

*Neath Port Talbot County Borough Council  
Cyngor Bwrdeistref Sirol Castell-nedd*

*Democratic Services  
Gwasanaethau Democrataidd*

*Chief Executive:* Steven Phillips

**Date: 13<sup>th</sup> April 2016**

Dear Member

**ENVIRONMENT AND HIGHWAYS CABINET BOARD - THURSDAY, 14TH  
APRIL, 2016**

Please find attached the following addendum reports/urgent items for consideration at the next meeting of the **Environment and Highways Cabinet Board - Thursday, 14th April, 2016.**

**Item**

- a) Urgent Item from the Head of Engineering and Transport - Port Talbot Integrated Transport Hub - Business Asset Protection Agreement  
(Pages 3 - 8)

Yours sincerely

Mrs T.Davies

P.P. Chief Executive

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## NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

### Environment and Highways Cabinet Board

14 April 2016

### Urgent Report of the Head of Engineering and Transport

D.W. Griffiths

#### Matter for Decision

**Wards Affected:** Port Talbot & Margam

#### **Port Talbot Integrated Transport Hub Business Asset Protection Agreement**

#### Purpose of Report

- 1 To obtain authority for the Director and Head of Engineering and Transport to enter into a Deed with Network Rail to warrant the design of the works to be undertaken adjacent to and on Network Rail land.

#### Executive Summary

- 2 Members will already be aware of the proposals to construct an Integrated Transport Hub adjacent to Port Talbot Parkway.
- 3 This report sets out the Network Rails requirement for a Deed of Warranty for the Council's proposed design which affects Network Rail land and assets.

#### Background

- 4 The redevelopment of Port Talbot Station by Network Rail provides opportunities to promote economic development, connectivity, the integrated transport strategy and the rail electrification process.
- 5 This has enabled the proposals to construct an Integrated Transport Hub at the lower end of Station Road, adjacent to the Parkway Station.

- 6 The new bridge has been designed with sufficient span to enable Heilbron Way to be diverted beneath it as a single carriageway.
- 7 The Hub is identified in the Vibrant and Viable Places programme for Port Talbot to make the area more attractive and encourage investment, hence, economic viability and growth. It will also complement the Station as an attractive gateway into the Town and the Region.
- 8 The Hub is also identified as a priority in the Joint Transport Plan for South West Wales approved by the Council, Welsh Government and the Swansea Bay City Region Board.
- 9 It forms a fundamental part of the Integrated Transport Strategy and part of the Swansea Bay Priority Transport Corridor from Margam to Mumbles, supported by the Welsh Government and the City and County of Swansea. The corridor initiative provides public and sustainable transport access and connectivity to significant developments such as the University Campuses, Harbourside and Baglan Energy Park.
- 10 Viability of the Hub was demonstrated in a business case prepared in 2012.
- 11 Consultations with Network Rail and Arriva Trains Wales continue with regard to the Station Change process which is a requirement of the Department for Transport. The Business Asset Protecting Agreement forms part of this process.

### **Financial Impact**

- 12 There are no direct financial impacts associated with the signing of the deed itself.
- 13 Should there be a catastrophic incident then a legal case for negligence would ensue.

### **Equality Impact Assessment**

- 14 A Screening Assessment has been undertaken to assist the Council in discharging its Public Sector Equality Duty under the Equality Act 2010. After completing the assessment it has been

determined that this proposal does not require an Equalities Impact Assessment.

### **Workforce Impact**

15 There are no workforce impacts associated with this report

### **Legal Impact**

16 Network Rail BAPA needs to be executed which will require NPTCBC to warrant the design and limit liability to reasonable “skill and care”. This is backed by maximum professional indemnity insurance to the value of £5M, which is in line with the Council’s Standard Professional Indemnity cover for design services.

### **Risk Management**

17 The key risks associated with the project that impact on the signing of the Deed of Warranty relate to the design of impact protection walls that run parallel with Network Rail land and around the structural supports to the recently constructed Parkway pedestrian footbridge.

18 The design of the walls has been undertaken in accordance with Eurocodes of Practice and National Design Standards.

19 The design has been approved by Network Rail.

20 The construction and safe working methodology for the project and its associated risks falls under the main contractors remit.

21 There will also be a comprehensive assessment of risks associated with the Transport Hub that will be managed through consultation with stakeholders and the Construction Design and Management (CDM) Regulations 2015.

### **Consultation**

22 There is no requirement under the Constitution for external consultation on this item.

## **Recommendation(s)**

23 It is recommended that:-

Authority is delegated to the Director of Environment and the Head of Engineering and Transport to enter into a deed with Network Rail as set out in the circulated report.

## **Reason for Proposed Decision(s)**

- 24 The Deed will satisfy Network Rail's requirement for a design warranty which is part of their standard Business Asset Protection protocols.
- 25 The provision of the Deed will allow the submission for the Station change at Port Talbot Parkway to be submitted by Network Rail to the Department of Transport for approval of the works.
- 26 To promote the aims and objectives of the Economic Regeneration, Planning and Transport strategies and the Single Integrated Plan – Prosperity for All.

## **Implementation of Decision**

- 27 The decision is an urgent one for immediate implementation, subject to the consent of the relevant Scrutiny Chair (and is therefore not subject to the call-in procedure).

## **Appendices**

- 28 There are no appendices to this report.

## **List of Background Papers**

- 29 Business Asset Protection Agreement Version 1.1
- 30 Council's Professional Indemnity Insurance cover
- 31 NR confirmation that the Council's £5M professional indemnity insurance is accepted
- 32 Network Rail Design approval

## **Officer Contact**

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