



COMMUNITY COUNCIL LIAISON SUB-COMMITTEE

MINUTES OF THE MEETING HELD AT PENALLTA HOUSE, TREDOMEN PARK ON WEDNESDAY 30TH JULY 2014 AT 7.00PM

PRESENT:

Community Councillor Ms J. Rao - Chair

Councillors:

H. Davies, C. Hawker, A. Lewis

Cabinet Member for Community and Leisure Services - Councillor D.V. Poole

Community/Town Council Representatives

Aber Valley	-
Argoed	- Mr G. James (Clerk)
Bargoed	- H. Llewellyn
Bedwas, Trethomas and Machen	-
Blackwood	- J. Criddle
Caerphilly	- Mrs J. Hibbert
Darran Valley	- T. Powell
Draethen, Waterloo and Rudry	-
Gelligaer	- Ms C. Mortimer (Clerk)
Llanbradach	- C. Hopkins
Maesycwmmmer	- Miss J. Rao
Nelson	- Mrs G. Davies, Miss K. Jones
New Tredegar	-
Penyrheol, Trecenydd and Energlyn	-
Rhymney	-
Risca East	- Mr G. James (Clerk)
Risca Town	- B. Hancock (Acting Clerk)
Van	- Mr J. Dilworth

Together with:-

R. Kyte (Team Leader Strategic and Development Planning), J. Jones (Democratic Services Manager), H.C. Morgan (Senior Committee Services Officer)

APOLOGIES

Apologies for absence were received from Councillors D. Bolter, G.J. Hughes, M.P. James, Ms P. Leonard, J. Pritchard, J.A. Pritchard and J.E. Roberts, Community Councillors G. Lewis, T. Parry, D. Woodman, Mrs A. Nash, D.T. Williams, J. Blackburn, M. Parker and Mrs E. Macey. Apologies were also received from Mrs S. Hughes, Mrs L. Tams, Mrs S. Chick, Mr J. Hold, Mr K. Williams, Mr G. Williams, Mr B. Thompson, Mrs G. Thomas, Mr A. Hoskins and Mrs H. Treherne (Clerks of Aber Valley, Bargoed, Bedwas, Trethomas and Machen/Draethen, Waterloo and Rudry, Blackwood, Caerphilly, Darran Valley/Rhymney, Llanbradach,

Maesycwmmer, Nelson and Penyrheol, Trecenydd and Energlyn Community/Town Councils respectively).

1. APPOINTMENT OF CHAIR

Councillor A. Lewis was appointed Chair of the Sub Committee for the ensuing year.

2. APPOINTMENT OF VICE - CHAIR

Community Councillor Mrs G. Davies was appointed Vice Chair of the Sub Committee for the ensuing year.

3. MINUTES - 5TH MARCH 2014

The minutes of the meeting held on 5th March 2014 (a copy had been sent to each member) were received and noted. There were no matters arising.

4. FIRST REVIEW OF LOCAL DEVELOPMENT PLAN - DELIVERY AGREEMENT

R. Kyte (Team Leader Strategic and Development Planning) advised that the aim of the review is to engage with the community in the plan preparation process, and to seek agreement, through consultation, on the developments that would be advantageous to the area.

She advised that the Council has a statutory duty to prepare and review a Local Development Plan for the area to provide the policy framework for the development and use of the land within the county borough. On 23rd November 2010, the Council formally adopted its LDP and has since been monitoring the progress of the plan through its Annual Monitoring Report (AMR). Following the recommendations of the 2013 AMR, the Council agreed to roll forward the LDP to cover the plan period up to 2031 and to commence consultation on a revised Delivery Agreement.

Members were advised that the Delivery Agreement (DA) is a public statement that contains a timetable for LDP production (the local authority's project plan) and the Community Involvement Scheme (CIS), which sets out how and when stakeholders and the community can contribute to the review of the LDP. A number of public responses had been received to the Draft DA during the six-week consultation period late last year but none of those representations have resulted in amendments being proposed to the Delivery Agreement. Once approved by WG, it commits the Council to produce the revised LDP according to the stated timescales and consultation processes outlined within it.

Members were advised that at the pre deposit stage, developers, the public and interested groups can contribute to the plan preparation. Information can be submitted which recommends sites for future development or change of use or suggesting an area that needs protecting for its special landscape, open space or conservation value. In that the plan is reviewed every four years, there is an opportunity to put forward views and influence its content. Following the consultation process, the Council then considers the representations and produces a consultation report for consideration by the Inspector who will determine whether any changes should be made to the plan.

5. INTRODUCTION OF THE COMMUNITY INFRASTRUCTURE LEVY (CIL)

R. Kyte advised that the Planning Act 2008 and the Community Infrastructure Levy, England and Wales, Regulations 2010 (CIL Regulations), makes provision for local authorities to prepare a Community Infrastructure Levy (CIL) for their area. CIL is essentially a tax that is applied to most forms of new development to fund relevant infrastructure improvements to support the development of the area in accordance with the Local Development Plan. The funds raised will go towards infrastructure that is needed to support growth, such as schools and transport improvements.

The CIL charge is set by the council and the amount raised is based on a simple formula, which takes into account the size and type of development paying for it. The CIL rates are set locally by striking a balance between how much CIL can be raised to deliver new infrastructure projects and the impact of CIL on the viability of new development schemes. The schemes which are proposed to be funded by CIL are contained within the Infrastructure List Regulation. It was confirmed that not all developments are liable for CIL.

Members were pleased to note that in line with the CIL Regulations it is the intention of the County Borough Council to pass 15% of the revenue raised to town and community councils in the county borough. However it is important to note that only those areas that experience new development will be eligible for their proportion of the CIL revenue. Further it is important to note that where the CIL rate is £0 then clearly no revenue will be raised and therefore no monies can be passed on to that community council. In that the county borough does not have 100% coverage by community/town, whilst it is not a requirement, the CIL Regulations allow the council to make an appropriate proportion of CIL receipts, available to fund appropriate infrastructure in those areas that do not have a community/town council. As a further point of explanation, it was explained that the CIL revenue retained by the County Borough Council can be spent anywhere in the county borough and is not constrained to that area where the development occurs. The CIL Assessment Panel will assess each bid against a set of standard criteria in order to prioritise schemes for funding. The results of the assessments will be reported to Cabinet for decision-making and then be reported through the council's annual budget report.

A query was raised in relation to Section 106 Agreements and it was explained that CIL is not intended to replace the current system of S106 Agreements. However when CIL is formally implemented, statutory restrictions will be applied to S106 Agreements which will severely restrict their use in addressing issues that are necessary to make developments acceptable in planning terms and for the provision of affordable housing. CIL will then be the vehicle for funding infrastructure to support development in accordance with the development plan that is not necessary to make development acceptable in planning terms.

Whilst the CIL Regulations make provision for the community/town councils to spend their CIL funds according to their own priorities, guidance notes and assessment forms will assist in ensuring that the CIL is used to fund infrastructure in accordance with those Regulations.

R. Kyte advised those present that she would work with individual community/town councils to ensure there is a good understanding of the types of schemes that CIL can be spent on, and to agree mechanisms for passing any monies raised to the town/community council. Officers will also negotiate with community/town councils to agree annual payments of the CIL receipts in order to make the administration of CIL less complex and to ensure the funding is considered as an integral part of the Council's own budgetary procedures. CIL Regulation 62A requires that all community/town councils must prepare a report for any financial year in which it receives CIL receipts. The Council will work in conjunction with community/councils in preparing their monitoring reports. In the meantime, guidance is available on the Department for Communities and Local Government Website and on the Planning Pages of the Caerphilly County Borough Council Web Site at: [Environment and planning\Planning\Community Infrastructure Levy \(CIL\)\ Community Infrastructure Levy Examination\CIL legislation and guidance.](#)

6. **CHANGES TO THE PLANNING SYSTEM GENERALLY IN TERMS OF THE DRAFT PLANNING BILL**

Reference was made to the publication of the Draft Planning Bill and to the proposed changes to deliver a comprehensive reform of the Planning System in Wales. In giving an overview of the key changes, R. Kyte advised of the Welsh Government's key proposals - supporting culture change, active stewardship, improving collaboration and improving local delivery and explained that the consultation document outlines how it is intended that these will be achieved. She advised that the document outlines a package of reforms that will impact on the way in which Caerphilly County Borough Council as the Local Planning Authority will in future deliver its strategic planning and development management functions.

Members noted that in order to achieve this objective the Welsh Government considers that the planning system must be more than a regulatory activity, as a system that is purely regulatory is in the Welsh Government's view likely to deliver negative outcomes. It is therefore the Government's aim to reposition Planning as a tool to manage change in the public interest and support development by guiding it to appropriate locations.

It was noted that to support culture change it is proposed to establish a national planning advisory and improvement service hosted by the Welsh Government and work with stakeholders to develop a competency framework for planning practitioners and elected members to describe the skills, knowledge and behaviour necessary to deliver planning reform. To be active stewards, the Welsh Government will provide a legal framework for the preparation of a national land use plan. The National Development Framework will replace the Wales Spatial Plan and introduce a new category of development for the largest infrastructure planning applications. As part of the improvement to collaboration it is intended to update the legal framework which would allow local planning authorities to be merged to create joint boards covering larger areas and establish a system of Strategic Development Plans to address issues of greater than local importance such as housing land supply. In relation to improving local delivery of planning services, the Welsh Government propose to introduce standardised annual performance reporting for LPA's, refine the Local Development Plan system, increase the effectiveness of the Development Management system and promote collaboration between LPA's and town/community councils to produce place plans.

With regards to the latter it was pointed out that there will not be a statutory requirement to produce these plans and whilst there is an intention to work with community/town councils to produce place plans there will be a significant resource required to enable them to be generated.

The closing date for the consultation was 26th February 2014 and all responses will be analysed and considered to refine the content of the Bill which will be introduced into the National Assembly for Wales in 2015.

TOWN AND COMMUNITY COUNCILS LIAISON COMMITTEE

Consideration was given to the following items raised by the community/town councils.

7. **UPDATE ON WILLIAMS REPORT - PUBLIC SERVICE GOVERNANCE AND DELIVERY IN WALES**

Members were reminded that in January a report was published by the Williams Commission regarding Public Service Governance and Delivery in Wales. One aspect of the report proposed a number of potential council merges which would lead to a reduction in the total number of local authorities in Wales. The proposal was for this authority to merge with Blaenau Gwent and Torfaen councils.

J. Jones (Democratic Services Manager) advised that the Welsh Government has now published its response to the review and set out a proposed timescale for possible local government mergers. There will be an opportunity for all councils to respond to the proposals and the expectation is that this authority will now fully consider the issues and prepare its response in the Autumn. The key issue is that the timescale for this is now extended from the original proposal of 2017 to around 2020.

It is anticipated that in Autumn 2015 a second Bill would be published in draft for consultation. This second Bill would be a 'Paving Bill' which would set out the statutory framework for future local government reorganisation, however, it would not contain the new local government map. After the May 2016 Assembly elections it is anticipated that a second Bill will be introduced setting out the specific reorganisation proposals, and subject to Assembly consideration, it is envisaged the Bill would receive Royal Assent in Summer 2017. As a result, in May 2017 Local Government elections (postponed from May 2016) to the existing Local Authorities would take place. Councillors elected to Authorities which are to be merged will serve a term of three years. Councillors of continuing Authorities (i.e. those unaffected by merger) will serve a term of five years. May 2019 would see the first elections for the new Authorities, merged under the provisions of the second Bill. The resulting Councils would exist as Shadow Authorities until Vesting Day on 1st April 2020, when they would assume full functions, with the old constituent Authorities abolished. May 2022 would see the full Local Government elections for all Authorities with a proposed term of five years

It was noted that there will need to be widespread consultation and a number of Bills must be passed before any mergers take place. There is also the opportunity for councils to enter into voluntary mergers, which allow a more advanced timescale, but this has yet to be agreed by any authorities.

Reference was made to the future of community/town councils and it was noted that the report makes reference to their vital role in representing community interests and in some cases providing local services and that whilst it has no view on the detailed boundaries, any redrawing of ward boundaries as part of local government merger would directly inform such changes and as such, they would also be reorganised and either merged or enlarged. One of the recommendations of the report is that 'town and community council areas are also merged or enlarged to create fewer, larger councils capable of expressing local interests clearly and effectively'.

Members were advised that Welsh Government have recently published two separate but parallel documents setting out their response to the Williams Commission report. One of these reports is in the form of a white paper specifically relating to local government issues and there is an opportunity to feed into the consultation process and offer comments on its content by 1st October 2014. It is understood that the white paper due to be published in the autumn will seek to strengthen community governance.

8. CONSULTATION - ACCESS TO INFORMATION ON COMMUNITY AND TOWN COUNCILS

Mr Jones referred to the consultation being undertaken on new Statutory Guidance under Sections 55 - 59 of the Local Government (Democracy) (Wales) Act 2013 concerning access to information about community/town councils (deadline for responses 4th August 2014). He reminded those present that the Act requires community/town councils to have websites, to publish notices and papers electronically and to publish their register of member's interests.

It was noted that as part of the recent exercise, and the Welsh Government grant, each of the eighteen community/town councils now have dedicated websites upon which to publish the relevant information and as such, subject to them begin regularly updated, all comply with the statutory requirement. Mr N Rutter (Website Editor) continues to liaise with the respective Clerks to progress the development of the website and to ensure that any specific requirements are incorporated within its content. Training continues with nominated individuals to enable them to update their site.

9. **CHARTER FOR COMMUNITY/TOWN COUNCILS**

Reference was made to an issue that had arisen in relation to the consultation process which has now been addressed. As such it was agreed that there is no requirement to review the Charter at this stage but to remind Heads of Services of the subject for consultation as contained within its content.

ANY OTHER BUSINESS

10. **Budget Consultation Exercise**

Members were advised that the Council is running a major budget consultation this year and during August and September residents will be asked for their views about future discretionary services. The consultation period will run from 1st August - 30th September 2014 and the questionnaire will be available on the Councils website and a printed version will also be included in the September edition of Newslines. Additional printed versions will also be available for distribution as required.

Further consultation will be undertaken on the draft budget savings proposal later in the year.

The meeting closed at 8pm