT

- Action on Hearing Loss Cymru
- Age Cymru
- Age Concern Morgannwg
- Bi Cymru
- Bridges Into Work
- Caerphilly CB Access Group
- Deafblind Cymru
- Dewis Centre for Independent Living
- Disability Can Do
- Disability Wales
- Guide Dogs
- Menter Iaith
- National Bureau for Students with Disabilities
- Race Council Cymru
- Rhondda Cynon Taf Access Group
- Royal National Institute of Blind People Cymru
- Sea Cadets
- Snap Cymru
- Stonewall Cymru
- Wales Council for Deaf People
- Wales Council for Voluntary Action
- Work Clubs
- YMCA
- Yr Urdd

This page is intentionally left blank



CABINET - 20TH JANUARY 2016

SUBJECT: FOOD AND ORGANIC WASTE PROCUREMENT

SUBMITTED BY: CORPORATE DIRECTOR - COMMUNITIES

1. PURPOSE OF REPORT

- 1.1 To update Cabinet on developments since the Heads of the Valley procurement failure.
- 1.2 To outline the options that have been considered to treat organic waste over the longer term, as part of our overall waste strategy.
- 1.3 To recommend to Cabinet that the Council procures its own food and green waste contract.

2. SUMMARY

- 2.1 This report sets out the background to decisions that have been made previously with respect to organic waste and updates Cabinet with respect to the options available in relation to food waste treatment outlets for the longer term.
- 2.2 The report then seeks approval from Cabinet in relation to the recommended long-term approach to food and green waste treatment contract procurement.

3. LINKS TO STRATEGY

- 3.1 Local Authority Waste Management has changed significantly over recent years with the collection of separate waste fractions influenced by statutory targets.
- 3.2 Caerphilly County Borough Council is committed to the delivery of its waste services in the most sustainable, cost effective and locally acceptable manner. This commitment is demonstrated by the cleaner, greener objectives within the Single Integrated Plan, Corporate Plan and Community & Leisure Services Divisional Service Plan.

4. BACKGROUND

- 4.1 The need for a new Waste Transfer Station to treat and dispose of our waste has been highlighted for some time and officers have been exploring various sites for waste transfer infrastructure for the last 13 years but to date no solution has been delivered "on the ground".
- 4.2 Ty Dyffryn was purchased by the Council in 2005, for use as a waste treatment plant.

Since that time there has been a long and mixed history over the use of the site. In 2009 the Living Environment Scrutiny Committee, Cabinet and Council accepted the need for a waste transfer station and on 5th May 2009 the Scrutiny Committee recommended Ty Dyffryn as the preferred site to Cabinet. Cabinet (21st July 2009) and eventually Council (6th October 2009)

decided on the former Trehir Landfill Site as the preferred site although the development has not progressed since that time and waste transfer facilities have continued to be provided from the authority's current WTS at Full Moon, Cross Keys.

In January 2013, Cabinet resolved that a planning application be submitted for the proposed change of use of Ty Dyffryn for waste transfer, civic amenity site and depot use and a financial proposal be prepared for consideration by Council subject to planning permission being approved.

In June 2015 planning permission was granted for change of use of Ty Dyffryn to a waste transfer facility and depot.

- 4.3 The supporting business case for the site at Ty Dyffryn was based upon the need to create a central facility to store and bulk all waste streams (including food and green waste) as well as a new civic amenity site and a central depot to house all associated Community Services vehicles.
- 4.4 Throughout the same period, the Council was part of a public sector collaboration for the procurement of a long-term food waste treatment contract with two other local authorities (Heads of the Valleys (HoV) Organics Procurement).
- 4.5 After a lengthy procurement process, the HoV Organics Procurement hub failed to move beyond the detailed solutions stage of the procurement as the remaining private sector bidders took decisions to withdraw from the procurement. Consequently, the procurement process ceased.

5. THE REPORT

- 5.1 Due to the collapse of the HOV procurement process it has been necessary for the Council to consider its position in relation to the HoV Organics Procurement. During this time the waste market has developed and matured with a number of Anaerobic Digestion facilities now located across the region. Furthermore, the Council has commenced work with Welsh Government consultants (as part of the WG Collaborative Change Programme) to model future collection and treatment options as we aim to move from our current recycling performance of approximately 58% to 64% and ultimately 70% by 2024/25.
- 5.2 Currently, food waste is collected with green waste and treated via in-vessel composting via a contractual arrangement that can be extended to 2018. It is recognised that food waste over the longer term needs to be collected and treated separately via Anaerobic Digestion in accordance with WG policy. However, the phasing of this must be considered in the wider context of the collections modelling that is currently underway.
- 5.3 As the modelling work is developing, it can already be seen that the need for a large central waste transfer facility, is no longer pivotal to our strategy, as our requirements for food waste, in particular, have changed. Given the developing market and availability of AD technology providers across the region, officers are confident that our food waste infrastructure and treatment requirements can wholly be met by the market in the locality at a competitive rate.
- 5.4 Furthermore, there are a number of alternative sites located across the county borough and the wider region that may be suitable to meet our current and future waste transfer requirements for residual and recycling materials. The exact nature and requirements of which, will be fully explored and developed as part of the collection modelling. The outcome of this work will be reported to Members once completed, during spring 2016.
- 5.5 Options available for consideration
- 5.6 Officers have been in constant dialogue with WG officials over recent months and the following options have been considered:

- i. Since the collapse of the initial HoV Procurement, Monmouthshire County Council have joined the consortium (this has previously been reported to Cabinet) and work has commenced on the construction of an outline HoV business case for a second procurement to which the Authority has not formally committed to date. The Council could once again embark upon a collaborative procurement as part of the HoV hub.
- ii. Facilitated by the WG, the Council has also been approached by the Rhondda Cynon Taff/Merthyr/Newport Organics Hub (Tomorrows Valley) who are keen for Caerphilly to use the spare capacity within the anaerobic digestion (AD) plant at Bryn Pica, Llwydcoed.
- iii. Our current contractor (Bryn Composting) has constructed an AD Plant at its site adjacent to Gelligaer, which will be available for use from early 2016 under our existing contractual arrangement until 2018.

5.7 A full appraisal has been carried out of each of the above options and each has its own distinct set of advantages/disadvantages. These are highlighted below:

i **Remain in the HoV hub as it commences its second procurement.**

Advantages

- Procurement as a hub would attract WG gate fee support at 25%
- Procurement cost support from WG
- Governance structure already in place
- Markets now more developed so a collaborative approach may stimulate better market interest

Disadvantages

- Uncertainty over likely future destination of facility – which may require waste transfer and haulage costs. Ability to demonstrate best value may be challenging with additional costs associated with waste transfer and haulage costs
- Council would need to procure separately green waste contract after 2018
- Possibility hub procurement could fail again leaving CCBC exposed to no firm contract after 2018
- Procurement process may exceed 2018 which may place CCBC at risk of additional costs due to no firm contract in place after 2018
- Unknown gate fee
- Procurement costs

ii **Join the existing Tomorrows Valley hub and transfer/bulk haul food waste to its Bryn Pica AD plant**

Advantages

- Able to access the facility immediately – no procurement necessary
- Known gate fee, with WG gate fee (20%) support
- Long term certainty of position
- No additional procurement costs

Disadvantages

- Waste transfer facility required with associated revenue costs
- Significant work on contract due diligence required due to late membership of the collaborative hub
- Sub-contracting arrangements would need to be procured for transfer station
- Green waste would need to be procured separately after 2018

- iii **Undertake a single procurement which will specify AD food waste treatment as well as separate green waste treatment and require the winning contractor to provide a transfer facility if the location of the destination plant requires it.**

Advantages

- Flexibility to procure other waste streams, including green waste
- Positive and developing market so likely to receive competitive rate
- May attract bids where waste transfer would not be required
- Existing contract in place until 2018 to allow us sufficient time to procure and align with collection modelling outcomes
- Potential to provide additional AD capacity to the region, which via our contract package will allow other local authorities to join if required
- Ability to build social and economic factors into procurement documentation
- Contractor to provide all necessary waste transfer facilities, if necessary

Disadvantages

- EU Procurement required
- No WG support for procurement or gate fees
- Unknown gate fee with possibility of increase

- 5.8 When analysing each of the options and in particular a comparison between options ii and iii – whilst option ii allows the council to access a long term contract which attracts WG financial support, the gate fee is 27% more than that available for AD treatment under our existing contract. When coupled with the need to include haulage and transfer costs, this equates to 67% more than our existing AD contract rate per tonne. Even when the cost of procurement is factored into this equation (which is estimated in the region of £20k) this option remains the most appropriate and cost effective proposal for the Council.
- 5.9 Option iii also allows the flexibility to the council to procure AD treatment, as well as green waste, (and any other waste stream if so required). If the winning contractor is based locally then we will be able to directly deliver to the treatment site, however, if this is not possible, the successful contractor will be required to provide the transfer facility as part of the contract sum.
- 5.10 Given the differential between Option ii and our current contract, coupled with the fact that there is now a mature and competitive market for AD technology available across the region, it is considered that to undertake a single procurement for both food and green waste would be most beneficial and appropriate, as it offers the council the most flexibility and a potentially competitive gate fee over a long contract term.
- 5.11 Having considered each of the options presented above, it is proposed that the Council commence with its own procurement for AD for the treatment of food waste and an alternative for green waste. The procurement will include for the contractor to provide food waste transfer infrastructure if necessary and will also be structured to allow other local authorities to join if they require, thereby assisting WG with offering further AD capacity across the region.

6. EQUALITIES IMPLICATIONS

- 6.1 There are no equalities implications associated with this report.

7. FINANCIAL IMPLICATIONS

- 7.1 The Council collects, treats and disposes of circa 10,900 tonnes of comingled kerbside food & green waste and 1,900 tonnes of green waste taken to Civic Amenity sites respectively, per annum. This costs £1,698k per annum, which is included within the departmental waste budget. It is important to note that the current budget does not include the costs associated with the operation of a waste transfer station and haulage costs.

7.2 Further to the financial details outlined in paragraph 5.9 of the report, the procurement cost estimates, detailed as in the region of £20k, relate to the need for specific one-off costs for financial, legal and technical advice for pre-procurement and procurement support that will be required throughout the tender process. These costs will be funded from the departmental waste budget.

8. PERSONNEL IMPLICATIONS

8.1 There are no personnel implications associated with this report.

9. CONSULTATIONS

9.1 The views of the listed consultees have been included in this report. These include:

- Christina HARRY, Corporate Director, Communities
- Councillor Nigel George, Cabinet Member for Community & Leisure Services
- Nicolle Scammell, Acting Director of Corporate Services
- Liz Lucas, Head of Procurement
- Gail Williams, Acting Head of Legal Services

10. RECOMMENDATIONS

10.1 The Council formally withdraws from the HoV Organics collaboration.

10.2 The Council commences its own AD food waste and green waste treatment procurement and will consider all options available from the market, which may include food waste transfer infrastructure.

11. REASONS FOR THE RECOMMENDATIONS

11.1 To secure a cost effective long-term food and green waste treatment contract.

12. STATUTORY POWER

12.1 Environmental Protection Act 1990 – Functions of Waste Disposal Authorities.

12.2 Local Government Acts.

Author: Mark S Williams, Head of Community & Leisure Services
e-mail: willims@caerphilly.gov.uk tele: 01495 235070

Consultees: Christina HARRY, Corporate Director Communities
Councillor Nigel George, Cabinet Member for Community & Leisure Services
Nicolle Scammell, Acting Director of Corporate Services
Colin Jones, Head of Performance and Property Services
Liz Lucas, Head of Procurement
Gail Williams, Acting Head of Legal Services

This page is intentionally left blank



CABINET – 20TH JANUARY 2016

SUBJECT: COMMUNITY CENTRES TASK AND FINISH GROUP

REPORT BY: ACTING DIRECTOR CORPORATE SERVICES AND SECTION 151 OFFICER

-
- 1.1 The attached report was considered by the Education for Life Scrutiny Committee on 22nd September 2015. At the commencement of the meeting, and in relation to this item, Councillors J. Bevan, P.J. Bevan, Mrs A. Blackman, W. David (Chair), H.R. Davies, C. Durham, D. Havard, G. Johnston, Mrs G. Oliver and Mrs M.E. Sargent declared that they had each received dispensation from the Standards Committee in respect of their position as Management Committee Members of Community Centres in their wards.
 - 1.2 The Education for Life Scrutiny Committee established a Task and Finish Group to review the Council's support of community centre provision throughout the County Borough and make any recommendations necessary under the Medium Term Financial Plan.
 - 1.3 The report sought the Scrutiny Committee's views on the final recommendations of the Community Centres Task and Finish Group.
 - 1.4 The Scrutiny Committee considered the recommendations from the Community Centres Task and Finish Group. With regards to the recommendation to close Tirphil, Channel View and Rhymney Day Centre (as listed in 9.4 of the report to the Education for Life Scrutiny Committee and to achieve savings of £18k), Members unanimously agreed the REMOVAL of Rhymney Day Centre from this recommendation to allow more time to increase its usage following the withdrawal of Social Services.
 - 1.5 Subject to the forgoing, and having considered the report from the Community Centres Task and Finish Group, the Scrutiny Committee recommended to Cabinet that:-
 - (i) the council cuts the budget for payment of water rates for community centres to achieve savings of £27k;
 - (ii) the council reduces its caretaking contribution from 12 hours per week to 11 hours per week for each community centre, and recharges each community centre for one hour per week (to achieve savings of £14k);
 - (iii) two centres be put forward for closure - Tirphil and Channel View, Risca (to achieve savings of £18) and Rhymney Day Centre be allowed more time to develop and increase its usage;
 - (iv) that miscellaneous items be cut from the budget to achieve savings of £5k.
 - 1.6 Members are asked to consider the recommendations.

Author: Amy Dredge, Committee Services Officer

Appendix 1 The Education for Life Scrutiny Committee Report dated 22nd September 2015.

This page is intentionally left blank



EDUCATION FOR LIFE SCRUTINY COMMITTEE – 22ND SEPTEMBER 2015

SUBJECT: COMMUNITY CENTRES TASK AND FINISH GROUP

REPORT BY: ACTING DIRECTOR CORPORATE SERVICES

1. PURPOSE OF REPORT

- 1.1 To inform and seek the endorsement of the Education for Life Scrutiny Committee of the final recommendations of the Community Centres Task and Finish Group prior to its presentation to Cabinet.

2. SUMMARY

- 2.1 The Education for Life Scrutiny Committee established a Task and Finish group to review the Council's support of community centre provision throughout the County Borough and make any recommendations necessary under the Medium Term Financial Plan.
- 2.2 This report outlines the main findings of the review group and makes a number of recommendations for the future of this service, in respect of cost savings on water rates, reducing caretaking costs and closures of some community centres, which may then be taken over by local groups under asset transfer.

3. LINKS TO STRATEGY

- 3.1 The operation of Scrutiny is a requirement of the Local Government Act 2000.

4. THE REPORT

- 4.1 The Community Centres Task and Finish Group were set up to investigate the MTFP savings options for the community centres budget. The options were as follows:
- Option 1 - Maintain present community centre network 'as is'
 - Option 2 - Community centre service withdrawn
 - Option 3 - Community centre service is reconfigured to a smaller number of sites
 - Option 4 - Suitable community centres are offered to local groups via asset transfer
 - Option 5 - Community centre service is transferred via grant aid arrangement to a third sector body or equivalent organisation
- 4.2 The task and finish group were asked to consider MTFP savings based on anticipated reduction target of £64k for the 2016/17 financial year.

Membership

4.3 The membership of the task and finish group were as follows:

Councillor P Bevan
Councillor A Blackman
Councillor W David (ex-officio)
Councillor C Gordon
Councillor D Havard
Councillor G Oliver
Councillor D Preece (Vice Chair)
Councillor J Pritchard (Chair)
Councillor J A Pritchard

FINDINGS

4.4 The review group held a series of four meetings during June and July 2015 and examined the following issues:

- Community Centre Locations
- Proximity of Community Centres
- Asset Transfer
- Operation & Performance

COMMUNITY CENTRES

4.5 There are 38 community centres in the Council's supported network. The 35 centres owned by the council are leased or licensed to voluntary management committees, all of which as 'unincorporated associations' have charitable status. Some are registered with the Charities Commission and a small number who employ staff are 'Social Enterprises'. Abertridwr Community Centre is held by the council on a long term lease whilst Rudry Parish Hall and Glan y Nant memorial Hall are supported by way of historical arrangements dating back to the 1960's.

COMMUNITY CENTRE LOCATIONS AND PROXIMITY

- 4.6.1 The task and finish group considered the number of community centres and locations across the county borough (Appendix 1). The locations of supported community centres are unevenly spread across the county borough. It was noted that the former Rhymney Valley area has a higher number of supported community centres than the former Islwyn area.
- 4.6.2 The proximity of community centres to each other was discussed by the task and finish group (Appendix 2). Thirteen community centres are located less than one mile travel distance to the nearest alternative community centre.
- 4.6.3 The review group particularly noted that four community centres are under half a mile travel distance to the nearest community centre. The shortest travel distance between two centres is 0.2 miles, between Rhymney (St Davids) and Rhymney Day Centre. The town also has two other community centres situated at Ael Y Bryn and at Lower Rhymney. The second shortest travel distance between two centres was noted as Fleur De Lys and Tir Y Berth which is 0.4 miles.
- 4.6.4 The review group recognised that many communities have distinct identities and are reluctant to travel to neighbouring areas to use community facilities.

ASSET TRANSFER

- 4.7 The task and finish group were informed of the findings of the Quirk report 2007. The report recognised that whilst risk should not provide a barrier to asset transfer, there should be a willingness to be open about the risks so that those involved in possible asset transfer are able to make informed decisions.

The key message in the Quirk report was that:

‘The prime purpose of asset transfer is to develop ‘community empowerment’ and not to save money or optimise the use of public assets.’

Maintenance Responsibilities

- 4.7.1 All community centre buildings owned by CCBC have already been transferred to their respective management committees / associations, by way of Lease or Licence of occupation. Under the terms of occupancy, CCBC has retained all building maintenance responsibilities other than for internal decoration. It is the widely held view of Trustees that if maintenance liabilities were to be devolved to management committees, the facilities would not be sustainable in the long term.
- 4.7.2 There are two community centres (Deri and Abertysswg), where the Council has no reactive maintenance liability. This is because the buildings are relatively new and currently free of major maintenance requirements. However, CCBC still undertakes all statutory maintenance at these properties and the task and finish group were advised that it is anticipated that at some point, the council will be approached to assist with future maintenance requirements.
- 4.7.3 It is inevitable that before any organisation would consider taking on a community building under asset transfer, that they would require the building to be in a condition acceptable to the receiving organisation.

Income

- 4.7.4 The review group were informed that there are successful examples of asset transfer, however these tend to be located in affluent or rural areas, or in isolated locations where competition for external funding (crucial to sustainability) is minimal. It is therefore important to fully identify the likely risks involved in the wholesale transfer of a community building to an outside body, as they will be key to any decisions.
- 4.7.5 At present the Council provides revenue funds to ensure that the gap between income and expenditure is met. In addition Management Committees receive Officer advice and expertise to ensure they meet their statutory obligations such as health and safety and any Charity Law requirements.
- 4.7.6 When considering asset transfer the projected level of income that the community centre could generate and the level of expenditure required to run and maintain the building is a key factor. Trustees would need to be aware of the time commitment needed to sustain that income. Subsequently, any organisation wishing to take over responsibility for a community centre would have to consider the difficulty in recruiting trustees who could achieve minimum income requirements, and the level of expertise required by trustees to operate successfully.
- 4.7.7 In the event that the community centres become ‘independent’ they would need to identify funding streams to meet the shortfall in income and have the necessary skills and expertise to apply for funding. There may be existing organisations such as Town and Community Councils that wish to become responsible for community centres. However their limited budget may result in them having to increase their precepts in order to raise the additional revenue required.

Non Domestic Rate

- 4.7.8 The transfer of freehold will make the receiving organisation responsible for non-domestic rates. This can be a significant amount – in the cases of Penyrheol and Trecenydd community centres, £12,750 and £11,000 respectively. However where community centre buildings are leased to Community Associations, which are registered charities, the managing trustees who handle the day to day running of the centre are eligible for 100% rate relief.
- 4.7.9 If a community centre were asset transferred to an organisation such as a Community or Town Council, they would not be eligible for rate relief. However the Community or Town Council could consider granting occupancy of the building to an organisation with charitable status by sub-lease, under terms which would make the occupants eligible for 100% relief.

Legal Advice

- 4.7.10 If asset transfer were to be considered, both the council and any prospective management committees would need to take into account the legal implications and associated costs involved. If community / town councils are considering taking over responsibility for a community centre and then leasing it to a management committee, then both parties would require independent legal advice and arrange to undertake an independent property condition survey before accepting the building.
- 4.7.11 Where community centres have community council representation upon their management committees, they may consider it preferable to have the community / town council as its landlord rather than CCBC. However as a consequence there may be a conflict of interest for those community and town councillors.

Constitution.

- 4.7.12 If a community centre were asset transferred to a Community or Town Council, and then leased to a management committee the centre management committees will need to be re-constituted with the new governing document needing to reflect the relationship with the community / town council and not CCBC. This will need the approval of the Charities Commission before any transfer process can be considered.

Insurances.

- 4.7.13 In the case of asset transfer, CCBC would relinquish any insurable interest in the building or its occupants. The responsibility for insuring the building, grounds and occupants would pass to the receiving organisation.
- 4.7.14 Currently, all claims made under insurances provided by CCBC are handled and processed by its Risk Management Service with the help and support of Legal / Health & Safety / Property Officers. A receiving organisation under asset transfer will not have access to such resource.

Health and Safety.

- 4.7.15 The Councils' Health and Safety team provide advice for the management of each community centre - including areas that carry significant risk, such as asbestos control. In the case of freehold transfer, that responsibility will pass to the receiving organisation who would need to seek independent advice.
- 4.7.16 Before any building transfer, the Councils' Health and Safety Officers would need to be satisfied that the receiving organisation is fully capable of discharging all of its health / safety and statutory obligations.

Maintenance.

- 4.7.17 In the case of asset transfer, it would not be possible for CCBC to carry out statutory or reactive maintenance work at any premises in which it no longer held any insurable interest. Therefore the receiving association would need to accept all such liabilities.

Employees.

- 4.7.18 CCBC currently employs the caretaking staff at 31 of the 36 council owned centres. The remaining 5 centres are currently grant aided but these will be brought in line with other centres at the conclusion of this review.
- 4.7.19 Caretakers are employed on a minimum of 12 hours per week contract but required to work as required. CCBC funds the first 12 hours per week - additional hours being funded by their respective management committees. In the case of asset transfer, caretaking staff would therefore need to be transferred under TUPE to the receiving organisation which would need to take on all HR and payroll requirements.

Governance and Conflict.

- 4.7.20 The voluntary management of community buildings can be unstable and unpredictable. Council officers deal with conflict and disagreement between committee members or between committees and the public / user groups or committee and caretaking staff. Similarly, financial / governance issues can hinder operational management. Community/Town councils or any receiving organisations will have to be made aware of the any potential issues. This issue was of particular concern to the existing community council clerks during exploratory talks.

Asset Transfer Conclusion

- 4.7.21 The review group were doubtful that asset transfer would be the solution to reducing the budget commitment for community centres. Members felt that there were a number of centres not suitable for asset transfer due to their condition. The review group agreed that there are examples where the community will get involved initially when a building becomes threatened, but unfortunately most communities find that people become less interested as time goes on and the long term sustainability of these community facilities will be poor.
- 4.7.22 However where centres have groups that are already using premises on a regular/permanent basis there may be opportunities for transfer. Members were informed however that Channel View (Risca) community centre may be suitable for asset transfer, with a local group already expressing an interest.

OPERATION AND PERFORMANCE

- 4.8.1 In order to understand the operational and performance issues of each community centre, the review group asked for details of the balances held by each community centre, the usage of centres and the maintenance priorities.

Community Centre Account Balances

- 4.8.2 The current figures available in respect of community centre account balances are derived from annual accounts submitted every year by management committees – a requirement of all charities. The details of balances held were provided to the review group (Appendix 3). Members noted that there were some centres that have not submitted accounts.
- 4.8.3 The review group asked if management committees could be asked to contribute towards building maintenance costs. They were informed that community centre management committees are autonomous bodies and receive council support regardless of the balances held. Further, in some cases there are legitimate reasons for high balances, where centres have plans for improvements etc. Ultimately however, the Council has no powers to direct centres upon how they should spend their funds.

Occupancy Levels

- 4.8.4 The review group received information on the usage of community centres during 2015/15 (appendix 4), which is based on cyclical booking only and does not include ad-hoc bookings that can significantly increase the level of use, particularly over weekends.
- 4.8.5 It was explained that a centre, which has a two hour booking in the morning, afternoon and evening would appear very well used. However, this only amounts to an occupancy of 46% based upon 9am until 10pm opening times.
- 4.8.6 The following table shows the usage of community centres during 2014/15, split into ranges (although Tir y Berth centre has closed for refurbishment, therefore has no data):

Number of Community Centres	Occupancy (weekdays)	Number of Community Centres	Occupancy (inc weekends)
4	80-100%	2	80-100%
6	60-79%	3	60-79%
8	40-59%	8	40-59%
11	20 - 39%	16	20-39%
7	0-19%	7	0-19%

- 4.8.7 The table below identifies the 4 community centres (excluding Tir y Berth) that have the lowest usage, as follows:

Community Centre	Occupancy weekdays	Occupancy inc. weekends	Hours
Phillipstown	18%	13%	11
Pentwynmawr	16%	11%	10
Tirphil	14%	10%	8.5
Rhymney Day	12%	9%	8

- 4.8.8 The review group noted that until recently the Rhymney Day Centre was used by Social Services, 5 days per week 9am until 5pm. However they have now moved to new premises therefore usage at the centre has plummeted and income has subsequently decreased significantly.

COMMUNITY CENTRE MAINTENANCE.

- 4.8.9 The review group were provided with detailed information in relation to the maintenance priorities (Appendix 5). Members noted that there has been significant investment in buildings in order to ensure that health and safety requirements and DDA compliance issues are addressed. The outstanding maintenance costs have been divided into three priorities, priority one £193,000, priority two £1,205,000 and priority three £972,000.
- 4.8.10 Members were informed that there have already been cuts to the maintenance budget which has meant that the progress previously made in addressing maintenance priorities has now declined and any further cuts to the maintenance budget would further delay addressing priority 1 works and seriously affect progress with priority 2 and 3 works.

REVENUE COSTS

- 4.9 The council provides a range of revenue budget support to community centres. This support ensures that the gap between income and expenditure is met. The main revenue costs provided in 2014/15 is detailed in appendix 6. All community centres receive support for caretaking costs, water rates and insurance. The review group asked for options in respect of possible cuts to revenue support in order to meet the MTFP savings. The following options were put forward:

- Water cost – potential saving £27k
- Reducing caretaking provision by 1 hour per week – potential saving £14k
- Miscellaneous costs – potential saving £5k
- Insurance costs – potential saving £ 19k
- Close 3 community centres – potential saving £18k (Based on annual average saving £6k per centre).

4.9.1 The review group were informed that the council currently covers the cost of water rates to community centres. By cutting this provision the council would save £27k from its revenue support costs, which is a significant contribution towards the overall £64k required. Members were informed that water at community centres is a metered charge and felt that this would be an incentive to reduce the level of water use in future.

4.9.2 The review group considered the option to reduce caretaking provision from 12 hours per week to 11 hours per week. The group was reassured that caretakers would still receive 12 hours work, and the additional hour would be recharged to each management committee. This would save £14k from the revenue budget at a cost of £398 per community centre.

4.9.3 The miscellaneous costs identified were identified as central savings that could be achieved from areas such as equipment, mileage and subsistence.

4.9.4 The review group considered removing support from insurance costs for community centres, which would give possible savings of £19k. However members were informed that this would be problematic, as the insurance charge related to public liability, employer liability and buildings cover which would be difficult to apportion accurately.

4.9.5 Members considered options in respect of closing some community centres, in order to meet some of the shortfall in savings required. The average saving per centre would be £6k, made up of statutory and reactive maintenance costs and caretaker salary costs. The following centres that were considered for closure were those with the lowest usages and also with the closest proximity to other centres were considered, as follows:

- Tirphil Community Centre – less than 0.5 miles to the nearest centre and usage levels at 8.5 hours per week.
- Rhymney Day Centre – less than 0.5 miles to the nearest centre and usage levels at 8 hours per week.
- Phillipstown Community Centre – Usage levels at 11 hours per week and there is competition from Phillipstown community house and nearby Whiterose Resource Centre and the Recreation Centre.
- Pentwynmawr Community Centre - Usage levels at 10 hours per week, however there is good ad hoc usage of the centre and there are no other community centres in close proximity.

4.9.6 The review group were also asked to consider Channel View (Risca) Community Centre as a possible closure option. This was included due to its condition and overall unsuitability for improvement and investment (a photograph of the building is attached at appendix 7). This centre is also a possible option for asset transfer, as a local voluntary group are interested in taking over the Centre.

CONCLUSIONS

4.10 The review group concluded that the preferable option in respect of possible savings to achieve the MTFP outlined in 4.1 would be a combination of options 3 & 4 plus some additional savings to be made across all community centres in respect of cuts to water rates, reduce caretaking hours and reduce general miscellaneous costs. This would reduce the number of potential closures and should still be manageable for all community centres.

- 4.11 The review group unanimously concluded that they would recommend closure of three community centres identified under 4.8.5 and 4.8.6 and understood that these would not necessarily result in closure of the centres, as other options such as asset transfer may be considered.

5. EQUALITIES IMPLICATIONS

- 5.1 An EqIA has been completed in accordance with the Council's Strategic Equality Plan and supplementary guidance and no potential for unlawful discrimination and/or low level or minor negative impact have been identified, therefore a full EqIA has not been carried out.

6. FINANCIAL IMPLICATIONS

- 6.1 There will be a financial impact upon all community centres if the recommendations are endorsed. The cost of water rates depends on the usage at the individual centre, as water is a metered charge. The one hour caretaking cost per week, will result in a weekly cost of £7.65 for each community centre.

7. PERSONNEL IMPLICATIONS

- 7.1 The recommendations include a reduction in support for caretakers from 12 hours per week to 11 hours per week per community centre. However caretakers will continue to work for 12 hours per week and the council will recharge each community centre for the cost of the reduced hour.

8. CONSULTATIONS

- 8.1 Due to the sensitivity of the issues, Management Committees have not been consulted formally upon the recommendations of this report. They are however all aware of the financial constraints the authority is facing, together with the likelihood that they will be required to meet additional costs - notably water consumption and insurances. These measures were actually proposed as options at the last meeting of the Community Centres Forum.
- 8.2 Should the recommendations be accepted, formal consultations will need to take place both collectively, and with individual management committees. Where closures might be involved the relocation of user groups will need to be planned and agreed.

9. RECOMMENDATIONS

- 9.1 That Education for Life Scrutiny Committee recommend to Cabinet, the following:
- 9.2 That the council cuts the budget for payment of water rates for community centres to achieve savings of £27k.
- 9.3 That the council reduces its caretaking contribution from 12 hours per week to 11 hours per week for each community centre, and recharges each community centre for one hour per week. To achieve savings of £14k.
- 9.4 That three centres are put forward for closure, Rhymney Day, Tirphil and Channel View (Risca), to achieve savings of £18k.
- 9.5 That miscellaneous items be cut from the budget to achieve savings of £5k.

10. REASONS FOR THE RECOMMENDATIONS

10.1 To achieve the MTFP savings to the community centres budget for 2016/17.

11. STATUTORY POWER

11.1 Section 21 of the Local Government Act 2000.

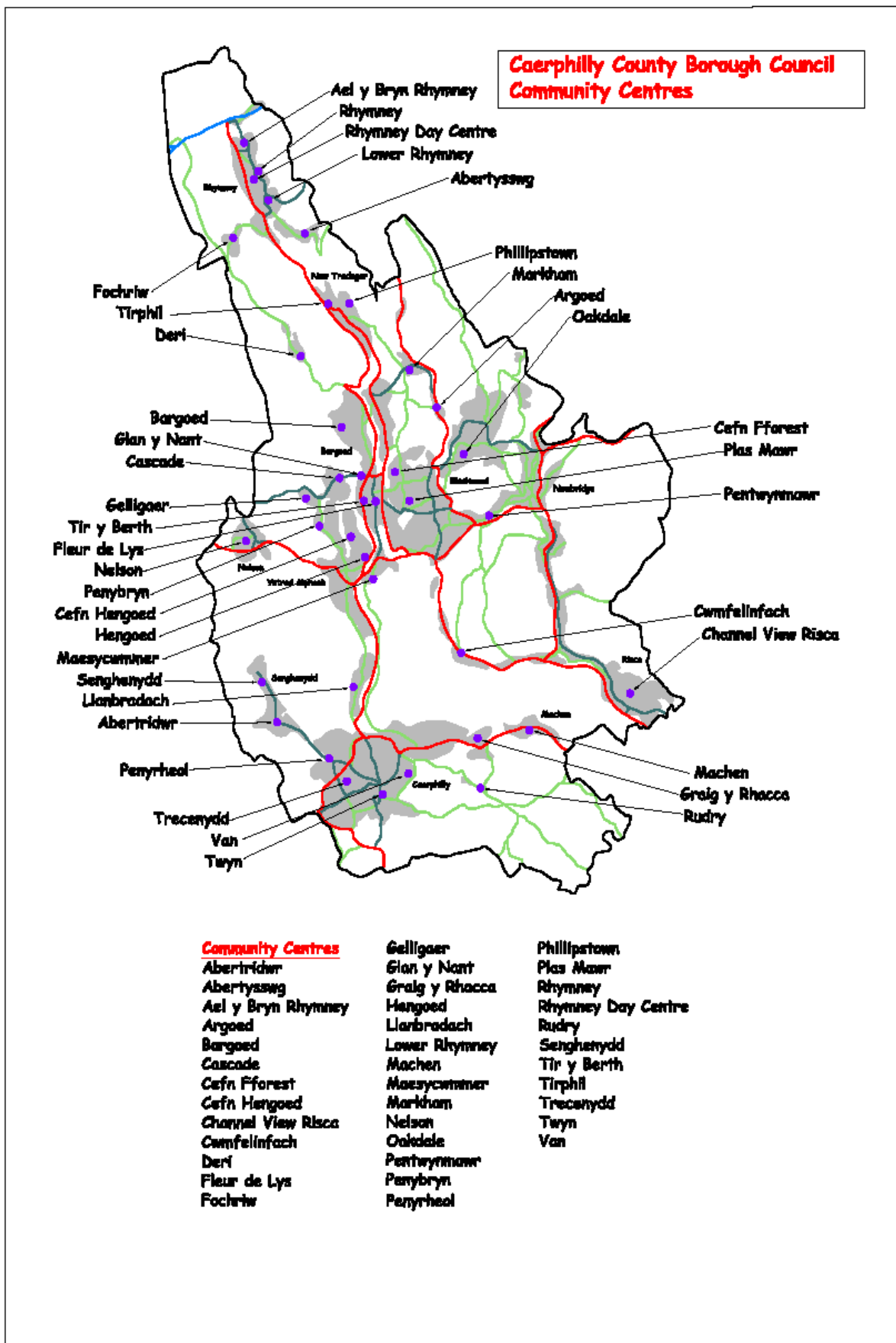
Author: Catherine Forbes -Thompson - Scrutiny Research Officer
Consultees: Christina Harry – Corporate Director Education and Community Services
Nicole Scammell – Acting Director Corporate Services
Bleddyn Hopkins - Assistant Director 21st Century Schools
Gail Williams – Interim Monitoring Officer and Head of Legal Services
Gareth Evans - Senior Manager, Planning & Strategy/Library Services
Steve Hawkins - Community Leisure Officer
John Thomas – Section Head, Asset Management
Donna Jones – Health and Safety Manager
Sue Ruddock – Insurance and Risk Manager
Angharad Price – Interim Head of Democratic Services and Deputy Monitoring Officer
Councillor Rhianon Passmore – Cabinet Member Education and Lifelong Learning

Background Papers:
Quirk Report 2007

Appendices:
Appendix 1 of 7: Map of Community Centre Locations
Appendix 2 of 7: Community Centres - Proximity
Appendix 3 of 7: Community Centres - Account Balances
Appendix 4 of 7: Community Centres - Usage
Appendix 5 of 7: Community Centres - Maintenance Priorities
Appendix 6 of 7: Community Centres - Main Revenue Costs
Appendix 7 of 7: Photograph of Channel View (Risca)

This page is intentionally left blank

MAP OF COMMUNITY CENTRE LOCATIONS



This page is intentionally left blank

Community Centres - Proximity

Centre	Travel Distance	Nearest Centre	Direct Distance
RHYMNEY (St Davids)	0.2	Rhymney Day Centre	0.12
RHYMNEY DAY	0.2	Rhymney (St Davids)	0.12
FLEUR DE LYS	0.4	Tiryberth	0.25
TIR Y BERTH	0.4	Fluer de lys	0.25
LOWER RHYMNEY	0.8	Rhymney Day Centre	0.47
PENYRHEOL	0.9	Trecenydd	0.62
TRECENYDD	0.9	Penyrheol	0.62
CEFN HENGOED	0.9	Hengoed	0.65
GELLIGAER	0.9	Penybryn	0.65
PEN Y BRYN	0.9	Gelligaer	0.65
AEL Y BRYN	0.9	Rhymney (St Davids)	0.67
CEFN FFOREST	0.9	Plas Mawr	0.68
PLAS MAWR	0.9	Cefn Fforest	0.68
ABERTRIDWR	1	Senghenydd	0.91
SENGHENYDD	1	Abertridwr	0.91
TWYN	1.1	Van	0.8
VAN	1.1	Twyn	0.8
PHILLIPSTOWN	1.3	Tirphil	0.48
TIRPHIL	1.3	Phillipstown	0.48
ABERTYSSWG	1.3	Lower Rhymney	1.1
HENGOED	1.4	Maesycwmmmer	0.48
MAESYCWMMER	1.4	Hengoed	0.48
ARGOED	1.4	Markham	0.99
MARKHAM	1.4	Argoed	0.99
CASCADE	1.5	Tiryberth	0.69
FOCHRIW	2	Lower Rhymney	1.03
PENTWYNMAWR	2.2	Plas Mawr	1.75
OAKDALE	2.3	Argoed	1.12
LLANBRADACH	2.4	Penyrheol	1.58
GRAIG Y RHACCA	2.6	Machen	1.1
MACHEN	2.6	Graig y Rhacca	1.1
NELSON	2.8	Gelligaer	1.6
DERI	2.8	Bargoed	1.86
BARGOED	2.9	Cascade	1
CWMFELINFACH	4.1	Maesycwmmmer	2.49
CHANNEL VIEW	5	Cwmfelinfach	4.5

This page is intentionally left blank

Management Committee Account Balances

Appendix 3

CENTRE	31/03/06	31/03/07	31/03/08	31/03/09	31/03/10	31/03/11	31/03/12	31/03/13	31/03/14	31/03/15
ABERTRIDWR	30,644	33,114	35,219	36,095	16,834	37,018	38,662	39,607		
ABERTYSSWG	46,029	42,798	48,203	50,817	54,924	60,571	65,842	74,772	81,175	
AEL Y BRYN	24,286	25,753	25,477	28,857	27,876	27,101	27,314	27,072	30,995	34,698
ARGOED	20,776	18,221	22,670	24,433	24,433	26,116	24,905	31,737	37,530	42,634
BARGOED		24,417	26,189		5850	11,002	10678		11440	
CASCADE				19,780	19,463	21,473	23371	23791	22152	
CEFN FFOREST	27,811	29,244	31,018	34,077	26,663	31,319	37,238	36,914	36,914	
CEFN HENGOED					8,988	9,209	11,052	11,977		
CHANNEL VIEW	35,076	41,462	45,534		54,728	58,918	63,835	66,647	70,341	
CWMFELINFACH	21,561	15,456	15,294	15,872	16,789	18,563	19,554	20,115	22,530	18,982
DERI			New Centr	21,218	22,241	27,947	23,999	26,762	26,195	
FLEUR DE LYS		7080	10,185	10,038	12,985	11,927	10,134	9,320	10,860	12256
FOCHRIW	6400			9,834		10000				
GELLIGAER	6642							11,617		
GLAN Y NANT										
GRAIG Y RHACCA				10,834	12,484	10000				
HENGOED	22,839	25,702	26,526	19,457	29,315	38,731	50,860	40,320	45,186	
LLANBRADACH		6,868	6360	6833	8,201	8,848	8,336	9826	11,160	
LOWER RHYMNEY			2,986	557	6,640	6,385	4,673			
MACHEN	30,535	22,746	26,078	26,271	25,491	27,962	29,144	34,879	37,643	
MAESYCWMMEF	16,447	12,356	12,753	10,640	6,948	7,325	8,948	11,670	14,031	
MARKHAM			21,867		5,202	10000			33000	
NELSON	21,507	20,218	20,358		13,903	19,253	21,218	26,467	37,973	50622
OAKDALE	36980	43,030		9,182	8,437	12,052	18,864	20,511	26,950	29355
PENTWYNMAWR	35,816	36,106	37,551		38,890	41,515	39,338	37,897	36,071	
PENYBRYN						8,475	5323	5032	4184	
PENYRHEOL			4927	2,667	4,172	3,346	2658	2,702	5,219	7532
PHILLIPSTOWN	19,389	8,368	6,481	8,649	6,881	9,073	8,196	7,720	5,583	
PLAS MAWR					8,184	8513	9,988	13,087	14667	18598

PONTLOTTYN	115,163	119,267	126,845	128,350	132,017	132,792	N/A	N/A	N/A	N/A
RHYMNEY	16,580	20,615	18,498	20,399		22,342	22,436	23,915	24,806	
RHYMNEY DAY	48,129	50,304	56,052	59,642	65,243	63,698	65,471	67,619	68,913	70,956
RUDRY							20,286	18,242	27,069	
SENGHENYDD	20,997	25,703	37,281	36,730	31,188	31,081		32501	13,252	
TIR Y BERTH	5641	5036	5725	5,392		13,876	18,669			
TIRPHIL				3,084	5,065	5,341		2884		
TRECENYDD			19,265	18,252	17,602	27,363	23,270	20,882	19,210	22,926
TWYN		40,848	37,658	44,493	44,946	51,938	58,695	75,699		
VAN	9,875	8,934	8,715	7,998	10,637	12,685	13,523			

Community Centres - Occupancy / Usage - 2014/15

CENTRE	Weekdays	Weekly Hours	
MARKHAM	100%	81%	89
TWYN	100%	98%	83
GELLIGAER	82%	62%	56.5
RHYMNEY	80%	63%	52.5
NELSON	79%	59%	50
HENGOED	72%	60%	50
SENGHENYDD	71%	58%	49
FOCHRIW	67%	55%	47
OAKDALE	75%	53%	46
TRECENYDD	63%	52%	44
ARGOED	39%	46%	38.5
PENYRHEOL	58%	42%	35
MACHEN	58%	42%	35
LLANBRADACH	55%	39%	33
CASCADE	46%	39%	33
FLEUR DE LYS	34%	39%	33
VAN	53%	38%	32
PLAS MAWR	42%	35%	29
CWMFELINFACH	45%	34%	28.5
CEFN FFOREST	41%	30%	25
AEL Y BRYN	39%	30%	25
BARGOED	35%	27%	23
DERI	37%	27%	23
LOWER RHYMNEY	37%	26%	22
CHANNEL VIEW	26%	27%	20
ABERTRIDWR	31%	23%	19
MAESYCWMMER	28%	20%	17
CEFN HENGOED	30%	26%	16.5
ABERTYSSWG	27%	20%	16.5
GRAIG Y RHACCA	18%	17%	14
PEN Y BRYN	16%	14%	12.5
PHILLIPSTOWN	18%	13%	11
PENTWYNMAWR	16%	11%	10
TIRPHIL	14%	10%	8.5
RHYMNEY DAY	12%	9%	8

TIR Y BERTH

This page is intentionally left blank

Community Centres				
Centre	Maintenace Priorities (k)			
	P1	P2	P3	Totals
MARKHAM	1.20	54.10	138.60	193.90
ABERTRIDWR	5.00	155.00	27.30	187.30
LLANBRADACH	7.00	73.60	75.50	156.10
BARGOED	3.30	24.20	104.10	131.60
RHYMNEY DAY	23.20	52.20	44.30	119.70
PENYRHEOL	4.30	47.50	65.50	117.30
AEL Y BRYN	10.80	46.40	55.30	112.50
CHANNEL VIEW	10.90	83.20	15.30	109.40
GRAIG Y RHACCA	17.30	66.60	18.30	102.20
RHYMNEY	8.50	44.40	49.10	102.00
GELLIGAER	8.70	73.70	13.70	96.10
NELSON	4.40	69.00	12.40	85.80
PENTWYNMAWR	3.40	51.20	15.00	69.60
SENGHENYDD	6.30	40.00	23.20	69.50
MACHEN	9.70	31.90	26.60	68.20
OAKDALE	1.30	29.50	34.20	65.00
CEFN HENGOED	12.70	23.00	25.00	60.70
TRECENYDD	26.80	12.30	21.10	60.20
PHILLIPSTOWN	4.60	22.80	32.60	60.00
FOCHRIW	3.00	12.70	43.90	59.60
CASCADE	1.90	26.70	18.00	46.60
MAESYCWMMER	2.30	18.70	21.00	42.00
VAN	4.50	22.00	9.20	35.70
HENGOED	1.40	16.00	18.10	35.50
PEN Y BRYN	0.28	10.90	21.10	32.28
FLEUR DE LYS	0.80	20.10	5.10	26.00
PLAS MAWR	0.25	20.40	5.10	25.75
CEFN FFOREST	1.50	13.50	7.90	22.90
TIRPHIL	2.70	14.20	5.60	22.50
CWMFELINFACH	1.80	9.70	6.60	18.10
ARGOED	2.10	11.20	2.50	15.80
TWYN	0.00	5.70	9.80	15.50
LOWER RHYMNEY	1.30	2.80	1.00	5.10
TIR Y BERTH	0.00	0.00	0.00	0.00
ABERTYSSWG	0.00	0.00	0.00	0.00
DERI	0.00	0.00	0.00	0.00
Totals	193.23	1205.20	972.00	2370.43

This page is intentionally left blank

Community Centre Main Revenue Costs - 2014/15

Appendix 6

Maintenance

<u>CENTRE</u>	<u>REACTIVE</u>	<u>STATUTORY</u>	<u>17th Edition</u>	<u>GROUND</u> S	<u>CARETAKING</u>	<u>WATER</u>	<u>RENTS</u>	<u>MAN GRANT</u>	<u>INSURANCE</u>	<u>TOTALS</u>
ABERTRIDWR	160	465	3190	0	5724	479	500		602	11120
ABERTYSSWG	1890	753	2379	0	5724				602	11348
AEL Y BRYN	4618	730	1825	0	5724	209			602	13708
ARGOED	455	295	1100	0	5724	113			602	8289
BARGOED	3870	1807	3440	0	5724	248			602	15691
CASCADE	995	1167	3690	145	5724	305			602	12628
CEFN FFOREST	2357	1582	1135	145	5724	260			602	11805
CEFN HENGOED	2700	530	3000	0	5724	136			602	12692
CHANNEL VIEW	2637	52	1724	145	5724	95			602	10979
CWMFELINFACH	211	115	2770	145	5724	305			602	9872
DERI	402	284	3205	0	5724				602	10217
FLEUR DE LYS	1581	587	3595	145	5724	210			602	12444
FOCHRIW	10282	687	4350	0	5724				602	21645
GELLIGAER	1537	1215	0	0	5724	1169			602	10247
GLAN Y NANT	1000			145	4774	307			500	6726
GRAIG Y RHACCA	5472	329	5155	0	5724	443			602	17725
HENGOED	1558	663	485	0	5724	422			602	9454
LLANBRADACH	2474	697	2100	145	5724	313			602	12055
LOWER RHYMNEY	36	850	280	145	5724	103			602	7740
MACHEN	1789	128	790	0	5724	1014			602	10047
MAESYCWMMER	1588	405	2220	145	5724	1048			602	11732
MARKHAM	5956	589	4190	145	0	747		10500	602	22729
NELSON	4920	1285	730	145	5724	713			602	14119
OAKDALE	1466	426	2075	0	5724	753			602	11046
PENTWYNMAWR	1320	115	1565	0	5724	804			602	10130
PENYBRYN	1431	457	635	0	5724	621			602	9470
PENYRHEOL	6420	529	4960	145	5724	399			602	18779
PHILLIPSTOWN	2043	62	940	0	5724	107			602	9478
PLAS MAWR	3161	200	700	145	5724	218			602	10750
RHYMNEY	5300	827	4060	145	5724	953			602	17611

RHYMNEY DAY	1733	565	3225	145	5724	1692			602	13686
RUDRY	1000			145	4774	400			500	6819
SENGHENYDD	4496	312	896	0	5724	871			602	12901
TIR Y BERTH			0	145	5724	181			602	6652
TIRPHIL	4754	589	2415	145	5724				602	14229
TRECENYDD	6925	1262	905	145	5724	325			602	15888
TWYN	4173	231	685	0	5724	957			602	12372
VAN	1188	666	6600	145	5724				602	14925
TOTALS	103898	21456	81014	2900	209888	16920	500	10500	22672	469748



This page is intentionally left blank



CABINET – 20TH JANUARY 2016

SUBJECT: FORMER BEDWELLY SCHOOL SITE

REPORT BY: ACTING DIRECTOR OF CORPORATE SERVICES

1. PURPOSE OF REPORT

- 1.1 To seek approval to supersede a previous decision in respect of the disposal of land at the former Bedwellty School Site (as shown edged black on the plan at Appendix 1 - "the site").
- 1.2 To further seek approval to market the site for sale on the open market for housing.

2. SUMMARY

- 2.1 At its meeting on 18th March 2008, Cabinet resolved to sell the Bedwellty School Site for housing on the open market by formal tender. As part of the process the bidders were required to demonstrate that they could achieve the Council's sustainability output targets and were also required to construct a new community centre on the site as an integral part of the development.
- 2.2 In the intervening period, Planning Policy Wales and Technical Advice Note 12 Design have been updated to set out the Welsh Government's land use planning policy in respect of promoting sustainability and sustainable buildings through good design. Further, Part L of the Building Regulations (relating to energy efficiency) has come into force and taken together these changes have codified much of the Council's previous aspirations.
- 2.3 The Medium Term Financial Plan (MTFP) is driving a rationalisation programme in respect of community-focussed buildings and land assets.
- 2.4 The site should be sold on the open market, pursuant to the adopted Protocol on Disposal of Property.

3. LINKS TO STRATEGY

- 3.1 The disposal of this site would contribute to the following strategic objective **Priority P2** of the Single Integrated Plan: *"Improve standards of housing and communities giving appropriate access to services across the borough"*.
- 3.2 The disposal of the site would contribute to one of the key objectives of the Adopted Caerphilly County Borough Local Development Plan up to 2021: *"Ensure that an adequate and appropriate range of housing sites are available across the County Borough in the most suitable locations to meet the housing requirements of all sections of the population."*
- 3.3 Under its approved Asset Management Objectives, the Authority aims to manage its land and buildings effectively, efficiently, economically, and provide a safe, sustainable and accessible living and working environment for all users.

- 3.4 The Authority has a medium term financial plan (MTFP), which includes cost saving targets resulting from the disposal of assets.

4. THE REPORT

- 4.1 At its meeting on 18th March 2008, Cabinet resolved to sell the Bedwellty School Site for housing on the open market by formal tender. As part of the process the bidders were required to demonstrate that they could achieve the Council's sustainability output targets and were also required to construct a new community centre on the site as an integral part of the development.
- 4.2 As members will be aware, the banking crisis later that year (referred to in the report as *the recent "credit crunch"*) caused a near collapse in the property market and officers deemed it prudent to await a recovery before bringing the site back to the market.
- 4.3 In the intervening period, Planning Policy Wales and Technical Advice Note 12 Design have been updated to set out the Welsh Government's land use planning policy in respect of promoting sustainability and sustainable buildings through good design. Further, Part L of the Building Regulations (relating to energy efficiency) has come into force and taken together these changes have codified much of the Council's previous aspirations.
- 4.4 The MTFP is driving a rationalisation programme in respect of community-focussed buildings and land assets.
- 4.5 Accordingly, officers recommend that the earlier decision be overturned and that members endorse the principle of selling the site on the open market, in accordance with the adopted Protocol on Disposal of Property, but *without* the previous conditions relating to achieving sustainability output targets or constructing a new community centre.
- 4.6 Pursuant to clause 5.4 of the adopted Protocol, the Head of Performance and Property is of the opinion that a private treaty sale is most appropriate in this case and is likely to result in the achievement of the highest sale price for the Authority.

5. EQUALITIES IMPLICATIONS

- 5.1 An Equalities Impact Assessment (EqIA) screening has been completed in accordance with the Council's Equalities Consultation and Monitoring Guidance and no potential for unlawful discrimination and / or low level or minor negative impact have been identified, therefore a full EqIA has not been carried out.

6. FINANCIAL IMPLICATIONS

- 6.1 The sale of the land will produce a capital receipt.

7. PERSONNEL IMPLICATIONS

- 7.1 There are no Personnel Implications associated with this report.

8. CONSULTATIONS

- 8.1 There are no views expressed as a result of consultation that differ from the recommendation.

9. RECOMMENDATION

- 9.1 That the earlier decision be superseded and that members endorse the principle of selling the site on the open market for housing, pursuant to the adopted Protocol on Disposal of Property, *without* the previous conditions relating to achieving sustainability output targets or constructing a new community centre.
- 9.2 Approval of the detailed terms of the disposal be delegated to the Head of Performance and Property Services in conjunction with the Cabinet Member for Performance and Asset Management.

10. REASONS FOR THE RECOMMENDATIONS

- 10.1 The land is no longer required operationally and is regarded as surplus.
- 10.2 The sale of the land will produce a capital receipt.
- 10.3 The sale of the land will facilitate the development of an allocated site in the Caerphilly County Borough Local Development Plan up to 2021 for housing in line with the Council's planning policy for the site.
- 10.4 To ensure we carry out our services effectively and to ensure value for money in the service provision.

11. STATUTORY POWER

- 11.1 Local Government Acts 1972 (as amended). This is a Cabinet Function.

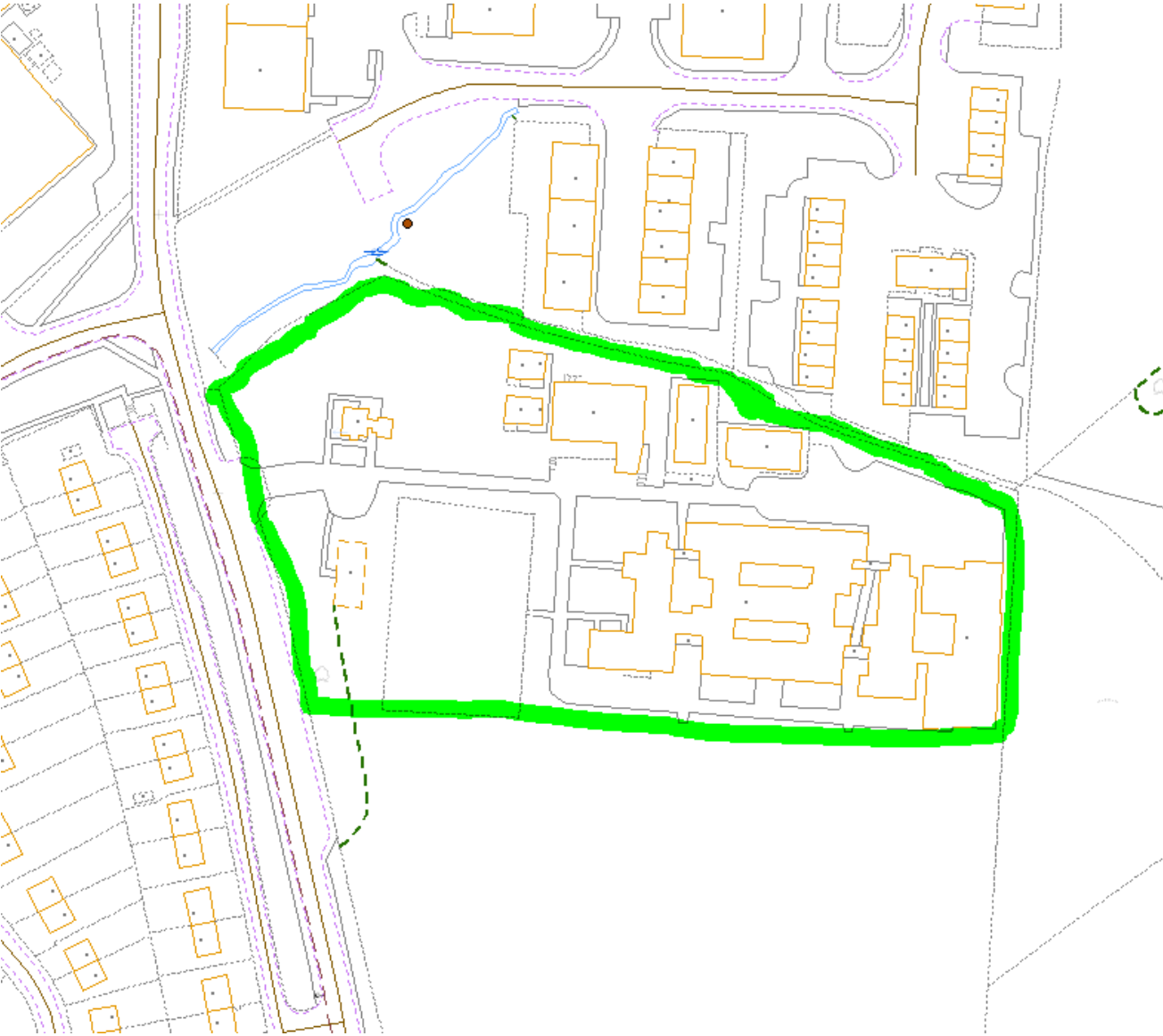
Author: Colin Jones - Head of Performance and Property Services
Consultees: Chris Burns - Interim Chief Executive
Nicole Scammell - Acting Director of Corporate Services
Pauline Elliott - Head of Regeneration & Planning
Tim Stephens - Development Control Manager
Clive Campbell - Transportation Engineering Manager
Richard Crane - Senior Solicitor
Cllr D Hardacre - Cabinet Member for Performance and Asset Management
Cllr K Reynolds - Ward Member
Cllr A Higgs - Ward Member
Mrs Laura Tams - Town Clerk, Bargoed Town Council
Email bargoedtc@btinternet.com

Background Papers:
Report to Cabinet 18th March 2008

Appendices:
Appendix 1 Plan showing the land

This page is intentionally left blank

Appendix One: Plan showing the land



This page is intentionally left blank



CABINET – 20TH JANUARY, 2015

PUBLIC INTEREST TEST – EXEMPTION FROM DISCLOSURE OF DOCUMENTS PARAGRAPH 14, SCHEDULE 12A LOCAL GOVERNMENT ACT 1972

SUBJECT: DISPOSAL OF DUFFRYN HOUSE (TY DYFFRYN)

REPORT BY: ACTING DIRECTOR OF CORPORATE SERVICES & S.151 OFFICER

I have considered grounds for exemption of information contained in the report referred to above and make the following recommendations to the Proper Officer:-

EXEMPTIONS APPLYING TO THE REPORT:

Information relating to the financial or business affairs of any particular person (including the Authority holding that information) to any terms of proposed or to be proposed by or to the Authority in the course of negotiations for contracts for the acquisition of or disposal of property or the supply of goods or services (paragraph 14).

FACTORS IN FAVOUR OF DISCLOSURE:

There is a public interest in the way in which the Council enters into contractual arrangements and manages its financial affairs.

PREJUDICE WHICH WOULD RESULT IF THE INFORMATION WERE DISCLOSED:

The report contains detailed information about the current consultations and negotiations regarding proposed sale of property and details and information regarding the background to the proposals. It also contains information regarding the business affairs of a third party. Revealing this information at this stage has the potential to prejudice the successful outcome of the project and the Council's longer term proposals, should this particular proposal fail to be concluded.

MY VIEW ON THE PUBLIC INTEREST TEST IS AS FOLLOWS:

That paragraph 14 should apply. I am mindful of the need to ensure the transparency and accountability of public authorities for decisions taken. However disclosure of the information contained in the report at this stage could potentially prejudice the successful outcome of the project and the Council's longer term proposals should this particular proposal fail to be concluded. It also contains information regarding the business affairs of a third party.

The information is not affected by any other statutory provision which requires the information to be publicly registered.

On that basis I feel that the public interest in maintaining the exemption outweighs the public interest in disclosing the information. Members are asked to consider these factors when determining the public interest test, which they must decide when considering excluding the public from this part of the meeting.

RECOMMENDED DECISION ON EXEMPTION FROM DISCLOSURE:

On the basis set out above I feel that the public interest in maintaining the exemption outweighs the public interest in disclosing the information, and that the report should be exempt.

Signed:



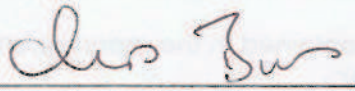
Dated: 12th January, 2016

Post:

Interim Head of Legal Services/Monitoring Officer

I accept/do not the recommendation made above.

Signed:


Proper Officer

Date:

12/1/16

CABINET – 20TH JANUARY 2016

PUBLIC INTEREST TEST – EXEMPTION FROM DISCLOSURE OF DOCUMENTS PARAGRAPH 14, SCHEDULE 12A LOCAL GOVERNMENT ACT 1972

SUBJECT: BRIDGEND COUNTY COUNCIL – CATALOGUE SUPPLIES SERVICE

REPORT BY: ACTING DIRECTOR OF CORPORATE SERVICES & S.151 OFFICER

I have considered grounds for exemption of information contained in the report referred to above and make the following recommendations to the Proper Officer:-

EXEMPTIONS APPLYING TO THE REPORT:

Information relating to the financial or business affairs of any particular person (including the Authority holding that information) to any terms of proposed or to be proposed by or to the Authority in the course of negotiations for contracts for the acquisition of or disposal of property or the supply of goods or services (paragraph 14).

FACTORS IN FAVOUR OF DISCLOSURE:

There is a public interest in the way in which the Council enters into contractual arrangements and manages its financial affairs.

PREJUDICE WHICH WOULD RESULT IF THE INFORMATION WERE DISCLOSED:

The report contains detailed information about the current negotiations regarding the potential closure of a joint service. Revealing this information at this stage has the potential to prejudice the Council's interest in the matter, and the successful outcome of the longer term proposals.

MY VIEW ON THE PUBLIC INTEREST TEST IS AS FOLLOWS:


That paragraph 14 should apply. I am mindful of the need to ensure the transparency and accountability of public authorities for decisions taken. However disclosure of the information contained in the report at this stage could potentially prejudice the Council's interest in the matter and the successful outcome of the longer term proposals.

The information is not affected by any other statutory provision which requires the information to be publicly registered.

On that basis I feel that the public interest in maintaining the exemption outweighs the public interest in disclosing the information. Members are asked to consider these factors when determining the public interest test, which they must decide when considering excluding the public from this part of the meeting.

RECOMMENDED DECISION ON EXEMPTION FROM DISCLOSURE:

On the basis set out above I feel that the public interest in maintaining the exemption outweighs the public interest in disclosing the information, and that the report should be exempt.

Signed:  Dated: 11th January, 2016

Post: **Interim Head of Legal Services/Monitoring Officer**

I accept/do not the recommendation made above.

Signed:  Date: 12/1/16
Proper Officer

By virtue of paragraph(s) 14 of Part 1 of Schedule 12A of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 14 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 14 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 14 of Part 1 of Schedule 12A of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 14 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank