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THURSDAY, 16 FEBRUARY 2023

TO: ALL MEMBERS OF THE PLACE, SUSTAINABILITY & CLIMATE CHANGE SCRUTINY COMMITTEE

I HEREBY SUMMON YOU TO ATTEND A MEETING OF THE PLACE, SUSTAINABILITY & CLIMATE CHANGE SCRUTINY COMMITTEE WHICH WILL BE HELD IN THE CHAMBER, COUNTY HALL, CARMARTHEN. SA31 1JP AND REMOTELY AT 10.00 AM ON FRIDAY, 24TH FEBRUARY, 2023 FOR THE TRANSACTION OF THE BUSINESS OUTLINED ON THE ATTACHED AGENDA

Wendy Walters

CHIEF EXECUTIVE

Democratic Officer:	Emma Bryer
Telephone (direct line):	01267 224029
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This is a multi-location meeting. Committee members can attend in person at the venue detailed above or remotely via the Zoom link which is provided separately.

**The meeting can be viewed on the Authority's website via the following link:-
<https://carmarthenshire.public-i.tv/core/portal/home>**

Wendy Walters
Prif Weithredwr, *Chief Executive*,
Neuadd y Sir, Caerfyrddin. SA31 1JP
County Hall, Carmarthen. SA31 1JP

<p>PLACE, SUSTAINABILITY & CLIMATE CHANGE SCRUTINY COMMITTEE 13 MEMBERS</p>
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PLAID CYMRU GROUP - 6 Members

Cllr. Karen Davies (Vice-Chair)
Cllr. Arwel Davies (Committee Member)
Cllr. Colin Evans (Committee Member)
Cllr. Neil Lewis (Committee Member)
Cllr. Dorian Phillips (Committee Member)
Cllr. Gareth Thomas (Committee Member)

LABOUR GROUP - 5 Members

Cllr. Peter Cooper (Committee Member)
Cllr. Shelly Godfrey-Coles (Committee Member)
Cllr. Tina Higgins (Committee Member)
Cllr. John James (Chair)
Cllr. Gary Jones (Committee Member)

INDEPENDENT GROUP - 2 Members

Cllr. Sue Allen (Committee Member)
Vacancy

A G E N D A

- 1. APOLOGIES FOR ABSENCE**
- 2. DECLARATIONS OF PERSONAL INTEREST INCLUDING ANY PARTY WHIPS ISSUED IN RELATION TO ANY AGENDA ITEM.**
- 3. PUBLIC QUESTIONS (NONE RECEIVED)**
- 4. A TREE AND WOODLAND STRATEGY FOR CARMARTHENSHIRE COUNTY COUNCIL 2023-2028** 5 - 42
- 5. PHOSPHATE LEVELS IN PROTECTED RIVERINE SPECIAL AREAS OF CONSERVATION - UPDATE** 43 - 50
- 6. FORTHCOMING ITEMS** 51 - 60
- 7. TO SIGN AS A CORRECT RECORD THE MINUTES OF THE MEETING OF THE COMMITTEE HELD ON THE 23RD JANUARY 2023** 61 - 70

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PLACE, SUSTAINABILITY AND CLIMATE CHANGE SCRUTINY COMMITTEE

24TH FEBRUARY 2023

A TREE AND WOODLAND STRATEGY FOR CARMARTHENSHIRE COUNTY COUNCIL 2023-2028

Purpose:

To inform Scrutiny of the progress being made in developing and delivering a Tree and Woodland Strategy for Carmarthenshire County Council.

THE SCRUTINY COMMITTEE IS ASKED TO:-

Review and assess the information contained in the report and provide any recommendations, comments, or advice to the Cabinet Member and / or Director prior to the report's consideration by Cabinet.

Reason

To formulate views for submission to the Cabinet / Council for consideration

CABINET MEMBER PORTFOLIO HOLDER:-

Cllr. Aled Vaughan Owen, Cabinet Member for Climate Change, Decarbonisation and Sustainability

Directorate

Name of Head of Service:

Rhodri D Griffiths

Designations:

Head of Place and Sustainability

E Mail Addresses:

RDGriffiths@carmarthenshire.gov.uk

Report Author:

Rosie Carmichael

Rural Conservation Manager

RACarmichael@carmarthenshire.gov.uk

EXECUTIVE SUMMARY

PLACE, SUSTAINABILITY AND CLIMATE CHANGE SCRUTINY COMMITTEE

24TH FEBRUARY 2023

A TREE AND WOODLAND STRATEGY FOR CARMARTHENSHIRE COUNTY COUNCIL 2023-2028.

1. SUMMARY OF PURPOSE OF REPORT.

The purpose of the report is to draw Scrutiny's attention to the progress being made in developing and delivering a strategy for the trees and woodlands for which CCC is responsible.

The strategy addresses CCC's responsibilities for managing trees and woodlands as well as opportunities for new planting. It includes the actions CCC will take to deliver this strategy across its services.

The strategy highlights the role which trees and woodlands play in delivering the concept of place-making and the delivery of green infrastructure as set out in Planning Policy Wales 11. It sets out how the delivery of a Tree and Woodland Strategy, is consistent with the goals of the Well-being of Future Generations (Wales) Act 2015, and Carmarthenshire's Well Being Objective 3. It proposes that in responding to the Climate and a Nature Emergencies which it has declared, CCC needs to ensure that it manages its trees and woodlands appropriately and that it plants more.

The preparation of the strategy is consistent with the Tree and Woodland Strategy Tool Kit for Local Authorities, published by the Tree Council in January 2023. It is proposed that the strategy will be reviewed after 5 years.

The development and delivery of the strategy will enable CCC to develop a long-term approach to managing its existing trees and woodlands and to new planting. It will ensure that it is planting the right tree, in the right place and for the right reasons. Identification of the most suitable areas to plant new trees and woodland will continue to be informed by the consideration of other land use requirements e.g., land required for renewable energy, for nature recovery, and for agricultural use. Decisions will be informed by the best available science.

The UK Climate Change Committee's recommends that the UK needs to establish at least 19% woodland cover by 2050 to mitigate for the effects of climate change. The strategy proposes that CCC should aim to increase the woodland cover on its land portfolio to 19% over the same period, without compromising other essential land uses.

CCC owns 6500ha land. It is calculated that 5.34% of the CCC estate is wooded i.e., 347ha. If CCC is to increase the woodland cover on its land from 5.34% to 19%, or a total of 1,235ha, it will require that CCC plants 888ha of woodland by 2050, or on average 33ha p.a.

To deliver the strategy, an inter-departmental officer working group has been set up to agree actions and report on their delivery. This group will build on the work of CCC's Strategic Land-Use Review group. The Climate Change and Nature Emergency Advisory Panel will be kept informed regarding the delivery of the strategy.

CCC's Ash Dieback Strategy is included in Appendix 1 of the report.

The development and delivery of a Tree and Woodland Strategy for CCC will enable CCC to work in an integrated way across its services to ensure that it:

- manages its trees and woodlands appropriately
- takes action to plant more trees and woodlands across its land portfolio
- allocates the resources required to maintain these.

The adoption of a strategy to manage this natural resource is considered appropriate.

DETAILED REPORT ATTACHED ?	YES
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IMPLICATIONS

I confirm that other than those implications which have been agreed with the appropriate Directors / Heads of Service and are referred to in detail below, there are no other implications associated with this report :

Signed: Rhodri Griffiths

Head of Place and Sustainability

Policy, Crime & Disorder and Equalities	Legal	Finance	ICT	Risk Management Issues	Staffing Implications	Physical Assets
YES	YES	YES	NONE	YES	NONE	YES

1. Policy, Crime & Disorder and Equalities

Adoption and delivery of the Tree and Woodland Strategy will enable CCC to demonstrate that it is delivering Well-being Objective 3 - *Enabling our communities and environment to be healthy, safe and prosperous.*

2. Legal

The delivery of a Tree and Woodland Strategy will contribute to the evidence that CCC is delivering its Section 6 Biodiversity Duty as per the Environment Act (Wales) 2016 “*to maintain and enhance biodiversity and promote ecosystem resilience*”. Delivery of the strategy will be an action in CCC’s next Environment Act Forward plan on which it reports to WG in December 2025. This reporting is a legal requirement. It will also evidence that CCC is delivering the Resilience Goal in the Well-being of Future Generations (Wales) Act 2015.

3. Finance

Delivery of the Tree and Woodland Strategy will impact on finance. To date when CCC has been able to manage or plant trees and woodland, this has usually been financed through grant aid. Grant aid is expected to continue to cover much of the cost of planting new trees and woodlands, however there are instances where grant aid does not cover 100% of costs and additional finance will have to be sought. Grant aid is not always available for the maintenance of trees and woodlands, without which new planting schemes may fail.

As part of CCC's Ash Dieback project it funds the planting of some trees and woodland to compensate for the losses of Ash.

Finance is likely to be required to undertake the compliance checking which is an essential part of both CCC's project delivery and its Development Management service. Compliance checking is essential if CCC is to demonstrate delivery of tree and woodland planting, as well as the delivery of other green and blue infrastructure.

5. Risk Management Issues

The Tree and Woodland Strategy references CCC's management of tree safety and Ash-Dieback. Professional management of these issues by competent officers reduces the corporate risk associated with tree failures. Tree safety is the primary driver of CCC's approach to tree management.

6. Physical Assets

The delivery of the Tree and Woodland Strategy proposed will impact on CCC's physical assets. Tree and woodland planting will take place on CCC land and the existing trees and woodland which CCC own will be managed.

7. Staffing Implications

CCC does have staff in place that already deliver some aspects of the strategy. To address the delivery of green infrastructure and the design, checking and compliance issues relevant to landscaping and tree planting schemes delivered by CCC and development generally, additional staff resources will be required.

CABINET MEMBER PORTFOLIO HOLDER AWARE/CONSULTED

YES

The preparation of a Tree and Woodland Strategy for CCC is welcomed, as is the setting up of an inter-departmental officer working group that will ensure the delivery of the strategy across the authority. The ambitious targets the strategy sets for the management of our existing trees and the planting of new woodland on CCC land are welcomed. It is proposed that the strategy will be reviewed in 2028 to ensure that the approaches it sets out remain consistent with evolving policy and science.

It is requested that the progress in delivering of the strategy is reported to CCC's Cross Party Advisory Panel on Climate Change and Nature Emergency.

AVO 31/01/2023

Section 100D Local Government Act, 1972 – Access to Information
List of Background Papers used in the preparation of this report:

THESE ARE DETAILED BELOW

Title of Document	File Ref No.	Locations that the papers are available for public inspection
CCC's Tree Safety Management Strategy Sept 2019 (currently being updated)	N/A	https://www.carmarthenshire.gov.wales/media/1221301/ccc-tree-management-strategy.pdf
Tree and Woodland Strategy Tool Kit for Local Authorities, published by the Woodland Trust in Jan 2023	N/A	https://treecouncil.org.uk/what-we-do/science-and-research/tree-strategies/

CCC's Strategy for Trees and Woodlands 2023-2028

See also:

www.carmarthenshire.gov.wales/media/1221301/ccc-tree-management-strategy.pdf

www.carmarthenshire.gov.wales/home/council-services/planning/biodiversity/ash-dieback-disease/#

1. INTRODUCTION – WHY A TREE AND WOODLAND STRATEGY?

The delivery of a Tree and Woodland strategy will enable CCC to demonstrate that it is delivering against both the Nature Emergency and the Climate Change Emergency which it and Welsh Government have declared. Successful delivery of the proposed strategy will provide nature-based solutions, relevant to these linked agendas. By managing our trees and woodlands appropriately and by planting more trees and more woodland in the right places, for the right reasons, we will go some way to mitigating both emergencies and delivering the numerous other benefits which trees and woodlands provide.

In addition, this strategy has been prepared in response to item 23 of Carmarthenshire County Council Moving Forward in Carmarthenshire: the next 5 years (2017 – 2022): -

23. Promote a tree strategy to improve the environment and mitigate the effects of air and noise pollution in our more populated areas.

However, this strategy is broader in its remit than Action 23 and it reflects CCC's wider management responsibilities for trees and woodlands across its estate, and where and why it would like to plant more trees and woodland, and the steps it need to take in order to do this. It sets out priorities for action.

At present the remit of this strategy is restricted to CCC owned or managed land, and adjoining land where tree issue impact on CCC's responsibilities e.g., trees on private land adjacent to the highway.

In recognition of its wider responsibilities across the county CCC will continue to run the Coed Cymru project, providing advice to private woodland owners on management.

CCC will continue to comment on NRW Forest Resource Plans for the WG Woodland Estate and larger new planting schemes in Special Landscape Areas, or similar.

It is advised that the strategy is reviewed in 2028.

Trees and woodlands provide a wealth of benefits

Trees provide us with many benefits, they create a sense of place. Trees, and places with trees are recognised as having a positive impact on mental and physical health: they are places where people choose to relax and exercise. They are key components of Green Infrastructure initiatives.

We are regularly reminded of the environmental benefits associated with trees and woodlands; they absorb and store greenhouse gases, and sequester carbon, helping to mitigate climate change, they can help improve air quality, reduce noise pollution, and they create a cooling effect in built up areas. Trees can help reduce flooding by increasing absorption and infiltration of surface water, and they provide a habitat for wildlife and contributing to ecological connectivity and ecosystem resilience, they enhance the landscape. In addition to the above, the trees and woodlands in our agricultural landscapes provide timber and firewood, shelter for stock, they intercept agricultural run-off (phosphates etc) and their establishment can improve the workings of the farm in terms of Health and Safety by reducing the number of agricultural operation on e.g. steep slopes.

Trees and woodlands have an economic value, they usually increase property values, and making areas more attractive to investors. They create attractive areas in town centres where people use shops and restaurants and will choose to spend time. A green environment makes for a better work environment; employees who have views of trees and access to areas with trees feel happier and perform better. Visual Amenity Value of trees in monetary terms can be calculated by the Helliwell or the Tempo System, and we are increasingly aware of the benefits to both our physical and mental health of spending time in wooded or environments with trees.

The strategy reflects the fact that well managed trees and woodland provide multiple benefits.

2. FORMAT OF THE STRATEGY

The strategy is set out in tables which address CCC's different service areas. Delivery of the actions it contains will address different responsibilities and agendas:

- Wellbeing of Future Generations (Wales) Act 2015
- Carmarthenshire's Well-being Plan (PSB) and Carmarthenshire County Council's Well-being Objectives Well-being Objective 3 - Enabling our communities and environment to be healthy, safe, and prosperous
- Environment Act (Wales) 2016
- Carmarthenshire County Council's Environment Act Forward Plan 2023-2025
- Planning Policy Wales 11 – with reference to both Chapter 6 and to Green and Blue Infrastructure
- The declaration by the Welsh Government and CCC of both a Climate and Nature Emergency, and the role trees and woodland have in mitigating climate change and delivering opportunities for Nature Recovery.
- It is consistent with the Well Managed Highway Infrastructure – A Code of Practice 2016
- Design Commission for Wales Placemaking Charter to which CCC is a signatory

3. THE GUIDING PRINCIPLES OF THE STRATEGY:

The 10 guiding principles developed by Royal Botanic Gardens, Kew and Botanic Gardens Conservation International (BGCI) provide guiding principles for managing and planting new trees and woodlands. CCC is adopting these principles in delivering its tree strategy:

1. **Protect existing forests** – we should all take measures to combat de-forestation and the loss of trees
2. **Work together with local people** – new tree and woodland planting works best when it provides additional benefits for local communities
3. **Manage existing woodlands and design new woodlands to maximise biodiversity** recovery and meet multiple goals such as increasing biodiversity, helping the local economy, reducing carbon emissions, providing accessible Green Infrastructure
4. **Select appropriate areas for new tree and woodland planting** - Some areas such as peatlands, species-rich grasslands and wetlands already contribute significantly to carbon sequestration, in addition to the other ecosystem services that they provide. These areas are not suitable for tree planting as trees can displace the existing biodiversity and do more harm than good. Some of the best places to plant trees are those from which woodland has been lost
Aim to improve the overall extent and ecological connectivity provided by new trees and woodland areas, and look to connect or expand existing woodlands
5. **Use natural regeneration wherever possible** - Let nature do the work for you. Natural regeneration is the process through which a woodland regrows after a piece of land has been abandoned, or when a woodland begins to restore itself after trees have been removed. It is often cheaper, easier and more cost effective. Carbon capture in naturally regenerated land can be 40 times higher than in a conventional plantation
6. **Select species to maximise biodiversity** – introduce a variety of native species that will thrive in the chosen location, this will help to create a new woodland habitat which will be rich in native biodiversity and will be more resilient and less prone to disease. The planting of non-native trees can be appropriate in more urban landscapes and in areas with planned or historic landscapes. Creating new woodland is not just about getting trees in the ground, it is about providing the building blocks of a new ecosystem
7. **Use resilient plant material** – aim for genetic diversity in the planting stock and consider how the climate of the immediate area may change and make informed choices as to seed collection.
8. **Plan ahead** for infrastructure, capacity and seed supply. Work with your local community, provide training and share skills and knowledge regarding collection, storage, and planting of seed. Employing people from the local area helps bolster local economies.
9. **Learn by doing** – research proposals, trial ideas and methods, monitor and adapt
10. **Make it pay** – realise the economic benefits of a new or regenerating woodland – use the area as a site for local people to enjoy informally or for more formal activities. Regular access to woodlands and trees is beneficial for physical and mental well-being at many levels

Other approaches to setting targets for increasing the trees and woodland cover in our landscapes:

Welsh Government Targets

To plant 43,000ha of new woodland by 2030

UK Committee and Climate Change and the Woodland Trust's Emergency Tree Plan for the UK (Jan 2020)

Woodland cover in the UK is currently c.13%. In Scotland it is 19%, Wales 15%, England 10% and in Northern Ireland 9%. In Carmarthenshire it is 14.4% (NRW). Woodland cover in the UK is one of the lowest in Europe (Spain 37%; Germany and Italy 32%; France 31%)

The Woodland Trust's Emergency Tree Plan 2021 states that 17-19% woodland cover is recommended by the UK Committee on Climate Change if the UK is to be carbon neutral by 2050, i.e., an almost 50% increase in woodland cover from what we have today. If Wales is to increase its woodland cover to 19% this will require roughly a 50% increase in woodland. **WG Draft Sustainable Farming Scheme**, promotes the requirement that all agricultural holdings in receipt of support should be made up of at least 10% woodland cover.

Carmarthenshire currently supports c.14.4% woodland cover. If it is to support 19% woodland by 2050, in line with the Woodland Trust's recommendation above, across the county we will need to plant 11022ha by 2050, or 408ha p.a. each year from 2023 to 2050. CCC owns 6500ha land. We have calculated that 5.34% of the CCC estate is wooded i.e., 347ha. If CCC is to increase the woodland cover on its land from 5.34% to 19%, or a total of 1235ha, it will require that CCC plants 888ha of woodland by 2050, or on average 33ha p.a.

5. A TREE AND WOODLAND STRATEGY FOR CARMARTHENSHIRE COUNTY COUNCIL – delivery, reporting and resources

The tables below set out CCC's responsibilities for trees and woodlands, how these are currently managed, and how CCC can now do more to deliver against both the Climate Change and the Nature Emergencies. The service areas that are delivering the Tree and Woodland Strategy must build these actions into their Divisional Business Plans and report on them. These actions are set out Section 7.

Elements of the strategy will be included in CCC's Environment Act Forward Plans – these plans run for 3 years e.g., Jan 2023 to Dec 2025. The actions in this plan are formally reported to Welsh Government at the end of the 3-year period.

CCC has set up an Officer Delivery Group, facilitated by its Rural Conservation Section, to steer and oversee the delivery of this strategy which meets 2-3 times a year to review progress and agree priorities and responsibilities.

The strategy falls within the cabinet member portfolio for Climate Change, Decarbonisation and Sustainability.

5.1 Staff resources and budgets are required for:

- Compliance checking of the correct delivery of tree protection schemes and landscaping schemes approved as part of developments
- Planning, delivery, and long-term management of tree planting on CCC estate resulting from the actions in this strategy, and wider national policy. This new demand will increase as CCC's delivers new GBI schemes, often as part of other projects e.g., economic regeneration schemes, Highway and Transportation schemes, landscaping schemes that are apart of approved CCC developments, schemes to mitigate air and noise pollution, and new planting to deliver Nature Recovery and ecosystem resilience.
- Developing and promoting Supplementary Planning Guidance for GBI, landscaping and SUDS and master plans which will identify how GBI will be delivered on the larger sites allocated for development in the Revised Local Development plan in an integrated manner.
- Further air quality monitoring to inform the targeting of tree planting at problem areas
- Developing and delivering a communications plan for CCC's Tree and Woodland Strategy

6. THE TABLES

Table1 A -G sets out CCC's responsibilities with regards to trees and woodlands and how it approaches the management of trees and woodland on its own estate and on privately own land. This document should be read in conjunction with the Council Tree Management Strategy 2023 and its Ash Dieback Strategy (see Appendix 1 and 2).

The Table 2 A – C sets out why CCC should be planting more trees, and how this could be achieved.

TABLE 1 MANAGING EXISTING TREES AND WOODLAND

A Grounds Maintenance, Housing, Education, Social Care – all trees in the public realm managed by Grounds Maintenance for CCC e.g., street and car park trees, trees in parks, trees managed within highway limits trees managed on all CCC sites by Grounds Maintenance	
What are CCC's responsibilities?	Under the Occupiers' Liability Act 1957 and 1984, and the Health and Safety at Work Act 1974, landowners have responsibility for public safety. CCC's Grounds Maintenance manage trees across a variety of CCC managed land. CCC Highways and Transportation are responsible for some street and car park trees. Town and Community Councils also manage trees in some of these areas
Where we are now	<p>Carmarthenshire Tree Management Strategy (Sept 2019) sets out how CCC manages trees on its properties see Appendix 1 https://www.carmarthenshire.gov.wales/media/1221301/ccc-tree-management-strategy.pdf</p> <p>Routine tree safety surveys using the Tree Assured system are carried out at all CCC properties where there are trees, this includes all school sites and Safe Routes to School where there are tree safety issues.</p> <p>CCC staff are trained in Visual Tree Inspections</p> <p>CCC's Ash Dieback (ADB) plan sets out how CCC manages trees affected by ADB. See Appendix 2</p>
What we want to do	<p>Ensure all departments with a responsibility for trees understand:</p> <ul style="list-style-type: none"> • where they can go for guidance • that budgets must be in place to fund tree management work (other than Ash Dieback which is funded corporately) <p>Ensure all trees and woodlands in the public realm and for which CCC responsible are managed as a sustainable resource, and in accordance with CCC's published Tree Safety Management Strategy, and its approach to managing Ash Dieback</p> <p>Ensure trees which must be removed for safety reasons on CCC estate are replaced</p> <p>Promote best management practices of tree management, via publishing guidance and providing training.</p> <p>Promote the mapping and the use of management plans for all trees for which CCC is responsible</p> <p>Raise awareness of the importance of existing trees</p>
PRIORITIES FOR ACTION, we will	<ol style="list-style-type: none"> 1. Continue to improve the skill base of CCC officers with regular trees safety and tree management training for CCC staff 2. Continue to complete safety surveys of all street trees for which CCC is responsible, and carry out necessary work 3. Ensure that any trees which are removed by CCC for safety reasons are replaced

B	Existing trees and woodlands in CCC's Country Parks and Local Nature Reserves managed by Outdoor Recreation	e.g., Pembrey County Park, Llyn Llech Owain CP, Gorslas; Ynys Dawela, Brynaman; Morfa Berwig Local Nature Reserve, Llanelli; Cwmoernant reservoirs, Carmarthen
What are CCC's responsibilities?	Under the Occupiers' Liability Act 1957 and 1984, and the Health and Safety at Work Act 1974, landowners have responsibility for public safety. When managing trees in these areas we address: <ul style="list-style-type: none"> • Biodiversity - Environment Act • Social Benefits - CCC amenity policies • Public safety - Occupier's Liability Acts, Health and Safety Act, CCC Tree Policy and Ash Dieback strategy • Forestry legislation - Forestry Act and UK Forest Standard. 	
Where we are now	Respond to H and S issues and grant funding opportunities to carry out woodland management. Sites are routinely surveyed using the adopted TreeAssured system for tree risk management.	
What we want to do	Ensure all trees and woodlands on CCC's estate are managed as a sustainable resource, and in accordance with CCC's tree safety procedures using the Tree Assured system Ensure CCC delivers the management plans it has in place for the trees and woodlands in its country parks and Local Nature Reserves. These will address nature recovery, carbon sequestration and they will make use of low impact silvicultural system such as continuous cover forestry, and they will safeguard public access	
PRIORITIES FOR ACTION – we will	<ol style="list-style-type: none"> 4. Keep under review the management of woodlands on CCC's estate, ensuring its woodlands are subject to plans that address their sustainable management 5. Identify funding for implementation of plans –including potential grant funding and sources of funding to cover costs over and above grant aid. Agree the implementation of costed management plans for CCC woodlands with relevant departments 	

C Trees and woodlands on CCC's County Farms, on its rural land holdings, and on its sites proposed for disposals
Check intro section re wealth of benefits

What are CCC's responsibilities?	Under the Occupiers' Liability Act 1957 and 1984, and the Health and Safety at Work Act 1974, landowners have responsibility for public safety. CCC Tree Safety Management Strategy and Ash Dieback Strategy Forestry legislation and policy - UK Forest Standard Biodiversity - Environment (Wales) Act 2016
Where are we now?	Coed Cymru Officer advises and oversees work when issues e.g., windblow affect woodlands on CCC farms
Where do we want to be?	Ensure all trees and woodlands on CCC's estate are managed as a sustainable resource, in accordance with its tree safety procedures Work with the Strategic Land-use Review Group to identify opportunities for improving the management of the existing woodland and expanding the woodland resource on the County Farms Promote use of low impact silvicultural systems on CCC's estate such as continuous cover forestry, and aim to avoid clear felling when possible Design tree and woodland management/planting projects to deliver multiple benefits Secure the funding that will be required for woodland management over and above WG grant available Promote replacement of dead, diseased, and unsafe trees Raise awareness of the importance of existing trees and woodlands on CCC's County Farms, of the multiple benefits and ecosystem services which they provide
PRIORITIES FOR ACTION	6 Progress the management of the trees and woodland on CCC's County Farms as set out above

D CCC Highways - Trees and woodlands on private land adjacent to the highway which can have impacts on public safety

What are CCC's responsibilities?	Under the Occupiers' Liability Act 1957 and 1984, and the Health and Safety at Work Act 1974, landowners have responsibility for public safety. Under the Highways Act 1980, CCC as the Highway Authority has a duty to ensure highways are maintained to a safe standard. This includes trees on private land which have the potential of causing harm to highway users.
Where we are now	<p>Carmarthenshire Tree Management Strategy (updated 2023) sets out how CCC manages trees adjacent to the highway https://www.carmarthenshire.gov.wales/media/1221301/ccc-tree-management-strategy.pdf</p> <p>In addition, in response to the spread of Ash Dieback across the county, regular tree surveys are carried out across the road network with priority given to the A & B roads and other high use class 3 roads.</p> <p>Highway Inspectors are trained in Visual Tree Inspection techniques and how to recognise and understand the risks associated with Ash Dieback and other tree safety issues.</p> <p>Owners of trees adjacent to the highway that pose a risk to the public are provided with advice and guidance on how to manage this risk, and the provisions of the Highways Act 1980 are applied when necessary. See CCC's Ash Dieback pages https://www.carmarthenshire.gov.wales/home/council-services/planning/biodiversity/ash-dieback-disease/#</p>
What we want to do	<p>Continue to raise awareness of:</p> <ul style="list-style-type: none"> •landowners' responsibility to manage their trees and woodlands adjacent to the highway •safe working practices <p>Provide on-going refresher training for Highway Inspectors and keep them up to date with tree safety and tree management issues.</p> <p>Using the CCC web site continue to raise awareness of the wildlife legislation that applies to removing trees and appropriate working methods that minimise adverse impacts and provide advice and encourage appropriate replacement tree planting.</p> <p>Work with forest management companies and NRW to raise awareness of the impacts of forest management on and how these risks can and best be reduced e.g.,</p> <ul style="list-style-type: none"> •Liaise with managers of woodland adjacent to county roads, especially those where there is a steep wooded slope above the road, where clear felling combined with heavier rainfall events may result in landslides. •Encourage woodland managers to practice silvicultural systems that avoid clear felling and manage a natural shrub-rich forest edge to develop alongside the road. •Manage CCC highways with respect to trees within highway limits and adjacent to roads, in accordance with the Well Manged Highway Infrastructure Code of Practice (UK Roads Liaison Group 2017) •Work with CCC Communications Team who can support officers in disseminating information on tree management and tree planting
PRIORITIES FOR ACTION - we will	<p>7. Continue to identify and implement tree safety work, consistent with the industry best practice, and provide regular training for CCC officers</p> <p>8. Continue to communicate and raise awareness of tree safety issues with private landowners</p> <p>9. Work with forest managers and NRW to raise awareness of tree safety issues and the impacts of forest management on highways and how these risks can be minimised</p>

E Rural Conservation - Trees subject to Tree Preservation Orders and trees within Conservation Areas

What are CCC's responsibilities?	<p>Trees subject to Tree Preservation Orders - CCC has discretionary legal powers to designate Tree Preservation Orders, and place orders on trees that meet the necessary amenity criteria. If work to a TPO tree is required, a formal application must be made to the LPA who will determine if the works should proceed.</p> <p>Trees within Conservation Areas - If work to a tree in Conservation Area is proposed the LPA must be informed. If they oppose the work, it must place a TPO on that tree</p>
Where are we now?	<p>Trees subject to Tree Preservation Orders - CCC determines applications to carry out works to trees covered by TPOs. It places TPOs on trees when the necessary criteria are stratified and there is a threat to a tree</p> <p>Trees within Conservation Areas - CCC determines applications to carry out works to trees in Conservation Areas</p>
Where do we want to be?	<p>Delivering an action plan for review of the c. 200 TPOs in Carmarthenshire, identifying the human, IT and financial resources required, and the necessary budget</p> <p>This has not been carried out for c.10 years. Some protected trees may have died e.g., due to Ash Dieback disease</p>
PRIORITIES FOR ACTION – we will	10.Develop and commence delivery of an action plan for the review of the Carmarthenshire TPOs

F Place and Sustainability - Trees and development

What are CCC's responsibilities?	<p>Trees and the impact of development is addressed by local and national planning policies. Town and Country Act 1990 S.197 – Planning permission can include appropriate provision for the management of trees.</p> <p>Felling legislation (enforced by NRW) applies to felling of trees outside of gardens and orchards.</p> <p>Impact of development on trees and woodland is fully considered in planning process with input from Arboricultural Officer, Landscape Officer and Planning Ecology</p> <p>New and upgraded forest accesses and tracks are also the subject of planning applications, Rural Conservation Section staff respond to consultations on these, as do Highways Planning, ensuring new entrance designs meet road safety standards, and are acceptable in the local landscape etc.</p>
Where are we now?	<p>CCC's Arboricultural Officer is consulted on planning applications that impact on trees.</p> <p>Developers are advised that impacts on trees must be managed by avoiding and protecting trees on a site.</p> <p>If a development (inc. all underground and over ground services, assess routes and SUDs construction) can avoid direct impacts on trees this should be set out on a plan showing the necessary construction exclusion zone and where any necessary protective fencing must be installed. This must be erected prior to development to BS 5837.</p> <p>If there are impact on the existing trees these must be set out in an Arboricultural Impact Assessment to BS 5837, with mitigation identified.</p> <p>If trees are to be removed, replanting as part of an LPA approved landscaping plan is requested and delivery of this plan becomes a condition of the permission granted.</p>

	CCC expects that all existing trees of appropriate quality and condition to be retained to the maximum extent on development sites. Any new development must demonstrate that the constraints posed by existing trees have been fully addressed in the design of the proposals. Specification of tree planting and maintenance as part of mitigation within planning consent is requested and provided pre-determination in most cases. This is covered by policies in LDP and PPW11
Where do we want to be?	All planning applications on sites where there are trees are accompanied by the necessary information regarding any impact on the trees. With the necessary resources in place, initiate compliance checking of the correct delivery of tree protection schemes and landscaping schemes approved as part of developments.
PRIORITIES FOR ACTION- we will	<p>11. Development Managers will ensure all planning applications for sites where there are trees are accompanied by the relevant information and that all trees which are appropriate for retention are protected during development</p> <p>12. Develop and resource an approach to compliance checking of all new tree and woodland requested as part of a planning permission. Applicants could report on this themselves, evidencing at least completion and possibly maintenance</p> <p>13. Identify new mechanisms by which funds can be established to fund planting and long-term care of trees and other landscaping in the public realm</p>
G Rural Conservation - Forestry - WG Woodland Estate and applications for WG Woodland Creation (WGWC) and new/upgraded forest accesses	
What are CCC's responsibilities?	<p>CCC is consulted on NRW's long term forest resource plans for the WG woodland estate in Carmarthenshire</p> <p>CCC is consulted by NRW on larger WG Woodland Creation schemes in the county's Special Landscape Areas</p> <p>New and upgraded forest accesses and tracks are the subject of planning applications (see above)</p>
Where are we now?	<p>CCC is consulted on WGWC applications in the county's Special Landscape Areas</p> <p>It is consulted by NRW on Forest Natural Resource plans for WG Woodland Estate and applications for WG Woodland Creation (GWC) grants</p> <p>In its responses to the above, CCC encourages the principles of sustainable management of natural resources to be applied to all long-term forest resources plans, and the planting of new woodland. With regards to both long-term plans and WGWC it highlights the other benefits forests and new woodlands can provide – public access, landscape, water catchment management, biodiversity, and nature recovery.</p> <p>In its responses to NRW on plans for the WG Woodland Estate, it highlights the need for the WG woodland estate to be managed and for new woodlands to be established in ways that:</p> <ul style="list-style-type: none"> • avoiding forest practices that rely on single species plantations and clear felling • adopt sustainable forest practices that conserve forest soils, minimise clear felling, conserve and promote biodiversity • promote nature recovery and ecological resilience, as per CCC's and NRW's and WG's S.6 Environment Act duty • make a positive contribution to the landscape • encourage management systems that will result in creation of a high value timber resource • minimise risks to highway safety • reduce flooding by controlling run-off • avoid the spread of invasive species, • promote public access

Where do we want to be?	To see an improvement in the management of Carmarthenshire's woodland resource with less reliance on clear felling and greater use of low impact silvicultural systems, which will deliver multiple benefits – e.g., nature recovery, catchment management, and management of soil carbon Working with NRW and forest management companies to reduce the risks of forest management on highways
PRIORITIES FOR ACTION – we will	14.Continue engagement with NRW regarding management of WG Woodland Estate and with WGWC schemes and the planting of new woodlands in SLAs and ideally elsewhere in the county 15.Initiate discussions with NRW and private forestry companies regarding the risks which forests pose to highways and how these may be reduced

TABLE 2 NEW TREE AND WOODLAND PLANTING

Why and how CCC can and should plant more trees in Carmarthenshire

A CCC Property, Education, Housing, Social Care, Grounds Maintenance, Highways and Transportation, Place and Sustainability - Tree and woodland planting on CCC land and in the public realm that will address the Nature Emergency, to mitigate the impacts of Ash Dieback and to address Climate Change	
What are CCC's existing responsibilities?	<p>The Welsh Government Net Zero Wales Carbon Budget 2 (2021-25) requires that all public sector organisations should use the Route Map and Reporting Guide to develop and publish plans by March 2023 to achieve a collective net zero public sector by 2030. Policy 84 supports commitments to map out local authority land holdings by April 2022 to identify types of land and their sequestration potential to develop plans to maximise carbon benefits, renewable energy and to identify potential flood management measures; it also supports carbon sequestration as a valid core purpose for use of public land and opportunities actively pursued by local authorities on their own land, including habitat restoration, tree planting etc. as appropriate.</p> <p>On 20th February 2019 Carmarthenshire County Council unanimously committed to making Carmarthenshire County Council a net zero carbon local authority by 2030. Action NZC-15 in the Council Net Zero Carbon Route plan is to explore the feasibility of tree-planting, and other such measures, on Council controlled land to contribute towards carbon offsetting.</p> <p>WG and CCC have announced a Nature Emergency. Expanding the extent of native broadleaved woodland and the number of individual trees we plant will help address this emergency. Sustainable management of CCC's existing woodland resource and new tree and woodland planting is also critical for Nature Recovery</p> <p>PPW11 sets out the requirement for biodiversity enhancement, which can include tree planting as a planning requirement</p> <p>CCC facilitates the Carmarthenshire Nature Partnership which is preparing the Carmarthenshire Nature Recovery Plan. This document highlights the role of woodland in Carmarthenshire in providing for Nature Recovery. See Part 2 page 33 of the following: https://www.carmarthenshire.gov.wales/home/council-services/planning/biodiversity/carmarthenshire-nature-partnership/#.YbizqEX7TIU</p>

Where we are now?	<p>CCC's Strategic Land Use Review group is reviewing its landholdings and is assessing where there are opportunities to plant trees on CCC land, and where there are opportunities for more renewable energy. Planting to sequester carbon is being addressed in conjunction with:</p> <ul style="list-style-type: none"> • delivery of Green Infrastructure and opportunities for providing public access • reduction of phosphate levels in water courses, • compensation for losses of trees due to Ash Dieback • mitigating air and noise pollution • improvements in water management, infiltration, and reducing flooding down stream • nature recovery and the creation of new wildlife habitats and enhanced ecological connectivity • 3 new woodland planting schemes in Ffairfach, Kidwelly and Llandybie are already being progressed with WG grant aid which deliver against the above agendas. The total area of these schemes is 4.5ha. These areas will be planted in winter 22/23. • Tree Safety Officer works with schools to identify opportunities for new tree planting, in conjunction with tree safety work.
Where do we want to be?	<ul style="list-style-type: none"> • Secure commitment and funding across CCC for the cost of planting and long-term maintenance requirements of the trees it plants • Raise awareness of the multiple and linked benefits of tree and woodland planting, which include carbon sequestration, nature recovery, and compensating for the losses associated with Ash Dieback. Co-ordinate grant applications to deliver these projects • Set target of increasing woodland cover on CCC land from 5.34% to 19 % by 2050, in line with UK target. This will require CCC to plant 33ha of woodland every year between 2023 and 2050 • Ensure all CCC projects are assessed for opportunities for tree and woodland planting – e.g., regeneration projects, highway improvements, new schools, new housing developments. Within these projects review and reduce the areas allocated for new amenity grassland replacing these with trees, woodland and shrubs as appropriate. • Review the area of amenity grassland CCC manages, and where appropriate establish woodland and trees. Use planting designs that in the long term will reduce the maintenance costs of these areas • Identify and deliver at least 6 new planting schemes p.a. on land managed by CCC – Housing, Highways, Education, Property and Regeneration, planting at least 33ha p.a. to 2030 • On tenanted CCC farms, aim for a minimum of 10% woodland cover by 2030 consistent with WG Sustainable Farming Scheme, and increase this to 19% by 2050, consistent with relevant WG and UK targets • Take 1 in 100 car parking spaces out of CCC car parks and planting a tree instead in recognition of the link between car travel and carbon footprint • Where this does not conflict with the existing value of an area for biodiversity, and where appropriate, increase the tree and woodland cover in CCC's Country Parks and Local Nature Reserves

<p>PRIORITIES FOR ACTION – we will</p>	<ol style="list-style-type: none"> 1. Gain commitment across CCC to deliver an increase in the number of trees and the amount of woodland cover on its estate from 5.34% to 19 % by 2050 and to plant 33ha of new woodland each year until 2050 to achieve this goal. 2. Promote and adopt a simple, easy to follow guides for tree planting and maintenance based on advice from the Arboricultural Association, Woodland Trust and the Trees and Design Action Group. See also a bilingual tree planting video made in Carmarthenshire for schools: <ul style="list-style-type: none"> • https://www.trees.org.uk/Help-Advice/Guide-to-Young-Tree-Establishment • https://www.trees.org.uk/Help-Advice/Arboricultural-Resources • https://www.woodlandtrust.org.uk/plant-trees/advice/ • https://www.tdag.org.uk/trees-in-hard-landscapes.html <p>Tree Planting in School Grounds/ Plannu Coed mewn Tiroedd Ysgol – a YouTube video made in Carmarthenshire</p> <ul style="list-style-type: none"> • https://www.youtube.com/watch?v=Aqe4JsWx060 3. Develop and demonstrate an integrated approach to delivery of tree and new woodland planting across CCC projects that will deliver against several agendas: Green and Blue Infrastructure, SUDS, carbon sequestration, nature recovery, ash dieback, landscape, and amenity, reduction in phosphates, and improving air quality 4. Ensure all new tree planting linked to CCC projects is planted and maintained in accordance with the agreed design scheme
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B Public Protection and CCC projects - Planting trees and woodlands to improve air quality in our more urban areas

What are CCC's existing responsibilities?	<p>Air quality in many of Britain's urban areas falls below recommended standards. The Environmental Protection service is responsible for the Review and Assessment of Air Quality – a statutory function under the provisions of the Environment Act 1995. Through this regime, the main pollutant of concern for Carmarthenshire has been identified as Nitrogen Dioxide (NO₂) from road vehicles. We have 98 locations throughout the County where NO₂ is measured (via diffusion tubes – standard practice outlined in the relevant guidance document), and we have 3 Air Quality Management Areas (AQMA's) where levels have exceeded <u>annual</u> statutory limits in "hotspot" locations. There is an AQMA in Llandeilo, Llanelli and Carmarthen. The Aim of the AQMA's is to improve Air Quality to the extent that no further breaches of the standards occur.</p> <p>Tree planting is one way of improving air quality, and it can also help reduce noise pollution, support climate action, improve health and wellbeing, and enhance biodiversity.</p>
Where are we now?	<p>Tree planting at Johnstown school following analysis of air quality (Public Health, Johnstown School, Woodland Trust)</p> <p>Ad hoc implementation of tree planting as funding opportunities arises e.g., tree planting at St David's Parc through WG ENRaW Green Infrastructure grant</p>
Where do we want to be?	<p>Identify areas of lowest air quality in Carmarthenshire and opportunities for tree planting e.g., school grounds which would improve air quality in these areas. Deliver tree planting initiatives in collaboration with Public Health and schools (EcoSchools and Healthy Schools initiatives are relevant)</p> <p>Work in partnership with Town and Community Councils to raise awareness of the opportunities for planting in open areas and manage existing trees where air and noise pollution are issues</p> <p>Ensure all CCC projects that have the capacity to deliver some tree or woodland planting that could help in addressing air quality do so.</p> <p>Review amenity grassland as a land use in such projects, and consider areas where grass could be replaced with tree, shrub, or woodland planting</p> <p>Identify active travel routes that would avoid areas with lowest air quality, and integrate these with GBI initiatives</p> <p>Put the necessary budget and staff resources in place to deliver the above</p>
PRIORITIES FOR ACTION – we will	<ol style="list-style-type: none"> 5. With Public Health identify areas in the county where air/ noise pollution is of greatest concern and where there are also nearby opportunities for tree planting, e.g., schools 6. Develop costed plans for viable schemes which include the staff resources required for delivery and long-term maintenance of these areas 7. Seek opportunities to put in place the staff resources and budgets required and work in partnership to deliver tree and woodland planting, and GBI initiatives in urban areas across Carmarthenshire, aimed at mitigating air pollution and improving air quality

C Place and Sustainability - Tree and woodland planting and new development and the provision of Green Infrastructure, landscape, SUDS, Nature Recovery/ Ecological enhancement	
What are CCC's existing responsibilities?	<p>PPW 11 and local planning policy address tree issues, ecology, and landscaping as part of planning process</p> <p>CCC's Moving Forward Document requires a strategy as follows: Action 23: Promote a tree strategy to improve the environment and mitigate the effects of air and noise pollution in our more populated areas.</p> <p>PPW11 promotes the development of Green and Blue Infrastructure (GBI). PPW11 emphasises that GBI plays a fundamental role in shaping places and our sense of well-being, and therefore the planning system should protect and enhance GBI assets and ecological networks. In accordance with PPW11, a GBI Assessment was carried out within the county, and this is being used as a tool to inform the preparation of the Revised LDP (Land Use Consultants Feb 2022). Further work detailing GBI is contained within the Placemaking & Design SPG which will be updated as part of the Revised LDP process. Tree and woodland planting is one delivery mechanism for GBI.</p>
Where are we now?	<p>Planning permissions are often conditional upon protection of existing trees and where trees are removed upon significant re-planting. Landscaping, which regularly involved tree planting is a requirement of many developments.</p> <p>Sustainable Urban Drainage Systems (SUDS) are a requirement of development, and these areas can include trees, see</p> <ul style="list-style-type: none"> • https://www.rspb.org.uk/globalassets/downloads/documents/positions/planning/sustainable-drainage-systems.pdf • https://www.trees.org.uk/Trees.org.uk/files/d9/d94feb31-759d-40d9-8abd-48715df32f7e.pdf <p>Planning permissions can also require biodiversity enhancements which can include tree and woodland planting</p> <p>CCC is (Nov 2021) developing a GBI strategy for 8 of its towns, tree planting projects will form a part of this strategy</p>
Where do we want to be?	<p>Approving developments that use tree and woodland planting as part of an integrated approach to the provision of GBI, SUDS, landscaping, nature recovery, public amenity, and improving air quality</p> <p>Evidencing that all CCC projects (E.g., Housing, Education, Regeneration etc) incorporate appropriate tree and woodland planting which will deliver multiple benefits (GI, landscape, ecology) and have sought advice landscape and ecology advice from CCC's Rural Conservation Section when necessary</p> <p>Demonstrating an integrated, long-term approach to the delivery of GBI across other relevant agendas e.g., economic development, CCC's Ten Towns Initiative</p> <p>Developing and adopting SPG and practices that ensure long term maintenance of trees and woodland in the public realm (tree, shrub, and woodland planting, roadside, within housing developments etc) is planted and maintained in accordance with the approved landscape design scheme</p>
PRIORITIES FOR ACTION we will	<p>8. Develop, publish, and adopt Supplementary Planning Guidance which sets out an integrated approach for landscaping, SUDS and the provision of GBI, managing tree issues and providing for nature recovery (ecological enhancement) on development sites. This guidance must highlight the multiple benefits that tree and woodland planting can deliver.</p> <p>9. Secure resources implement compliance monitoring to ensure all tree planting and landscaping associated with development across Carmarthenshire is delivered and maintained –</p> <p>10. Prepare Master Plans for larger allocated sites in the LDP which will set out how GBI, SUDS, landscaping and ecological enhancement will be delivered as an integral part of new development</p>

7. DRAFT ACTION PLAN

7.1 ACTIONS FOR THE MANAGEMENT OF CCC'S EXISTING TREES AND WOODLANDS

Dept Plan Ref #	Actions	Measure	By Who? Responsible Officer		
TWS/1	ACTIONS FOR THE MANAGEMENT OF EXISTING TREES AND WOODLANDS:	MEASURES and MILESTONES			
TWS/1A1	Continue to improve the skill base of CCC officers with regular trees safety and tree management training for CCC staff Tree Safety Officer will provide training for new staff and regular updates for all relevant staff on tree safety and tree inspection. Officers to attend refresher courses every 2 years	Each year report on: <ul style="list-style-type: none"> No. of tree safety and tree inspection courses run. Percentage of officers identified by managers as requiring training who have attended courses within 2 years of monitoring date, i.e., whose tree safety training up to date 	Tree Safety Officer		
TWS/1A2	Continue to complete safety surveys of all street trees for which CCC is responsible, and carry out necessary work	Each year report on percentage of site for which surveys of street trees are up to date and all identified works have been completed	Grounds and Cleaning Manager CCC Highways		
TWS/1A3	Ensure that any trees which are removed by CCC for safety reasons are replaced.	Each year report on: No. of trees felled for safety reasons and no. for which replacement is organised	Tree Safety Officer		
TWS/1B4	Keep under review the management of woodlands on CCC's estate, ensuring its woodlands are subject to plans that address their sustainable management	By March 2024: Identify no. of sites requiring a woodland management plan and initiate a rolling programme of review on the woodland management plans with the CCC Woodland Officer Prioritise woodlands to be managed. Each year report on no. of woodland management plans reviewed	Senior Asset Management Surveyor (Property)		
TWS/1B5	Identify funding for implementation of plans – including potential grant funding and sources of funding to cover costs over and above grant aid. Agree the implementation of costed management plans for CCC woodlands with relevant departments	Each year report on the no. woodlands, identified as priorities, for management, which costed management plans have been developed	CCC Woodland Officer		

TWS/1C6	Progress the management of the trees and woodland on CCC's County Farms as set out in Table C	Each year report on no. CCC woodlands where management is progressing	CCC Woodland Officer		
TWS1/D7 CCC Highways	Continue to identify and implement tree safety work, consistent with the industry best practice, and provide regular training for CCC officers	Each year report on no. officers completing training, see TWS/1A1 is provided above Each year report on annual programme of tree safety surveys on A, B and heavily used C roads Each year report on number of tree work packages progressed through CCC's DPS for tree safety work	Tree Safety Officer		
TWS/1D8 CCC Highways	Continue to communicate and raise awareness of tree safety issues with private landowners	Each year report on information provided on CCC web site and to partner organisations	Tree Safety Officer		
TWS/1D9 also covers G15	Work with forest managers and NRW to raise awareness of tree safety issues and the impacts of forest management on highways and how these risks can be minimised	Set up meeting in 2023/24 FY to discuss with all partners concerned	Rural Conservation Manager		
TWS/1E10	Develop and commence delivery of a review of the Carmarthenshire TPOs	Feb 23: Complete training in preparation for the review June 23: Complete pilot assessment of 5 TPOs June 23: Set up ARCUS system to generate TPO documents Each year report on number of TPO reviewed	Arboricultural Officer		
TWS/1F11	Development Managers will ensure all planning applications for sites where there are trees are accompanied by the relevant arboricultural information and that protection of all trees which are appropriate for retention to BS standards is set out in conditions or in approved documents	Every 3 months/ 6 months, report on percentage of planning applications received for sites with trees and where these are correctly identified and accompanied by the required arboricultural information. Aim for increase in this figure	Senior Development Managers		

TWS/1F12	Develop and resource an approach to compliance checking of all new tree and woodland requested as part of a planning permission. Applicants could report on this themselves.	Assess the extent of the problem – By March 24 - gather evidence regarding approved developments where conditions relating to trees have not been correctly discharged. identify and assess options for resolving this issue. In 24/25 pilot different approaches to resolving this issue	Rural Conservation Manager Arboricultural officer Landscape Officer Senior Development Managers		
TWS/1F13	Identify new mechanisms by which funds can be established to fund planting and long-term care of trees and other landscaping in the public realm	March 24: Report on discussions which Place and Sustainability will initiate regarding the use of S106 and other mechanisms for this purpose	Rural Conservation Manager Arboricultural officer Landscape Officer Senior Development Managers Forward Planning Manager		
TWS/1G14	Continue engagement with NRW regarding management of WG Woodland Estate and with WGWC schemes for new woodlands in SLAs and ideally elsewhere in the county	Report each year on no. of schemes received each year for consultation and responded to within target date	Rural Conservation Manager		

Dept Plan Ref #	Actions	Measure	By Who? Responsible Officer		
TWS/2	ACTIONS FOR NEW TREE AND WOODLAND PLANTING in CARMARTHENSHIRE	MEASURES and MILESTONES			
TWS/2A1	Gain commitment across CCC to deliver an increase in the number of trees and the amount of woodland cover on its estate from 5.34% to 19 % by 2050 and to plant 33ha of new woodland each year until 2050 to achieve this goal.	Adoption of planting target by Cabinet in 2023	tbc		
TWS/2A2	Adopt and promote simple, easy to follow guides for tree planting and maintenance in the public realm based on advice from the Arboricultural Association, Woodland Trust and the Trees and Design Action Group. See also a bilingual tree planting video made in Carmarthenshire for schools:	In FY 23/24 run up to 3 short workshop sessions for staff involved in requiring tree planting as part of project brief	Landscape Officer		
TWS/2A3	Develop and demonstrate an integrated approach to delivery of tree and woodland planting across CCC projects which will deliver against several agendas: Green and Blue Infrastructure, SUDS, carbon sequestration, nature recovery, ash dieback, landscape, and amenity, reduction in phosphates, and improving air quality	Every 6 months project managers (Property Education, Housing, Regen, Property Design, Active Travel, Professional Design Services, Highways etc) to report back to Rural Conservation Manager on progress in delivering GBI as part of CCCs projects	Rural Conservation Manager		
TWS/2A4	Put the necessary resources and mechanisms in place to enable CCC to demonstrate that all new tree planting, linked to CCC projects, is planted, and maintained in accordance with the agreed design scheme	Each year identify all relevant CCC project which should include tree planting and after care in project brief, and report on percentage of relevant CCC projects which include tree planting and after care in project briefs, and percentage of relevant projects with tree planting and maintenance report completed by project managers	tbc		

TWS/2B5	With Public Health identify areas in the county where air/ noise pollution is of greatest concern and where there are also nearby opportunities for tree planting, e.g., schools	Report on 6 monthly meetings between Public Health and Rural Conservation regarding this action	Rural Conservation Manager		
TWS/2B6	Develop costed plans for viable schemes, which include the staff resources required, for delivery and long-term maintenance of tree and woodland planting schemes designed to improve air quality, and mitigate noise pollution	Report each year on no. costed schemes developed which will deliver air quality improvements in our more urban areas	Rural Conservation Manager		
TWS/2B7	Seek opportunities to put in place the staff resources and budgets required and work in partnership to deliver tree and woodland planting, and GBI initiatives in urban areas across Carmarthenshire, aimed at mitigating air pollution and improving air quality	<p>March 2024: provide evidence of progress in securing staff resources and budgets for this work.</p> <p>March 24: Report on meetings set up to:</p> <ul style="list-style-type: none"> • discuss if the maintenance arrangements, and transfer of land as part of the SUDS system could be extended to the management of other Green Infrastructure (GI) on development sites • discuss opportunities for SUDS to be designed to deliver GI • explore the viability of S106 contributions to facilitate tree and woodland planting, both on and off site (which may be used to satisfy both GBI and net benefits for biodiversity requirements). 	Rural Conservation Manager		
TWS/2C8	Programme, develop, publish, and adopt Supplementary Planning Guidance which sets out an integrated approach for landscaping, SUDS and the provision of GBI, managing tree issues and providing for nature recovery (ecological enhancement) on development sites. This guidance must highlight the multiple benefits that tree and woodland planting can deliver. Promote tree planting in	SPG for Trees and Woodland Planting as part of new development is programmed for Summer 2025	Forward Planning Manager		

	accordance with the principles of place making and quality design.				
TWS/2C9	Secure resources required to implement compliance monitoring to ensure all tree planting and landscaping associated with development across Carmarthenshire is delivered and maintained	March 2024: Report on evidence of progress in securing staff resources and budgets for this work	Rural Conservation Manager/ tbc		
TWS/2C10	Prepare Master Plans for larger allocated sites in the LDP which will set out how GBI, SUDS, landscaping and ecological enhancement will be delivered as an integral part of new development	Report annually on progress in developing master plans for larger sites allocated for development in the new LDP	Forward Planning Manager		

References:

Tree Council: A Tree and Woodland Strategy Tool Kit for Local Authorities. Jan 2023.

<https://treecouncil.org.uk/what-we-do/science-and-research/tree-strategies/>

Tree Council Guidance on Ash Dieback:

<https://treecouncil.org.uk/science-and-research/ash-dieback/local-authority-ash-dieback-action-plan-toolkit/>

<https://treecouncil.org.uk/wp-content/uploads/2020/06/Tree-Council-Ash-dieback-tree-owners-guide-FINAL.pdf>

Town Tree Cover in Carmarthenshire (NRW)

<https://cdn.cyfoethnaturiol.cymru/media/682935/carmarthenshire-tcwtc3-technical-annex.pdf>

Carmarthenshire County Council's Tree Management Strategy Sept 2019 (currently being updated)

<https://www.carmarthenshire.gov.wales/home/council-services/planning/conservation-countryside/trees/#.XqxA40F7nIU>

Arboricultural Association: Industry Code of Practice for Tree Work at Height 2020

<https://www.trees.org.uk/Trees.org.uk/media/Trees-org.uk/Documents/ICoP/ICoP-Tree-Work-at-Height-May20-web.pdf>

Arboricultural Association: Tree Work Definitions and Terminology

<https://www.trees.org.uk/Help-Advice/Public/A-brief-guide-to-tree-work-terminology-and-definit>

APPENDIX 1

Carmarthenshire County Council's Ash Dieback (ADB) Strategy updated October 2022

To manage the impacts of Ash Dieback the Council is adopting the following approach:

Ash die-back disease (ADB) is expected to affect at least up to 80-90% of ash trees in the county. This impacts on the Council's legal responsibilities, obligations and duty of care. To address this the Council will adopt the following strategy:

1. Develop a co-ordinated, risk-based strategy that will address the necessary management of ADB across the county in a consistent manner
2. Manage the corporate risk that the disease places on the Council
3. Raise awareness among the Council officers, Elected Members and private landowners of the duty of care and Health and Safety issues relating to the management of ADB
4. Manage the affected trees for which the Council is directly responsible in accordance with the Industry Code of Practice for Arboriculture. Ensure that diseased trees on land adjacent to areas for which it is responsible are managed appropriately by landowners
5. Ensure that the Council's management of ADB complies with UK and EU Wildlife legislation and delivers its Environment (Wales) Act S.6 Biodiversity Duty
6. Promote and deliver new tree and woodland planting to compensate for the expected loss of ash trees
7. Develop effective partnerships to deliver the above
8. Ensure that all works carried out in response to ADB are procured in accordance with Council procedures

BACKGROUND

What is ADB disease?

ADB is a fungal disease that is affecting ash trees across the UK and Europe. It is considered to have arrived in the UK around 20 years ago from fungal spores carried by wind from the continent and from infected tree planting stock imported from mainland Europe. The fungus (known as *Chalara* or *Hymenoscyphus fraxineus*) is likely to have originated in Asia where it co-exists with native ash species. However, it has caused widespread damage across mainland Europe where up to 90% of ash trees have been killed by the disease.

How frequent is it across Carmarthenshire, and elsewhere in Wales?

ADB is widespread across much of Wales. The percentage of ash trees affected by the disease in Carmarthenshire appears to be increasing each year, and it is likely that the majority of ash trees in the county will be affected by the disease, with many of these dying, or seriously declining over the next few years. Some trees may show some resistance to the disease, but it is too early to be able to quantify this. It is expected that 80-90% of our ash trees will be affected. Ash is probably the second most common tree in the county, and the loss of these trees will have a significant impact in the landscape.

WHAT IS THE COUNCIL'S STRATEGY FOR MANAGING ADB?

Consistent with several other local authorities across England and Wales, the Council is adopting the approach to managing ADB that is set out by the Tree Council in its Ash Dieback Plan. The strategy is risk based and focuses only on those trees that when dead or dying pose an unacceptable risk to the public, or to property. The Council also works consistently with advice from the Arboricultural Association and is a corporate member of the latter.

Council officers from across the organisation implement the policy and working practices necessary to deliver the proposed strategy, this includes:

Highways and Public Rights of Way

Housing

Property

Education

Grounds Maintenance

Leisure

Place and Sustainability

Regeneration

Communications

Health and Safety

Procurement

The Council considers its responsibilities regarding ADB as:

Responsibility	Action
<p>A co-ordinated risk-based response:</p> <p>Develop a co-ordinated risk-based response to the management of ADB that can be delivered consistently across the Council, reflecting its responsibilities</p> <p>LEAD OFFICER – Rural Conservation Officer and Tree Safety Officer</p>	<ul style="list-style-type: none"> Officers involved in this issue have met regularly since June 2019 to progress the delivery of this strategy. They meet to set priorities and agree actions. This work links in with departmental and corporate management teams. It is facilitated by the Rural Conservation Section in the Planning Service. Funding is in place for an Ash Dieback project officer post initially for 2 years
<p>Managing trees on land for which the Council is responsible:</p> <p>Managing appropriately the ash trees on land for which the Council is directly responsible – e.g., schools, parks, car parks, public open space for which it is responsible, housing areas, some land adjacent to the highway along more recently built roads, trees on farms owned by the Council</p>	<ul style="list-style-type: none"> To comply with its duty of care responsibilities the Council regularly surveys all its properties for tree safety using the TreeAssured system, and this includes surveys of ash trees. In 2019 it trained 37 officers to recognise and understand and the risks associated with ADB. All management of diseased ash trees by the Council will be carried out in accordance with the Council's published Tree Management Strategy and the Tree Safety Operational Plan set out within this strategy. See also Appendix 2 in the Strategy: TreeAssured Procedure -TreeWorks (West Wales) Ltd 2014 - See link below Affected trees on the Council managed properties and affected trees within highway limits will be managed in accordance with the above strategy and in accordance with the ICoP for Arboriculture and to BS 3998, the BS standard for tree work Working practices will require periodic review to ensure Council procedures and best practice are being followed and that efficiencies are adopted where possible.

<p>LEAD OFFICERS – Tree Safety Officer and Head of Property and highway Services</p>	
<p>Trees on land adjacent to land for which the Council is responsible:</p> <p>Ensuring the appropriate management of diseased trees on land adjacent to areas for which it is responsible, the public highways – roads, cycle ways safe routes to school (SRTS), and public rights of way</p> <p>LEAD OFFICERS –Tree Safety Office and Highway Services Manager</p>	<ul style="list-style-type: none"> • The Highway Authority is inspecting the road network and assessing the risks posed by trees affected by Ash Dieback. It is identifying affected trees within highway limits and affected trees within falling distance of the road that are on privately owned land. Carmarthenshire has the second largest highway network in Wales with some 3,500 km of highway to maintain. With such a large network the authority will inspect the roads via a risk-based approach which takes account of the strategic importance of the route and traffic volumes. It will develop and use efficient methods of informing private landowners of their duty of care responsibilities regarding trees affected by Ash Dieback • Surveys specifically for the purpose of identifying diseased ash trees are being carried out on the A and B roads and will be repeated as the disease progresses • the Council is also surveying its Safe Routes to School • The South Wales Trunk Roads Agency carried out the same surveys along the county's trunk roads.
<p>Raising awareness</p> <p>Raising awareness among the Council's officers, Elected Members and land managers of their responsibilities, under the Health and Safety and Work Act (1974) and the Owner Occupier Liability Act (1957 and 1984) for public safety e.g. management of ash trees adjacent to roads</p>	<ul style="list-style-type: none"> • The Council's Communication team together with the Ash Dieback project are delivering a Communication Plan for ADB which will includes a web page for ADB, a set of FAQs and a leaflet for landowners • The ADB group is arranging training for officers and Elected Members on ADB and the Council's responsibilities • Officers are developing effective methods of working with landowners in relation to roadside trees in private ownership, as well as using the more formal approach set out in the Highways Act

<p>Raising awareness and understanding of the disease among the public</p> <p>LEAD OFFICER for Communications Plan</p> <p>Press and Communications Officer and Tree Safety Officer</p>	
<p>Health and Safety:</p> <p>Manage the affected trees for which the Council is directly responsible in accordance with the Industry Code of Practice for Arboriculture. Ensure that diseased trees on land adjacent to areas for which it is responsible are managed appropriately</p> <p>LEAD OFFICER: Lead Business Partner</p> <p>Health and Safety</p>	<ul style="list-style-type: none"> • The Council will only procure arboricultural contractors to carry out Ash Dieback work that can demonstrate that they are working in accordance with the Industry Code of Practice for Arboriculture and BS3998:2010 • All the Council's operatives will work and will be managed in accordance with the Industry Code of Practice for Arboriculture and BS 39998:2010. All the Council's operatives that will be working on trees affected by ADB will be trained to the necessary standards and will hold NPTC certificates appropriate for this work. They will also receive training specific to managing trees affected by ADB • Keep under review all risk assessments that relate to ADB and associated work • Ensure that all traffic (and pedestrian) management systems reflect the necessary safe working circles for arboricultural work being carried out
<p>Ash Dieback and wildlife</p> <p>LEAD OFFICER – Rural Conservation Manager</p>	<ul style="list-style-type: none"> • The Council's primary concern regarding the management of trees affected by ADB will be the risks to the public and property. Consistent with its S.6 Environment Act duty it will adopt working methods that are compliant with EU and UK wildlife legislation, and which will minimise any adverse impact on habitats and the species they support. It will provide mitigation as appropriate

<p>New tree planting:</p> <p>Raising awareness of the need for appropriate new tree planting to compensate for the loss of ash trees from Carmarthenshire's landscapes and habitats, consistent with the Council's S.6 Environment Act (Wales) Duty</p> <p>LEAD OFFICERS</p> <p>Rural Conservation Manager, Tree Safety Officer and Coed Cymru Officer</p> <p>(</p>	<ul style="list-style-type: none"> • The web page will include advice regarding replanting and the Council's Coed Cymru officer and Ash Dieback officer are able to advise landowners • The Rural Conservation Section will seek opportunities to secure grant aid for new planting projects that will compensate for the loss of ash trees in Carmarthenshire, and will encourage others to do like wise • The Council will identify opportunities in its projects to deliver tree planting schemes that will help to compensate for the loss of ash trees in the county as well as deliver other multiple benefits
<p>Working with partners:</p> <p>Working effectively with partners across Carmarthenshire and at a regional and national level to deliver the above</p> <p>LEAD OFFICER Rural Conservation Manager and Tree Safety Officer</p>	<ul style="list-style-type: none"> • The Council is working with WLGA, NFU, FUW, CLA and NRW on ADB, and will welcome opportunities to work with other interested parties, as appropriate
<p>Corporate Risk Management</p> <p>LEAD OFFICER: Head of Property</p>	<p>The potential impacts of dead and dying trees due to Ash Dieback are accepted as posing a significant corporate risk. In developing its ADB strategy, the Council is setting out how it will manage these risks.</p>

Health and Safety: The Council's approach to managing Health and Safety as set out above addresses the potential risks of death or fatal injury resulting from Ash Dieback related accidents, both to professionals working on trees and to the public, e.g., road users.

Health and Safety issues on Council managed estate e.g., country parks, schools, and associated infrastructure e.g. safe routes to school will be managed as set out above with reference to both managing land for which the Council is directly responsible and managing land adjacent to these areas.

Risk to the Environment: Under the Environment (Wales) Act 2016 the Council has a duty to maintain and enhance biodiversity and promote ecosystem resilience. ADB poses a threat to the county's biodiversity. The promotion of woodland management, and tree planting as part of the Council's approach to managing ADB will address this matter. Of particular importance is the delivery of the Council's own plans for new woodland planting which have the potential to address both the loss of habitat and public amenity that will be a direct impact of ADB.

Risk to the Council's reputation: The way in which the Council manages Ash Dieback will impact on its reputation. For example, in managing ADB officers will be aware of:

- the impact of road closures and closure of public open spaces on the Council's reputation
- the need to manage public concern regarding ADB
- the need to manage its relationships with landowners.

The delivery of the Council's ADB communication plan addresses these issues.

Financial risk and risk to the economy: ADB will have an economic impact on the economy of Carmarthenshire, principally this will be the direct cost of removing trees that pose a threat to public safety, and this cost will fall largely on private landowners - most ash trees in the county are in private ownership. There will also be a direct cost associated with repairing any damage to property or infrastructure resulting from falling trees.

Together these costs place a significant financial burden on public bodies such as the Council, not only in managing trees for which it is directly responsible but ensuring the trees on land adjacent to its responsibilities are managed appropriately. Similarly, ADB poses a threat to other types of infrastructure e.g., rail network and overhead lines managed by other agencies.

There is also the cost of new planting to compensate for the loss trees and woodlands to ADB.

ADB risks have been highlighted through the Property & Liability Risks Working Group and Risk Management Steering Group. A financial bid for support to scope and undertake ADB works was initially presented to the Risk Management Fund, but has instead been funded, initially from corporate budgets.

A risk-based approach has been taken to identify and remove trees with well developed symptoms of ADB along priority highway routes and in school grounds based on frequency of use and risk to persons from affected trees, or parts of trees, falling. The removal of affected ash from less frequently used areas will follow subject to the necessary funding being in place.

A risk remains that sufficient funding will be required to undertake essential works to affected trees to prevent damage, and further funding requirements will be kept under review and further funding bids made, as appropriate.

	<p>ADB will remain a standing update on the Risk Management Groups to ensure this is effectively monitored, as well as in appropriate Divisional Business Plans for those services with Ash trees in their portfolios.</p> <p>To manage these risks and all other risks associated with tree safety the Council must retain the necessary capacity and expertise within its staffing structure.</p>
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APPENDIX 2

CCC Tree Management Strategy Sept 2019 (currently being re drafted)

<https://www.carmarthenshire.gov.wales/home/council-services/planning/conservation-countryside/trees/#.XqxA40F7nIU>

PLACE, SUSTAINABILITY AND CLIMATE CHANGE SCRUTINY COMMITTEE

24 FEBRUARY 2023

PHOSPHATE LEVELS IN PROTECTED RIVERINE SPECIAL AREAS OF CONSERVATION - UPDATE

Purpose:

To update committee on the progress and work undertaken in responding to the impacts of Phosphate pollution in protected Special Areas of Conservation (SAC)

THE SCRUTINY COMMITTEE IS ASKED TO:-

Review and assess the information contained in Report and provide any comments as required.

Reason

To ensure the matter is considered as part of the Committee's Forward Work Plan for scrutiny.

CABINET MEMBER PORTFOLIO HOLDER:-

Cllr. Ann Davies, Cabinet Member for Rural Affairs & Planning Policy

Directorate
Environment

Designations:

Tel Nos. 01267 246270

Name of Head of Service:
Rhodri Griffiths

Head of Place and
Sustainability

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EXECUTIVE SUMMARY

PLACE, SUSTAINABILITY AND CLIMATE CHANGE SCRUTINY COMMITTEE

24 FEBRUARY 2023

PHOSPHATE LEVELS IN PROTECTED RIVERINE SPECIAL AREAS OF CONSERVATION - UPDATE

1. SUMMARY OF PURPOSE OF REPORT.

The report provides an overview of the issues associated with phosphates in the protected Riverine SAC's and outlines the ongoing work being undertaken by the authority in addressing the issue. In this respect Carmarthenshire is at the vanguard across Wales in seeking to address the challenges. It is also working closely with the regulators and Welsh Government and assisting them in their efforts to respond to the content of the Natural Resource Wales (NRW) guidance on planning in phosphate affected area.

On the 21st January 2021, Natural Resources Wales (NRW) published new evidence about the environmental impacts of phosphate in watercourses, further to their assessment of the 9 riverine Special Areas of Conservation (SAC) in Wales. This assessment (based on tighter targets for the water quality of watercourses) established that phosphorus breaches are widespread within Welsh SAC rivers with over 60% of waterbodies failing against the challenging targets.

As a result, NRW issued 'interim planning advice' to avoid further deterioration in environmental capacity. This advice relates to all Riverine SACs whose catchments extend into Carmarthenshire including, the Afon Teifi, Afon Tywi, River Wye and Afon Cleddau.

As a Local Planning Authority, the Council is required to have regard to the advice given by NRW when making planning decisions for both individual developments and Local Development Plans (LDP). Consequently, any proposed development within the river catchment that might result in an increase in phosphate levels will need to clearly evidence that the development can demonstrate phosphate neutrality or betterment in its design and/or its contribution to the river (water body).

The appended Paper outlines the approach the authority has taken in responding to the challenges posed by the NRW guidance.

DETAILED REPORT ATTACHED ?

YES

IMPLICATIONS

I confirm that other than those implications which have been agreed with the appropriate Directors / Heads of Service and are referred to in detail below, there are no other implications associated with this report :

Signed: Rhodri Griffiths

Head of Place and Sustainability

Policy, Crime & Disorder and Equalities	Legal	Finance	ICT	Risk Management Issues	Staffing Implications	Physical Assets
YES /	YES	YES	NONE	YES	YES	YES

1. Policy, Crime & Disorder and Equalities

The impact, arising from the publication of the NRW Phosphate Guidance along with the Councils legal duties under the Conservation of Habitats and Species Regulations 2017 (as amended) has direct impacts on the implementation of Planning Policy in the form of the adopted LDP as well as the emerging Revised LDP. It also as a constraint to certain developments in identified areas may impact on other strategies of the authority and partners including those in relation to Housing and Regeneration as well as certain settlements within the Ten Towns Initiative. Reference is made to the Well-being Goals set out within the Well-being of Future Generations Act 2015 noting that the benefits associated with improvements to environmental qualities and the condition of our Rivers as well as the promotion of sustainable, cohesive communities with access to homes, jobs and local services and facilities.

2. Legal

Reference is had to sources of primary and secondary legislation including the Environment (Wales) Act and the Well-being of Future Generations Act 2015. In considering the issues associated with phosphate levels in protected Riverine SACs regard is had to the provisions of the Habitat Regulations as transposed into the Conservation of Habitats and Species Regulations 2017 (as amended) and our legal duties as the competent authority.

3. Finance

Work associated with the response to phosphates is being delivered through existing financial provisions and grant support from the Welsh Government.

Additional support will where identified be sought as appropriate with use of external funding sources also utilised.

5. Risk Management Issues

Impacts arising from phosphates is identified as a corporate risk register and appropriate control measures have been identified.

6. Physical Assets

Potential for implications on Council landholdings - the extent and nature of the potential impact to be confirmed.

7. Staffing Implications

Funding is met through current financial provisions and external grant funding.

Future staffing requirements to address and implement solutions and mitigation associated with phosphates will be subject to future DoR's.

CABINET MEMBER PORTFOLIO HOLDER AWARE/CONSULTED

YES

Section 100D Local Government Act, 1972 – Access to Information List of Background Papers used in the preparation of this report:

THESE ARE DETAILED BELOW

Title of Document	File Ref No.	Locations that the papers are available for public inspection
Carmarthenshire Phosphate webpage		https://www.carmarthenshire.gov.wales/home/council-services/planning/ecology-advice/new-phosphate-targets/#.Y-OSZHbP2Uk
NRW Phosphate Guidance		https://naturalresourceswales.gov.uk/splash?orig=%2fguidance-and-advice%2fbusiness-sectors%2fplanning-and-development%2four-role-in-planning-and-development%2fadvise-to-planning-authorities-for-planning-applications-affecting-phosphorus-sensitive-river-special-areas-of-conservation%2f%3flang%3den%3flang%3den&lang=cy

**PLACE, SUSTAINABILITY AND CLIMATE CHANGE
SCRUTINY COMMITTEE
24 FEBRUARY 2023**

**Phosphate Levels in Protected Riverine Special Areas of
Conservation – Update**

Appended Report

1. Background

Phosphorous is a nutrient that occurs naturally in low levels and is necessary for the healthy functioning of rivers. It is released slowly at low levels from natural sources, from natural bankside erosion for example. However, in high levels it is the most harmful nutrient in freshwater and can lead to eutrophication - where an excess of nutrients causes a dense growth of plant life and subsequent death of animal life due to lack of oxygen.

The main sources of phosphorus are agriculture (found in fertilisers and runoff from manure) and sewage (from homes and other developments that generate wastewater containing sewage, food waste and cleaning products).

Whilst farmland is naturally able to absorb phosphorus, some of the land in Wales has now reached a saturation point and is unable to absorb the excessive quantities. Growing populations and increased housing have resulted in rising levels of phosphorus in wastewater. This is causing damage to the rivers and ecosystems it supports.

In January 2021 Natural Resources Wales (NRW) published new targets to reduce river phosphate levels in special areas of conservation (SAC) across Wales.

The review followed evidence from the Joint Nature Conservation Committee that warmer and drier weather, predicted because of climate change, could reduce river flows during the summer and therefore increase phosphate concentrations. It is also based on new evidence about the damaging effects of phosphates to water ecosystems and species.

At present, over 60% of waterbodies in Wales fail against the tighter targets, and Welsh local planning authorities are being asked to take more action to avoid further deterioration of the environment. It means any proposals for development within SAC river catchments - in particular those that will generate increased volume or concentration of wastewater - must now prove that the design will not contribute to increased phosphate levels.

2. Impact of the guidance on planning within Carmarthenshire

Developments within the catchments of the protected rivers may have an impact through increasing phosphate levels including through limited capacity to connect to the public sewerage system. As a result, alternative solutions must be found that will meet the new targets, either by being phosphate neutral or bettering phosphate levels.

In Carmarthenshire, the Afon Teifi, Afon Tywi, River Wye and Afon Cleddau are designated as riverine special areas of conservation. At present the Afon Teifi, river Wye and Afon Cleddau are failing against NRW's targets.

The Impact arising from phosphates and the NRW Guidance in relation to protected Riverine SACs is a potential strategic barrier to the future growth of communities within affected catchments. It is noted that different catchments have different status with the Teifi and Cleddau failing and the Tywi catchment currently passing. Approximately 109 planning applications in Carmarthenshire have been captured by the implications of the guidance, but also poses significant challenges in the progression of the Revised LDP. This has required innovative evidence to be developed for the 2nd Deposit LDP to be produced.

Other affected authorities include Monmouthshire, Pembrokeshire, Ceredigion, Powys, Flintshire, Wrexham and the Brecon Beacons National Park.

3. Actions taken by Carmarthenshire Council

In recognising the strategic significance Carmarthenshire has and continues to lead the way in Wales in developing approaches aimed at enabling developments to proceed. In outline, the Authority has adopted a four-phase integrated approach and the progress to each phase is set out below:

- **Phase 1 - Strategic Assessment – Development of a Phosphate Calculator, Phosphate Mitigation Guidance and Catchment Phosphorous Reduction Strategies**

The publication of Carmarthenshire council's phosphate calculator in March 2022 is the first (and to date the only) of a kind in Wales. The Calculator is accompanied by Mitigation Guidance. This also represents the only example in Wales and has been developed as part of a proactive approach to provide support to planning applicants and developers in identifying mitigation to allow planning applications to be determined and approved. We are also supporting and working collaboratively with Pembrokeshire and Ceredigion on a sub-regional calculator to reflect the cross-order implications and the collaboration being undertaken through the Nutrient Management Boards. Our approach reflected the absence of an All-Wales approach and guidance. NRW are currently developing the tools at an All-Wales approach, based upon the platform that CCC has developed, and which allows us the opportunity to influence development as an early adopter of the approach. However, the All-Wales approach is not likely to be approved by the WG until the summer 2023 at the earliest.

An interim Catchment Phosphorous Reduction Strategy has been prepared to support the preparation and progress of the Revised LDP, it seeks to identify a range of mitigation measures, as well as wider measures that are outside of the remit of the Council and lie with other responsible bodies in relation to the wider riverine environment. These will be linked to a series of delivery milestones designed to ensure that the implementation of suitable mitigation happens in a manner that facilitates the release of development in the Plan. This represents a key step in identifying mitigation necessary to ensure the release of development over the LDP period.

Recognising the challenges associated with the phosphate guidance the Councils response included the appointment of a Nutrient Management Officer – this role has supported the strategic response required.

- **Phase 2 - Collaboration - Establish the Nutrient Management Board and development of the Nutrient management plan.**

A Nutrient Management Board (NMB) has been established the Afon Tywi NMB (first in Wales) and we are board members of the Afon Teifi and Cleddau NMB's along with the regulators, utility companies etc. The Board will play a critical role in addressing the issue and in solution finding overseeing the development of Nutrient Management Plans for the area and provide a forum for the development of solutions including credit trading. We have helped to establish and are members of the Tywi NMB and the Cleddau NMB and represent the interests of Carmarthenshire at these boards. The boards will be supported by a Technical Working Group made up of partner and specialist bodies and a Stakeholder Group which will involve local group, communities and individuals and will enable us to explore solutions at a local level and through Citizen Science based approaches.

A Programme Manager has been appointed to support the work of the NMBs – this represents a key deliverable to take forward the complex mechanisms necessary in the effective operation and work of the Boards.

- **Phase 3 - Develop mitigating solutions - Work with partners to develop test solutions that are acceptable to the regulators.**

As a result of the publication of the calculator and mitigation guidance applicants who have previously been caught by the guidance have been given the opportunity to submit details of mitigation proposals for assessment.

We are working on opportunities for Credit Trading and are undertaking a feasibility study to further develop this approach. This would on delivery of mitigation schemes allow developers/applicants to buy or access mitigation to allow their development to proceed.

We continue to work with developers, partners, and regulators to identify and broker new approaches such as potential for surface water diversion which in sewered areas can reduce storm water events that have a detrimental impact on phosphate loading.

We are currently identifying potential locations for mitigation solutions including larger landscape solutions such as constructed wetlands. Such approaches will require collaboration with regulators but also critically Dwr Cymru to ensure the location maximises the potential for phosphate removal.

- **Phase 4 - Develop policy, approaches, and solutions**

We continue to facilitate and guide policy updates to the implementation of NRW guidance with the regulators. This has been successful in putting in place a positive policy approach to overnight accommodation e.g., employment, schools, community activities. Work has been undertaken with our consultants to understand/challenge how guidance is implemented within the Tywi catchment given its non-failing status.

We have sought to adopt a positive approach to certain planning applications including those for extensions to dwellings which were previously being held up by the NRW Guidance.

In July 2022 in recognition of the leadership we have demonstrated in Carmarthenshire, we were invited to the Phosphate Solutions Summit held by the First Minister at the Royal Welsh Show. A further summit will take place in March 2023; however, we are continuing to engage with regulators and the Welsh Government to influence the future regulatory framework and in particular application on any national guidance to address the issue. In this respect the NMBs for the Tywi, Teifi and Cleddau are also represented on the WG Oversight Group charged to respond to the issues of phosphates as is a representative of Carmarthenshire in recognition of our work in this area.

We are also represented on national collaborative groups and have led and chaired an Additionality Working Group which successfully facilitated the changes to the NRW Guidance on the issue of overnight accommodation.

PLACE, SUSTAINABILITY AND CLIMATE CHANGE SCRUTINY COMMITTEE

24TH FEBRUARY 2023

FORTHCOMING ITEMS

To consider and comment on the following:

To note the forthcoming items to be considered at the next meeting of the Place, Sustainability and Climate Change Scrutiny Committee to be held on the 14th April, 2023.

Reason:

The Council's Constitution requires Scrutiny Committees, at the commencement of each municipal year, to develop and publish a Forward Work Programme which identifies the issues and reports which will be considered at meetings during the course of the year.

To be referred to the Cabinet for decision: NO

Cabinet Member Portfolio Holders:

Cllr. Aled Vaughan Owen (Climate Change, Decarbonisation and Sustainability)
Cllr. Edward Thomas (Transport, Waste and Infrastructure Services)

Report Author:

Janine Owen

Designation:

Democratic Services Officer

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PLACE, SUSTAINABILITY AND CLIMATE CHANGE SCRUTINY COMMITTEE

24TH FEBRUARY 2023

FORTHCOMING ITEMS

The Council's Constitution requires Scrutiny Committees, at the commencement of each municipal year, to develop and publish a Forward Work Plan which identifies the issues and reports to be considered at meetings during the course of the year. When formulating the Forward Work Programme the Scrutiny Committee took into consideration those items included on the Cabinet's Forward Work Plan.

The list of forthcoming items attached includes those items which are scheduled in the Place, Sustainability and Climate Change Scrutiny Committee's Forward Work Plan to be considered at the next meeting, to be held on 18th April, 2023.

Scrutiny Committee members, as part of their role are required to regularly refer to the Cabinet Forward Plan in order to identify any future pre-decision reports, within the scrutiny remit for inclusion onto the Committee's FWP.

Council/Cabinet Forward Plan can be viewed by clicking [HERE](#)

REPORT
ATTACHED?

YES:

- List of Forthcoming Items – 18th April 2023;
- Items circulated to the Committee under separate cover since the last meeting held on 23rd January 2023;
- Place, Sustainability and Climate Change Scrutiny Committee - Forward Work Plan

IMPLICATIONS

I confirm that other than those implications which have been agreed with the appropriate Directors / Heads of Service and are referred to in detail below, there are no other implications associated with this report.

Signed: Linda Rees-Jones

Head of Administration & Law

Policy, Crime & Disorder and Equalities	Legal	Finance	ICT	Risk Management Issues	Staffing Implications	Physical Assets
NONE	NONE	NONE	NONE	NONE	NONE	NONE

CABINET MEMBER PORTFOLIO HOLDER AWARE / CONSULTED		YES
Section 100D Local Government Act, 1972 – Access to Information List of Background Papers used in the preparation of this report:		
Title of Document	Locations that the papers are available for public inspection	
Cabinet Forward Plan		

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FORTHCOMING ITEMS for next meeting to be held on 14th April 2023

In order to ensure effective Scrutiny, Members need to be clear as to the purpose of requesting specific information and the outcome they are hoping to achieve as a consequence of examining a report.

Proposed Agenda Item	Background	Reason for report	Cabinet Member
Budget Monitoring April 2022 to December 2022	This is a standard bi-monthly budget report covering the revenue and capital budgets for the Environment Department, Public Protection Services and Community Safety which fall within the remit of the Place, Sustainability and Climate Change Scrutiny Committee	To enable members to exercise their scrutiny role.	Cllr. Alun Lenny - Cabinet Member for Resources
Task and Finish Group Report Review of the Management of Fly-tipping in Carmarthenshire	<p>The Committee at its FWP Development Session held on 9th April 2021, considered a topic suggestion received from Llandyfaelog Community Council suggesting that the Committee consider the issues in relation to fly-tipping in Carmarthenshire. Committee Members recognised that fly tipping was an increasing problem in Carmarthenshire and that the consequence of fly-tipping had a detrimental effect on the environment and communities. In agreement with the Committee, the review was deferred to take following the Elections in May 2022.</p> <p>The Committee, at its meeting in November 2022, considered a revised Planning and Scoping Document and formulated a Task and Finish Group to undertake the review.</p>	A final report of the Task and Finish Group's review will be presented to the Committee for consideration and comment.	Councillor Aled Vaughan Owen Cabinet Member for Sustainability, Decarbonisation and Climate Change
Carmarthenshire County Council's Corporate Strategy	To update the Corporate Strategy and Well-being Objectives	Members of the Scrutiny Committee requested the opportunity to consider the content of the strategy.	Leader of the Council

Proposed Agenda Item	Background	Reason for report	Cabinet Member
Departmental Business Plans 2023/24-2024/25 <i>Extracts relevant to this scrutiny's remit</i>	As part of the Business Plan Development process, the Committee is invited to consider and comment on the Departmental Business Plans 2023/24 – 2024/25 relevant to its remit.	<p>Scrutiny Members requested to receive the departmental business plans to provide them with an opportunity to scrutinise the development and implementation of service business plans including the monitoring of progress against specified actions and targets [in accordance with Article 6, 6.2 - Generic Terms of Reference for all Scrutiny Committees].</p> <p>The Committee will be able to consider, comment and make any recommendations for changes to the Departmental Business Plans in respect of the plans for 2023/24 – 2024/25.</p>	<p>Cllr Aled Vaughan Owen – Cabinet Member for Sustainability, Decarbonisation and Climate Change</p> <p>Cllr. Edward Thomas - Cabinet Member for Transport, Waste and Infrastructure Services</p>

Items to be circulated under a separate cover to Scrutiny Committee members
(as agreed at the Committee's Forward Work Programme development session on 21st September 2022 and 1st November 2022)

Proposed Agenda Item	Background	Reason for report	Cabinet Member
In accordance with the Committee's Forward Work Programme, there are no reports to be circulated outside of the formal Committee process.			

Items circulated to the Committee under separate cover since the last meeting held on 23rd January 2023

(in accordance with the Committee's Forward Work Programme)

In line with the Place, Sustainability and Climate Change Committee's decision to receive and scrutinise reports outside of the formal committee process, the following reports were forwarded to all members of the Scrutiny Committee by e-mail on 30th January 2023:

1.	ADRODDIAD MONITRO CYLLIDEB CYFALAF A REFENIW 2022/23 / REVENUE & CAPITAL BUDGET MONITORING REPORT 2022/23
2.	POLISI BAGIAU TYWOD 2022 / SANDBAG POLICY 2022
3.	<p>ADRODDIAD EITHRIEDIG YN UNOL Â PHARAGRAFF 14 O RAN 4 O ATODLEN 12(A) I DDEDDF LLYWODRAETH LEOL 1972, FEL Y'I DIWYGIWYD GAN ORCHYMYN LLYWODRAETH LEOL (MYNEDIAD AT WYBODAETH) (AMRYWIO) (CYMRU) 2007, GAN EI FOD YN YMWNEUD Â GWYBODAETH AM FATERION ARIANNOL NEU FUSNES UNRHYW UNIGOLYN (GAN GYNNWYS YR AWDURDOD SY'N MEDDU AR Y WYBODAETH HONNO)</p> <p>CYNLLUN BUSNES AC ADRODDIAD CYNNYDD HANNER BLWYDDYN CWM ENVIRONMENTAL LTD 2022-2023 /</p> <p>EXEMPT REPORT IN PURSUANT OF PARAGRAPH 14 OF PART 4 OF SCHEDULE 12(A) TO THE LOCAL GOVERNMENT ACT 1972, AS AMENDED BY THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) (VARIATION) (WALES) ORDER 2007 AS IT RELATES TO INFORMATION RELATING TO FINANCIAL OR BUDSINESS AFFAIRS OF ANY PARTICULAR PERSON (INCLUDING THE AUTHORITY HOLDING THAT INFORMATION)</p> <p>CWM ENVIRONMENTAL LTD 2022-2023 BUSINESS PLAN AND HALF YEAR PROGRESS REPORT</p>

The Committee had no observation/comments/queries in relation to the above reports.

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Place, Sustainability and Climate Change Scrutiny Committee - Forward Work Plan 2022/23

4 th October 2022	24 th November 2022	15 th December 2022	23 rd January 2023	24 th February 2023	14 th April 2023	May 2023
E&PP Scrutiny Annual Report 2021/22	Highways Asset Management Plan Annual Statement update	Quarterly Performance Monitoring Report Q2	Highways Maintenance Manual	CCC Strategy for Trees and Woodland	Budget Monitoring April 2022 to December 2022	
E&PP Scrutiny Committee Actions Update report 2021/22.	Air Quality Management Area (AQMA) Report	Electric Vehicle Charging Infrastructure Strategy – 12 month review	Revenue Budget Consultation 2023/24 – 2025/26	Phosphate levels in rivers within Special Areas of Conservation	CCC Corporate Strategy	
E&PP Forward Work Programme 2022/23	County Council Annual Report	Waste Strategy	Equestrian Strategy		Departmental Business Plans	
Net Zero Carbon Annual Progress report	To revise the Task and Finish Planning and Scoping Document on Fly-Tipping		WG Speed Limit Changes in Legislation (20MPH)		Task and Finish Group Report on the Management of Fly-tipping in Carmarthenshire.	
Environment Act Forward Plan Update	Public Space Protection Order (Enhancement on dog related controls)		Departmental Business Plans (<i>deferred to 24/1/22</i>)			
Scrutiny Committee Members to scrutinise the following reports via e-mail – Forthcoming Items to include feedback. As agreed at the Committees Forward Work Plan Development Sessions held on 21st September 2022 and 1st November 2022						
Quarterly Performance Monitoring Report Q1	Task & Finish Implementation Report – FESS <i>Financial Exploitation & Safeguarding Scheme</i>	CCC Corporate Strategy (<i>deferred</i>)	Budget Monitoring April 2022 to October 2022			
Communities Departmental Business Plan 2022-23	Highway Drainage Design Guide	Graffiti Policy	Sandbag Policy 2022			
Budget Monitoring - 21/22 Outturn April 22 to June 2022	Budget Monitoring April 2022 to August 2022		CWM Business Plan and Progress Report			

PS&CC Scrutiny Member – Focussed Development Sessions:-

The Committee has requested for the following focused development sessions to take place following each of the scheduled formal Committee meetings (unless otherwise notified).

- Highway Asset Management Plan Annual Statement –**14th November 2022**
- Waste / Local Environment Quality Strategy –**24th November 2022**
- Flooding – **15th December 2022**
- Conservation and update on the managing land pilot scheme for Pollinators in Carmarthenshire – **23rd January 2023**
- Substance Use – **9th March 2023**
- To be determined – **April 2023**

- WG Speed Limit Change in Legislation (20mph) –Workshop Oct/Nov via Highways & Transport

TASK & FINISH REVIEW:

The Committee at its FWP Development Session held on 9th April 2021, considered a topic suggestion received from Llandyfaelog Community Council suggesting that the Committee consider the issues in relation to fly-tipping in Carmarthenshire. Committee Members recognised that fly tipping was an increasing problem in Carmarthenshire and that the consequence of fly-tipping had a detrimental effect on the environment and communities.

The Committee at its meeting on 2nd July 2021 unanimously resolved that its Task and Finish arrangements for 2021-22-23 would be as follows:

- 1) *Review on the Fly tipping within Carmarthenshire
- 2) Review on Dog Breeding in Carmarthenshire.

Update: The Task and Finish Group at its first meeting on 8th September, 2021 received an update from the Director of Environment on internal matters that had arisen since the Scrutiny Committee agreement on its Task and Finish arrangements and the endorsement of the review planning and scoping document in July. Considering the information received, the Group unanimously agreed to defer the review on Flytipping to 2022 following the Election process. The Committee at its meeting on 25th November 2021 received and noted a report from the Task and Finish Group which outlined the reasons for the deferral. A revised Planning and Scoping Document was endorsed on 24th November 2022.

**This decision supersedes the Committee's decision made at its meeting held on 15th November 2019 – “unanimously resolved that dog breeding in Carmarthenshire be the subject for Committee's next Task and Finish review in 2021”.*

PLACE, SUSTAINABILITY & CLIMATE CHANGE SCRUTINY COMMITTEE

23 JANUARY 2023

PRESENT: Councillor J.D. James (Chair)

Councillors (In Person):

T.A.J. Davies; K. Davies; B.D.J. Phillips; G.B. Thomas.

Councillors (Virtually):

S.M. Allen; T.M. Higgins; N. Lewis;
Councillor W.T. Evans - Substitute for Councillor C. Evans;
Councillor D. Cundy - Substitute for Councillor Shelly Godfrey-Coles;
Councillor M. Donoghue - Substitute for Councillor G. Jones.

Also in attendance (In Person):

Councillor A. Lenny, Cabinet Member for Resources;
Councillor A. Vaughan Owen, Cabinet Member for Climate Change, Decarbonisation and Sustainability;
Councillor E. Thomas, Cabinet Member for Transport, Waste and Infrastructure Services.

Also Present (In Person):

A. Williams, Director of Place and Infrastructure;
J. Morgan, Head of Homes & Safer Communities;
S. Pilliner, Head of Transportation & Highways;
J. Edwards, Business Improvement Manager;
R. Hemingway, Head of Financial Services;
D.W. John, Interim Head of Waste and Environmental Services;
R. S. Waters, Highways and Transportation Services Manager;
R. James, Group Accountant;
A. Eynon, Principal Translator;
J. Owen, Democratic Services Officer [Minute Taker].

Also Present (Virtually):

R. Griffiths, Head of Place and Sustainability;
M.S. Davies, Democratic Services Officer.

Chamber, County Hall, Carmarthen. SA31 1JP and remotely – 2:00pm - 4:00pm

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors S. Godfrey-Coles, C. Evans, G. Jones and P. Cooper.

2. DECLARATIONS OF PERSONAL INTEREST INCLUDING ANY PARTY WHIPS ISSUED IN RELATION TO ANY AGENDA ITEM.

There were no declarations of any prohibited party whips.

Councillor	Minute Item(s)	Nature of Interest
A. Davies	5 - Revenue Budget Strategy Consultation 2023/24 to 2025/26	Public rights of way crosses land he owns.
D. Phillips	5 - Revenue Budget Strategy Consultation 2023/24 to 2025/26	Public rights of way crosses land he owns.
G. Thomas	5 - Revenue Budget Strategy Consultation 2023/24 to 2025/26	Public rights of way crosses land he owns.

3. PUBLIC QUESTIONS (NONE RECEIVED)

The Chair advised that no public questions had been received.

4. EXPLANATION FOR NON-SUBMISSION OF SCRUTINY REPORT

The Committee received an explanation for the non-submission of the Departmental Business Plans.

UNANIMOUSLY RESOLVED that:

- 4.1 the revised date for the Departmental Business Plans be accepted;**
- 4.2 the explanation for the non-submission be noted.**

5. REVENUE BUDGET STRATEGY CONSULTATION 2023/24 to 2025/26

[Note: Councillors A. Davies, D. Phillips and G. Thomas declared a personal interest in this item. They remained in the meeting, took part in the deliberations and voting thereof.]

The Committee considered a report on the Council's Revenue Budget Strategy 2023/24 to 2025/26, as endorsed by the Cabinet for consultation purposes at its meeting held on the 9th January 2023. The report provided Members with the current view of the Revenue Budget for 2023/2024 together with indicative figures for the 2024/2025 and 2025/2026 financial years based on officers' projections of spending requirements and took account of the provisional settlement issued by Welsh Government on the 14th December 2022.

The Committee was informed that the announced provisional settlement represented an average increase of 8.0% across Wales on the 2022/23 settlement, with Carmarthenshire's increase being 8.5% (£26.432mm) thereby taking the Aggregate External Finance to £338.017m for 2023/24. While the settlement was significantly above the initial indicative figure of a 3.4% increase and provided some £15.5m more than the Council's original assumption, the Welsh Government had recognised the increased figure would still not be sufficient to meet inflationary pressures facing councils, pay awards and fuel price increases and difficult decisions would need to be made.

Whilst the budget proposals assumed the full delivery of all savings proposals, it was noted further work would be required to develop the cost reductions for the 2024/25 and 2025/26 financial years to be able to maintain the current Budget Strategy and level of Council tax.

It was noted that given the current risks around the Budget Strategy and the ongoing inflationary backdrop, together with other budgetary pressures, the proposed Council Tax increase for 2023/24 had been set at 7% to mitigate reductions to critical services. In years 2 and 3, the financial picture remained uncertain and, as such, modelled indicative Council Tax rises of 4% and 3% had been made purely for planning purposes and sought to strike a balance with budget reductions. Those proposals would be considered by the Council in setting the Council Tax level for 2023/24 at its meeting on the 1st March 2023. Additionally, as the Welsh Government final settlement figure was not due to be announced until the 7th March, 2023 any amendments required to be considered to the budget strategy as a result of that announcement would need to be considered by Council.

The Committee thereupon considered the following detailed budget information appended to the Strategy relevant to its remit:

- **Appendix A(i)** – Efficiency summary for the Environment and Public Protection Services;
- **Appendix A(ii)** – Growth Pressures summary for the for the Environment Service;
- **Appendix B** – Budget monitoring report for the Environment and Public Protection Services;
- **Appendix C** – Charging Digest for the Environment and Public Protection Services.

The following questions/issues were raised on the report:-

Queries raised on the Appendix Ai (Savings Proposals):

- Reference was made to Traffic Management and the implementation of road safety/speed management schemes. In respect of the efficiency description 'Three-year moratorium on new speed limits not included within 20mph legislation unless overriding safety issue' it was commented that three years was a long time and it was asked if it could be dealt with in conjunction with the roll out of the new 20mph legislation? The Head of Highways and Transportation stated that the change to the default speed limit from 30mph to 20mph which affected all residential areas was a comprehensive piece of work involving a lot of resources. It was reported that the moratorium was realistic in terms of the extensive work required.
- In response to a query raised on the efficiency description - Road Safety Innovation within Traffic Management, the Head of Highways and Transportation explained that a report on Roundabout Sponsorship would be available shortly. The highways team had been working to find ways and approaches to increase revenue particularly following the pandemic and sponsorship was an approach that would provide much needed income.

- In reference to the School Transport and the efficiency description regarding Additional Needs Personal Travel Budgets, clarification was sought in respect of the payment process. The Head of Highways and Transportation explained that currently pupils with additional learning needs were provided with an option of accessing specialist transportation. In cases where parents have specialist mobility vehicles, a personal travel budget was offered which would be subject to a claim being made by the parent.

In response to a further query, the Head of Highways and Transportation explained that a formal policy would include rigorous validation process ensuring that reimbursements were legitimate and made to the correct person.

- In reference to the Bring Sites, it was asked if there would be a future strategy and if the communities would still be able to use them. The Interim Head of Waste and Environmental Services explained that currently there were a number of bring sites offering glass, textiles and electric recycling which would be retained in the long term. However, the bring sites that offered just glass collections would be mapped against the current demand and the recently launched glass collection service. The results of the analysis would inform the rationalisation of the bring sites over the next 12 months with a view of up to 50% being removed by 2024.

In addition, the Cabinet Member for Resources emphasised to Members that in view of the fact that the Council was liable of a fine of £160k for every 1% below the Welsh Government statutory target that is not met, it was important the public be made aware of the importance of recycling from not only the benefits to the environment but from a financial perspective.

- Reference was made to Property Maintenance. In terms of the energy efficiency measures, it was raised that a neighbouring Authority were seeking to make a reduction in the temperature of offices to 19 degrees in order to save £26k. Considering this, it was asked if this Authority was looking at a similar efficiency? The Cabinet Member for Climate Change, Decarbonisation and Sustainability stated that Powys County Council similar to Carmarthenshire County Council were committed to reach Net Zero by 2030. Members were reminded that as stated in the Net Zero Plan, presented earlier this year, the Authority to date made a 34% carbon reduction, however on closer analysis it was apparent that the electricity had reduced by 21% and gas (heating) had only reduced by 11%. He added that whilst significant effort had taken place to reduce carbon, one of the challenges was that this Authority, like many Authorities had many old buildings which were difficult to zone. Data, in terms of energy use would continue to be collected in order to inform where interventions would be needed.
- Reference was made to Household Waste Recycling Centres (HWRC). It was suggested that the Authority should be considering alternative options eg. cross border working or introducing a charge to utilise them. In addition, in commenting that the opening hours at HWRC's seemed to be too restrictive for the public who work 9-5 weekdays, it was suggested that the operational hours be re-considered at all the HWRC sites.

It was further commented that currently agency staff were employed at the HWRC sites and that the use permanent staff could be more cost effective. The Interim Head of Waste and Environmental Services explained that currently HWRC's offer free services to householders and residents of Carmarthenshire and that previously charges for trade/commercial waste customers were in place which presented significant issues in terms of queueing and creating undue delays for residents using the HWRC sites. In response, trade/commercial waste was diverted to the trade/commercial waste facility at Nantycaws, Carmarthen. It was highlighted, that a consultation was currently underway and that any suggestions and feedback relating to the operations and hours would be gratefully received through the consultation process. In terms of staffing implications, the Interim Head of Waste and Environmental Services stated that he would seek further clarification from Cwm Environmental Ltd.

- Reference was made to Parking Services. In respect of the efficiency description to introduce charging at 9 car parks, which currently were free to park, it was suggested that each car park should be looked at on a case-by-case basis. It was felt that by introducing a charge on the free car park would have a detrimental impact upon and undermine the viability of nearby businesses. In raising concern, it was asked if the income would be more than the cost of implementing a charge and if any research or survey's done to back up the proposal? The Head of Highways and Transportation explained that all car parking charges will be consistent with comparable parking tariffs within the County. It was highlighted that whilst there would be a short-term capital investment to introduce the car parking changes there would be a long-term revenue gain.

It was formally proposed that in regard to the proposal for the introduction of parking charges at the 9 car parks, as stated in the report, be reviewed by the Cabinet Member on a case-by-case basis. This was duly seconded.

- In response to a concern raised regarding the proposal to rationalise up to 20% of litter bins, the Interim Head of Waste and Environmental Services stated that the rationalisation would be in the main include litter bins located on laybys along the trunk road network and non-amenity areas. Research suggested that where litter bins have been removed the litter in that area had improved. Bins in high footfall areas would remain in situ. The rationalisation would be a managed process.

It was asked, prior to the removal of a litter bin, if the appropriate ward members could be consulted upon? The Interim Head of Waste and Environmental Services stated that a list would be provided to ward members. Comments were made in agreement that bins often attract rubbish and acknowledged the need to rationalise and strategically place rubbish bins.

Queries raised on the Appendix C (Charging Digest):

- Reference was made to the proposal to increase in the Residents Parking Permit Admin Charge. It was observed that the proposal stated that it was being increased by 10% however, that proposed cost increase in the report was from £30 to £40 which was more than the 10%. It was suggested to increase the charge to £50, which would equate to less than £1 per week for residents. The Cabinet Member for Resources stated that the rationale behind the £10 increase was that an increase had not been made since 2009.
- Reference was made to the Fixed Penalty Notices (FPN). The Cabinet Member for Climate Change, Decarbonisation and Sustainability explained that the charges were outlined in Appendix C for Members however, offered the Scrutiny Committee additional time should they wish for the Task and Finish Group undertaking the review on the management of fly-tipping in Carmarthenshire to consider the charge of the FPN prior to agreement. The Chair in thanking the Cabinet Member, stated that the Task and Finish Group would ensure that the charge in respect of the fly-tipping FPN would be considered as part of the review.
- In response to a query raised in regard to the Buy with Confidence Scheme, the Head of Homes and Safer Communities in offering to circulate the exact membership numbers to the scheme to Members following the meeting, confirmed that the scheme was being actively promoted.
- In view of the budget, a general question was raised regarding the Net Zero targets. The Cabinet Member for Climate Change, Decarbonisation and Sustainability
- In response to a general query raised in regard to the budget impact and the Net Zero targets, the Cabinet Member for Climate Change, Decarbonisation and Sustainability stated that budget constraints would naturally challenge the ambition to reach Net Zero carbon by 2030, however a toolkit had been introduced which enabled different scenarios to be modelled informing the best approach in how to reach the target of being Net Zero by 2030 in the most effective and efficient way.

RESOLVED that:-

- 5.1 the 2023/24 to 2025/26 Revenue Budget Strategy be received;**
- 5.2 the proposals for delivery of efficiency savings as identified in Appendix A(i) be received;**
- 5.3 the Charging Digest for the Environment and Public Protection Services, as detailed in Appendix C to the report, be endorsed;**
- 5.4 the proposal for the introduction of parking charges at the 9 carparks as stated in the report be reviewed by the Cabinet Member on a case-by-case basis.**

6. HIGHWAY ASSET MANAGEMENT PLAN - MAINTENANCE MANUAL PARTS 4.5, 4.6 & 4.7

The Committee received the Highway Asset Management Plan (HAMP) Maintenance Manual in support of the Highway Asset Management Plan presented by Cabinet Member for Transport, Waste and Infrastructure Services. The report asked that the Committee consider and comment on the following parts attached to the report prior to adoption by the Cabinet.

Part 4.5 - Highway Drainage Management

Part 4.6 - Geotechnical Management

Part 4.7 - Highway Emergency Response

The following comments/queries were raised on the report:-

- In respect of gullies and drainage, concern was raised that gullies on single track roads had been gradually filled in to avoid cars falling in and in doing so has removed an essential outlet for water contributing to flooding. In addition, it was understood that that NRW like to place branches into gullies in an attempt to slow the flow of water. In respect of the comments, it was asked how these were managed?
The Highways and Transportation Services Manager explained that most gullies along the highway network have a sump system. It is the sump system which needs to be clear in order to manage the water flow.
- In response to a query regarding adjacent landowners responsibilities, the Highways and Transportation Services Manager explained that in terms of the discharge from the highway drainage system onto adjacent land the highway authority would normally have prescriptive right of discharge on to land. However, in the case of water being discharged from adjacent land onto the highway, it was highlighted this was a more complex matter and each case would need to be considered.
- In regard to the joint responsibility of the NRW and the Council to keep waterways clear, it was asked how this was managed? The Head of Highways and Transportation explained that it is complex but in simple terms, NRW were responsible for main rivers and water courses and the Council had responsibility for smaller streams and trash screens. In the event of adverse weather alerts, relevant trash screen checks would be made to ensure there were no interruptions to the flow of water.
- Reference was made to drainage pipes cited in section 4.5.2 Drainage Asset Information. It was asked who was responsible for the pipes underground highway drainage system pipes? The Head of Highways and Transportation stated that one of the common issues is tree root ingress into pipes which can be resource intensive to rectify. Typically, the responsibility for the offending tree would lie with adjacent landowner meaning a straightforward case, however in the majority of cases the Council would have to accept some liability.

UNANIMOUSLY RESOLVED that the Highway Asset Management Plan - Maintenance Manual Parts 4.5, 4.6 & 4.7 be received.

7. WELSH GOVERNMENT 20MPH SPEED LIMIT LEGISLATION

The Committee received a report on the Welsh Government 20mph Speed Limit Legislation, presented by the Cabinet Member for Transport, Waste and Infrastructure Services which provided an update on legislative change being introduced by Welsh Government in September 2023. The legislation would reduce the current 30mph default speed limit on restricted (street lit) roads in residential areas to 20mph.

The following comments/queries were raised on the report:-

- Reference was made to the Welsh Government grant funding of £797,074 which was available in 2022/23 and that further bid submissions would be made for following years and that it was anticipated that this would be in the order of £2.16M in 2023/24. Officers were asked, how optimistic were they in obtaining the grant funding? And if not, would it be utilised from the budget? The Head of Highways and Transportation explained that with the Welsh Government being fully committed to fund the implementation of the 20mph legislation together with positive communications it was confident that the bid would be met.
- Concerns were raised in relation to:
 - the heavy resource that would be committed to implement the change in speed limit and;
 - the enforcement required to improve safety. It was asked if it was possible for this Committee or Council could write to the Welsh Government to ask for funding for additional enforcement officers;
 - In respect of all 30mph roads in residential areas being reduced to 20mph it was asked if this could be retrospectively changed, if so how?

In response, the Highways and Transportation Services Manager stated that a project had been set up to deliver this initiative where it was agreed to retain the work in house rather than outsourcing it to consultations. The benefits were that officers had a sound working knowledge of speed limits, traffic regulation orders and local knowledge which would better serve the project and the communities. Furthermore, officers time was being funded through the grant. In acknowledging that the team was small with a limited time resource, to help manage this, included as part of the budget proposals was a moratorium on Traffic Regulation Orders whilst this legislation is being delivered. However, reassurance was given that should safety be of significant concern the case would be considered accordingly.

In terms of enforcement, the Highways and Transportation Services Manager explained that whilst enforcement could only be achieved through the police and Go Safe Partnership, as part of the initiative a resource pack would be made available for communities which would enable them to set up community speed watch initiatives. Communities would be able to monitor actual speeds as opposed to perceived speeds and develop surveys to understand levels of non-compliance. The intelligence gathered could be provided to the police for them to act on as appropriate. This resource pack had been included in the bid submission.

The Highways and Transportation Services Manager recognised that when the legislation is in force in September 2023, there would likely to be some legacy issues in terms of community views and in some cases there may be a need to review speed limits. Should there be a case to change a speed limit this could take place through the Traffic Regulation Order process.

UNANIMOUSLY RESOLVED that the report on 20MPH Speed Limit Legislation be received.

8. CARMARTHENSHIRE EQUESTRIAN STRATEGY UPDATE

The Committee received a report on the Carmarthenshire Equestrian Strategy Update, presented by the Cabinet Member for Transport, Waste and Infrastructure Services. The development of an Equestrian Strategy for Carmarthenshire was a commitment contained in the Carmarthenshire Rights of Way Improvement Plan (ROWIP) 2019-2029. Officers were in the process of developing the Equestrian Strategy and this report provided an update on progress.

The following comments/queries were raised on the report:-

- In acknowledging the vast network to manage, concern was raised that the department was underfunded, and that more investment was needed before some of the paths would be lost.
- It was commented that it would be beneficial for the final Strategy to include a bridleway map. In addition, whilst it was pleasing to note that over 500 responses had been received following the comprehensive public survey questionnaire between 21st June 2021 and 25th July 2021, it was asked if the Committee could receive a summary of the responses, to consider the views and data. The Head of Highways and Transportation agreed.
- In commenting that there were few bridlepaths left in some areas, it was asked if footpaths could be converted to bridlepaths. The Head of Highways and Transportation explained that as this was a first in terms of an Equestrian Strategy, research was necessary in order to understand the needs of the Equestrian sector further. Following the analysis of the intelligence gathered it would be necessary to consider the resources available in order to develop a realistic strategy that can be delivered upon. Until this piece of work has been completed it was not possible to determine if the level of resources was available to manage any changes to the footway/bridleways.

UNANIMOUSLY RESOLVED that the Carmarthenshire Equestrian Strategy Update be received.

9. FORTHCOMING ITEMS

The Committee considered the list of forthcoming items to be placed on the agenda for the next meeting scheduled to take place on 24th February, 2023 and was afforded the opportunity to request for any specific information that Members may wish to include within the reports.

In addition to the reports that were to be presented at the formal Scrutiny Committee on 24th February, Members noted the reports that would also be circulated to them outside of the formal Committee process for scrutiny.

UNANIMOUSLY RESOLVED that the list of forthcoming items for the Committee meeting to be held on the 24th February 2023 be agreed.

10. TO SIGN AS A CORRECT RECORD THE MINUTES OF THE MEETING OF THE COMMITTEE HELD ON THE 15TH DECEMBER 2022

RESOLVED that the minutes of the meeting of the Committee held on the 15th December, 2022 be signed as a correct record.

CHAIR

DATE