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Date: 21st October 2015

Dear Sir/Madam,

A meeting of the **Regeneration and Environment Scrutiny Committee** will be held in the **Sirhowy Room, Penallta House, Tredomen, Ystrad Mynach** on **Tuesday, 27th October, 2015** at **5.30 pm** to consider the matters contained in the following agenda.

Yours faithfully,

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

Chris Burns
INTERIM CHIEF EXECUTIVE

AGENDA

	Pages
1 To receive apologies for absence.	
2 Declarations of Interest Councillors and Officers are reminded of their personal responsibility to declare any personal and/or prejudicial interest(s) in respect of any item of business on this agenda in accordance with the Local Government Act 2000, the Council's Constitution and the Code of Conduct for both Councillors and Officers.	
To approve and sign the following minutes: -	
3 Regeneration and Environment Scrutiny Committee - 15th September 2015 (minute nos 1 - 15).	1 - 10

A greener place Man gwyrdach

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



- 4 Consideration of any matter referred to this Committee in accordance with the call-in procedure.
- 5 To receive a verbal report by the Cabinet Member(s).

To receive and consider the following Scrutiny reports:-

- | | | |
|---|---|---------|
| 6 | Flood Risk Management Plan. | 11 - 46 |
| 7 | Proposed Change to the Caerphilly County Borough Council CIL Regulation 123 List of Infrastructure. | 47 - 64 |
| 8 | Budget Monitoring Report 2015/2016. | 65 - 80 |
| 9 | To record any requests for an item to be included on the next available agenda. | |

To receive and note the following information items*:-

- | | | |
|----|---|---------|
| 10 | Caerphilly Local Access Forum Minutes - 12th June 2015. | 81 - 86 |
| 11 | Voluntary Sector Liaison Committee Minutes - 16th September 2015. | 87 - 92 |

** If a member of the Scrutiny Committee wishes for any of the above Information Items to be brought forward for review at the meeting please contact Rebecca Barrett, 01443 864245, by 10.00 am on Monday, 26th October 2015.*

Circulation:

Councillors M.A. Adams, Mrs E.M. Aldworth (Vice Chair), J. Bevan, Mrs A. Blackman, C.J. Cuss, D.T. Davies (Chair), N. Dix, C. Elsbury, R.W. Gough, Ms J.G. Jones, S. Kent, Ms P. Leonard, M.J. Prew, Mrs D. Price, A. Rees and Mrs E. Stenner

And Appropriate Officers



REGENERATION AND ENVIRONMENT SCRUTINY COMMITTEE

MINUTES OF THE MEETING HELD AT PENALLTA HOUSE, YSTRAD MYNACH ON
TUESDAY, 15TH SEPTEMBER 2015 AT 5.30 P.M.

PRESENT:

Councillor D.T. Davies – Chair – Part of meeting
Councillor Mrs E.M. Aldworth - Vice-Chair - Presiding

Councillors:

Mrs A. Blackman, C.J. Cuss, N. Dix, C. Elsbury, R.W. Gough, Ms J.G. Jones, S. Kent,
Mrs P. Leonard, M.J. Prew, A. Rees, Mrs E. Stenner

Cabinet Members:

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

Together with:

C. HARRY (Corporate Director – Education and Community Services), M.S. Williams (Head of Community and Leisure Services), C. Campbell (Transportation Engineering Manager), R. Kyte (Team Leader, Strategic and Development Plans), P. Martin (Principal Conservation and Design Officer), L. Lane (Solicitor) and R. Barrett (Committee Services Officer)

1. PRESIDING CHAIR

In the absence of Councillor D.T. Davies (Chair), Councillor Mrs E.M. Aldworth (Vice-Chair) opened the meeting and presided as Chair until his arrival.

2. APOLOGIES FOR ABSENCE

An apology for absence was received from Councillor J. Bevan.

3. DECLARATIONS OF INTEREST

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

4. MINUTES – 30TH JUNE 2015

RESOLVED that the minutes of the Regeneration and Environment Scrutiny Committee meeting held on 30th June 2015 (minute nos. 1 – 12) be approved as a correct record and signed by the Chair.

5. CALL-IN PROCEDURE

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

6. REPORT OF THE CABINET MEMBERS

The Scrutiny Committee received verbal reports from Cabinet Members K. James, T.J. Williams and N. George.

Councillor K. James, Cabinet Member for Regeneration and Planning, updated Members on the success of Caerphilly's Business Support Team, which has been identified as one of the leading authorities in Wales for supporting local businesses. This has been achieved with the aid of the Local Investment Fund, which is a flexible grant scheme delivered through a partnership across local authorities in South East Wales.

Members were informed that on 17th September 2015, the First Minister will formally open the new improvements and refurbishment of Llancaiach Fawr. The £760,000 Heritage Lottery Fund project has seen major improvements to this tourist attraction, with a new disabled-access staircase, a new roof and opening up of the attic spaces. The investment will help with the long term sustainability of this tourist attraction through increasing visitors and income generation.

Members were advised that the Winding House museum and heritage centre in New Tredegar has reached the final stage of the Telegraph Family Friendly Museum Award. This award - Britain's biggest museum award and the only one to be judged by families – considers which museums across the UK go that extra mile to welcome and engage family visitors. It is the first time for nearly 10 years that a museum in Wales has been shortlisted for the award. Throughout the summer, undercover family judges will visit each shortlisted museum and the eventual winner will be announced on Thursday 24th September 2015.

The Cabinet Member advised that the Caerphilly and Blaenau Gwent Rural Development Programme was approved in August 2015. This programme, which covers the majority of the county borough, will provide grant assistance of approximately £2.6 million over the next six years. The programme is a key initiative to secure the regeneration of rural areas.

Members were informed that Welsh Government are proposing to introduce a number of improvements to the planning system, including a requirement to return planning fees if decisions are not made within a certain period, and as a result of these changes, Planning Officers will be reviewing their processes. It is also intended to introduce a new site visit procedure for Members, whereby site visits will take place the day before a Planning Committee meeting, rather than items being deferred at the meeting itself and delaying the determination by at least four weeks.

Discussion took place regarding the Local Investment Fund and the Welsh Government's decision to remove future support for this funding. The Cabinet Member explained that there was little that could be done in respect of this decision and outlined the ways in which local businesses had benefitted from this funding.

In response to a query regarding changes to the planning system, the Cabinet Member explained that Planning Officers and Planning Committee Members would be mindful of all relevant legislation and that these changes would not impact negatively on the decision-making process. The Cabinet Member also clarified the new procedure in respect of site visit requests and confirmed that the new system would be implemented in the near future.

Councillor T.J. Williams, Cabinet Member for Highways, Transportation and Engineering, presented his report and advised Members that approximately 9,000 LED street light bulbs

are being replaced throughout the county borough, at a rate of approximately 300 per week. The estimated completion date is at the end of the 2015/16 financial year.

Members were informed that the traffic light improvement scheme at Crumlin Junction is set for completion within the next two weeks. It is anticipated that motorists should see a much improved and efficient junction for their use.

The next phase of the A469 feasibility study between New Tredegar and Pontllytyn is due to start shortly and will consist of an extensive site investigation. The main focus of this investigation will be within the Pontllytyn, Abertyswg and New Tredegar areas and will involve drilling and tyre pitting.

Councillor N. George, Cabinet Member for Community and Leisure Services, informed Members that on Monday 7th September 2015, he attended the launch of the Coach of the Future Scheme (COAF) for 2015/16. The scheme is entering its eighth year and continues to go from strength to strength, with many local authorities following Caerphilly's blueprint for success in developing future coaches. As Sport Caerphilly received its Leadership Academy status in July 2015, this endorses the role that they play in developing future sports leaders.

On Wednesday 19th August 2015, the Positive Futures scheme held its inaugural Football Festival at the Centre for Sporting Excellence in Ystrad Mynach. The scheme has gone from strength to strength since its inception in October 2014. The aim of Positive Futures is to offer positive alternatives to substance misuse and anti-social behaviour through sport, create safer and more inclusive communities by building a culture of respect, increase youth volunteering, provide quality access to services for young people in their communities, and forge partnership links with external organisations.

Members were advised of the Council's recent acquisition of a second-hand double decker bus, arising from a partnership between the Engineering and Community and Leisure Services departments. The Council's in-house vehicle maintenance workshop is currently undertaking conversion works to provide a 'Tree Bus', involving the removal of the bus roof to provide a high level, safe working platform so that the Authority can easily and cost-effectively maintain tree canopies on its strategic routes. This project is being funded by the Engineering budget, and the bus will be operated by the Grounds Maintenance service once the conversion is completed later this autumn. It is also anticipated that it may be offered as a service to neighbouring authorities.

In response to queries, the Cabinet Member and Officers confirmed that the Tree Bus had been purchased second-hand at a reasonable cost, that it has a low level of mileage, and that staff may need to hold a PSV bus licence in order to drive it. Officers outlined the benefits of the Tree Bus in comparison to other maintenance vehicles (such as cherry picker elevated work platforms), explaining that it will be safer and more stable owing to the size of the working platform and its safety rails, and will be easier to operate from a traffic management perspective.

The Cabinet Members were thanked for their reports.

7. ARRIVAL OF CHAIR

Upon his arrival, Councillor D.T. Davies moved to the position of Chair for the remainder of the meeting.

8. CABINET REPORTS

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

REPORTS OF OFFICERS

Consideration was given to the following reports.

9. BUTE TOWN CONSERVATION AREA APPRAISAL AND CONSERVATION AREA MANAGEMENT PLAN (CAA AND CAMP) FINAL DRAFT 2015

Pat Martin (Principal Conservation and Design Officer) presented the report, which sought the views of Members on proposals to adopt the Bute Town Conservation Area Appraisal and Conservation Area Management Plan 2015 (CAA and CAMP) as supplementary planning guidance to the Caerphilly County Borough Local Development Plan up to 2021 (LDP). Following its presentation to the Regeneration and Environment Scrutiny Committee, it was due to be presented to Cabinet for consideration and thereafter Council for approval.

Members were advised that Bute Town was first designated a Conservation Area on 20th October 1972. An Article 4 Direction for Bute Town has also been in place since 23rd April 1979. As a consequence of work associated with the bid for Heritage Lottery Funding for Bute Town, the Conservation Area has been reassessed, and on 11th February 2015 the Planning Committee resolved to extend and re-align the Conservation Area. They further resolved to replace the Article 4 Direction with a new, extended Article 4(2) Direction boundary, for the proper and sustainable management of the historic environment.

Officers explained that a Conservation Area Appraisal and Management Plan (CAA and CAMP) for Bute Town has now been produced which reflects the updated Conservation Area Boundary, and approval is sought to adopt this as supplementary planning guidance to the Caerphilly County Borough Local Development Plan up to 2021 (LDP). As this will supersede existing guidance, approval is also sought for the current 'Bute Town Conservation Area Design Guide' and 'Bute Town Conservation Area Enhancement Plan (August 2005)' to be consequently cancelled.

Discussion of the report ensued and Members extended their thanks to Officers for the work carried out in respect of the forthcoming bid for Heritage Lottery Funding, which is an important source of finance for Conservation Area enhancement projects. It was queried whether there were increased planning controls arising from the re-designation of the Bute Town Conservation Area and the replacement Article 4(2) Direction. Officers confirmed that this would result in a more tiered approach to planning works in respect of listed buildings, conservation areas and Article 4(2) Direction areas.

Reference was made to a lean-to structure within Bute Town and its impact on visual amenity, and it was queried whether action could be taken to address this issue. Officers advised that they had discussed with conservation architects whether it could possibly be screened off with trees/hedging as an interim measure. They explained that if further funding bids were successful, this structure could potentially be considered for development in the future.

Following consideration of the report, it was moved and seconded that the following recommendations be forwarded to Cabinet for consideration and thereafter Council for approval. By a show of hands, this was unanimously agreed.

RECOMMENDED to Cabinet (and thereafter Council) that:-

- (i) the Bute Town Conservation Area Appraisal and Conservation Area Management Plan 2015 (CAA and CAMP) be formally adopted as supplementary planning guidance to the Caerphilly County Borough Local Development Plan up to 2021 (LDP);
- (ii) the 'Bute Town Conservation Area Design Guide' and 'Bute Town Conservation Area Enhancement Plan (August 2005)' be consequently cancelled.

10. LOCAL DEVELOPMENT PLAN 2015 ANNUAL MONITORING REPORT

Rhian Kyte (Team Leader, Strategic and Development Plans) presented the report, which outlined the findings and recommendations of the Caerphilly County Borough Local Development Plan (LDP) 2015 Annual Monitoring Report (AMR). Following presentation to the Regeneration and Environment Scrutiny Committee, it was due to be presented to Cabinet for consideration and thereafter Council for approval.

Members were asked to note the overview of the LDP Monitoring Data for the 2015 AMR, which provides an insight into the implementation of the LDP over the monitoring period. For the first time, the AMR also provides information on the implementation of the Community Infrastructure Levy (CIL), which was introduced on 1st July 2014. Due to this recent introduction, only planning applications approved after that date would be CIL liable and only those that have commenced on site would have generated income. Therefore no income was raised in the monitoring period 1st April 2014 to 31st March 2015 and consequently no schemes have been undertaken.

The 2015 AMR concludes that substantial progress has been made in implementing the LDP up to 2021. However, the 2013 AMR triggered the first review of the LDP in October 2013 as a result of these findings, and these issues remain the same for the 2015 AMR. The lack of a five-year housing land supply is a matter of concern that needs to be addressed, as evidence indicates that it is unlikely that this position will improve in the next few years. Officers explained that there could be a need to release limited greenfield sites in the short term to address the supply issue. The review of the LDP will further address the land supply issue through the allocation of sites that are capable of being delivered in viable parts of the county borough.

As a result of these findings, the 2015 Annual Monitoring Report recommendations are as follows:-

- R1 The 2015 Annual Monitoring Plan has indicated that substantial progress has been made over the plan period in implementing the Caerphilly County Borough Local Development Plan up to 2021.
- R2 The 2015 Annual Monitoring Report has indicated that there is a continuing need to release limited greenfield sites in the short term to address the lack of a five year housing land supply.

During the course of the debate, discussion took place in respect of the use of a number of brownfield sites previously identified for development, ahead of the identification and consideration of any future greenfield allocations. Officers outlined the current LDP strategy and the criteria for land supply release across the county borough, together with reasons why those brownfield sites previously identified were not currently a feasible source of land supply. It was suggested by a Member that empty industrial units/factories could be considered as an alternative to the allocation of greenfield sites.

Officers emphasised the need for the current land supply shortage to be addressed and explained that a pragmatic approach would be undertaken in the event of releasing limited greenfield sites. They gave assurances that all potential releases would be determined on their individual merit following a detailed assessment of the sites against the Caerphilly County Borough Local Development Plan and taking into account all other planning and material considerations. Discussion also took place regarding changes to Technical Advice Note 1 which has led to a change in the way in which the five year land supply is calculated.

Reference was made to the Community Infrastructure Levy, which allows local authorities to raise funds for developers to support building projects in their area. Discussion took place regarding the allocation of the local community element of the levy (currently 15%), and the involvement of local ward Members as to its potential use. Officers explained that if a

town/community council operates within a recipient area, they will receive the monies directly, although they are encouraged to liaise with Council Officers and local ward Members as to its use.

Members considered and noted the findings of the 2015 Annual Monitoring Report and the implications of the recommendations detailed therein. It was moved and seconded that the following recommendations be forwarded to Cabinet for consideration and thereafter Council for approval. By a show of hands (and in noting there were 3 against) this was agreed by the majority present.

RECOMMENDED to Cabinet (and thereafter Council) that:-

- (i) the findings of the 2015 Annual Monitoring Report and the implications of the recommendations contained therein be noted;
- (ii) the 2015 Annual Monitoring Report be approved;
- (iii) the 2015 Annual Monitoring Report be submitted to the Welsh Government before the deadline of 31st October 2015.

11. UPDATE ON ROAD SAFETY DELIVERY IN CAERPHILLY COUNTY BOROUGH

Clive Campbell (Transportation Engineering Manager) presented the report, which updated Members on the delivery of road safety initiatives within the county borough.

Members were advised that the Welsh Government has set specific targets for road casualty reduction to be achieved by 2020. These targets are being met and exceeded within the county borough. Members were referred to the graphs contained within the report, which display a notable achievement in casualty reduction over the past four years, and reflect the sustained and coordinated programme of work that has been undertaken to reduce the number of road casualties.

Officers outlined the wide range of road safety engineering and education, training and publicity schemes that have been implemented in the county borough. Full details of these were contained within the report. It was explained that it is essential for this combined and focused approach to improving road safety to continue, in order to achieve a sustained reduction in road casualties and build upon the success to date.

Discussion took place regarding the benefits of School Travel Plan initiatives, and a Member queried the enforcement of parking restrictions near schools. Members were advised to report instances of illegal parking to the police so that any such situations could be addressed promptly.

Reference was made to Road Safety Week, whereby a number of junior school pupils supported the campaign by recording "naughty parkers" outside their school and noted people not wearing seatbelts. This information was then presented at school assembly and passed onto parents via the school newsletter. In response to a Member's query as to whether the information noted by the children should be passed onto police, Officers explained that it was up to the individual school to decide what to do with this information. Members were advised that this scheme had resulted in a positive behavioural change by parking offenders, in that they had formed an association between the children noting their actions and the importance of ensuring that children stay safe on the roads around the school area.

Following consideration of the report, Members noted its contents, together with the progress and impact of the road safety initiatives delivered within the county borough.

12. CONSIDERATION OF IMPLEMENTING 20MPH SPEED LIMITS IN CAERPHILLY COUNTY BOROUGH

The report considered the implications of implementing 20mph speed limits across the county borough within residential areas, and had been prepared following a request from a Member of the Regeneration and Environment Scrutiny Committee.

Officers explained that the Council's adopted Speed Management Strategy (SMS) is an evidenced-based approach that seeks to implement 20mph speed limits and zones in accordance with national guidance and best practice. Through this SMS, 20mph speed limits or zones are only considered for implementation in a fairly localised area around a school or locations of main attractors of vulnerable road users. The SMS requires the school to have a Travel Plan as this provides useful information and evidence about problems and also secures additional benefits such as a commitment to travel more sustainably and community support. The main benefit of a 20mph speed limit outside schools is that it encourages sustainable travel and also educates drivers (and future drivers) about the area in which they travel being in close proximity to a main attractor of vulnerable road users.

To date 20mph limits have been introduced around 38 school sites (over half of the schools within the county borough). Each year the schools continue to develop their Travel Plans and at present the Engineering Services Division is working with 16 schools to develop their Travel Plans and action plans, some of which will result in further 20mph limits.

Through the SMS the Council's Engineering Services Division responds to approximately 180 requests/complaints each year related to concerns over excessive speed. Many of these request traffic calming or 20mph limits but only approximately 10% satisfy the criteria for intervention (through the use of vehicle activated signs or safety camera unit enforcement). None have so far met the intervention criteria (that is based on recorded vehicular speeds and the personal injury collision history for a given site) for physical traffic calming.

Officers referred to the "20's Better For Us" Campaign which is calling for a 20mph default speed limit in residential and urban streets across the UK. It was explained that this restriction has been examined by a number of local authorities, but for those authorities in England and Scotland that have undertaken trials/changes there had been no conclusive evidence of improvements. Signage-only 20mph limits appear to be more suited to high density urban areas with high percentages of pedestrians and cyclists. Most rural or semi rural local authorities who have considered the proposal decided that it was not suitable for their particular circumstances.

Members were asked to note that within Caerphilly County Borough, most personal injury collisions are not within residential areas. The Council's approach to date has realised significant improvements in casualty reduction and is exceeding Welsh Government targets. Therefore the widespread use of signage only 20mph speed limits in residential areas is not recommended, and Members were asked to consider the achievability and outcomes if introducing such speed limits on a widespread basis. In addition, Members were also advised that the Department for Transport (Dft) has commissioned a three-year project researching the effectiveness of 20mph speed limits in order to "support and inform future policy development on 20mph speed limits and zones", with the final report anticipated in 2017.

Discussion of the report ensued, with a particular focus on road safety performance in the county borough and the number of personal injury collision records received from Gwent Police over the past 5 years (as detailed in Section 4.20 of the report). Concerns were raised that there could be many more collisions that were not being reported or subsequently recorded. Members expressed an urgent need for 20mph speed limits to be considered across the county borough in residential areas, stating that such implementation would have long-term benefits to children in respect of road safety education.

Officers emphasised the road safety measures implemented across the county borough and the positive reduction in road casualty numbers as a result. They explained that a number of new traffic calming measures in the county borough have been implemented, which have successfully reduced speeds within residential areas without resorting to 20mph speed limit restrictions. Proactive measures have also been undertaken, including road safety education and training in schools and colleges to raise pupil/student awareness of these issues. Officers also reiterated to Members the many financial, enforcement and technical implications that needed to be taken into consideration regarding the implementation of 20mph speed limits.

During the course of the debate, an additional recommendation was moved and seconded, that a Task and Finish Group be established to further examine the matter of 20mph speed limits. By a show of hands, this was unanimously agreed.

Following consideration of the report, it was moved and seconded that the following recommendations, including the additional recommendation, be endorsed. By a show of hands, it was unanimously agreed that:-

- (i) the Authority's existing approach to progressing additional 20mph speed limits and zones be supported;
- (ii) the appraisal of additional 20mph speed limits/zones should continue to be consistent with the current policy that is included in the adopted Speed Management Strategy;
- (iii) the Council should consider the forthcoming Department for Transport research report on the effectiveness of 20mph speed limits;
- (iv) a Task and Finish Group be established to further examine the matter of 20mph speed limits.

13. REQUESTS FOR REPORTS TO BE INCLUDED ON THE NEXT AVAILABLE AGENDA

Councillor Mrs A. Blackman requested an update report in respect of the proposed Waste Transfer Station at Ty Dyffryn.

14. DEMOGRAPHIC OVERVIEW OF CCBC LEISURE CENTRE USERS

Following a Member's request, this report was brought forward from the list of information items as an item for discussion.

The report provided Members with an overview of visitor numbers and demographics for customers accessing CCBC leisure centres. The report was prepared following a Member's request at the Regeneration and Environment Scrutiny Committee meeting of 30th June 2015.

A Member raised a query in respect of user demographics for each leisure centre. Officers explained that the request had been made for the age profile of all leisure centre users across the county borough, and not individual locations. Reference was made by a Member to a recent Cabinet decision to offer for sale a piece of land located near a leisure centre (land adjacent to Cefn Fforest Leisure Centre). It was noted that this decision had been ratified by Cabinet and in referring to an email which had been sent by the Director of Education and Community Services to the Scrutiny Committee (outlining the scope of how Leisure Services will be considered by the Committee over the next 12 months) the Chair deemed that there would be no further discussion on the matter that evening.

15. INFORMATION ITEMS

The Committee noted the following items for information, full details of which were included within the Officers reports. None of the remaining items were brought forward for review.

- (1) Bryn Compost Liaison Group Minutes – 12th May 2015;
- (2) Voluntary Sector Liaison Committee Minutes – 17th June 2015;
- (3) Bargoed Town Centre Management Group Minutes – 3rd June 2015;
- (4) Blackwood Town Centre Management Group Minutes – 5th June 2015;
- (5) Caerphilly Town Centre Management Group Minutes – 9th June 2015;
- (6) Risca Town Centre Management Group Minutes – 30th June 2015;
- (7) Ystrad Mynach Town Centre Management Group Minutes – 14th July 2015;
- (8) Summary of Members' Attendance – Quarter 1 – 15th May 2015 to 30th June 2015;
- (9) Regeneration and Environment Scrutiny Committee Forward Work Programme.

The meeting closed at 7.26 pm.

Approved as a correct record and subject to any amendments or corrections agreed and recorded in the minutes of the meeting held on 27th October 2015, they were signed by the Chair.

CHAIR

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REGENERATION AND ENVIRONMENT SCRUTINY COMMITTEE – 27TH OCTOBER 2015

SUBJECT: FLOOD RISK MANAGEMENT PLAN

REPORT BY: CORPORATE DIRECTOR - COMMUNITIES

1. PURPOSE OF REPORT

- 1.1 To update and seek comment from members regarding the progress of the preparation of the Council's Flood Risk Management Plan (FRMP) and to gain Cabinet approval for the draft FRMP.

2. SUMMARY

- 2.1 Under the Flood Risk Regulations 2009 Caerphilly County Borough Council (CCBC) has been designated as a Lead Local Flood Authority (LLFA). As such CCBC has responsibility to produce a FRMP. The draft FRMP must be submitted to Natural Resource Wales (NRW) on the 28th Oct 2015. NRW may approve the draft plan, with or without modification, or reject it. However, it must be noted that as part of the statutory consultation process in developing the plan an informal draft was forwarded to NRW during the public consultation period and they responded back with positive feedback which has been taken into account. If any significant further comments are received from NRW a further report to Cabinet will be provided.

3. LINKS TO STRATEGY

- 3.1 To make Caerphilly a safer place to live by increasing public confidence in the services we deliver as noted in the Single Integrated Plan – Safer Caerphilly - **A Safer Caerphilly** is one in which all residents: Are safe and feel safe inside their homes and out in the community.
- 3.2 To contribute to improving sustainability by utilising appropriate sustainable options within design and construction. As noted in the Single Integrated Plan - **A Greener Caerphilly** aims to: safeguard and, where necessary, enhance the living environment in the Caerphilly county borough for its own sake.
- 3.3 To manage, protect and enhance the quality and quantity of the water environment and reduce water consumption in line with objective 15 of the Caerphilly County Borough Local Development Plan up to 2021.

4. BACKGROUND

- 4.1 Following the significant flooding in England and Wales in 2007, the UK government appointed Sir Michael Pitt to undertake an independent and detailed review of flood risk management in England. Pitt's recommendations (also accepted by the Welsh Government) were wide ranging and recognised that the public did not understand nor particularly care

what type of flooding they were suffering and which organisation would take the lead in dealing with this issue. There needed to be a co-ordinated response and surface water flooding, in particular, needed a lead agency.

4.2 Following the report and the need to transpose the EU Floods Directive, the UK Government published two key pieces of legislation - the Flood Risk Regulations 2009 (transposing the EU directive) and the Flood and Water Management Act 2010 (taking forward the Pitt's key recommendations).

4.3 The purpose of the regulations is to transpose the European Commission (EC) Floods Directive (2007/60/EC), on the assessment and management of local flood risk, into domestic law in England and Wales and to implement its provisions.

In particular, it places duties on the LLFA to prepare a number of documents including: -

1. Preliminary Flood Risk Assessment Report – Published June 2011.
2. Flood Hazard and Flood Risk Maps – Published in 2013
3. Local Flood Risk Management Strategy (LFRMS) – Approved April 2013

4.4 In addition the LLFA must prepare a FRMP. The FRMP gives an overview of the flood risk in CCBC and our high level objective for the 6 years which states that we will:

“To Reduce Flood Risk in every area where significant flood risk has been identified”

4.5 Detailed objectives are given within the FRMP together with a series of measures, which will ensure flood risk in the CCBC area will be addressed and reduced during the 6 year period before the plan is reviewed.

4.6 Flooding remains a key threat to communities across Wales, and managing this risk through careful planning is important to minimise the risk to communities. Flood risk management planning allows Lead Local Flood Authorities to develop a better understand of risk from all sources of flooding and agree priorities to manage that risk.

4.7 The FRMP has been developed with this in mind and sets out how CCBC will over the next 6 years, manage flooding so that the communities most at risk and the environment benefit the most. In doing so, this Flood Risk Management Plan takes forward the objectives and actions set out in our LFRMS.

The FRMP also aims to achieve some of the objectives set out in the National Flood and Coastal Erosion Risk Management Strategy, which provides the national framework for flood and coastal erosion risk management in Wales through four overarching objectives.

- **Reducing the consequences** for individual, communities, businesses and the environment from flooding and coastal erosion;
- **Raising awareness of and engaging people in the response** to flood and coastal erosion risk;
- **Providing an effective and sustained response** to flood and coastal erosion events;
- **Prioritising investment** in the most at risk communities.

4.8 The information contained in the FRMP includes the components set out in the Flood Risk Regulations 2009 (see Appendix A). Most of this information has been gathered and updated through this first cycle, and has been drawn from the findings of the Preliminary Flood Risk Assessment and the measures that have been identified and set out in our LFRMS.

4.9 The FRMP sets out appropriate objectives for the management of flood risk within areas covered by the plan. The objectives focus on reducing the adverse consequences of flooding for human health, the environment, cultural heritage and economic activity.

- 4.10 Consequently, the FRMP highlights the areas most at risk from surface water, groundwater and ordinary watercourses in the CCBC area. It draws on the conclusions from these risks and sets out measures that could be taken over the next 6 years to mitigate these risks and make communities more resilient. However, these actions are subject to appropriate funding from Welsh Government.
- 4.11 Due to the nature of flooding and current funding situation, we have also looked at measures to reduce the likelihood of flooding using non-physical measures including raising awareness of flooding and better understanding of local flooding issues.
- 4.12 The Council is currently in the first round of the regulations and the FRMP represents the final output of this cycle and must be published by December 2015.

5. THE REPORT

- 5.1 The following consultations have taken place in order to develop the FRMP. A good practice approach was discussed with the South and East Wales Flood Risk Management Group and this is the method adopted by CCBC.

5.1.1 Public Consultation

On the 13th July 2015 the draft FRMP was published on the CCBC website to allow members of the public and all Risk Partners e.g. NRW, Welsh Water, community and town councils, the emergency services and adjacent local authorities etc. to be consulted and to give their comments on the FRMP. The closing date for the consultation was 24th August 2015.

Articles were also printed in the Rhymney Valley Express on the 30th July 2015 with the heading "Residents' views sought as council prepare its new flood risk strategy" and the Caerphilly Observer on the 6th August 2015 with a heading "Have say on flood risk plan". It asked for people living in the county borough council area to get involved and have their say on the local Flood Risk Management Plan. Paper copies of the FRMP and questionnaires were also placed in the local libraries. Social media sites Twitter and Facebook were also used to inform the public of the flood risk consultation. In total 19 responses were received and a summary of their analysis is given in Appendix B.

The Council's Flood Risk Management Team has reviewed all the comments received and where considered appropriate the FRMP has been amended. A table has been prepared of all comments together with the response of the team in order to feedback to respondents. The table has recently been published on the Caerphilly County Borough Council's website.

6. EQUALITIES IMPLICATIONS

- 6.1 An EqlA 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 EqlA has not been carried out. Having effective measures in place to mitigate the risks previously outlined however, will of course have a greater benefit to those vulnerable individuals in communities at risk of flooding, as they would be least able to assist themselves in such an event (e.g. people with disabilities, mobility issues, elderly residents etc.)

7. FINANCIAL IMPLICATIONS

- 7.1 In order for the FRMP to be successful it is essential that significant funding be made available to CCBC, on top of the normal funding arrangements from Welsh Government. Failure to receive this additional funding could result in measures identified in FMRP not being implemented either in part or in full.

- 7.1.1 Section 6 of the FRMP shows the measures and objectives to mitigate flood risk within the county borough council area. Please refer to Appendix C for estimated total costs for each community within and outside of the flood risk area.
- 7.2 The current situation regarding Welsh Government Flood Risk Management funding is summarised below:
- £22,727 of WG funding has already been received and used to prepare the Preliminary Flood Risk Assessment (PRFA) in the year 2010-2011.
 - Further sums of £90,000 per annum have been made available by the WG for the years 2011-2012 and 2012-2013 to fund the preparation of the LFRMS and the provision of an Asset Register for items that have a significant effect on flood risk.
 - £100,000 was received from WG 2013-2014, £50,000 for 2014-2015 for the continued implementation of the requirements of the Act including the preparation of the Flood Hazard and Flood Risk Maps and Flood Risk Management Plans
 - 2015-2016 £100,000 funding from the combined Environmental and Sustainable Development Directorate Revenue Grant.
- 7.3 Funding at a much more significant level will be required in order to implement the measures as set out in Appendix C, which have been identified as part of the Flood Risk Management Plans. Further discussion with WG will be required in the future to identify additional revenue/capital funding.

8. PERSONNEL IMPLICATIONS

- 8.1 Two additional members of staff are currently being recruited on a fixed term contract from funding provided by WG to continue work on the Flood and Water Management Act.
- 8.2 Dependent upon the funding made available, appropriate staff resources may have to be considered.

9. CONSULTATIONS

- 9.1 As identified at end of report.
- 9.2 External consultations were also undertaken as identified in section 5.

10. RECOMMENDATIONS

- 10.1 That Scrutiny members comment on the document and its preparation so that this can be considered as a recommendation to Cabinet that the draft FRMP be accepted as the mechanism for the reduction of flood risk within Caerphilly County Borough Council.
- 10.2 Upon recommendation by Cabinet, officers will update NRW on Caerphilly's approach to the FRMP.

11. REASONS FOR THE RECOMMENDATIONS

- 11.1 Caerphilly County Borough Council as a Lead Local Flood Authority has to approve the FRMP as a requirement of the Flood and Water Management Act 2010.

12. STATUTORY POWER

12.1 The Flood Risk Regulations 2009

12.2 Flood and Water Management Act 2010

Author:	Michelle Johnson	-	Senior Engineer
Consultees:	Cllr Tom Williams	-	Cabinet Member for Highways, Transport and Engineering
	Cllr T Davies	-	Chair of Regeneration and Education Scrutiny Committee
	Cllr E Aldworth	-	Vice Chair of Regeneration and Education Scrutiny Committee
	Cllr K James	-	Cabinet Member for Regeneration, Planning Sustainable Development
	Cllr N George	-	Cabinet Member for Community and Leisure services
	Chris Burns	-	Acting Chief Executive
	Nicole Scammell	-	Head of Corporate Finance
	Christina HARRY	-	Corporate Director
	Terry Shaw	-	Head of Engineering Services
	Robert Hartshorn	-	Head of Public Protection
	Graham Parry	-	Highway Operations Group Manager
	Sheryl Andrews	-	Emergency Planning Manager
	Tim Stephens	-	Development Control Manager
	Gail Williams	-	Interim Head of Legal Services and Monitoring Officer
	Lynne Donovan	-	Acting Head of HR and Organisational Development
	David Thomas	-	Senior Policy Officer (Equalities and Welsh Language)
	Mike Eedy	-	Finance Manager

Background Papers:

Documents: The draft Flood Risk Management Plan

The FMRP can be located on the below link which will take you directly to the document:-

www.caerphilly.gov.uk/involved/consultations/flood-risk-management-plan-consultation

Appendices:

Appendix A	Components of the Flood Risk Management Plan as Detailed in the Flood Risk Regulations – Part 4
Appendix B	(Extract from Draft FRMP) Appendix 6 - Public Consultation - Survey Questions; Results and Comments Received
Appendix C	Financial Implications

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Appendix A

Components of the Flood Risk Management Plan as Detailed in the Flood Risk Regulations – Part 4

- Each Lead Local Flood Authority has a duty to prepare a Flood Risk Management Plan in relation to each relevant Flood Risk Area.
- Natural Resources Wales must review the Flood Risk Management Plan and may recommend Modifications.
- Each Flood Risk Management Plan must include the following:
 - Objectives for the purpose of managing flood risk.
 - Measures for achieving the objectives.
 - Objectives must be set to reduce the adverse consequences of flooding for;
 - Human health
 - Economic health or
 - The environmental (including cultural heritage) and reducing the likelihood of flooding, whether by exercising powers to carry out structural work or otherwise.
 - Measures must include measures for;
 - Prevention of flooding
 - Protection of individuals, communities and the environment against the consequences of flooding and
 - Arrangements for forecasting and warning.
 - Measures must have regard to;
 - the cost and benefits of different methods of managing flood risk
 - the information included in the flood hazard maps and the flood risk maps and the flood risk maps
 - the river basin management plan for the area
 - the effect of floodplains that retain flood water
 - the environmental objectives
 - the likely effect of a flood, and of different methods of managing a flood, on a local area and the environment.
 - The Flood Risk Management Plan must include;
 - a map showing the boundaries of the flood risk area
 - a summary of the conclusions drawn from the flood hazard and the flood risk maps
 - a description of the proposed timing and manner of implementing the measures, including details of the bodies responsible for implementation
 - a description of the way in which implementation of the measures will be monitored
 - a report of the consultation and
 - details of the co-ordination between the measures in the Flood Risk Management Plan and the river basin management plan.

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Appendix B (Extract from Draft FRMP)

Appendix 6 Public Consultation – Survey Questions; Results and Comments Received

Q1. The draft Flood Risk Management Plan sets out the most significant flood risk in the Caerphilly County Borough. Do you

- 63% Fully agree
- 31% Partially agree
- 6% Disagree

Q2. What do you consider to be the greatest cause of flood risk in the Caerphilly County Borough?

- 6% Ground water
- 50% Surface water run off
- 19% Blocked culvert inlet grids
- 6% Highway drainage
- 6% Ordinary water courses or streams (*not rivers*)
- 0% Drainage channels
- 6% Combined sewers (*Foul and surface water*)
- 7% Other

Q3. What do you consider to be the highest priorities for managing flood risk in the Caerphilly County Borough? (Please select 2 options)

- 47% Maintenance of culvert inlet grids, drainage channels and gullies
- 27% Improvement of existing drainage infrastructure
- 0% Construction / Improvement of flood defence systems
- 7% Sustainable drainage systems (SuDS) for new developments
- 20% Better land management (reducing run off at the source)
- 0% Other

Q4. Do you feel that this draft Flood Risk Management plan effectively targets and aims to achieve the objectives set out by Welsh Governments National Flood and Coastal Erosion Risk Management strategy (FCERM) of:

- 1. Reducing consequences
- 2. Raising awareness and engaging people
- 3. Providing an effective and sustained response
- 4. Prioritising investment.

60% Fully agree
27% Partially agree
13% Disagree

Q5. The draft Flood Risk Management plan describes four categories of measures

- 1. Prevention
- 2. Protection
- 3. Preparedness
- 4. Recovery and Review

Do you feel the measures contained within the draft Flood Risk Management plan satisfactorily address these categories?

56% Fully agree
25% Partially agree
19% Disagree

In which area of Caerphilly County Borough do you live?

31% Not applicable
19% Nelson
13% Caerphilly West
6% Bedwas
6% Caerphilly North
6% Caerphilly South
6% Cefn Fforest
6% Newbridge
7% Twyn Carno and Others

Which Organisation or Group do you represent?

56% As a resident of Caerphilly County Borough Council area
0% Representing a third sector organisation
0% As a business person
13% As an elected member
31% Other

Consultee:

Risca Town Council

Date comments made:

24th July 2015

Comment Number	Comment Made	Caerphilly County Borough Council Response
1.1	I have a few comments that are required to be immediately corrected in the Report: Fernlea area in your report is stated as in Risca East. In fact, according to CCBC, Fernlea is part of Risca West not East! Both at County and Community representation level.	Agreed: However the "Fernlea" mention on page 248 of the plan refers to a culvert intake structure known locally as the "Fernlea culvert" which is located in the East community area.
1.2	In the Report, you refer to Clyde Road; this is incorrect. As the Town Councillor for Lower Pontymister and resident of Clyde STREET, another correction required.	Agreed: The text has been amended on page 258 of the Flood Risk Management Plan.
1.3	In the appendices, you refer to Town and Community Councils, this is incorrect. CCBC's own website list 18; the two missing are Risca Town Council and Risca East Community Council. This is the second time you have omitted consultation with specifically with Risca Town (formerly Risca West) Council and therefore an action point.	Agreed: The missing Town Council and community council will be added to Appendices. However, Risca Town Council and Risca East Community Council were sent an email on the 13 th July informing them of the consultation.

Consultee:

Nelson Community Council

Date comments made:

12th August 2015

Comment Number	Comment Made	Caerphilly County Borough Council Response
2.1	<p>Having looked at the consultation on Caerphilly County Borough Councils draft flood risk management plan, and after reviewing the consultation and the questions set out by the consultation, my members feel that they are neither qualified to answer this document or have the time to review the document as a whole and can only make comment on areas of concern within Nelson.</p> <p>Therefore the main areas of concern have been outlined as follows:</p> <p>An area which has been brought the Council's attention on many occasions is Shingrig Road. During periods of heavy rain the combined drainage systems underneath the roads seem totally inadequate and brown water, considered by many to possibly be sewerage, runs down the road.</p>	<p>Noted: In accordance with the Flood Risk Regulations 2009, the Caerphilly County Borough Council Flood Risk Management Plan covers flooding from surface water, groundwater, ordinary watercourses and the interface with main river flooding. Therefore flooding from combined drainage systems has not been considered as part of this plan. Dŵr Cymru Welsh Water is the responsible authority for combined drainage systems that cause flooding within the County Borough Council area. However in our role as a Lead Local Flood Authority we will continue to meet with Dŵr Cymru Welsh Water to discuss and collaborate on all relevant issues. (Please see item 7.2 and 7.6 of this schedule.)</p>
2.2	<p>The area by the Rowan Tree public house floods almost every year causing traffic chaos.</p>	<p>Agreed: Community Area Measures are included in pages 308 – 382 in the Flood Risk Management Plan to deal with these issues.</p>
2.3	<p>The area between the Co-op and the Railway Inn, on Mabon Road, floods almost every year causing traffic chaos.</p>	<p>Agreed: Community Area Measures are included in pages 308 – 382 in the Flood Risk Management Plan to deal with these issues.</p>
2.4	<p>The area at the bottom of the second rugby pitch at Maes yr Onen gets waterlogged and some gardens flood, this has occurred since the building of the housing site on the Bwl Road.</p>	<p>Noted: Community Area Measures are included in pages 308 – 382 in the Flood Risk Management Plan to deal with these issues.</p>
2.5	<p>The backs of the houses along Ashgrove get waterlogged and some gardens flood, this has occurred since the building of the housing site known as High Close.</p>	<p>Noted: Community Area Measures are included in pages 308 – 382 in the Flood Risk Management Plan to deal with these issues.</p>

Comment Number	Comment Made	Caerphilly County Borough Council Response
2.6	It must be understood by both the Council and the Water Company that Nelson is an 'old community'. The Nelson Main Sewer was built circa 1895 and is a combined rain water run-off and sewerage main. Consequently, the Housing Development, which has taken place in Nelson over the past 45 years or so, has outgrown its capacity.	<p>Noted:</p> <p>In accordance with the Flood Risk Regulations 2009, the Caerphilly County Borough Council Flood Risk Management Plan covers flooding from surface water, groundwater, ordinary watercourses and the interface with main river flooding. Therefore flooding from main sewers has not been considered as part of this plan. Dŵr Cymru Welsh Water is the responsible authority for main sewers that cause flooding within the County Borough Council area. However in our role as a Lead Local Flood Authority we will continue to meet with Dŵr Cymru Welsh Water to discuss and collaborate on all relevant issues. (Please see item 7.2 and 7.6 of this schedule.)</p>
2.7	This Main Sewer apparently meets the Merthyr Trunk Sewer at Fiddler's Elbow. How big is this pipe and can it cope with any further development, without being upgraded by the Water Company?	<p>Noted:</p> <p>In accordance with the Flood Risk Regulations 2009, the Caerphilly County Borough Council Flood Risk Management Plan covers flooding from surface water, groundwater, ordinary watercourses and the interface with main river flooding. Therefore flooding from trunk sewers has not been considered as part of this plan. Dŵr Cymru Welsh Water is the responsible authority for trunk sewers that cause flooding within the County Borough Council area. However in our role as a Lead Local Flood Authority we will continue to meet with Dŵr Cymru Welsh Water to discuss and collaborate on all relevant issues. (Please see item 7.2 and 7.6 of this schedule.)</p>

Consultee:

Natural Resources Wales (Head Office)

Date comments made:

21st August 2015

Comment Number	Comment Made	Caerphilly County Borough Council Response
3.1	<p>A map showing the boundaries of the Flood Risk Area. The FRMP contains the following maps showing the boundaries of the Flood Risk Area: Figure 2, study area map on page 5. Figure 3, map of Caerphilly flood risk area on page 15. Figure 4, the Borough map with wards on page 20. Further maps which also show the flood risk area and what is at risk on pages 60-62.</p> <p>Meets the requirements.</p>	Agreed: No response required.
3.2	<p>The conclusion drawn from the flood hazard and risk maps published under Regulations 22 of the Flood Risk Regulations 2009.</p> <p>The report contains stats tables on pages 18-19 and summary conclusions on page 45. Further stats are included in Table 5 on page 46.</p> <p>More detailed conclusions are included for each community area which summarises the main flood risk and what and where is most at risk of flooding.</p> <p>Meets the requirements.</p>	Agreed: No response required.
3.3	<p>Objectives for the purpose of managing the flood risk.</p> <p>Objectives are included in section 5.3, pages 39 and 40 and are linked to social, economic and environment on pages 42 and 43.</p> <p>Meet the requirements.</p>	Agreed: No response required.

Comment Number	Comment Made	Caerphilly County Borough Council Response
3.4	<p>Proposed measures for achieving those objectives, and description of proposed timings and manner of implementing the measures including details of who is responsible for implementation.</p> <p>Proposed measures for achieving objectives start in section 6.1, page 47 until page 57 for Borough wide measures. More specific measures are included for each community at risk of flooding. Measures include all relevant information to meet the EU requirements.</p> <p>Meets the requirements.</p>	Agreed: No response required.
3.5	<p>A description of the way implementation of measures will be monitored is included within section 9.</p> <p>The FRMP will be reviewed formally after 6 years for Europe. In each December, current position regarding implementation of each measure will be monitoring.</p> <p>Meets the requirements.</p>	Agreed: No response required.
3.6	<p>Consultation This needs to be completed after completion of the consultation but current content in section 8 looks good.</p>	Agreed: Section 8 has been completed and a report on the consultation and outcomes included.
3.7	<p>Where the person preparing the report thinks it appropriate, information about how the implementation of measures under the flood risk management plan and the river basin management plan for the area will be co-ordinated at a river basin level.</p> <p>A summary is contained in section 4.3 with the Borough measures within section 6.1 linked to the appropriate River Basin Management Plan (RBMP) measures. This meets the requirements but as a suggestion, the link to the RBMP could be furthered strengthened through linking the objectives to the RBMP (for example, the sub-objective under overarching objective 1 and 3 will contribute towards WFD delivery).</p>	Noted: No action required

Comment Number	Comment Made	Caerphilly County Borough Council Response
3.8	<p>How were the SEA and HRA requirements considered and met?</p> <p>Pages 38 and 39 contain information from the current SEA on the approach to selecting measures for delivery.</p> <p>Page 57 contains a statement as follows:</p> <p>All the detailed objectives and measures contained in this Flood Risk Management Plan were included in the Strategy and therefore the Strategic Environmental Assessment and Habitat Regulations Assessments, which was prepared for the Strategy, is still valid. It has not been considered necessary to review the Strategic Environmental Assessment or Habitat Regulations Assessment. No physical work will be constructed on site as part of this Flood Risk Management Plan but investigative work may highlight works necessary. Should that be the case a review of the Strategic environmental Assessment will be carried out on a site by site basis. Therefore this meets the requirements but it is suggested that the existing SEA is referenced (insert link in the report).</p>	<p>Noted: A link to the Strategic Environmental Assessment to be inserted into page 57 of the Flood Risk Management Plan</p>

Consultee:

Natural Resources Wales (Framework Directive Team)

Date comments made:

21st August 2015

Comment Number	Comment Made	Caerphilly County Borough Council Response
4.1	<p>Good to see the document is linked to the Severn River Basin Management Plan under the following sections: Page 30 Section 4 Coordination with Severn RBMP. Page 32 links to RBMP (Note ½ page is duplicated). Page 33 has a list of linked measures in this flood plan and the RBMP. Page 34 Makes link with Welsh Government Objectives of this plan with WFD.</p>	Noted: No response required.
4.2	<p>With regards specific actions that could show WFD benefits: Page 8 talks about groundwater and potential mine water investigations and measures. We'd like to be informed of any such cases.</p> <p><i>The flood management plan will allow for investigations of the location of mine water flows and their likely volume, if there is evidence to indicate that such flows could present a flood risk.</i></p> <p><i>It is also common for mine water to be coloured red, which is usually a sign that the water is ferruginous meaning that it contains iron salts, which are detrimental to the quality of the watercourse below the discharge point. It is proposed that, if required, measures will be introduced what will remove the iron salts from the mine water and thus improve the quality of the water downstream of the discharge.</i></p>	Agreed: No response required.
4.3	<p>Limiting surface water runoff: <i>Runoff will be altered if an area is subject to new development such as housing. Although the total runoff is likely to increase, controls will be imposed to restrict the maximum rate runoff from these developments to a level no greater than greenfield runoff or existing discharge rates where appropriate.</i></p>	Agreed: No response required.

Page 27

Comment Number	Comment Made	Caerphilly County Borough Council Response
4.4	<p>And the measures to reduce potential impact from Highway drainage: <i>Highway drainage may also be a source of pollution from hydrocarbons. This is particularly acute when prolonged dry periods are followed by intense rainfall. This is particularly adverse for the first flush of runoff. The Flood Risk Management will look at the possibility of installing measures such as swales and red beds that will reduce velocities and improve water quality.</i></p>	Agreed: No response required.
4.5	<p>Page 9 talks about sensitive channel vegetation maintenance practices which can benefit water quality. <i>Flooding within channels is usually caused by lack of maintenance. Where channels are in the ownership of Caerphilly County Borough Council operational procedures are in place to ensure that the capacity of the channels is not impaired. Inspection of channels, where there is significant risk of flooding, is carried out on a regular basis and debris is removed. The grass is not usually cut as this is helpful in the reduction of pollution. Trees and shrubs are not usually removed as their root system often helps to stabilise the ditches. However, where flows are impeded trees and shrubs will be cut back as appropriate.</i></p>	Agreed: No response required.
4.6	<p>Page 10 talks about working with DCWW and ourselves with regards issues around combined sewers. Currently this working ok and we obviously like that to continue.</p>	Agreed: No response required.
4.7	<p>Note the Highlighted 'quality – presumably they mean 'quantity'. Caerphilly County Borough Council will work collaboratively with our partners Natural Resources Wales and DCWW to identify all combined sewer overflows and to establish their efficiency and the quality of water being discharged.</p> <p>Where necessary, Caerphilly County Borough Council will work with Natural Resource Wales and DCWW to introduce measures which will reduce the 'quality' of foul sewerage being discharged from the combined sewer system into surface water systems.</p>	Agreed: Text amended on page 10 of the Flood Risk Management Plan.

Comment Number	Comment Made	Caerphilly County Borough Council Response
4.8	<p>Page 40 talks about creating 'natural' channels and has a picture next to it of what they refer to as a matured drainage channel'</p> <p>This appears to be a concrete and stone channel with a bit of grass. This is not what we'd class as a 'natural channel' with minimal modifications.</p>	Agreed: Title of the photo on Page 40 to be changed.
4.9	Page 480 – Talks about SuDs, note difficulties ref SuDs due to adoption issues.	Agreed: No response required.
4.10	Page 488 Clause 6.15.1: Land Management – Talks about work with landowners and minimising potential negative impacts from forestry and agriculture.	Agreed: No response required.
4.11	<p>Page 500 Clause 6.17.1: Investigations – Again talks about minewater investigations, also tip leachate investigations, both of which we'd be interested in seeing the results from.</p> <p>A survey will be carried to identify where leachate is being discharged from refuse tips both current and historic and from cemeteries. The nature of the Leachate will be established and its effect on the quality of surface water; A survey will be carried out of all groundwater discharges from all mine workings to establish the location and quality of water;</p>	Agreed: No response required.

Consultee:

Natural Resources Wales (Planning Team)

Date comments made:

21st August 2015

Comment Number	Comment Made	Caerphilly County Borough Council Response
5.1	Minor errors in the document: Page 14 - should state water abstraction licences rather than water extraction.	Agreed: Text amended on page 14 of the Flood Risk Management Plan.
5.2	Page 44 - reservoirs are subject to discharge consents not discharge licences.	Agreed: Text amended on page 44 of the Flood Risk Management Plan.
5.3	Nearby Licences Is the licence data used in the 'counts' in the plan from NRW or Local Authority records? Local Authorities have records of unlicensed private domestic water supplies which NRW do not have access to. Need to ensure data has been used from both sets of data.	Noted: CCBC drainage officers to Liaise further with CCBC Environmental Health Officers on this issue.
5.4	Deregulated Licence Licences were deregulated in 31 st March 2005. Deregulated licences include any abstraction of less than 20 cubic metres per day from surface water source (e.g. stream or drain) or from underground strata (via borehole or well) for any particular purpose. It is possible that there are other unlicensed abstractions present, particularly for domestic and / or agricultural use. Or that deregulated licences known before 31 st March 2005 are now no longer active. Certain private water supplies do not require a licence; therefore Natural Resources Wales is not necessarily aware of existence. The locations of private domestic sources may be held by the local authority on a register required by the Private Water supplies Regulations 1992.	Noted: CCBC drainage officers to Liaise further with CCBC Environmental Health Officers on this issue.

Page 30

Comment Number	Comment Made	Caerphilly County Borough Council Response
5.5	<p>Licences affected by flooding</p> <p>Consideration should be given to abstraction licences identified as being subject to flood risk, surveys and reports should be carried out to identify the potential damaging effects of flooding and what measures could be implemented to reduce the flood risk and impact on the water. We would need to know if there are any licences likely to be affected by flooding or any of the measures outlined.</p>	Noted: No response required.
5.6	<p>New licences required for flood defence measures</p> <p>We would also need to know if there are flood defences activities or any new flood defence measures that might require an abstraction licence – temporary or full ie. Dust suppression for construction of new flood defences. The same would apply to the potential requirement for any impoundment licences. A licence from Natural Resources Wales may be required for these activities.</p>	Noted: No response required.
5.7	<p>Licence requirements – abstraction</p> <p>If more than 20 cubic metres of water is to be abstracted per day from a surface water source (e.g. stream or drain) or from underground strata (via borehole or well for any particular purpose, then an abstraction licence from Natural Resource Wales is likely to be required. There is no guarantee that a licence will be granted as this is dependent on available water resources and existing protected rights. Abstractions from these sources under 20 cubic metres per day not required an abstraction licence.</p> <p>Types of licences and how to apply – http://naturalresouces.wales/apply-and-buy/water-abstraction-licences-water-discharges/water-abstraction-and-impoundment-licensing/apply-for-a-water-abstraction-or-impoundment-licence/?land=en</p>	Noted: No response required.
5.8	<p>Licence requirement – impoundments</p> <p>If a watercourse, ditch or stream is to be impounded then an impounding licence is likely to be required from Natural Resources Wales.</p>	Noted: No response required.

Comment Number	Comment Made	Caerphilly County Borough Council Response
5.9	<p>Small impounding structures policy</p> <p>There may be opportunity for any works to come under our low-risk impounding policy, guidance note is available on our website here: http://naturalresources.wales/apply-and-buy/water-abstraction-licences-and-impoundment-licences/water-abstraction-and-impoundment-licensing/apply-for-a-water-abstraction-or-impoundment-licence/?lang=en</p> <p>However in addition to the statutory exceptions, there may be occasions when an impounding licence is not necessary. Taking a risk based approach, it was established through interpretation and practice that it is not necessary to require a licence for works, provided that they:</p> <ul style="list-style-type: none"> • Do not raise the upstream water level outside the normal (that is under non-flood conditions) wetted perimeter of the stream ; and • Do not temporarily or permanently modify the flow regime in a way that is potentially detrimental to other interests or the environment. 	Noted: No response required.

Consultee:

Natural Resources Wales (Flood Risk Analysis)

Date comments made:

21st August 2015

Comment Number	Comment Made	Caerphilly County Borough Council Response
6.1	<p>Question 1. Do you agree or disagree that the Draft Flood Risk Management Plan sets out the most significant flood risk in Caerphilly County Borough? Please select one option.</p> <p>Fully Agree</p> <p><u>Please give reasons for your answer</u></p> <p>The FRMP overall is well structured and presented throughout, which for the reader does help clearly establish those sites which are at significant risk. The summaries which provide the total cost of measures for each community area especially the summary on page 58 "Total Cost of Measures for the Caerphilly County Borough Council Flood Risk Area is a very useful indicator on those specific areas which have the greatest risk and corresponding costs to remedy flood risk within these locations.</p>	Agreed: No response required.
6.2	<p>Question 2. What do you consider to be the greatest cause of flood risk in Caerphilly County Borough? Please select one option.</p> <p>Blocked culvert inlet grids</p>	Noted: No response required.
6.3	<p>Question 3. What do you consider to be the highest priority for managing flood risk in Caerphilly County Borough? Please select one option.</p> <p>Maintenance of culvert inlet grids, drainage channels and gullies.</p>	Noted: No response required.
6.4	<p>Question 4. Do you agree or disagree that this draft Flood Risk Management plan effectively targets and aims to achieve the objectives set out by Welsh Government National Flood and Coastal Erosion Risk Management Strategy (FCERM).</p> <p>Fully agree</p> <p><u>Please give reasons for your answer</u></p> <p>These targets have been developed by Welsh Government in consultation with the Risk Management Authorities (RMAs) to deliver a structured approach to Flood Risk Management for the future.</p>	Agreed: No response required.

Comment Number	Comment Made	Caerphilly County Borough Council Response
6.5	<p>Question 5. Do you agree or disagree that the measures contained within the Draft Risk Management Plan satisfactorily address these categories? <i>Please select one option.</i></p> <p>Fully agree</p> <p><u>Please give reasons for your answer</u></p> <p>The measures have previously been further developed from the Local Flood Risk Management Strategy which was a requirement of the National Strategy above. These measures provide a good steer to LLFAs on which ones are appropriate to use in delivering the desired outcomes of the FRMP to manage flood risk in their specific catchment areas.</p>	Agreed: No response required.
6.6	<p>Question 6. How do you think, as an individual/organisation can support the work set out in the Draft Flood Risk Management Plan to reduce flood risk?</p> <p>By working in partnership with other RMAs in delivering schemes which in some instances will deliver benefits from various sources of flooding. This is a better use of resources and funding can result in scheme being more cost beneficial and deliverable.</p>	Agreed: No response required.

Consultee:

Dŵr Cymru Welsh Water

Date comments made:

24th August 2015

Comment Number	Comment Made	Caerphilly County Borough Council Response
7.1	We generally support the contents of the draft FRMP and the objectives that are set out. We are keen to continue to work closely with you as the objectives in the plan are delivered and work in partnership where appropriate.	Agreed: No response required.
7.2	We are pleased that the FRMPs acknowledge the need to protect key infrastructure. As a statutory water and sewerage undertaker, we are very mindful that our customers – domestic and commercial – are reliant on the essential water and sewerage services that our sector provides.	Noted: No response required.
7.3	Article 7 of the Floods Directive requires that flood risk management plans take the Water Framework Directive's (WFD) environmental objectives into account and requires co-ordination in the application of the two directives. We are pleased to see that the objectives in your FRMP have clear links to those of WFD.	Agreed: No response required.
7.4	From Dŵr Cymru's perspective, it would be an inefficient use of our customer's money if we reduced our impact on particular waterbodies while other pressures, such as inappropriate flood defences, continued to prevent those waterbodies from reaching the good status that the WFD requires.	Noted: No response required.
7.5	We are pleased to note the inclusion of information on how you maintain your assets, particularly culverts and the highway network. It would be useful if we could receive information on your assets as part of the data sharing responsibilities in order for us to better understand the interaction between all drainage infrastructures in the county.	Agree: However, in accordance with the Flood Risk Regulations 2009, any data sharing protocols would need to be reciprocal
7.6	We are keen to continue to develop the good working relationship we have and work with you to keep customers informed of responsibilities for flood risk in the county and also when responding to flood incidents.	Agree: No response required.

Consultee:

Date comments made:

Online Questionnaire

25th August 2015

Comment Number	Comment Made	Caerphilly County Borough Council Response
Q) Do you agree or disagree that the Draft Flood Risk Management Plan sets out the most significant flood risk in Caerphilly County Borough?		
8.1	With respect to Nelson you have not taken into account the Review of the CCBC's Local Dev Plan, which is to increase housing, which will affect the situation for the residents of Nelson, unless there is major investment into the Nelson Main sewer capacity.	Measures have been included in the Flood Risk Management Plan to deal with Sustainable and Strategic Development Planning issues. In accordance with the Flood Risk Regulations 2009, the Caerphilly County Borough Council Flood Risk Management Plan covers flooding from surface water, groundwater, ordinary watercourses and the interface with main river flooding. Therefore flooding from main sewers has not been considered as part of this plan. Dŵr Cymru Welsh Water is the responsible authority for main sewers that cause flooding within the County Borough Council area. However in our role as a Lead Local Flood Authority we will continue to meet with Dŵr Cymru Welsh Water to discuss and collaborate on all relevant issues. (Please see item 7.2 and 7.6 of this schedule.)
8.2	The risk plan over complicates water runoff plans, many local people know which drains and culverts are blocked and waterways diverted.	Noted: Caerphilly County Borough Council acknowledges the importance of local community engagement with regards to flood risk. Therefore, measures have been included in the Flood Risk Management Plan to encourage engagement with communities so we can better understand local flooding issues causes and impacts.

Page 36

Comment Number	Comment Made	Caerphilly County Borough Council Response
8.3	The draft management plan fails to acknowledge the lack of modern sewerage infrastructure upgrade by the appropriate water authority is having a detrimental effect upon residential amenity of older homes whose rainwater run-off, goes into a combined sewer and, there appears to be no plan within the Draft plan to address this problem.	Noted: In accordance with the Flood Risk Regulations 2009, the Caerphilly County Borough Council Flood Risk Management Plan covers flooding from surface water, groundwater, ordinary watercourses and the interface with main river flooding. Therefore issues concerning sewer infrastructure have not been considered as part of this plan. Dŵr Cymru Welsh Water is the responsible authority for sewers within the County Borough Council area. However in our role as a Lead Local Flood Authority we will continue to meet with Dŵr Cymru Welsh Water to discuss and collaborate on all relevant issues. (Please see item 7.2 and 7.6 of this schedule.)
8.4	Far too detailed, is it all manageable? I don't think so! Apply Pareto Principles and tackle the 20% that causes 80% of the problem.	Noted: The Flood Risk Regulations 2009 state that 'A lead local flood authority must prepare a flood risk management plan in relation to each relevant flood risk area. ' Therefore to in order to satisfy the regulations, the Caerphilly County Borough Council Flood Risk Management Plan details objectives and measures for all areas where significant flood risk has been identified. Some measures have already been implemented through funding made available by Welsh Government, but in order for this Flood Risk Management Plan to be successful it is essential that significant further funding be made available to Caerphilly County Borough Council from Welsh Government. Failure to receive funding could result in measures identified in this report not being implemented either in part or in full.
Q) What do you consider to be the greatest cause of flood risk in Caerphilly County Borough?		
8.5	It depends on the area. Different problems in different areas.	Agreed: No response required.

Comment Number	Comment Made	Caerphilly County Borough Council Response
Q) What do you consider to be the highest priority for managing flood risk in Caerphilly County Borough?		
8.6	<p>Nelson Main Sewer was built over a hundred years ago. Since then number of people living in the area increased significantly but, there has been little improvement in the capacity of the Nelson main sewer.</p> <p>As before. Depends on the area</p>	<p>Noted: In accordance with the Flood Risk Regulations 2009, the Caerphilly County Borough Council Flood Risk Management Plan covers flooding from surface water, groundwater, ordinary watercourses and the interface with main river flooding. Therefore flooding from main sewers has not been considered as part of this plan. Dŵr Cymru Welsh Water is the responsible authority for main sewers that cause flooding within the County Borough Council area. However in our role as a Lead Local Flood Authority we will continue to meet with Dŵr Cymru Welsh Water to discuss and collaborate on all relevant issues. (Please see item 7.2 and 7.6 of this schedule.)</p> <p>Agreed: No response required</p>
Q) Do you agree or disagree that this draft Flood Risk Management plan effectively targets and aims to achieve the objectives set out by Welsh Government National Flood and Coastal Erosion Risk Management Strategy (FCERM).		
8.7	There is lack of financial investment to address the issues.	<p>Agreed: Some measures have already been implemented through funding made available by Welsh Government, but in order for this Flood Risk Management Plan to be successful it is essential that significant further funding be made available to Caerphilly County Borough Council from Welsh Government. Failure to receive funding could result in measures identified in this report not being implemented either in part or in full.</p>
8.8	Lack of consultation.	<p>Strongly Disagree: Caerphilly County Borough Council acknowledges the importance of public engagement. Therefore, it has undertaken three extensive public consultations throughout the process of creating the Local Flood Risk Management Strategy and the Flood Risk Management Plan seeking the public's views regarding flooding issues.</p>

Comment Number	Comment Made	Caerphilly County Borough Council Response
8.9	With the number of new houses the Welsh Government wants to build it needs to be more proactive in making the water authorities provide the infrastructure required. It cannot all be left to developers.	<p>Noted: In our role as a Lead Local Flood Authority we will continue to meet with Dŵr Cymru Welsh Water to discuss and collaborate on all relevant issues. (Please see item 7.2 and 7.6 of this schedule.)</p>
8.10	It's a document to satisfy a request. It is NOT implementable. Far too detailed. The simplest things have not even been done. A 500 page document does nothing unless action follows. Will it? No! You will say there is no money to implement it yet you found money to write it!	<p>Disagree: Some measures have already being implemented from the Local Flood Risk Management Strategy and Flood Risk Management Plan.</p> <p>Ring fenced funding has been received from Welsh Government for the financial years April 2010 to March 2015 to produce statutory documents. This funding has been used to prepare the Preliminary Flood Risk Assessment, Flood Hazard and Flood Risk Maps, the Local Flood Risk Management Strategy and the Flood Risk Management Plan.</p> <p>However, in order for the Flood Risk Management Plan to be successful it is essential that significant further funding be made available to Caerphilly County Borough Council on top of the normal funding arrangements from Welsh Government. Failure to receive this additional funding could result in measures identified in this report not being implemented either in part or in full.</p>

Comment Number	Comment Made	Caerphilly County Borough Council Response
Q) Do you agree or disagree that the measures contained within the Draft Risk Management Plan satisfactorily address these categories?		
8.11	Not sufficient finance provided to achieve best outcomes for the people affected	<p>Some measures have already being implemented from the Local Flood Risk Management Strategy and Flood Risk Management Plan.</p> <p>However, in order for the Flood Risk Management Plan to be successful it is essential that significant further funding be made available to Caerphilly County Borough Council on top of the normal funding arrangements from Welsh Government. Failure to receive this additional funding could result in measures identified in this report not being implemented either in part or in full.</p> <p>Noted:</p>
8.12	There are no specific detailed plans within the Draft Plan to assist water companies to increase the capacity of their combined sewers. They will need financial help to do this.	<p>Caerphilly County Borough Council Flood Risk Management Plan covers flooding from surface water, groundwater, ordinary watercourses and the interface with main river flooding. Therefore flooding from combined sewers has not been considered as part of this plan. Dŵr Cymru Welsh Water is the responsible authority for combined sewers that cause flooding within the County Borough Council area. However in our role as a Lead Local Flood Authority we will continue to meet with Dŵr Cymru Welsh Water to discuss and collaborate on all relevant issues. (Please see item 7.2 and 7.6 of this schedule.)</p> <p>Noted:</p>

Comment Number	Comment Made	Caerphilly County Borough Council Response
8.13	As before – too complicated – NOT IMPLEMENTABLE.	<p>Some measures have already being implemented from the Local Flood Risk Management Strategy and Flood Risk Management Plan.</p> <p>Ring fenced funding has been received from Welsh Government for the financial years April 2010 to March 2015 to produce statutory documents. This funding has been used to prepare the Preliminary Flood Risk Assessment, Flood Hazard and Flood Risk Maps, the Local Flood Risk Management Strategy and the Flood Risk Management Plan.</p> <p>Disagree: However, in order for the Flood Risk Management Plan to be successful it is essential that significant further funding be made available to Caerphilly County Borough Council on top of the normal funding arrangements from Welsh Government. Failure to receive this additional funding could result in measures identified in this report not being implemented either in part or in full.</p>
Q) How do you think you, as an individual/organisation can support the work set out in the Draft Flood Risk Management plan to reduce flood risk?		
8.14	Getting involved in any consultation.	Agreed: No response required.
8.15	Reporting of issues when known.	Agreed: No response required.

Comment Number	Comment Made	Caerphilly County Borough Council Response
8.16	WG needs to more proactive in putting information about flooding and sewerage capacity of the drainage and sewer systems into the public domain. WG should ask each of the 735 Town and Community Council across Wales to respond to this consultation and it should be more widely known about by the general public, particularly young people should be actively involved.	<p>As part of the Flood Risk Management Plan consultation process, all 18 Town and Community Councils within Caerphilly County Borough Council area have been consulted.</p> <p>Engagement with members of the public was also made via the Council website; social media; various local press releases and the local libraries.</p> <p>Noted: Caerphilly County Borough Council acknowledges the importance of local community engagement with regards to flood risk. Therefore, measures have been included in the Flood Risk Management Plan to encourage engagement with communities so we can better understand local flooding issues causes and impacts.</p>
8.17	Informing the local council of blockages in watercourses, drains, etc, in found in our normal travels, also a Floodline phone number to report a blockage could be advantage.	<p>Agreed: Caerphilly County Borough Council has in place a Highways Customer Care telephone line (01495 235323) for reporting blockages or highway issues.</p>
8.18	Providing feedback to relevant department during flood incidents and undertake monitoring of local environment. Active participation in planning application processes.	<p>Agreed: Caerphilly County Borough Council has the systems in place for reporting flooding incidents; monitoring the environment and providing comments on planning applications.</p>

Comment Number	Comment Made	Caerphilly County Borough Council Response
8.19	By making known to the county Borough the inadequacy of combined main sewers. To make the Authority aware that in heavy rain these sewers overflow onto roads and into people's homes and gardens. The authority must recognise that, the water table too is often high at the bottom of the valleys throughout the Borough. To expect developers to rely on soakaways in new properties and to foot the bill for the necessary sewerage infrastructure needed will not be enough. More and more the Authority is allowing new housing developments.	<p>Measures have been included in the Flood Risk Management Plan to deal with Sustainable and Strategic Development Planning issues.</p> <p>In accordance with the Flood Risk Regulations 2009, the Caerphilly County Borough Council Flood Risk Management Plan covers flooding from surface water, groundwater, ordinary watercourses and the interface with main river flooding. Therefore flooding from combined sewers has not been considered as part of this plan. Dŵr Cymru Welsh Water is the responsible authority for combined sewers that cause flooding within the County Borough Council area. However in our role as a Lead Local Flood Authority we will continue to meet with Dŵr Cymru Welsh Water to discuss and collaborate on all relevant issues. (Please see item 7.2 and 7.6 of this schedule.)</p>
8.20	By being proactive as possible in developing understanding and sharing awareness. By warning of potential flooding incidents and raising the alarm to actual flood events. By actively participating in Highway Team's response to flooding events.	<p>Caerphilly County Borough Council has the systems in place for reporting flooding incidents; monitoring the environment and providing comments on planning applications.</p> <p>Caerphilly County Borough Council acknowledges the importance of local community engagement with regards to flood risk. Therefore, measures have been included in the Flood Risk Management Plan to encourage engagement with communities so we can better understand local flooding issues causes and impacts.</p>
8.21	I regularly report problems. NOTHING gets done!	<p>Caerphilly County Borough Council has in place an excellent customer care system for receiving; logging and monitoring progress of reports of flooding incidents.</p>
8.22	Continue to oppose opens spaces being covered in tarmac, concrete and housing.	<p>Measures have been included in the Flood Risk Management Plan to deal with Sustainable and Strategic Development Planning issues.</p>

Consultee:

Caerphilly County Borough Council (Emergency Planning)

Date comments made:

3rd August 2015

Comment Number	Comment Made	Caerphilly County Borough Council Response
9.1	The Caerphilly County Borough Council Flood Risk Management Plan is a wide ranging and a well set out document, which clearly satisfies the Councils High Level Objective in relation to flood risk within the County Borough Council area. The Plan comprehensively outlines the Council's objectives and measures for the management of flood risk in the identified areas.	Noted No response required
9.2	Incorrect title on Figure 09 – Should read 'Risk to Natural and Historic Environment'	Agreed: Map title to altered on page 62

Appendix C - Financial Implications

TOTAL COST OF MEASURES FOR THE CAERPHILLY COUNTY BOROUGH COUNCIL FLOOD RISK AREA

COMMUNITY AREA	COST
Aberbargoed	£74,500
Abercarn	£107,000
Bargoed	£61,000
Bedwas	£262,500
Blackwood	£101,500
Caerphilly East	£84,500
Caerphilly North	£96,500
Caerphilly South	£137,500
Caerphilly West	£229,500
Cefn Fforest	£60,500
Crosskeys	£96,000
Crumlin	£148,000
Llanbradach	£65,500
Maesycwmmmer	£174,500
Markham	£47,000
Newbridge	£197,000
Pengam	£50,500
Penmaen	£117,000
Pontllanfraith	£152,000
Pontymister East	£56,000
Pontymister West	£62,000
Trethomas	£85,500
Ystrad Mynach	£177,500
ESTIMATED TOTAL COST:	£2,644,000

TOTAL COST OF MEASURES FOR OUTSIDE THE CCBC FLOOD RISK AREA

COMMUNITY AREA	COST
Abertridwr	£80,500
Abertysswg	£84,500
Argoed	£50,000
Brithdir	£32,500
Deri	£35,000
Fochriw	£35,000
Gelligaer	£64,500
Hengoed	£34,500
Machen	£130,500
Manmoel	£500
Nelson	£110,500
New Tredegar	£34,000
Penpedairheol	£59,000
Pontlloftyn	£60,000
Rhymney	£89,500
Rudry	£24,000
Senghenydd	£45,500
Tirphil	£5,500
Tir-y-berth	£60,500
Twyn Carno	£65,000
Ynysddu	£61,500
ESTIMATED TOTAL COST:	£1,162,500

Total financial requirement of £3,806,500 to implement all the measures within the CCBC area.

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REGENERATION AND ENVIRONMENT SCRUTINY COMMITTEE 27TH OCTOBER 2015

**SUBJECT: PROPOSED CHANGE TO THE CAERPHILLY COUNTY BOROUGH
COUNCIL CIL REGULATION 123 LIST OF INFRASTRUCTURE**

REPORT BY: CORPORATE DIRECTOR - COMMUNITIES

1. PURPOSE OF REPORT

- 1.1 To consider and note the findings of the of the public consultation exercise undertaken in August/September 2015 in respect of the proposed changes to the Regulation 123 List.
- 1.2 To recommend that the Replacement Regulation 123 List be referred to Cabinet and Council for consideration.
- 1.3 To recommend to Cabinet and thereafter Council that the Replacement Regulation 123 List be approved for publication in accordance with the implementation of CIL.

2. SUMMARY

- 2.1 The Community Infrastructure Levy (CIL) is a system of charges that local authorities can choose to levy against new development in their areas. Different rates of charge are identified for different types of development, dependent upon how viable each type of development is. The revenue generated from CIL is then used to fund infrastructure that will support future planned development in the county borough. Once introduced it is a mandatory charge that is levied against all new qualifying development.
- 2.2 Regulation 123 of the Community Infrastructure Levy Regulations 2010 (as amended) sets out the requirement for the CIL Charging Authority to publish a list of the infrastructure that can be funded through CIL.
- 2.3 It is proposed that the approved Regulation 123 list be modified to amend the first social infrastructure item i.e. "Education Provision (Schools)" to read "off-site education provision (schools)". With a subsequent change to paragraph 5.5 to refer to "on-site education provision (schools)" The proposed change to the Regulation 123 list would enable school provision to be sought on-site in line with the aspirations of the adopted LDP.
- 2.4 It is considered that the proposed change to the Regulation 123 List will have a minimal impact on the viability evidence that was considered by the Examiner as it will only impact on two specific sites, namely HG1.57 Waterloo and HG1.60 Bedwas Colliery.
- 2.5 The Replacement Regulation 123 List was subject of appropriate consultation from 5 August 2015 to 9 September 2015 in line with guidance contained in Planning Practice Guidance (as amended June 2015) at which time the reasoned justification for the change to the list was outlined.

- 2.6 Two representations have been submitted for consideration, one from the Home Builders Federation and one from Savills (UK) Ltd, Chartered Surveyors, representing Machen Land Limited (MLL) i.e. the land-owner and promoter of the Waterloo Works site. Appendix 1 outlines a summary of the representations received together with an officer response to each of the points raised.
- 2.7 This Report invites elected members to: 1) consider and note the findings of the of the public consultation exercise undertaken in August/September 2015 in respect of the proposed changes to the Regulation 123 List; 2) recommend that the Replacement Regulation 123 List be referred to Cabinet and Council for consideration; and 3) recommend to Cabinet and thereafter Council that the Replacement Regulation 123 List be approved for publication in accordance with the implementation of CIL.

GLOSSARY OF ACRONYMS, ABBREVIATIONS AND TERMS

CIL	Community Infrastructure Levy
LDP	Caerphilly County Borough Local Development Plan up to 2021
s.106	Section 106 of the Town and Country Planning Act 1990
IAR	Infrastructure Assessment Report
Charging Schedule	Caerphilly Community Infrastructure Levy Charging Schedule
Regulation 123 List ...	Regulation 123 List of Infrastructure, which sets out the infrastructure that CIL can be used to fund.

3. LINKS TO STRATEGY

- 3.1 The CIL will directly assist in the delivery of the Council's land use objectives as set out in the Caerphilly County Borough Local Development Plan up to 2021 (LDP). CIL will expand upon LDP Policy SP7 Planning Obligations, which sets out the strategic policy basis for securing Planning Obligations (s.106 Obligations) where they are necessary to remove obstacles to planned development.
- 3.2 CIL will be one of the mechanisms for making direct contributions toward the provision of many of the allocations set out in the Adopted LDP. Overall CIL will be a significant tool for the delivery of the Council's aspirations in terms of infrastructure that cannot be funded through other means and for which no alternative funding mechanisms are available.
- 3.3 As such, CIL will also support the Council in achieving the aims of Caerphilly Delivers, the LSB Single Integrated Plan, particularly the Prosperous, Greener and Safer themes.

4. THE REPORT

- 4.1 The Community Infrastructure Levy (CIL) is a system of charges that local authorities can choose to levy against new development in their areas. Different rates of charge are identified for different types of development, dependent upon how viable each type of development is. The revenue generated from CIL is then used to fund infrastructure that will support future planned development in the county borough. It is a mandatory charge that is levied against all new qualifying development.
- 4.2 Caerphilly County Borough Council resolved to approve the CIL Charging Schedule at a meeting of the Full Council held on 10 June 2014, with an implementation date of 1 July 2014.
- 4.3 Regulation 123 of the Community Infrastructure Levy Regulations 2010 (as amended) sets out the requirement for the CIL Charging Authority to publish a list of the infrastructure that can be funded through CIL. To this end, the Caerphilly County Borough Council Regulation 123 List of Infrastructure (the Regulation 123 List), was approved by Council in tandem with

the CIL Charging Schedule on the 10 June 2014.

4.4 Further to the implementation and monitoring of the CIL, officers are of the view that there is a need to amend the approved Regulation 123 List in respect of on-site education provision to allow s.106 funding to be sought. Where a site is sufficiently large to generate the need for on-site provision and this is identified in the adopted LDP, it is within the spirit of the legislation that such provision should properly be made through a s.106 obligation. In such cases the provision of this critical infrastructure clearly meets the statutory tests laid down for s.106 obligations in that it is:

- Necessary to make the development acceptable in planning terms;
- Directly related to the proposed development; and
- Fairly and reasonably related in scale and kind to the development in question.

Relationship between s.106 Obligations and CIL

4.5 There is a need therefore to amend the Regulation 123 List in order to ensure that planning obligations and the CIL can operate in a complementary way in this regard. Moreover it is important to ensure that the local use of the CIL and planning obligations do not overlap; and that there is no potential for a developer to pay twice for the same piece of infrastructure.

4.6 It is therefore proposed that the approved Regulation 123 List be modified to remove on-site education from the list so that this essential infrastructure can be funded via s.106 obligation where the provision can meet the statutory tests above. It is further proposed that off-site education provision continues to be funded through CIL in line with the approved Regulation 123 List. To this end it is proposed that the Regulation 123 list be modified to amend the first social infrastructure item i.e. "Education Provision (Schools)" to read "off-site education provision (schools)". With a subsequent change to paragraph 5.5 to refer to "on-site education provision (schools)"

Site Specific Impact of Proposed Change

4.7 Only three housing sites within the adopted LDP are required to make on-site provision for education, namely:

- HG1.33 Penallta Colliery (Cwm Calon) Ystrad Mynach - provision has been made via s.106 and the school is now developed.
- HG1.57 Waterloo Works, Waterloo - planning permission has been granted subject to the signing of a s.106, which includes the provision of a school. The s.106 was not signed prior to the introduction of CIL and is therefore no longer capable of implementation. A report outlining the current position is likely to be considered by Planning Committee later this year.
- HG1.60 Bedwas Colliery, Bedwas.- the site has not progressed to planning application stage.

CIL Examination and Viability

4.8 The proposed change to the Regulation 123 list would enable school provision to be sought on-site in line with the aspirations of the adopted LDP.

4.9 This approach would also be consistent with the evidence that was considered at the CIL Examination where the Infrastructure Assessment Report (IAR) assumed that in all of the above cases the on-site education provision would be delivered through a combination of the Council's Capital Budget and via s.106 obligations. The IAR assumed a developer contribution of circa £5m for on site-education provision for each of the sites in question.

- 4.10 The Economic Viability Study that was considered by the Examiner made no specific allowance for residual s.106 obligations relating to site-specific infrastructure; however he concluded that the CIL had been set appropriately to accommodate the variable s.106 element of development costs.
- 4.11 When charging authorities wish to revise their regulation 123 list, they should ensure that these changes are clearly explained and subject to appropriate consultation. However, where a change to the regulation 123 list would have a very significant impact on the viability evidence that supported examination of the charging schedule, this should be made as part of a review of the charging schedule.
- 4.12 It is considered that the proposed change to the Regulation 123 List will have a minimal impact on the viability evidence that was considered by the Examiner as it will only impact on two specific sites, namely HG1.57 Waterloo and HG1.60 Bedwas Colliery.
- 4.13 It is important to note in this context that site viability is very scheme and site specific. Further, viability is a material consideration in the determination of planning applications and detailed viability assessments are routinely submitted for consideration as part of the planning application process. If viability is shown to be marginal on a specific scheme, the Council has the ability to be flexible and negotiate with the applicant in terms of those contributions that are to be sought through s.106 obligations. Conversely, the CIL rates for a proposal are set and are non-negotiable.
- 4.14 The Replacement Regulation 123 List was subject of appropriate consultation from 5 August 2015 to 9 September 2015 in line with guidance contained in Planning Practice Guidance (as amended June 2015) at which time the reasoned justification for the change to the list was outlined. The consultation was targeted at: respondents that have previously expressed an interest in CIL, the development industry, County Borough Councillors, Community Councils, and neighbouring Local Planning Authorities. In addition, a notice was placed in the Caerphilly Observer on the 31 July and the 6 August 2015 and information was placed on the Council's web page in order to alert any other interested people of the consultation exercise.
- 4.15 Two representations have been submitted for consideration, one from the Home Builders Federation (HBF) and one from Savills (UK) Ltd, Chartered Surveyors, representing Machen Land Limited (MLL) i.e. the land-owner and promoter of the Waterloo Works site. Appendix 1 outlines a summary of the representations received together with an officer response to each of the points raised.
- 4.16 Officers consider that there is an immediate need to amend the Regulation 123 List to ensure that the provision of critical on-site education infrastructure that is necessary to make development acceptable in planning terms at both Waterloo and Bedwas Colliery can be sought through s.106 obligations.
- 4.17 Finally, members should be aware that as an integral part of the preparation of the Replacement Deposit Local Development Plan up to 2031, the viability evidence underpinning the CIL Charging Schedule and the affordable housing policy will need to be reviewed in full. This work is presently underway and the HBF and other key stakeholders are involved in the viability testing associated with this work. A new Charging Schedule and Regulation 123 List will be prepared in tandem with the Replacement Deposit LDP and will be subject to Council consideration and full public consultation in due course. On completion of this work all of the current CIL documentation will be superseded.

5. EQUALITIES IMPLICATIONS

- 5.1 There are no direct implications associated with this report, however the consultation with the public was undertaken in line with the Council's Public Engagement Strategy and the Equalities Consultation and Monitoring Guidance, ensuring that all minority groups in the community had the opportunity to take part in the consultation exercise.

6. FINANCIAL IMPLICATIONS

- 6.1 The proposed change to the Regulation 123 List will enable the Local Planning Authority to seek to negotiate s.106 obligations for the provision of on-site education, negating the need for the Education Authority to bear the cost of that total provision. Clearly this is subject to the Council prioritising on-site school provision over other types of development such as affordable housing.

7. PERSONNEL IMPLICATIONS

- 7.1 There are no direct personnel implications as a consequence of this report

8. CONSULTATIONS

- 8.1 All comments have been incorporated into the report

9. RECOMMENDATIONS

- 9.1 To consider and note the findings of the of the public consultation exercise undertaken in August/September 2015 in respect of the proposed changes to the Regulation 123 List.
- 9.2 To recommend that the Replacement Regulation 123 List be referred to Cabinet and Council for consideration.
- 9.3 To recommend to Cabinet and thereafter Council that the Replacement Regulation 123 List be approved for publication in accordance with the implementation of CIL.

10. REASONS FOR THE RECOMMENDATIONS

- 10.1 In order to consider the representations made to the public consultation exercise undertaken in August/September 2015 in respect of the proposed changes to the Regulation 123 List.
- 10.2 In order to assist in the implementation and understanding of the CIL charge.
- 10.3 In order to secure s106 obligations for on-site education provision to make planned development acceptable in planning terms.

11. STATUTORY POWER

- 11.1 The council, as local planning authority, is empowered under the provisions of Part 11 of the Planning Act 2008 to undertake preparation and implementation of CIL

Author: Rhian Kyte, Strategic & Development Plans, kyter@caerphilly.gov.uk

Consultees: Cllr K James	Cabinet Member for Regeneration, Planning and Sustainable Development
Cllr D T Davies	Chair of Regeneration and Environment Scrutiny Committee
Chris Burns	Interim Chief Executive
Nicole Scammell	Acting Director of Corporate Services & S151
Christina HARRY	Corporate Director
Bleddyn Hopkins	Assistant Director, Education
Pauline Elliott	Head of Regeneration and Planning
Tim Stephens	Development Manager

Gail Williams
David Thomas
Mike Eedy

Interim Head of Legal Services/Monitoring Officer
Senior Policy Officer (Equalities and Welsh Language)
Finance Manager

Background Papers: Community Infrastructure Levy (CIL) - Approval and Implementation of
Caerphilly County Borough CIL Charging Schedule – Council Report 10 June 2014.

Appendices:

- Appendix 1 Comments received in respect of the Proposed Change to the Caerphilly County
Borough Council CIL Regulation 123 List of Infrastructure
- Appendix 2 Caerphilly County Borough Council Community Infrastructure Levy Replacement
Regulation 123 List of Infrastructure

COMMENTS RECEIVED IN RESPECT OF THE PROPOSED CHANGE TO THE CAERPHILLY COUNTY BOROUGH COUNCIL CIL REGULATION 123 LIST OF INFRASTRUCTURE

Home Builders Federation - Representation 1

The Council notes in their consultation document that:

“Regulation 123 Lists are not subject to the same procedural requirements that have been set out for the CIL Charging Schedule. Currently Regulation 123 only requires that the Regulation 123 Lists be published. It does not convey any requirement for consultation or set out any formal procedures. Consequently the council may change its Regulation 123 List as it sees fit.”

The HBF would advise that guidance on changes to the Regulation 123 list was incorporated within the Planning Practice Guidance (PPG) on 12th June 2015. It states that:

“When charging authorities wish to revise their regulation 123 list, they should ensure that these changes are clearly explained and subject to appropriate consultation. Charging authorities should not remove an item from the regulation 123 list just so that they can fund this item through a new section 106 agreement. Authorities may amend the regulation 123 list without revising their charging schedule, subject to appropriate consultation. However, where a change to the regulation 123 list would have a very significant impact on the viability evidence that supported examination of the charging schedule, this should be made as part of a review of the charging schedule”

The HBF note that the Council have consulted on the changes, however we are concerned (see comments below) about whether the Council have met the other criteria in the statement above. Accordingly the HBF would suggest that the Council need to evidence whether or not the proposed change does or doesn't have a 'significant impact on the viability evidence'.

Officer Response

The Council acknowledges and is aware of the changes to the Planning Practice Guidance introduced in June 2015 and has undertaken the appropriate consultation as required. Paragraph 2 of the Replacement Regulation 123 List will be amended accordingly.

The proposed change to the Regulation 123 List will have a minimal impact on the viability evidence that was considered by the Examiner as it will only impact on two specific sites, namely HG1.57 Waterloo and HG1.60 Bedwas Colliery and will not effect the wider viability evidence that was considered.

Viability is a material consideration in the determination of planning applications and detailed viability assessments are routinely submitted for consideration as part of the planning application process. If viability is shown to be marginal on either of these specific schemes effected by the proposed change, the Council has the ability to be

flexible and negotiate with the applicant in terms of those contributions that are to be sought through s.106 obligations.

Where a developer considers that the level of obligation sought may affect the viability of a development to an unacceptable degree the Council will require the developer to provide sufficient evidence to support this position as part of the planning obligation negotiation process in line with Policy SP7 of the adopted LDP.

Home Builders Federation - Representation 2

The Consultation document states the following:

“Planning Officers remain of the view that off-site education provision should be retained on the 123 List and thus funded through CIL. However the Assistant Director for Education remains of the view that education provision should be removed from the 123 List entirely and should be funded through s106 Obligations.”

The HBF suggest that further evidence is required to explain, based on this internal disagreement, why the decision has been made to amend the 123 List, and any such evidence should demonstrate why this is a good idea and what impact it has on viability.

Officer Response

There is a need to amend the approved Regulation 123 List in respect of on-site education provision to make the proposed development of Waterloo and Bedwas Colliery acceptable in planning terms. This change only effects two undeveloped housing sites both of which are sufficiently large to generate the need for on-site education provision and this is identified in the adopted LDP. It is within the spirit of the legislation that such provision should properly be made through a s.106 obligation and that provision must meet the statutory tests laid down for a s.106 obligation in that it is:

- Necessary to make the development acceptable in planning terms;
- Directly related to the proposed development; and
- Fairly and reasonably related in scale and kind to the development in question.

In both cases the provision can meet the statutory tests.

It is also important to ensure that the local use of the CIL and planning obligations do not overlap; and that there is no potential for a developer to pay twice for the same piece of infrastructure.

Off-site education provision is likely to be in the form of incremental extensions to existing schools (due to development increasing school place requirements over existing school capacities), whilst new on-site school provision is required to make the development acceptable in planning terms. Off-site education infrastructure requirements will have to vie for funding against other infrastructure in the Reg. 123 List, i.e. the CIL finance is not ring fenced for a specific use or a specific piece of infrastructure. Conversely the on-site s.106 contribution will be ring fenced for the reason they are sought, i.e. the s.106 revenue will be dedicated to providing the education infrastructure on site at Waterloo and Bedwas.

There is merit in continuing to include off-site education provision within CIL as its inclusion improves the predictability and certainty for developers as to what they will be asked to contribute towards in terms of planning obligations. It will also increase fairness by broadening the range of developments asked to contribute, allowing the cumulative impact of small developments, which can be significant in terms of local school provision, to be accounted for.

Home Builders Federation - Representation 3

The Consultation document further states the following:

The proposed change to the regulation 123 list is consistent with the evidence that was considered at the CIL Examination in that:

- the Infrastructure Assessment Report assumed on-site education provision to be made via s.106 obligations;
- the Economic Viability Study that was considered by the Examiner made no specific allowance for residual S.106 obligations relating to site specific infrastructure
- the Examiner concluded that there was sufficient headroom in the CIL rate setting to accommodate the variable s.106 element of development costs.

The HBF believe that this is misleading:

Firstly the Infrastructure Assessment Report was prepared in June 2012, prior to consultation on the Preliminary Draft Charging Schedule. At that stage only the following education provisions were due to be funded through CIL: Welsh Medium Secondary Education Provision.

As part of Savills representations, this was amended in the Draft Charging Schedule so that all Education was to be funded through CIL. The Examiner was aware of this as a result of the Draft Charging Schedule.

Secondly, whilst the second and third bullet points are correct, it was anticipated that on site provision of education would be funded through CIL, not S106 in accordance with the Draft Charging Schedule. The position therefore proposed in the Draft Regulation 123 list has now been changed to a significant extent in respect of sites requiring on-site education provision that it is unclear how CIL and Section 106 obligations will be operated in tandem and avoid the potential that developers will pay twice for education as part of the current CIL charge and as part of the proposed S106 charge. It also fundamentally undermines the viability evidence upon which the proposed CIL charging rates were established and tested at the Examination, which would suggest the need for a fuller review.

Officer Response

On site education provision is only likely to be sought on two sites, namely Waterloo and Bedwas Colliery. The proposed change to the Regulation 123 List will therefore have a minimal impact on the viability evidence that was considered by the Examiner and will not effect the wider viability evidence that was considered at Examination.

It is also important to ensure that the local use of the CIL and planning obligations do not overlap; and that there is no potential for a developer to pay twice for the same piece of infrastructure.

Off-site education provision is likely to be in the form of incremental extensions to existing schools (due to development increasing school place requirements over existing school capacities), whilst new on-site school provision is required to make the development acceptable in planning terms. Off-site education infrastructure requirements will have to vie for funding against other infrastructure in the Reg. 123 List, i.e. the CIL finance is not ring fenced for a specific use or a specific piece of infrastructure. Conversely the on-site s.106 contribution will be ring fenced for the reason they are sought, i.e. the s.106 revenue will be dedicated to providing the education infrastructure on site at Waterloo and Bedwas.

Home Builders Federation - Representation 4

The HBF believe that for these larger or (strategic) sites where much greater provision of on-site or site specific mitigation is necessary (including the provision of schools), the Council should consider zero rating these specific sites (an approach generally supported by the HBF), as part of a full review of the charging schedule as set out in the guidance.

Officer Response

The Caerphilly County Borough Local Development Plan up to 2021 (LDP) does not identify strategic sites. However the Council is in the process of preparing a Replacement plan to supersede the LDP (the anticipated adoption date is 2017). As an integral part of the preparation of the Replacement Deposit Local Development Plan, the viability evidence underpinning the CIL Charging Schedule and the affordable housing policy will be reviewed in full. This work is presently underway and the HBF and other key stakeholders are involved in the viability testing associated with this work. Officers are presently of the view that the Strategic Sites identified within the Replacement LDP should be zero rated (subject to the viability assessment supporting this position). A new Charging Schedule and Regulation 123 List will be prepared in tandem with the Replacement Deposit LDP and this will be subject to Council consideration and full public consultation in due course.

Savills (UK) Ltd, Chartered Surveyors (representing Machen Land Limited (MLL). MLL is the land owner and promoter of the Waterloo Works site

Savills- Representation 1

The changes will have significant implications for the Waterloo Works site, as one of two allocated sites in the LDP which are expected to deliver schools on-site and do not have an extant planning permission (the other being Bedwas Colliery). Should the changes to the Regulation 123 List be adopted, the developers will still be required to pay CIL, in addition to the additional Section 106 payment to fund a primary school on site - and therefore significantly increasing the overall level of developer contributions required

For the Waterloo Works site, based on the scheme which benefits from a resolution to grant planning permission, the developer will be required to pay approximately **£2.6m more** in financial contributions as a result of the proposed changes to the Regulation 123 list. Given it is a brownfield site which requires considerable remediation (of which the land owner has already, and continues to, invest significant

money in such remediation works), and a site where viability is already recognised to be challenging, there is a concern that the ability to deliver a policy compliant Section 106 package will be jeopardised by the changes proposed

Officer Response

Planning application P/06/0037: Planning Committee resolved in June 2007 to grant permission in outline for 545 residential units and for a primary school at former Waterloo Works, Machen subject to the applicant entering into a s.106 agreement that required the following:

- £2,953,335 as a contribution towards strategic highway improvements in the Caerphilly Basin area;
- £2,500,000 for a primary school building, and to provide an agreed site totalling 2.5 acres on which the school would be constructed; and
- 16 affordable housing units

The s106 has not been signed, the decision has not been issued, and so the application has not been formally determined. Further the s.106 was not signed prior to the introduction of CIL and is no longer capable of implementation. The s106 will therefore have to be renegotiated and reported back to planning committee in due course.

Viability is a material consideration in the determination of planning applications and detailed viability assessments are routinely submitted for consideration as part of the planning application process. Viability is extremely site and scheme specific and can vary considerably between greenfield and brownfield sites. If viability is shown to be marginal on Waterloo as a consequence of the proposed change, the Council has the ability to be flexible and negotiate with the applicant in terms of those contributions that are to be sought through s.106 obligations. However where necessary infrastructure is fundamental in terms of making a scheme acceptable in planning terms, its provision is essential to enable the development to proceed.

Where a developer considers that the level of obligation sought may affect the viability of a development to an unacceptable degree the Council will require the developer to provide sufficient evidence to support this position as part of the planning obligation negotiation process in line with Policy SP7 of the adopted LDP.

Savills - Representation 2

It is surprising that the proposed amendments are not supported by any viability evidence demonstrating the impact on viability of increasing Section 106 obligations on sites in the County Borough required to now provide contributions to on-site education, in addition to CIL: either at a County Borough wide nor site specific level. The changes proposed to the Regulation 123 List could potentially have a very significant impact on development viability – and therefore require careful consideration as part of this consultation process. On the wider basis, there is a risk that any changes at this stage could undermine the Examination process and the credibility of the evidence base upon which the CIL charging rates were formulated

Officer Response

The proposed change to the Regulation 123 List will have a minimal impact on the viability evidence that was considered by the Examiner as it will only impact on two specific sites, namely HG1.57 Waterloo and HG1.60 Bedwas Colliery and will not effect the wider viability evidence that was considered at Examination.

Savills - Representation 3

Whilst we appreciate the Assistant Director for Education's view that all education should be removed from the Regulation 123 list entirely, it is concerning that the report to Committee, indicates that Planning Officers are at odds with this view, and are pursuing the changes anyway regardless of this uncertainty. For the Waterloo Works site, the changes essentially indicate the Council's corporate objective and priority to deliver a new primary school on this site, irrespective of what this could mean for the overall delivery of other requirements on the site, in particular the amount of affordable housing that the development can support (in light of the LDP's target for 40% affordable housing). We would therefore reiterate that any decision to make this change is carefully considered with a clear understanding of the impact this will have on the overall package of developer contributions the affected developments can deliver when various requirements, including CIL payments, are considered cumulatively.

Officer Response

Viability is a material consideration in the determination of planning applications and detailed viability assessments are routinely submitted for consideration as part of the planning application process. Viability is extremely site and scheme specific and can vary considerably between greenfield and brownfield sites. If viability is shown to be marginal on Waterloo as a consequence of the proposed change, the Council has the ability to be flexible and negotiate with the applicant in terms of those contributions that are to be sought through s.106 obligations in order to meet the Council's corporate objectives. Notwithstanding this, where infrastructure is fundamental in terms of making a scheme acceptable in planning terms, its provision is essential to enable the development to proceed.

**Caerphilly County Borough Council
Community Infrastructure Levy**

**Replacement Regulation 123 List of Infrastructure
November 2015**

Takes Effect From 18 November 2015

1 Introduction

- 1.1 Regulation 123 of the Community Infrastructure Levy Regulations 2010 (as amended) sets out the requirement for CIL Charging Authorities to publish a list of the infrastructure that can be funded through CIL. After 6 April 2015, or upon implementation of the council's CIL Charging Schedule (whichever is the earliest), all infrastructure not included within the council's published Regulation 123 List Of Infrastructure (Regulation 123 List) cannot be funded through CIL contributions, and can only be funded via Section 106 agreements, which will be subject to rigorous application of the statutory tests for obligations.

2 Preparation of The Replacement Regulation 123 List.

- 2.1 When charging authorities wish to revise their regulation 123 list, they should ensure that these changes are clearly explained and subject to appropriate consultation. In this context the Replacement Regulation 123 List was subject of appropriate consultation from 5 August 2015 to 9 September 2015 at which time the reasoned justification for the change to the list was outlined. The representations made to the consultation were considered by a full meeting of Council on 17 November 2015 and the proposed amendment to the 123 List was approved.

3 What will the Regulation 123 List Include?

- 3.1 The Replacement Regulation 123 List sets out the infrastructure that will be eligible to be funded through CIL. The Infrastructure can be generic types of infrastructure, e.g. strategic Highway improvements, or projects or specific infrastructure items, e.g. Park and Ride facility at Llanbradach. The Replacement Regulation 123 List draws heavily upon the infrastructure requirements set out in the Adopted Caerphilly Local Development Plan up to 2021 (LDP) and reflect the infrastructure requirements necessary to bring forward development identified in the LDP.
- 3.2 The Replacement Regulation 123 List also sets out those known, site-specific, matters where section 106 contributions are likely to be the funding mechanism. The principal purpose is to provide transparency on what the Council intends to fund through the levy, in whole or in part, and those matters where section 106 contributions will continue to be sought.

4 The Regulation 123 List

- 4.1 The list of infrastructure set out below defines the infrastructure types that are eligible to be funded through CIL, which then cannot be funded via planning obligations. It should also be noted that it is highly unlikely that CIL could ever realise sufficient levels to provide the entire range of infrastructure included in the List. Consequently, the fact that a specific infrastructure scheme falls within the infrastructure on the List does not mean that the infrastructure will be funded by CIL. The List sets out what is eligible for CIL funding and decisions on what infrastructure will be delivered through CIL rests with the council and will be influenced by its own priorities and the amount of CIL available.
- 4.2 The infrastructure listed below will be eligible to be funded through the Community Infrastructure Levy.

The Caerphilly County Borough Council Regulation 123 List of Infrastructure

Physical Infrastructure

- *Policy TR5 Transport Improvement Schemes- Northern Connections Corridor.*
- *Policy TR6 Transport Improvement Schemes – Caerphilly Basin.*
- *Policy TR9 Highway Corridor Safeguarding – Caerphilly South East Bypass.*
- *Policy TR8.1 Regeneration Led Highway Improvements – Heads of the Valleys Area.*
- *Strategic public transport infrastructure (excluding site-specific links to the strategic network, for example a short length of cyclepath to link a site to a local or national route, a new bus stop within a new development to make it accessible).*
- *Waste transfer / recycling bulking infrastructure.*
- *Upgrade of existing Civic Amenity Sites.*
- *Strategic Drainage Network.*
- *Air Quality Action Plan Schemes (excluding air monitoring stations).*
- *Network Connections – Superfast Broadband.*

Social Infrastructure

- *Off-Site Education Provision (Schools).*
- *Youth and Community Facility Provision & Upgrade to existing facilities.*
- *Cemetery Provision.*
- *Leisure Centre Provision & Upgrade to existing facilities.*

Green Infrastructure

- *Off-Site Formal Leisure Facilities (Playing pitches and associated changing facilities, Multi-use games areas, Neighbourhood Equipped Areas for Play)*

5 Relationship with S106 Developer Contributions

- 5.1 In order to ensure that planning obligations and the CIL can operate in a complementary way, the CIL Regulations scale-back the way planning obligations operate. Limitations are therefore placed on the use of planning obligations in three respects:

- putting the policy tests on the use of planning obligations (set out in Wales in Circular 13/97, *Planning Obligations*) on a statutory basis for developments which are capable of being charged the CIL;
- ensuring the local use of the CIL and planning obligations do not overlap; and
- limiting pooled contributions from planning obligations towards infrastructure, which may be funded by the CIL.

5.2 The CIL regulations place into law the policy tests on the use of planning obligations. The statutory tests are intended to clarify the purpose of planning obligations in light of the CIL.

5.3 From 6 April 2010 Regulation 122 has made it unlawful for a planning obligation to be taken into account when determining a planning application for a development that is capable of being charged the levy, whether there is a local levy in operation or not, if the obligation does not meet all of the following tests:

- necessary to make the development acceptable in planning terms;
- directly related to the proposed development; and
- fairly and reasonably related in scale and kind to the development.

5.4 Conversely, the CIL is intended to provide infrastructure to support the development of an area, rather than to make individual planning applications acceptable in planning terms. As a result, there is likely to be site-specific impact mitigation requirements without which a development should not be granted planning permission. Some of these needs may be provided for through the CIL but others may not, particularly if they are very local in their impact. There is therefore still a legitimate role for development-specific planning obligations to enable the Council to be confident that the specific consequences of a development can be mitigated.

5.5 The Council will therefore continue to secure Planning Obligations where they are necessary to remove obstacles to planned development and are therefore critical to the delivery of the site, for example to provide direct site access, flood protection and wildlife protection measures and for on-site leisure provision such as open space, local areas for play (LAPs), local equipped areas for play (LEAPs) and on-site education provision (schools). Further, s106 contributions may still be sought for infrastructure, where:

- 1) it can meet the above tests; and
- 2) the Council has indicated that this type of infrastructure item will not be funded through CIL.

5.6 **Affordable housing** will continue to be funded through S106 Obligations. The Charging Schedule has set CIL at a level that has been assessed as viable with the provision of affordable housing and it is, therefore, expected that on-site provision of affordable housing will be achievable.

6 Implications on Development Plan Policy

6.1 It is envisaged that as a consequence of the introduction of CIL, the following policies in the Adopted Local Development Plan will need revision at the first review of the plan:

Planning Obligations

SP7 The Council will seek to secure Planning Obligations (S106 Agreements) where they are necessary to remove obstacles to planned development, meet local needs and make development more sustainable. Such obligations will include:

- A Infrastructure for walking, cycling, public transport, parking**
- B Schools and ancillary facilities**
- C Community Facilities**
- D Strategic highway improvements in the Northern and Southern Connections Corridors**
- E Flood defence measures required to mitigate the risk of flooding**
- F Formal and informal open and leisure space**
- G Affordable housing and**
- H Other facilities and services considered necessary**

(Key Components Met: 1, 3, 6 & 7)

1.66 New development has the potential to increase pressure on existing community infrastructure and facilities such as transportation networks, schools, lifelong learning facilities, open space and other facilities. The provision of adequate infrastructure and services are a prerequisite of development taking place, as it is crucial for the environmental, social and economic sustainability of the County Borough. Where appropriate, the Council will seek obligations to mitigate against the effect of development. In line with national guidance the Council will negotiate obligations where these are necessary, relevant to planning, directly related to the proposed development, fairly and reasonably related in scale and kind to the proposed development and reasonable in all other respects.

1.67 In the case of previously used land, the Council will take into consideration abnormal costs associated with the redevelopment of a site when negotiating the level of planning obligation to be sought. Where a developer considers that the level of obligation sought may affect the viability of a development proposal to an unacceptable degree the Council will require the developer to provide sufficient evidence to support this position as part of the planning obligation negotiation process.

Transport Improvement Schemes – Northern Connections Corridor

TR5 The following strategic network improvements have been identified in respect of a Northern Connections Corridor Obligation:

TR5.1 A467 Newbridge to Crosskeys

TR5.2 A467 Newbridge to Crumlin

TR5.3 A472 Ystrad Mynach to Nelson

TR5.4 Newbridge Interchange

TR5.5 A472 Crown Roundabout to Cwm Du Roundabout

3.107 The LDP will accommodate an increase in population during the Plan period and has allocated sites to cater for the housing, employment and other needs accordingly. This development will realise significant increases in traffic on the transport network of the County Borough, which will result in increased congestion. As a result general areas of improvement to the strategic network, which will seek to alleviate the cumulative impact of these developments, have been identified. Further work will be undertaken to consider the environmental, social and economic impacts of development in the area and appropriate schemes will be progressed as part of the development of a Northern Connections Corridor Obligation.

Transport Improvement Schemes – Caerphilly Basin

TR6 The following strategic network improvements have been identified in respect of the Caerphilly Basin Obligation:

TR6.1 Tafwys Walk

TR6.2 Trecenydd Roundabout

TR6.3 Pwllypant Roundabout

TR6.4 Bedwas Bridge Roundabout

TR6.5 Piccadilly Gyrotory

TR6.6 Penrhos to Pwllypant

TR6.7 Pwllypant to Bedwas

3.195 The LDP will accommodate an increase in population during the Plan period and has allocated sites to cater for the housing need accordingly. This housing development will lead to significant increases in traffic on the transport network of the County Borough, which will result in increased congestion. As a result, specific improvements to the strategic network in the Southern Connections Corridor have been identified, which will alleviate the cumulative impact of the housing development. These schemes will be realised through a planning obligation levied against all residential developments.



REGENERATION AND ENVIRONMENT SCRUTINY COMMITTEE – 27TH OCTOBER 2015

SUBJECT: BUDGET MONITORING REPORT 2015/2016

REPORT BY: CORPORATE DIRECTOR - COMMUNITIES

1. PURPOSE OF REPORT

- 1.1 To inform Members of the most recent budget monitoring position for 2015/2016 for Environment Directorate service Divisions, including Regeneration & Planning Division, Engineering Services Division, Public Protection Division and Community & Leisure Services Division.

2. SUMMARY

- 2.1 The report summarises the most recent budget monitoring projections for 2015/2016 based on the latest available financial information.
- 2.2 It attaches, as appendices the more detailed budget monitoring figures for each of the Council Fund Services outlined in paragraph 1.1 above.

3. LINKS TO STRATEGY

- 3.1 The content of the report is in accordance with the budget strategy considered by the Council at its meeting of 25th February 2015.
- 3.2 The budget figures outlined in this report assist in meeting the ambition of the Authority to build better communities by building better public services, building better lifestyles, building a vibrant economy and building Futures Changing Lives.
- 3.3 Budget and trading account monitoring and management information itself is in accordance with the corporate theme of delivering the Strategies.

4. THE REPORT

4.1 Introduction

- 4.1.1 The report outlines the revenue budget position for each of the service Divisions that form part of the Environment Directorate based on the most current financial information available. Projected outturn figures for the financial year are compared with the budget to show the anticipated under/overspends. More detailed budget monitoring figures are shown in the appendices' 1a to 1d.

- 4.1.2 It should be noted that the budget report to Council on 25th February 2015 detailed the need to apply further budget efficiency savings in 2015/2016 to meet medium term financial plan (MTFP) targets and achieve budget strategy aims. Environment Directorate services were targeted to achieve new budget efficiency savings of £3.861million.
- 4.1.3 The table below summarises the present budget monitoring position, with an overall Directorate under spend of £1.182million, but exclusive of ring fenced budgets this under spend is reduced to £607k. Appendices 1a to 1d provide more detail on the budget variation projections for each Service Division.

	ORIGINAL ESTIMATE 2015/2016	REVISED ESTIMATE 2015/2016	ANTICIPATED OUTTURN 2015/2016	ANTICIPATED VARIANCE 2015/2016 Under (Over)
	£000	£000	£000	£000
Regeneration & Planning Division	4,338	4,418	4,202	216
Engineering Services Division	20,435	20,535	19,835	700
Public Protection Division	7,233	7,243	7,033	210
Community & Leisure Services Division	18,779	18,847	18,791	56
NET DIRECTORATE	50,785	51,043	49,861	1,182
Home to School Transport - ring fenced under spend				257
Social Services Transport – ring fenced under spend				43
Cemeteries Task & Finish – ring fenced under spend				275
NET DIRECTORATE excluding ring fenced budgets				607

4.2 Regeneration & Planning Division

- 4.2.1 Overall, the service Division presently has a projected under spend of £216k. Planning services are reporting an over spend of £112k and Economic Development & Tourism an under spend of £328k.
- 4.2.2 Countryside Services are reporting a under spend of £22k, with a shortfall in income generation from car park charging of £22k offset by under spends in relation to a staff vacant post which is a MTFP saving in advance for 2016/2017 and other operational costs.
- 4.2.3 Development Control is reporting an under spend of £33k, due to delayed filling of a vacant post also Planning application fee income is projected to be close to the £571k budget target, including pre application advice income charges of £20k. This is the first year for a number of years that planning fee income is projected to achieve budget targets and is a reflection of an increase in the number and value of planning applications. However, the under spend in relation to Development Control is more than offset by an over spend of £74k in Building Control, where income is projected to be £91k below the £307k budget. This income shortfall is however partly offset by under spend in staffing costs due to the delayed filling of a vacant post. Search fee income is £11k below the £112k budget. Planning application fee, building control fee and search fee income is dependent on the number of applications received and this will be monitored closely as numbers of applications and fee levels can vary.

- 4.2.4 Strategic Planning and Local Development Plan (LDP) budgets are presently projected to be £82k over spent due a shortfall in grant and other fee income and associated LDP monitoring costs, partly offset by staffing under spend due to maternity leave not being covered.
- 4.2.5 Schemes under the Rural Development Plan (R.D.P) are continuing in 2015/2016 as a result of a new approved RDP programme 2014-2020. The total cost of these schemes will be 80% funded by European (W.E.F.O) grant. Approval of the new schemes has helped secure continuity of employment of Planning and Countryside staff.
- 4.2.6 Economic Development & Tourism is presently projecting an under spend of £328k. This under spend is partly due to staff vacant posts (£64k) in Business Enterprise Support and Business Urban Renewal most of which are proposed MTFP savings in advance for 2016/2017 and savings in relation to publicity & promotion and office costs. There is a projected £76k under spend in relation to industrial estates due to income from rents in excess of targets and reduced maintenance costs, again there is a MTFP saving in advance proposal of £100k for 2016/2017. Tourism Events have a net under spend of £13k, with additional income generated from the Big Cheese event being partly offset by one off costs in relation to the Urdd held at Llancaiach Fawr in May. At present the Tourism Venues are reporting an overall under spend of £84k due to a combination of income generation above target and reduced operational costs, again, MTFP savings are being considered for the tourism venues in 2016/2017. The financial performance of the tourism venues is pleasing especially as summer weather has been poor.
- 4.2.7 The under spends noted in paragraph 4.2.6 are partly offset by a projected over spend of £58k in relation to the Bargoed retail shop units which are part of the Bargoed Regeneration project. This is due to anticipated under occupancy in 2015/2016 on the units.
- 4.2.8 Cabinet approved at its meeting on 2nd April 2014 to award £80k of Community Assets funding to Regeneration & Planning for a range of initiatives including town centre urban renewal schemes, community partnership schemes, invasive plant species and living environment partnerships.
- 4.3 Engineering Services**
- 4.3.1 A net under spend of £700k is projected for the Engineering Division for 2015/16, but after excluding budget variations in relation to Home to School Transport (£257k under spend) and Social Services Transport (£43k under spend) which will be ring fenced and appropriated back to the Service Directorates, there is an under spend of £400k.
- 4.3.2 The original 2015/2016 highways infrastructure/ roads maintenance and street lighting budget was subject to budget efficiency savings of £850k, the original budget being reduced to £7,910million. Expenditure in relation to highway reactive maintenance repairs is presently projected to be £50k over spent due to ongoing pressures on the highway network. However, this is more than offset at this stage, by an under spend in street lighting energy (£200k) due to low energy prices and capital investment in low energy LED lights and a £48k under spend in street lighting maintenance due to a reduction in maintenance requirements because of the ongoing capital investment. MTFP savings of £350k have already been approved and a further, £100k proposed in relation to street lighting in 2016/2017. The severity of winter weather in relation to snow, gritting and flooding will have an impact on the overall outturn position. Engineering are reviewing the highway maintenance programme and endeavouring to balance the budget by the financial year end.
- 4.3.3 The Engineering Projects Group (EPG) has a projected under spend of £32k, mainly due to staff vacant posts.
- 4.3.4 There are some overspends in relation to car parks, primarily NNDR & Invest to save repayment (part year return/full year repayment) costs (£26k) but this is partly offset by car park excess income and salary under spend (£20k). The car park income budget includes an increased target of £20k to reflect the ceasing of holding events in pay & display car parks.

- 4.3.5 There is also an overall under spend in staffing due to vacant posts/delayed filling of £182k most of which (£132k) relates to the Transport Engineering and Public Transport, an element of which is MTFP savings in advance for 2016/2017.
- 4.3.6 As noted in paragraph 4.3.1 above, budget variation in relation to Home to School Transport and Social Services transport which are now part of the Engineering Division's I.T.U (Integrated Transport Unit), will be ring-fenced for transfer back to the service Directorates. Home to School transport is presently projecting a £257k under spend primarily due to new bus contracts, although the taxi contracts are due for renewal shortly, which may impact on the overall financial position. Social Services transport is projecting an under spend of £43k, partly due to reduced vehicle costs resulting from investment in new vehicles.
- 4.3.7 Cabinet approved at its meeting on 2nd April 2014 to award Community Assets funding to Engineering for community response teams (£100k) and this is included in the revised estimates.
- 4.3.8 At this stage of the year Network Contracting Services is reporting a break even position. It is anticipated that the value of work and income will increase during the remainder of the year which should result in an improved financial position. NCS is undertaking the work in relation to the Operation and Maintenance (O&M) sub contract with Sirhowy Enterprise Way Ltd for a further 10 years and this should have a positive impact on the overall financial position, although in order to be compliant with the risk transfer aspects of the PFI procurement, surpluses in relation to this contract will again be ring fenced, as they were in previous financial years.
- 4.4 Public Protection**
- 4.4.1 Public Protection is presently projecting an under spend of £210k on a revised budget of £7.2million.
- 4.4.2 Environmental Health is currently projecting a net under spend of £61k, this includes a £11k under spend in enforcement group due to additional income from Blaenau Gwent in relation to pest control, £34k under spend in Pollution due to vacant posts which are MTFP savings in advance and £15k under spend in the food team due to staff vacancy maternity. These under spends may be partly offset due to potential increases in Welsh Water costs resulting from monitoring at closed landfill sites and the appointment of new consultants for contaminated land. Costs in relation to closed landfills, pollution and contamination can be volatile and subject to change during the year so they will be monitored closely.
- 4.4.3 Trading Standards, Licensing and Registration service group is reporting a projected under spend of £77k, again, partly due to a staff vacant post in Commercial Services (£42k) which is a MTFP savings in advance for 2016/2017, reduced casual hours in Registrars (£6k) plus additional fees & charges income in Registrars (£11k). Licensing fee income is presently projected close to the budget target and will be monitored closely as this can be subject to variation and the target was increased in 2015/2016 as part of approved MTFP savings.
- 4.4.4 Community Safety is projecting a small £7k under spend primarily due to staffing in relation to CCTV and Community Safety Wardens from reduced overtime and maternity leave. All grant funded schemes are on budget to date, final approval of the 2015/2016 spend plans from Welsh Government for the Substance Misuse Action Fund, have now been agreed. Newport City Council now acts as regional banker for this initiative for the Gwent Authorities and is being periodically recharged for costs incurred.
- 4.4.5 Public Protection administration and support costs are under spent by £44k due to staff vacant posts in administration and trainees which are MTFP savings in advance for 2016/2017.
- 4.4.6 Catering Services are projecting an overall under spend of £20k on a £3.2million net budget primarily due to reduced operating costs (staffing and food costs). However, this will need to

be carefully monitored as any school closures due to adverse winter weather will impact upon income.

- 4.4.7 Cabinet approved at its meeting on 2nd April 2014 to award £10k of Community Assets funding to Public Protection for Community payback (graffiti removal etc) schemes.

4.5 **Community & Leisure Services**

- 4.5.1 The Community & Leisure Division is presently projecting an overall under spend of £56k on a revised budget of £18.847 million. However, £275k of this relates to cemeteries where any under spend is ring fenced for future improvement and enhancement in cemeteries. Excluding cemeteries there is an over spend of £219k.
- 4.5.2 Waste management & cleansing is presently projecting an overall over spend of £241k. There is a large projected over spend in relation to dry recycling treatment of £766k due to revised treatment contract arrangements with a higher cost per tonne, however, the new arrangements will ensure security of recycling materials treatment for at least the next 12 months. There is also over spend of £439k in relation to residual waste treatment & disposal costs. The residual waste disposal budget was reduced by £1,169k in 2015/2016 as part of the anticipated MTFP savings from the early commencement of the Viridor Efw Plant, however, there has been a need to divert some residual waste to landfill because of close down periods at the Plant which has increased costs. In addition there will also be a one off payment to Viridor this year, for the processing of incinerator bottom ash from the Efw process, which will assist in increasing the Council's recycling tonnage closer to the 58% statutory target which needs to be achieved to avoid the imposition of fines.
- 4.5.3 It is anticipated that these over spends will be partly offset by an under spend in relation to CA sites waste treatment of £375k, due to reduced tonnage resulting from the introduction of the permits scheme and also an under spend in staffing costs (£383k) in relation to waste collection, street cleaning and HQ management & supervision staffing, for vacant posts and MTFP savings in advance for 2016/2017. There are also other savings in operational costs of £206k due to reductions in vehicle operational costs such as fuel and repairs, although these costs remain volatile and will be closely monitored. Volumes of waste tonnage from the various waste streams and the treatment costs per tonne are monitored closely as any fluctuations during the year can have a significant impact on the overall financial position. The budget report to Council on 25th February 2015, approved the provision of a £240k contingency for waste management, to be held corporately and released to Community & Leisure Waste Management if there was a projected overall over spend for the Service Division due to waste management cost/budget pressures.
- 4.5.4 Overall, Parks, Outdoor Facilities and Cemeteries services is presently projecting an under spend of £336k however as noted in paragraph 4.5.1 above, £275k of this relates to cemeteries where any under spend is ring fenced for future planned investment to create and enhance cemetery provision across the County Borough. The remainder of the service area is presently projecting an under spend of £61k, of which £49k is due to a staff vacant post which is a MTFP saving in advance for 2016/2017.
- 4.5.5 Leisure is reporting an overall over spend of £34k. Leisure centres are reporting an over spend of £112k, this is mainly due to a projected under achievement in income targets at present. The Leisure Centres have challenging income budget targets as a result of the additional £100k MTFP savings applied in 2015/2016. The over spend in Leisure Centres is partly offset by an under spend in central leisure due to a vacant managers post and other central costs and an under spend in sports & health development of £23k. Income targets at Leisure Centres will be monitored closely as income generation is subject to variation depending on customer demand.
- 4.5.6 Cabinet approved at its meeting on 2nd April 2014 to award £68k of Community Assets funding for litter bin replacements, allotment strategy implementation and Parks services for a range

of initiatives in relation to cemeteries, allotments, route and roundabout enhancements and community schemes.

4.5.7 Vehicle Maintenance & Fleet management is presently showing an over spend of £39k mainly due to a reduction of work in the workshop which is impacting on productivity levels and income generation. The outturn position will be dependent on the value of work through the workshop over the next few months and the ability to finance fixed overheads.

4.5.8 Building Cleaning is reporting a projected budget surplus of £33k. Building Cleaning has continued to achieve operational efficiency savings and identify and expand new areas of work including window cleaning and electrical appliance testing, which has assisted in financing operational fixed overheads.

4.6 **Medium Term Financial Plans (MTFP) Savings 2015/2016**

4.6.1 The 2015/16 revenue budget for Environment Directorate included targeted MTFP savings of £3.861m as summarised in table 2 below. The projected overspends and under spends discussed in the above paragraphs take account of these savings targets.

Service Division	Approved Savings 2015/2016 £000
Regeneration & Planning Division	622
Engineering Services Division	985
Public Protection Division	117
Community & Leisure Services Division	2,137
TOTAL	3,861

4.6.2 As reflected in the budget monitoring figures reported above, most of the approved MTFP savings introduced for 2015/2016 have or will be achieved by the end of the financial year, however, there are some that require further review and monitoring including increased income generating targets in relation to Leisure Centres, Outdoor facilities, Licensing and waste collection charges for bins and container replacements etc

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 As noted in the table in paragraph 4.1.4 above some service under and over spends will be appropriated to ring fenced reserves for specific requirements. The remaining Directorate under spend presently projected at £607k, will be appropriated to the Environment Directorate strategic reserve and 50% of this "pooled" under spend/profit will then be appropriated to Authority working balances. The remaining 50% will, subject to Members approval be utilised for Directorate based service initiatives or investment requirements.

7. **PERSONNEL IMPLICATIONS**

7.1 Members will be aware that when setting the budget, MTFP savings were identified for the Environment Directorate in relation to vacancy management savings, these are reflected in the financial figures reported.

8. CONSULTATIONS

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

9. RECOMMENDATIONS

9.1 Members are requested to note the contents of this report.

10. REASONS FOR THE RECOMMENDATIONS

10.1 The Council Budget is based on the achievement of both expenditure and income targets. In order to ensure that these are met and the Council's financial integrity is maintained Directors are required to review income and expenditure trends.

11. STATUTORY POWER

11.1 Local Government Act 1972.

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Consultees Councillor D.T Davies, Chair Regeneration & Environment Scrutiny Committee
Councillor Mrs E.M Aldworth, Vice Chair Regeneration & Environment Scrutiny Committee
Councillor, K. James, Cabinet Member Regeneration, Planning & Sustainable Development
Councillor, N George Cabinet Member Community & Leisure Services
Councillor T. Williams Cabinet Member Highways, Transportation & Engineering
Chris Burns, Interim Chief Executive
Dave Street, Corporate Director, Social Services
Christina Harry, Corporate Director, Education and Community Services.
Pauline Elliott, Head of Regeneration & Planning
Robert Hartshorn, Head of Public Protection
Terry Shaw, Head of Engineering Services
Mark S Williams, Head of Community & Leisure Services
Nicole Scammell, Acting Director of Corporate Services and Section 151 Officer
Steve Harris, Interim Head of Corporate Finance
Cheryl Jeremic, Acting Group Accountant
Rose Shears, Finance Officer
Jane Southcombe, Financial Services Manager
Dave Roberts, Group Accountant
Paul Adams, Senior Assistant Accountant

Background Papers:

Divisional budget monitoring working papers 2015/2016

Appendices:

Appendix 1A Budget Monitoring Report – Regeneration, Planning and Economic Development
Appendix 1B Budget Monitoring Report – Engineering Services
Appendix 1C Budget Monitoring Report – Public Protection
Appendix 1D Budget Monitoring Report – Community and Leisure Services

Links to other Documents:

Council Meeting 25/2/2015: "Budget Proposals 2015/16 and Medium Term Financial Strategy 2015/2018" Agenda Item No. 4

Cabinet Meeting 04/02/2015: "Budget Proposals 2015/2016 and Medium Term Financial Strategy 2015/2018" Agenda Item No 10

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<i>DIRECTORATE OF THE ENVIRONMENT</i>	Page No	Estimate 2015/2016	Revised Estimate 2015/2016	Projected Outturn 2015/2016	Variance 2015/2016
<u>REGENERATION, PLANNING & ECONOMIC DEVELOPMENT</u>					
<i>ECONOMIC DEVELOPMENT AND TOURISM</i>					
Business Development		1,127,241	1,147,241	1,003,293	143,948
Business Urban Renewal		266,211	266,211	293,990	(27,779)
Tourism Events		119,730	119,730	106,984	12,746
European Affairs		77,485	77,485	73,039	4,446
Commercial Properties		(929,479)	(929,479)	(1,005,256)	75,777
Tourism Venues		987,967	987,967	904,312	83,655
Community Regeneration		172,223	207,223	171,856	35,367
Community First Expenditure		3,360,924	3,360,924	3,360,924	0
Community First Grant Funding		(3,360,924)	(3,360,924)	(3,360,924)	0
Blackwood Miners Institute		296,448	296,448	296,448	0
Arts Development		144,994	144,994	144,994	0
		2,262,820	2,317,820	1,989,660	328,160
<i>PLANNING</i>					
Countryside and Landscape		1,264,322	1,289,322	1,266,646	22,676
Strategic Planning		381,296	381,296	463,500	(82,204)
Development Control		348,073	348,073	315,194	32,879
Building Control		(44,257)	(44,257)	29,799	(74,056)
Land Charges		(15,338)	(15,338)	(4,250)	(11,088)
Corporate and Democratic Core		141,045	141,045	141,045	0
		2,075,141	2,100,141	2,211,934	(111,793)
<i>TOTAL NET BUDGET</i>					
		4,337,961	4,417,961	4,201,594	216,367

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<i>DIRECTORATE OF THE ENVIRONMENT</i>	Page No	Estimate 2015/2016	Revised Estimate 2015/2016	Projected Outturn 2015/2016	Variance 2015/2016
<u>ENGINEERING DIVISION</u>					
HIGHWAY OPERATIONS					
Gross Expenditure		10,492,586	10,591,168	10,374,481	216,687
Grants, Fees & Charges and Other Income		(377,300)	(375,882)	(359,621)	(16,261)
Net Expenditure		10,115,286	10,215,286	10,014,860	200,426
ENGINEERING PROJECTS GROUP					
Gross Expenditure		1,088,126	1,088,126	1,063,589	24,537
Fees & Charges and Other Income		(1,217,101)	(1,217,101)	(1,224,545)	7,444
Net Expenditure		(128,975)	(128,975)	(160,956)	31,981
TRANSPORT ENGINEERING					
Gross Expenditure		1,725,711	1,725,711	1,608,801	116,910
Grants, Fees & Charges and Other Income		(1,018,785)	(1,018,785)	(1,011,105)	(7,680)
Net Expenditure		706,926	706,926	597,696	109,230
PASSENGER TRANSPORT					
Gross Expenditure		5,409,343	5,432,508	5,545,167	(112,659)
Grants, Fees & Charges and Other Income		(3,601,788)	(3,624,953)	(3,749,710)	124,757
Net Expenditure		1,807,555	1,807,555	1,795,457	12,098
HOME TO SCHOOL TRANSPORT					
Gross Expenditure		6,592,696	6,592,696	6,335,949	256,747
Grants, Fees & Charges and Other Income					
Net Expenditure		6,592,696	6,592,696	6,335,949	256,747
SOCIAL SERVICES TRANSPORT					
Gross Expenditure		1,410,318	1,410,318	1,388,836	21,482
Grants, Fees & Charges and Other Income		(14,210)	(14,210)	(36,210)	22,000
Net Expenditure		1,396,108	1,396,108	1,352,626	43,482
ENGINEERING - GENERAL (Expenditure only)		121,081	121,081	75,395	45,686
Engineering Division		20,610,677	20,710,677	20,011,027	699,650
Network Contracting Services (NCS)		(175,992)	(175,992)	(175,992)	0
TOTAL EXPENDITURE ENGINEERING SERVICES		20,434,685	20,534,685	19,835,035	699,650

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<i>DIRECTORATE OF THE ENVIRONMENT</i>	Page No	Estimate 2015/2016	Revised Estimate 2015/2016	Projected Outturn 2015/2016	Variance 2015/2016
<i>PUBLIC PROTECTION DIVISION</i>					
<i>TRADING STANDARDS</i>					
Expenditure		792,186	792,186	745,416	46,770
Income		(21,311)	(21,311)	(29,524)	8,213
Net Expenditure		770,875	770,875	715,892	54,983
<i>LICENSING</i>					
Expenditure		368,276	368,276	362,799	5,477
Income		(341,201)	(341,201)	(341,201)	0
Net Expenditure		27,075	27,075	21,598	5,477
<i>REGISTRARS</i>					
Expenditure		281,991	281,991	276,337	5,654
Income		(209,200)	(209,200)	(219,933)	10,733
Net Expenditure		72,791	72,791	56,404	16,387
<i>CCTV</i>					
Expenditure		635,086	635,086	632,851	2,235
Income		(135,091)	(135,091)	(135,091)	0
Net Expenditure		499,995	499,995	497,760	2,235
<i>COMMUNITY WARDENS</i>					
		363,821	363,821	359,076	4,745
<i>COMMUNITY SAFETY</i>					
		143,015	153,015	152,672	343
<i>SAFER CAERPHILLY - COMMUNITY SAFETY PARTNERSHIP</i>					
Expenditure		371,634	371,634	371,634	0
Income		(371,634)	(371,634)	(371,634)	0
Net Expenditure		0	0	0	0
<i>CORPORATE AND DEMOCRATIC COSTS (CDC)</i>					
		34,680	34,680	34,346	334
<i>HEALTH DIVISIONAL BUDGET</i>					
Expenditure		314,687	314,687	270,438	44,249
Income		(8,000)	(8,000)	(8,000)	0
Net Expenditure		306,687	306,687	262,438	44,249
<i>HEALTH IMPROVEMENT</i>					
Expenditure		218,445	218,445	218,232	213
Income		(141,355)	(141,355)	(141,355)	0
Net Expenditure		77,090	77,090	76,877	213
<i>ENFORCEMENT</i>					
Expenditure		671,557	671,557	672,383	(826)
Income		(53,178)	(53,178)	(65,462)	12,284
Net Expenditure		618,379	618,379	606,921	11,458
<i>POLLUTION</i>					
Expenditure		368,265	368,265	334,074	34,191
Income		(25,565)	(25,565)	(25,565)	0
Net Expenditure		342,700	342,700	308,509	34,191
<i>FOOD TEAM</i>					
Expenditure		567,916	567,916	553,133	14,783
Income		(13,000)	(13,000)	(13,000)	0
Net Expenditure		554,916	554,916	540,133	14,783
<i>EMERGENCY PLANNING</i>					
Net Expenditure		139,735	139,735	138,914	821
<i>CATERING</i>					
Expenditure		7,402,273	7,402,273	7,159,035	243,238
Income		(4,120,690)	(4,120,690)	(3,897,356)	(223,334)
Net Expenditure		3,281,583	3,281,583	3,261,679	19,904
<i>TOTAL NET EXPENDITURE</i>		7,233,342	7,243,342	7,033,219	210,123

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<i>DIRECTORATE OF THE ENVIRONMENT</i>	Page No	Estimate 2015/2016	Revised Estimate 2015/2016	Projected Outturn 2015/2016	Variance 2015/2016
<u>COMMUNITY & LEISURE SERVICES</u>					
WASTE MANAGEMENT					
<i>Residual Waste</i>		2,948,019	2,948,019	3,139,673	(191,654)
<i>Organics recycling</i>		1,621,620	1,621,620	1,596,734	24,886
<i>Civic Amenity Sites</i>		2,676,490	2,676,490	2,497,314	179,176
<i>Waste Transfer Station</i>		152,550	152,550	149,755	2,795
<i>Dry Recycling</i>		2,701,763	2,705,091	2,980,630	(275,539)
<i>Bulky Waste</i>		130,993	130,993	131,837	(844)
<i>Commercial Waste</i>		(482,744)	(482,744)	(341,839)	(140,905)
<i>Other Waste</i>		70,054	70,054	31,839	38,215
<i>Treher</i>		178,246	178,246	136,652	41,594
<i>Sustainable Waste Management Grant</i>		(3,339,603)	(3,342,931)	(3,342,931)	0
<i>HQ Staff</i>		1,423,408	1,423,408	1,317,740	105,668
CLEANSING					
<i>Public Conveniences</i>		89,615	89,615	93,980	(4,365)
<i>Street Cleansing</i>		4,126,042	4,136,042	4,155,715	(19,673)
GROUND MAINTENANCE AND PARKS					
<i>Cemeteries</i>		215,978	215,978	(58,684)	274,662
<i>Allotments</i>		37,856	45,856	45,579	277
<i>Parks and Playing Fields</i>		1,492,238	1,542,238	1,521,083	21,155
<i>Playgrounds</i>		272,270	272,270	271,575	695
<i>Outdoor facilities</i>		292,877	292,877	296,373	(3,496)
<i>Housing Ground Maintenance</i>		249,278	249,278	249,278	0
<i>Community Assets Funding</i>		0	0		
<i>HQ Staffing</i>		1,060,205	1,060,205	1,017,835	42,370
LEISURE SERVICES					
<i>Leisure Centres</i>		2,344,883	2,344,883	2,402,246	(57,363)
<i>Sports & Health Development</i>		92,437	92,437	68,576	23,861
<i>Outdoor Education</i>		148,584	148,584	148,584	0
<i>Community & Leisure Services Divisions</i>		18,503,059	18,571,059	18,509,544	61,515
<i>Building Cleaning</i>		326,077	326,077	292,872	33,205
<i>Vehicle Maintenance & Fleet Management</i>		(50,421)	(50,421)	(11,375)	(39,046)
Total net expenditure Community & Leisure Services		18,778,715	18,846,715	18,791,041	55,674

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CAERPHILLY LOCAL ACCESS FORUM

MINUTES OF THE MEETING HELD AT PENALLTA HOUSE, TREDOMEN, YSTRAD MYNACH ON FRIDAY, 12TH JUNE 2015 AT 10.00 AM

PRESENT:

William Lindsay - Chair
Garry Lewis - Deputy Chair

Barry Clarke, Glyn Davies, J.R. Davies, Keith Donovan, Andrew Edwards, Roger Evans, Robert Jones, David Parry, Maggie Thomas, Nigel Yates.

Together with:

Philip Griffiths (Secretary and Principal Planner), Andy Powell (Countryside and Access Officer), June Piper (CROW Support Officer), Sharon Kauczok (Committee Services Officer).

Chris Heaps (NRW) and PC Simon James.

1. APOLOGIES FOR ABSENCE

Apologies for absence had been received from Elaine Gwynne, Lorraine Howells, Alison Palmer and Councillor Ken James.

2. DECLARATIONS OF INTEREST

There were no declarations of interest.

3. MINUTES

The minutes of the meeting held on 13th March 2015 were approved as a correct record.

4. MATTERS ARISING

Fly Tipping

Phil Griffiths confirmed that he had received a verbal response to the letter he had sent to the Head of Waste Management on behalf of the LAF expressing concern about the problem of fly tipping in the County Borough. Rhodri Lloyd, Senior Projects Officer, Public Services had offered to attend the next meeting of the LAF to explain what the Council is doing in terms of monitoring and controlling the problem. It was agreed to invite Mr Lloyd to the next meeting.

Disability Training Event

It was noted that a further Disability Training event would be organised after the new LAF has been established.

LAF Report by NRW

Further to discussions at the last meeting in terms of raising the profile of the Forum, Phil Griffiths suggested that the Machen Agricultural Show in July would be an appropriate venue for members of the LAF to attend with officers of the Countryside Division.

URDD

Phil Griffiths informed the Forum that there had been a lot of interest in the Countryside Division's presence at the URDD which had taken place at Llancaiach Fawr recently.

Visitor Counter Data

Further discussion took place on the income generated from the introduction of car parking charges in the country parks.

5. OFF ROADING

The Forum welcomed PC Simon James who had been invited to give an overview of the work that he and his colleagues are undertaking to tackle illegal off road riding activities.

PC James outlined the recent changes to his role which now covered Blaenau Gwent and Torfaen as well as the Caerphilly County Borough. He advised the Forum that whilst he is now responsible for a much larger area, he is now able to access additional support from within the force to assist him operationally.

PC James briefed the Forum on the action that is being taken to tackle the illegal use of off road vehicles across Gwent and the powers that the Police have under the Road Traffic Act to seize vehicles that are being ridden illegally. An off road bike awareness week was held at the end of May and social media platforms are being used to raise awareness and to try and educate the public about the issue. During the campaign the public were informed of all the facts including what the laws are, what the impacts can be, what the issues are and what is being done to tackle them. During the course of the presentation, PC James responded to the various queries raised by members of the Forum, including particular issues in their areas.

The Chair thanked PC James for his very interesting presentation and invited him to remain for the rest of the meeting.

6. ACTIVE TRAVEL ACT

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 September 2015. The Existing Routes Map is about existing routes that the Authority considers provide for Active travel journeys within the requirements set down by Welsh Government. The Forum was advised that the consultation period runs from the beginning of June to 25th August.

During the course of the discussion, it was agreed that the Forum would form a sub group which would meet to discuss the maps and provide feedback to the Highways Department. The following members agreed to sit on the sub-group: Barry Clarke, Keith Donovan, Garry Lewis, David Parry, Maggie Thomas and Nigel Yates.

7. WALES RIGHTS OF WAY MANAGERS WORKING GROUP (WROWMWG)

The WROWMWG meets on a quarterly basis and the next meeting is scheduled for 23rd June 2015. Andy had unfortunately been unable to attend the last meeting in March but had since spoken to his counterparts in other authorities and had received the minutes of the meeting. He was therefore able to advise the Forum of the items discussed, which were as follows: ROWIP funding; the Active Travel Act; De Regulation Bill in England (which is now complete and will be given Royal Assent shortly); Green paper expected for consultation before elections; staffing levels which were becoming a concern across all authorities together with reduction in budgets; Bull/cattle attacks – the Health and Safety Executive is asking for all attacks to be logged with them; Drones – these are becoming an issue in the Snowdonia National Park.

8. RIGHTS OF WAY IMPROVEMENT PLAN (ROWIP)

Caerphilly CBC has received confirmation that it will receive £37,480 from Welsh Government to deliver targeted elements of the ROWIP in 2015/16.

Officers are again targeting landowners to persuade them to change stiles for kissing gates which has been very effective over the last few years. This forms part of a wider project to make improvements to the network for those with mobility problems, including surfacing of several community links. Officers will also be looking to carry out some improvement works to several promoted routes in the county borough along with works on some of the equestrian routes. Some funding has also been set aside for the continuing support and development of volunteers in the county borough. Officers are trying to make best use of the funding by spreading it across several different user types and are also trying to cover all corners of the county borough.

Members were reminded that the ROWIP is a ten year plan which will be due for renewal in 2017. Welsh Government has asked NRW to provide them with advice on the revision and update of the statutory guidance and in doing so to carry out targeted consultation with key stakeholders; Local Authority representatives; National Access Forum members and Local Access Forums.

NRW will be leading the work with advice from a working group that will comprise staff from NRW, Welsh Government and local authority representatives. The draft guidance will be issued by email in September 2015 after which input would be encouraged through the following mechanisms: The National Access Forum will be invited to form a sub group which NRW will support. There will be opportunity for consideration of the guidance at the LAF Conference on 15th September 2015. Authorities will be encouraged to feed their thoughts through members of the working group. There will be a period of at least six weeks to allow people to consider and contribute points to the draft guidance. Groups will be encouraged to collate their responses and individual responses will be accepted.

9. FUNDING

Phil Griffiths advised that there had been no additional funding bids since the last meeting. Officers were busy working on the joint uplands and pollinator projects. It was anticipated that there would be a call for funding for partnership programmes from Welsh Government shortly towards NERC duties, Access etc. Welsh Government has divided the funding into work streams combining various programmes: a separate fund which local authorities cannot bid into; a programme which local authorities can bid into, which is for more specific environmental projects and likely to be heavily over subscribed.

The Forum was advised that officers were concerned that the core funding which NRW grants to the Authority each year which contributes towards the cost of three officer posts, was being taken off NRW and transferred to Welsh Government. NRW would continue to have pots that the Authority can bid into.

In terms of the Rural Development Plan (RDP) there had been news that Europe had approved the Welsh programme as a whole. The Local Action Group (LAG) which includes Glyn Davies, Andrew Edwards and Lorraine Howells will determine how the money will be spent in the county borough.

10. HORSE RIDING

Andy Powell advised the Forum that some monies had been put aside from the ROWIP grant to undertake some improvements to the bridleway network. Officers are hoping to meet with representatives of SAFE to coordinate a joint volunteer working group with the existing Rudry volunteers in the south of the County Borough. Officers are also in communication with the local SAFE representative about the wider work of SAFE and whether this can be rolled out across the County Borough.

11. WALK EVENT

CCBC's Annual Walk Event was held on 9th May this year. It was another very successful event with over 500 participants taking part in walks ranging from 2 to 22 miles. Although the weather was poor early on this didn't appear to deter many of the walkers and the weather did improve as the day went on. The start and finish was held at Cross Keys College, which offered excellent facilities and assistance from staff. CCBC's Countryside Service is once again extremely grateful for all the support it receives from Caerphilly Adventure Group, the Islwyn, Caerphilly and Gelligaer Ramblers Groups and the many sponsors. The event now has its own website at www.caerphillychallengeseries.co.uk

12. ANNUAL REPORT

Phil Griffiths reminded the Forum of the need to produce an Annual Report by the end of the calendar year. The document would serve as an introduction for new members and potentially a means of raising the profile of the LAF.

13. MEMBERSHIP OF NEW FORUM

Under the Countryside Access (Local Access Forums) (Wales) Regulations 2001, an appointing authority must establish a new Local Access Forum every three years. As such the current Forum would now be disbanded and applications would be invited from old and new members to sit on the new one. Officers would write to each individual or organisation seeking re-election. An advert would also be placed in the local press to give other individuals an opportunity of expressing an interest in becoming a member.

In accordance with the Regulations, a Forum should consist of between 10 and 22 members. The Caerphilly LAF presently consists of 17 and members were asked to consider whether there was a need to try and fill any possible voids in the balance of the membership. During the course of the discussion it was suggested that the Forum currently lacks young members, a representative of a motor-cycling/cycling organisation and a representative of a Wildlife Trust.

The Secretary thanked Members for their contributions to the current Forum and circulated a list of their contact details which they were asked to check and amend if necessary.

14. FEEDBACK SESSION

Members were invited to provide feedback on their experiences of the last three years on the Local Access Forum.

Barry Clarke expressed his appreciation of all the work that had been undertaken to improve access for people with mobility problems. Reference was made to the benefits gained from visiting different sites around the County Borough to view some of the schemes and improvements that have been undertaken. Officers were congratulated on their success in obtaining funding from diminishing sources for the various projects undertaken.

Several Members commented on the knowledge they had gained from their involvement in the Forum and the positive way in which members of the Forum worked together.

In response to a request made at a previous meeting to discuss possible guidance for developers in relation to rights of way, Andy Powell confirmed that he would organise a meeting with the Development Control Manager and the Forum members concerned.

15. ANY OTHER BUSINESS

Larch Update

It was reported that work is progressing at Parc Cwm Darren and Cwmcarn Scenic Drive and will be commencing in the Sirhowy Valley in the new calendar year. Very significant tree felling will be taking place during the next three years.

Nant Llesg Update

The Planning Application which was recently submitted to the Planning Committee, was deferred for a site visit on 23rd June followed by a special meeting of the Planning Committee on 24th June 2015.

Solar Farms

Reference was made to the number of solar farms that are being developed in the countryside. Officers anticipated that there would be an increase in the number of applications received in the future and advised that each site is determined on its merits. There are general Development Control policies in place which look at impact on environment, wildlife etc.

Chair

The Chair advised that this was Sharon Kauczok's last meeting of the Local Access Forum as she was leaving the Authority at the end of July. The Chair thanked Sharon for the efficient manner in which she had supported the LAF over the last twelve years as Committee Services Officer.

In closing the meeting, the Chair also thanked Officers and Members for all their support and valuable contributions to the LAF during his term of office.

The meeting closed at 12.40 pm.

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VOLUNTARY SECTOR LIAISON COMMITTEE

MINUTES OF THE MEETING HELD AT PENALLTA HOUSE, TREDOMEN ON WEDNESDAY 16TH SEPTEMBER 2015 AT 10.30 A.M.

PRESENT:

Cllr. D. Carter – Chair

Councillors:

Ms. L. Ackerman, P. J. Bevan, R. W. Gough, Mrs. P Griffiths, K. James, J. A. Pritchard,
R. Woodyatt

Together with:

Abertridwr Community Church	-	Mr. L. Clay
Bargoed YMCA	-	Ms. J. Price
Caerphilly 50+ Forum	-	Mr. D. Morgan
Caerphilly People First	-	Mr. C. Luke
Disability Can Do Organisation	-	Mrs. H. Williams
GAVO – Assistant Chief Executive	-	Mrs. E. Forbes
GAVO (Vice-Chair)	-	Mr. R. H. Cooke
Groundwork Wales	-	Mrs. K. Stevenson
Menter Iaith	-	Mrs. L. Jones
Right From The Start	-	Ms. C. Loring
SYDIC	-	Mr. M. Bridgman
The Parent Network	-	Ms. M. Jones
The Vanguard Centre	-	Mrs. M. Wade

Also present:

J. Dix (CCBC Policy & Research Manager), J. Elliott (CCBC Senior Research Officer),
Mrs. M. Chapman (Office of the Police & Crime Commissioner for Gwent), Mrs. D. Crossman
(South Wales Fire & Rescue Service), Alison Palmer (CCBC/GAVO), Mr. B. Dando
(Groundwork Wales), Mrs. C. Vernalls (Van Road United Reformed Church), Richard Davies
(GAVO – Community Asset Transfer Support Consultant), Cllr. Julian Simmonds (Observing)

1. APOLOGIES

Apologies for absence were received from Cllrs. Mrs. E. M. Aldworth, J. Bevan, Mrs. P. Cook,
C. Hawker, G. Johnston, A. Lewis, D.W.R. Preece.

Also from, Ms. P. Jones (Caerphilly Care & Repair), Mrs. B. Helps (Caerphilly Parents &
Carers Forum), Mr. A. Read (Cancercareline), Mrs. C. Williams (CRUSE Bereavement Care),
Ms. A. Jones (Homestart Caerphilly Borough), Mr. D. Brunton (VOLUME), Insp. C. Haire &
Sgt. A. O’Keefe (Gwent Police), Mrs. D. Lovering (Caerphilly Business Forum
Representative), Ms. S. Crane & Ms. C. Gregory (ABUHB), Mr. J. Wade (Van Road United
Reformed Church), Mr. H. Llewellyn (Town & Community Council Representative)

2. DECLARATIONS OF INTEREST

None declared.

3. MINUTES

The Chair opened the meeting by welcoming the three new Voluntary Sector Representatives joining the Committee from September (Mr R Jones (Abbeyfield), Ms L Jones (Menter Iaith) and Ms C Loring (Right from the Start), and also the newly elected councillor for Crosskeys Cllr. Julian Simmonds, sitting in on the meeting as an observer.

The Chair requested for a letter of thanks to be sent to Mr. Peter Jones, from the Abbeyfield Society thanking him for his valuable contribution to the Voluntary Sector Liaison Committee over his many years of sitting on the Committee.

The Chair went through the minutes of the Voluntary Sector Liaison Committee 17th June 2015 for accuracy and matters arising.

On agenda item 8 within the minutes, relating to the Voluntary Sector Representatives question on offering third sector solutions to support service delivery with the New Leisure Strategy, a Voluntary Sector Representative asked for it to be added to the minutes “that the question on community centres was misunderstood by the Officer.” It was requested through the Chair for the Community Centres Service Manager who provided the information to attend the Voluntary Sector Liaison Committee meeting in December, for a discussion on community centres and how the voluntary sector can be involved.

The accuracy of the minutes of 17th June 2015 was then agreed.

4. STANDING ITEM:- WELSH GOVERNMENT OPTIONS FOR LOCAL GOVERNMENT RE-ORGANISATION – CLLR KEITH REYNOLDS, LEADER OF THE COUNCIL, AND CHRIS BURNS, INTERIM CHIEF EXECUTIVE

Unfortunately both Cllr Reynolds and Chris Burns sent their apologies for this meeting as they had been called to an urgent meeting at short notice. However, they will attend the December Committee meeting where they will update on both local government re-organisation and the Council’s budget setting. The Chair noted at this moment in time there was no further news around local government re-organisation.

5. COMMUNITIES ASSET TRANSFER PRESENTATION – RICHARD DAVIES, COMMUNITY ASSET TRANSFER CONSULTANT

Richard Davies gave a presentation on the principles of Community Asset Transfer (CAT). He explained that his post with GAVO is funded by the Welsh Government for one year. He described his job as to advise and assist public bodies in producing a policy, procedure and process for CATs and developing a strong business case, in line with the Welsh Government National Asset Working Document:

Community Asset Transfers in Wales – A Best Practice Guide

<http://gov.wales/topics/people-and-communities/communities/community-asset-transfer/?lang=en>

CATs are a means by which the Voluntary and Community Sector can secure an interest in the use of public owned assets (buildings, land or services) through ownership, lease or licence, to enable them to deliver local services. The main benefit of CAT is it’s empowerment of the local community in forging its own destiny.

Richard outlined the following criteria for CATs:

- Primary purpose must be regeneration of profits where profit is returned to the organisation or the community
- A strong business plan and finances
- Good governance fully incorporated and constituted for social benefit
- Equality of Access policy that excludes 'Single use' operations
- Skills and capacity to effectively deliver services/have the potential to develop those capacities within their organisation.

There are the following property implications for CAT's, as properties are 'sold as seen', and care needs to be taken regarding maintenance costs and where this funding will come from:

- Condition of the property
- Maintenance of the property
- Existing employees / The Transfer of Undertakings (Protection of Employment) Regulations 2006 (TUPE)
- Long term planning for the future of the property.

The Chair thanked Richard Davies for his presentation, and asked if there were any questions from the Committee. Cllr. Rob Gough stated that voluntary sector organisations need some expertise in the field of consideration of possible redundancy of existing staff at some properties, and knowledge of redundancy payments / TUPE regulations. Cllr. Gough also advised that GAVO has considerable expertise when it comes to searching for funding for projects.

Groundwork Wales informed that they have specific services available to assist any organisations with their CAT.

A Voluntary Sector Representative commented he was aware of some community organisations where the management committee 'Old Guard' do not take kindly to change and new initiatives. Richard replied that this is a common situation and organisations should all implement a Succession Management Plan, to cover committee posts and maintain the function of the organisation. It may be that there are retired volunteers available for an organisation, with the necessary business acumen for CAT's.

Richard noted he was happy for organisations to contact him directly on CATs and gave his contact details as follows:

Mobile: 0772 007 2580

Telephone: 01443 229 587

Email: richard.davies@gavowales.org.uk

6. VOLUNTARY SECTOR REPRESENTATIVES QUESTION: BUDGETS AND CONSULTATION WITH THE VOLUNTARY SECTOR

Several Elected Members explained that the financial allocations from the UK Government to the Welsh Government are not known at present. In the normal course of events more would be known on budgets by the second week of December, but this year a Spending Review is being undertaken by the Chancellor through October and November which will delay the traditional timescales. It maybe the case that firm information will not be forthcoming until January 2016. The Chair agreed to call a special meeting of the committee when the budget is known.

It was also agreed through the Chair for an early meeting to be arranged with Martin Featherstone (CEO, GAVO) and his Deputy Emily Forbes, together with Chris Burns and the Leader on setting the Council budget, and how the voluntary Sector can help CCBC with the financial pressures.

7. STANDING ITEM: BUDGETS – INTERIM REPORT PUBLIC SECTOR CUTS ACROSS GWENT LOCAL AUTHORITIES (VERBAL UPDATE) – EMILY FORBES, DEPUTY CHIEF EXECUTIVE, GAVO

Emily Forbes described work being undertaken by GAVO to gather information on public sector grant cuts to voluntary organisations across Gwent. On a Wales wide level Emily handed out the latest information from the Wales Council of Voluntary Organisations 'State of the Nation Report'.

At the GAVO AGM on the 12th November in Newport, GAVO will be undertaking a survey from the membership on the effects of budgetary pressures.

Emily agreed to come back to a future meeting of the Committee to present a full report.

8. OPEN DISCUSSION: WHAT'S HAPPENING IN THE COUNTY BOROUGH (AN OPPORTUNITY FOR ALL COMPACT PARTNERS AND COMMITTEE REPRESENTATIVES TO RAISE KEY ISSUES)

Emily Forbes said that the Voluntary Sector Awards Ceremony held recently at Blackwood Miners Institute was well attended and well received by the audience and the award winners.

A question was asked as to how many organisations benefit from rate relief. Cllr Rob Gough replied that this information is available from the Council's Corporate Finance Section.

9. ITEMS OF INTEREST FROM THE VOLUNTARY SECTOR COMPACT PARTNERS (ONE QUESTION ONLY FOR EACH REPORT – UP TO 15 MINS)

a) Update from the Aneurin Bevan University Health Board (ABUHB)

A written report was provided with the committee papers. Cllr. Phil Bevan wondered from the report how volunteers will be utilised in improving access and quality of services through the Caerphilly County Borough Neighbourhood Care Networks, and what training they would receive. This query to be followed up through Catherine Gregory, Aneurin Bevan University Health Board.

b) Gwent Association of Voluntary Organisations

A written report was provided with the committee papers. Cllr Lynne Ackerman praised GAVO's funding success, notably assisting Newbridge Tabernacle Church. Cllr Ackerman requested for GAVO to provide comparative yearly data for their funding and other statistics.

Mike Bridgman commented how impressed he was at the good work of GAVO, in spite of the financial situation and reduced budgets. He said that in this respect the Caerphilly County Borough would appear better than other areas of Gwent.

c) Digest of Caerphilly County Borough Council Committee Reports

A written report was provided with the committee papers. Following a question on the canal report Cllr Ken James, explained the reference to the Crumlin Arm of the Monmouthshire and Brecon Canal. In former years plans were discussed to have the canal navigable at Risca town centre to link with Cwmcarn Forest Drive. Ultimately the plan envisaged opening the whole of the section to join with the canal in the Newport and Torfaen sections. There are however, major financial implications affecting the canal on the Risca to Fourteen Locks stretch. The canal over the years has been culverted at a number of locations to allow road access to estates for example Ty Sign, and this bridging would cost vast amounts of money to adjust to make the canal navigable again.

Mike Bridgman noted that there was a large amount of monies carried over from the Welsh Church Act Fund, and there may be scope here for raising the amount of money awarded per successful grant application. Cllr Rob Gough said that there was concern about the low number of grant applications being received, and noted if the grant allocation is not spent that the total allocation for the following year may be reduced.

d) South Wales Fire & Rescue Service

A written report was provided with the committee papers. There were no questions raised on this report.

e) Police & Crime Commissioner (PCC) for Gwent –

A written report was provided with the committee papers. Maria Chapman updated the Committee on a few points contained in her report. She noted that the Women's Pathfinder Scheme is now operating, which provides a whole system approach including support for women as an alternative to charging, during bail and pre-sentence and during resettlement from custody. Also the Gwent PCC in partnership with Torfaen Voluntary Alliance and Gwent Association of Voluntary Organisations have funded a Third Sector Development Officer for 12 months to map the third sector that provide services aligned to the PCC's police and crime priorities. The officer will also assist in mapping areas of Gwent where people from a number of ethnic minority communities have settled. This will assist in helping those communities gain appropriate council and other agency services. Other activities would look to raise third sector awareness around the emerging commissioning landscape as existing grant funds are diminishing. With this in mind an OPCC Provider's Fair will be hosted in Christchurch Centre, Malpas, Newport on 13th October 15.

The HMIC (Her Majesty's Inspectorate of Constabulary) Report – the Peel Report has described Gwent Police as now doing well, as opposed to an earlier report previously undertaken last year.

Maria apologised for the PCC event, planned in the council chamber, having to be cancelled at short notice. This was because there had been a significant lack of response to the invitations sent out, for the meeting on the 15th September.

10. COMMUNITY PLANNING QUARTERLY BRIEFING:– JULY TO SEPTEMBER 2015

To receive and note the following information items attached.

11. DECISION & ACTION SUMMARY

SUBJECT	DECISION	ACTION
1. Letter of thanks	To Peter Jones Abbeyfield (Caerphilly) Society Ltd	Letter to be sent from the Chair
2. Voluntary Sector Representatives Question	Chair requested for the Community Centres Service Manager to attend the Voluntary Sector Liaison Committee meeting in December, for a discussion on community centres and how the voluntary sector can be involved	Community Centres Service Manager to attend December Voluntary Sector Liaison Committee

3. Budget	It was agreed through the Chair for an early meeting to be arranged with Martin Featherstone (CEO, GAVO) and his Deputy Emily Forbes, together with Chris Burns and the Leader on setting the budget, and how the voluntary Sector can help CCBC with the financial pressures	Meeting organised for 10 th November 2015
4. CCBC budget	It was agreed for a special meeting of the Voluntary Sector Liaison Committee to be called once the CCBC budget is known	Anticipated for February – March 2016
5. GAVO to gather information on public sector grant cuts to voluntary organisations across Gwent	Interim report presented, with full report to come back to the Committee	To come back to a future committee meeting to give a full report
6. Aneurin Bevan University Health Board information report	Cllr. P. Bevan wondered from the report how volunteers will be utilised in improving access and quality of services through the Caerphilly County Borough Neighbourhood Care Networks, and what training they would receive	Jackie Dix followed up through Catherine Gregory, Aneurin Bevan University Health Board, with Catherine clarifying matters with Cllr. P. Bevan
7. GAVO information report	Cllr Ackerman requested for GAVO to provide comparative yearly data for their funding and other statistics	Emily Forbes to address in future reports

12. DATE OF NEXT MEETING:

2nd December 2015 at 10.30am in the Sirhowy Room, Penallta House.

Meeting ended 12.06 pm.