



**ENVIRONMENT, REGENERATION AND STREETSCENE SERVICES
CABINET BOARD**

**IMMEDIATELY FOLLOWING ENVIRONMENT, REGENERATION AND
STREETSCENE SERVICES SCRUTINY COMMITTEE**

FRIDAY 20th JANUARY 2023

**MULTI-LOCATION MEETING – COUNCIL CHAMBER PORT TALBOT
AND MICROSOFT TEAMS**

**ALL MOBILE TELEPHONES TO BE SWITCHED TO SILENT FOR THE
DURATION OF THE MEETING**

Webcasting/Hybrid Meetings:

This meeting may be filmed for live or subsequent broadcast via the Council's Internet Site. By participating you are consenting to be filmed and the possible use of those images and sound recordings for webcasting and/or training purposes.

Part 1

1. Appointment of Chairperson
2. Chairpersons Announcement/s
3. Declarations of Interest
4. Minutes of Previous Meeting (*Pages 5 - 12*)
5. Forward Work Programme (*Pages 13 - 16*)
6. Public Question Time
Questions must be submitted in writing to Democratic Services,
democratic.services@npt.gov.uk no later than noon on the working

day prior to the meeting. Questions must relate to items on the agenda. Questions will be dealt with in a 10 minute period.

For Decision:

7. Proposed Modification Order for byway No.24 in the Community of Cilybebyll (*Pages 17 - 40*)
8. A48 Margam Road to Port Talbot (Revocation) and (30MPH Speed Limits) - Order 2022 (*Pages 41 - 56*)
9. Traffic Calming Measures at B4434 New Road, Clyne - Notice 2022 (*Pages 57 - 70*)
10. B4287 Cimla Road, Cimla, Neath (30 MPH Speed Limit) - Order 2022 (*Pages 71 - 84*)
11. List of Approved Contractors (*Pages 85 - 98*)

For Information:

12. Audit Wales National Study - Net Zero Decarbonisation Baseline Review (*Pages 99 - 104*)
13. Urgent Items
Any urgent items (whether public or exempt) at the discretion of the Chairperson pursuant to Statutory Instrument 2001 No. 2290 (as amended).
14. Access to Meetings - Exclusion of the Public (*Pages 105 - 110*)
To resolve to exclude the public for the following items pursuant to Regulation 4 (3) and (5) of Statutory Instrument 2001 No. 2290 and the relevant exempt paragraphs of Part 4 of Schedule 12A to the Local Government Act 1972.

Part 2

For Information:

15. The Transfer of Land and Construction of a Commercial Unit at Burrows Yard - Update (Exempt under Paragraph 14) (*Pages 111 - 114*)

K.Jones
Chief Executive

Civic Centre
Port Talbot

Friday, 13 January 2023

Environment, Regeneration and Streetscene Services Cabinet Board
Members:

Councillors. W.F.Griffiths, S.Jones and D.M.Peters

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EXECUTIVE DECISION RECORD

2 DECEMBER 2022

ENVIRONMENT, REGENERATION AND STREETSCENE SERVICES CABINET BOARD

Cabinet Members:

Councillors: W.F.Griffiths, S.Jones (Chair) and D.M.Peters

Officers in Attendance:

S.Brennan, D.Griffiths, M.Roberts, N.Jones, C.John, S.Cook, N.Bulcraig,
N.Chapple, H.Hasan, J.Smith and C.Morris

1. **APPOINTMENT OF CHAIRPERSON**

Agreed that Councillor S.Jones be appointed as Chairperson for the meeting.

2. **CHAIRPERSONS ANNOUNCEMENT/S**

The Chairperson welcomed everyone to the meeting.

3. **DECLARATIONS OF INTEREST**

There were no declarations of interests received.

4. **MINUTES OF PREVIOUS MEETING**

That the minutes of the meetings held on 6 October 2022 and 28 October 2022, be approved as accurate records.

5. **FORWARD WORK PROGRAMME**

That the Forward Work Programme be noted.

6. **PUBLIC QUESTION TIME**

No questions were received.

7. **GODRE'R GRAIG SCHOOL SCHEME**

Members noted the amended Integrated Impact Assessment.

Decision:

Having due regard to the Integrated Impact Screening Assessment:

That Option 3 be implemented to manage the risk and improve the local environment, with the cost to be funded from the Council's Corporate Contingency Reserve, or via any future Welsh Government funding that becomes available.

Reason for Decision:

To manage the risks and liabilities associated with spoil tip debris flow at the site, as this is the only affordable solution available to the council.

Implementation of Decision:

The decision will be implemented after the three day call in period, which ended at 9am, Tuesday 6 December 2022.

8. **ADDITIONAL WORKS PROGRAMME**

Decisions:

Having due regard to the Integrated Impact Assessment:

- That the programme of expenditure, as set out in Appendix A of the circulated report, be approved for completion over the next 18 months
- That the Director of Environment and Regeneration be granted delegated authority, in consultation with the relevant cabinet member, to undertake procurements and/or draw up and implement associated prioritised needs based programmes.

Reason for Decision:

To provide equipment for service delivery and maintain assets for which the Council is responsible, in order to help address community concerns in relation to the urban realm.

Implementation of Decision:

The decision will be implemented after the three day call in period, which ended at 9am, Tuesday 6 December 2022.

9. **HEALTHY TRAVEL CHARTER**

Decision:

Having had due regard to the Integrated Impact Assessment, it be approved that the Council become a signatory of The Swansea Bay Healthy Travel Charter.

Reason for Decision:

The charter seeks to reduce the impact on the local environment by reducing the use and reliance of internal combustion engines; seek to make staff more active (in line with Welsh Assembly Active Travel Act) to reduce inactivity, obesity and boost their well-being.

Implementation of Decision:

The decision will be implemented after the three day call in period, which ended at 9am, Tuesday 6 December 2022.

10. **CHRISTMAS PARKING 2022**

Decision:

Having due regard to the integrated impact screening assessment:

That free Christmas parking be approved in Neath, Port Talbot and Pontardawe Pay & Display car parks from Saturday 10th December 2022 to Sunday 1st January 2023 inclusive (excluding The Gnoll, Afan Forest Country Park and Aberavon Seafront car parks).

Reason for Decision:

To support the town centre economy, it is acknowledged that providing free Christmas car parking would further support their recovery.

Implementation of Decision:

The decision will be implemented after the three day call in period, which ended at 9am, Tuesday 6 December 2022.

11. **EXTINGUISHMENT OF PART OF FOOTPATH NO.21 - CILLYBEBYLL**

Decision:

Having due regard to the Integrated Impact Screening Assessment, that a public path extinguishment order be made pursuant to section 118 of the Highways Act 1980 for the route shown A-B on the attached plan of the circulated report, and if no objections are made to confirm the order as made.

Reason for Decision:

- That this length of path is not needed for public use given there is a suitable alternative via the path A-C which joins the footway alongside Graig road which connects to point C.
- That the original length of the path A-B is no longer available and in any event the gradient of the bank from the houses to the rear of the cul de sac up to point B is steeper than via the footway up to point C.
- There is no suitable alternative today to the length A-B.

Implementation of Decision:

The decision will be implemented after the three day call in period, which ended at 9am, Tuesday 6 December 2022.

12. **EXTINGUISHMENT ORDERS FOR PART OF FOOTPATH NO.38 - CILLYBEBYLL**

Decision:

Having due regard to the integrated impact screening assessment, an Extinguishment Order is made pursuant to Section 118 of the Highways Act 1980 in respect of the route shown C-C1- D shown on the attached plan in the circulated report, and if no objections are received to the order then this order be confirmed the same as unopposed.

Reason for Decision:

- There is a need to resolve the issue of this length of path which crosses over two gardens.
- The housing development has resulted in the loss of the original field path, but that access across the site from Neath Road to public footpath no.39 can still be obtained mainly via the estate roads.

Implementation of Decision:

The decision will be implemented after the three day call in period, which ended at 9am, Tuesday 6 December 2022.

13. **DIVERSION OF FOOTPATH NO.14 - CWMAVON**

Decision:

That having due regard to the Integrated Impact Screening Assessment that a public path Diversion Order is made pursuant to Section 119 of the Highways Act 1980 in respect of the route shown A-B-C-D to A-E-D shown on plan no.1 in the circulated report, and that if no objections are received then to confirm the order as made.

Reason for Decision:

That the grounds for making the order under the tests of expediency can be satisfied as it will improve the privacy of the residents who live in close proximity to the path and that the diversion does not have any significant effect on the enjoyment of the path as a whole.

Implementation of Decision:

The decision will be implemented after the three day call in period, which ended at 9am, Tuesday 6 December 2022.

14. **COMMERCIAL PROPERTY GRANT - 5 THE ROPEWALK, NEATH**

Decision:

Having given due regard to the Integrated Impact Assessment and a description of the recommendation, that the grant be approved.

Reason for Decision:

To implement the provisions of the Commercial Property Grant scheme in accordance with the criteria and terms of administration of the grant, in order to contribute to the regeneration of Neath Town Centre.

Implementation of Decision:

The decision will be implemented after the three day call in period, which ended at 9am, Tuesday 6 December 2022.

15. **SIDING TERRACE, LONLAS, SKEWEN (REVOCATION) AND PROHIBITION OF WAITING, LOADING OR UNLOADING AT ANY TIME, PROHIBITION OF WAITING AT ANY TIME AND RESIDENT PERMIT HOLDERS ONLY - TRAFFIC REGULATION ORDER 2022**

Decisions:

Having had due regard to the integrated impact assessment:

- That the objections are upheld to the Siding Terrace, Lonlas, Skewen – (Revocation) and (Prohibition of Waiting At Any Time, Prohibition of Waiting, Loading and Unloading At Any Time and Resident Permit Holders Only) (as detailed in Appendix A to the circulated report) and that the revised scheme (as detailed in Appendix B to the circulated report) be implemented on site.
- That the objectors are to be informed of the decision accordingly.

Reason for Decisions:

To improve the existing resident parking scheme.

Implementation of Decision:

The decision will be implemented after the three day call in period, which ended at 9am, Tuesday 6 December 2022.

16. **LIST OF APPROVED CONTRACTORS**

Decision:

Having had due regard to the Integrated Impact Assessment:

That the List of Approved Contractors is amended as follows:-

Companies to be added to the List of Approved Contractors

The following companies have applied to be included on the list and have passed the required assessments:

<u>Company</u>	<u>Category</u>
Newport Recycling Ltd (N017)	6
Gavin Griffiths Recycling Ltd (G036)	6,7,111
Probe Industries Ltd (P054)	111

Reason for Decision:

- To keep the List of Approved Contractors up to date and as far as possible, ensure a competitive procurement process.
- These recommendations to be adopted for the purpose of supplying a List of Approved Contractors for invitation to tender within the relevant category.

Implementation of Decision:

The decision will be implemented after the three day call in period, which ended at 9am, Tuesday 6 December 2022.

17. **QUARTER 2 PERFORMANCE**

Decision:

That the report be noted.

18. **URGENT ITEMS**

There were no urgent items received.

19. **ACCESS TO MEETINGS - EXCLUSION OF THE PUBLIC**

Decision:

That the public be excluded from the meeting during consideration of the following item of business on the grounds that it involved the likely disclosure of exempt information as set out in Paragraph 14 of Schedule 12A of the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) (Wales) Order 2007 subject to the Public Interest Test (where appropriate) being applied.

20. **LEASE OF UNIT 1 - NEATH TOWN CENTRE DEVELOPMENT
(EXEMPT UNDER PARAGRAPH 14)**

Decision:

Having had due regard to the first stage Integrated Impact Assessment, that the granting of the lease on the terms set out in the circulated report be approved.

Reason for Decision:

The grant of the lease will allow this prominently located vacant premises to be let and operated by a major leisure sector company and provide an annual income for the Council.

Implementation of Decision:

The decision will be implemented after the three day call in period, which ended at 9am, Tuesday 6 December 2022.

CHAIRPERSON

Executive

FORWARD WORK PROGRAMME

2022 - 2023

Environment, Regeneration and Streetscene Services Cabinet Board**Immediately following the Scrutiny Committee at 2pm**

Meeting Date	Agenda Item and TYPE	Contact Officer
Page 14	Traffic Regulation Orders (Various) FOR DECISION	Dave Griffiths
	Select Lists (Various) FOR DECISION	Dave Griffiths
	Quarter 3 Performance FOR MONITORING	Shaun Davies
	Highways and Engineering Works Programme 2023/2024 FOR DECISION	Mike Roberts
	Local Energy Plan FOR DECISION	Simon Brennan
	Fleet Renewals Programme 2024/25 FOR DECISION	Dave Griffiths / Kevin Lewis
	Faith Provision within Council run Cemeteries (Moved from 20 January meeting) FOR DECISION	Mike Roberts
	Memorial Safety Testing Policy FOR DECISION	Mike Roberts

Meeting Date	Agenda Item and TYPE	Contact Officer
14 th April	Traffic Regulation Orders (Various) FOR DECISION	Dave Griffiths
	Select Lists (Various) FOR DECISION	Dave Griffiths
	Highways Asset Management Plan Update FOR DECISION	Mike Roberts
	Decarbonisation and Renewable Energy Strategy FOR INFORMATION	Simon Brennan/ Ceri Morris
	Waste Strategy Report FOR DECISION	Mike Roberts

Meeting Date	Agenda Item and TYPE	Contact Officer
26 th May	Traffic Regulation Orders (Various) – FOR DECISION	Dave Griffiths
	Select Lists (Various) – FOR DECISION	Dave Griffiths

NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

**ENVIRONMENT, REGENERATION & STREETSCENE
SERVICES CABINET BOARD**

19th January 2023

**Report of the Head of Legal and Democratic Services
Craig Griffiths**

Matter for Decision

Wards Affected:

Alt-wen

**Proposed modification order for byway No.24 in the
Community of Cilybebyll**

Purpose of the Report

1. To determine whether to make a modification order to downgrade a part of byway no.24, to a public footpath.

Executive Summary

2. This report considers the grounds for making a modification order to downgrade part of a byway to a public footpath.

3. A byway open to all traffic gives the public the right to drive vehicles along such a designated track, however a section of byway no.24 is not considered suitable for vehicular traffic, in that it is insufficient in width and includes a set of steps.
4. The proposal is to make a modification order, which will downgrade a part of the byway to a public footpath.

Background

5. Byway no.24 is shown in the Definitive Map and Statement as commencing on a cul-de-sac off Alltwen Hill and proceeding along a road to the side of Alltwen Primary School, before passing along a set of steps. The plan at appendix 2 shows the byway starting at point C and ending at point B; the set of steps is shown at points A - B.
6. A public byway open to all traffic gives the public right to drive vehicles along such a designated track. Given it is not possible to take a vehicle up a set of steps, it is necessary to consider either re-classifying this section of the byway under the Highways Act 1980 or assessing whether the byway was incorrectly recorded. It is considered that the byway may have been incorrectly recorded, when the review of all public paths was undertaken as a result of the National Parks and Access to the Countryside Act 1949. If it is concluded that this happened, a modification order could be made under the Wildlife and Countryside Act 1981 to correct that error.

Grounds for modification

7. The path appears on the 1918 and 1942 editions of the Ordnance Survey as a track to Dyffryn Road. It is not possible to say from the map whether vehicles could have obtained access along its entire length, but there is no reason to presume the steep gradient which now contains the steps, was different to the present time. It is also not known precisely when the steps were created
8. The two Ordnance Survey editions depict a slightly wider track compared to the subsequent editions, although this may be on account of the small scale of the plans - 1:10000. Today, the section containing the steps, only measures between 1 and 1.5 metres wide.

9. The steps are first shown on the Ordnance Survey 1964 edition, although a local resident has indicated that her mother believes the steps have been in existence since approximately the 1950's.
10. The Parish Council surveyed the path in 1950 and noted a stile at point B where the path meets Dyffryn Road. This stile is written on the plan used to survey this path, which indicates that no vehicles could have accessed Dyffryn Road by at least this date.
11. The path was shown in the first draft map of 1955, the Provisional Map of 1964 and the first Definitive map of 1970, as a public footpath. It was only at the Draft Special Review in 1971 ("the 1971 review"), that the path was upgraded to a byway. It is possible the intention was to recognise public vehicular access to the school and to those properties towards point A, but for some reason the flight of steps was also included in this upgrading.
12. The 1971 review was primarily intended to re-classify any roads used as public paths into either byways, bridleways or footpaths. It appears therefore, that the 1971 review was used as an opportunity to re-designate the footpath. Evidently, vehicular access to schools and individual properties would normally be secured as public roads via adoption agreements and then added to the list of streets. The 1971 review was never intended to be used for this purpose, which suggests that its re-classification was never dealt with properly and consequently resulted in this mistake.
13. Curiously the section which can be driven by vehicles is quoted in the Definitive Map as having a width of 3 feet, whereas there is a minimum width of 4 metres for the length between points A-C. This also suggests there was some confusion at the time as to the status of this path. It is suggested that this error in the Definitive Map and Statement is also corrected.
14. Several appendices attached to this report contain information on the evidence that the Council must consider when determining whether to make a modification order.
15. Appendix 3 provides an extract from the Wildlife and Countryside Act 1981, which places an obligation on this Council to consider what evidence may exist for re-classifying this path in whole or in part.

Appendix 4 provides further information on the grounds that need to be considered, should the Definitive Map be amended on an evidential basis.

Appendix 5 summarises the history of the compilation of the Definitive Map and Statement as required by the National Parks and Access to the Countryside Act 1949.

Financial Impacts

16. There are no financial implications associated with this report.

Integrated Impact Assessment

17. A first stage impact assessment has been undertaken to assist the Council in discharging its legislative duties (under the Equality Act 2010, the Welsh Language Standards (No.1) Regulation 2015, the Well Being of Future Generations (Wales) Act 2015 and the Environment (Wales) Act 2016. The first stage assessment has indicated that a more in-depth assessment is not required.

Valleys Communities Impacts

18. There are no valley community impacts associated with this report.

Workforce Impacts

19. There are no workforce impacts associated with this report.

Legal Impacts

20. The recommendations are discharging a duty under the Wildlife and Countryside Act 1981 to correct any errors that are discovered in the Definitive Map and Statement.

Risk Management Impacts

21. There are no risk management implications from this report.

Consultation

22. Prior to this report a standard list of organisations were consulted such as the Ramblers Association, their local representative, the Byways and Bridleways Trust, the Community Council and the Local Member.

Recommendations

23. It is recommended that having due regard to the Integrated Impact Screening Assessment
- That a modification order be made under Section 53 Wildlife and Countryside Act 1981 to downgrade the length of Byway no.24, shown on the attached plan between points A and B, to a public footpath. If no objections are received to the order then this order be confirmed as unopposed.
 - That the Definitive Map and Statement be amended to reflect the width from 3 feet to 4 metres between points A and C.

Reasons for Proposed Decision

24. That taking into consideration the available historical evidence set out in the report, there are sufficient grounds to alter the designation of the section of public Byway No.24 shown A-B on the attached plan.

Implementation of Decision

25. The decision is proposed for implementation after the three day call in period.

Appendices

26. Appendix 1- Integrated Impact Screening Assessment
27. Appendix 2 - Location Plan
28. Appendix 3 - Wildlife and Countryside Act 1981
29. Appendix 4 - Grounds for altering the Definitive Map
30. Appendix 5 - History of the compilation of the Definitive Map and Statement

List of Background Papers

31. None.

Officer Contact

32. Neil Chapple
Legal Regulatory Services Manager
Email: n.chapple@npt.gov.uk
Tel: 01639 763050

Impact Assessment - First Stage

1. Details of the initiative

Initiative description and summary: To assess and evaluate the proposal to downgrade part of Byway No.24 in the Community of Cilybebyll.
Service Area: Legal and Democratic Services
Directorate: Chief Executives

2. Does the initiative affect:

	Yes	No
Service users	x	
Staff		x
Wider community	x	
Internal administrative process only	x	

3. Does the initiative impact on people because of their:

	Yes	No	None/ Negligible	Don't Know	Impact H/M/L	Reasons for your decision (including evidence)/How might it impact?
Age		x				The effect of the proposed order would be to regularise the designation of the foot of steps as a public footpath only. It has no impact of this protected characteristic.

Disability		x				The effect of the proposed order would be to regularise the designation of the fight of steps as a public footpath only. It has no impact of this protected characteristic.
Gender Reassignment		x				The effect of the proposed order would be to regularise the designation of the fight of steps as a public footpath only. It has no impact of this protected characteristic.
Marriage/Civil Partnership		x				The effect of the proposed order would be to regularise the designation of the fight of steps as a public footpath only. It has no impact of this protected characteristic.
Pregnancy/Maternity		x				The effect of the proposed order would be to regularise the designation of the fight of steps as a public footpath only. It has no impact of this protected characteristic.
Race		x				The effect of the proposed order would be to regularise the designation of the fight of steps as a public footpath only. It has no impact of this protected characteristic.
Religion/Belief		x				The effect of the proposed order would be to regularise the designation of the fight of steps as a public footpath only. It has no impact of this protected characteristic.
Sex		x				The effect of the proposed order would be to regularise the designation of the fight of steps as a public footpath only. It has no impact of this protected characteristic.
Sexual orientation		x				The effect of the proposed order would be to regularise the designation of the fight of steps as a public footpath only. It has no impact of this protected characteristic.

4. Does the initiative impact on:

	Yes	No	None/ Negligible	Don't know	Impact H/M/L	Reasons for your decision (including evidence used) / How might it impact?
People's opportunities to use the Welsh language		x				The proposal does not affect the ability for using the Welsh Language as it relates to access rights
Treating the Welsh language no less favourably than English		x				The proposal does not affect the ability for using the Welsh Language as it relates to access rights

5. Does the initiative impact on biodiversity:

	Yes	No	None/ Negligible	Don't know	Impact H/M/L	Reasons for your decision (including evidence) / How might it impact?
To maintain and enhance biodiversity		x				The proposal has no effect on biodiversity given it is concerned with downgrading the legal status of a public path
To promote the resilience of ecosystems, i.e. supporting protection of the wider environment, such as air quality, flood alleviation, etc.		x				The proposal has no effect on biodiversity given it is concerned with downgrading the legal status of a public path.

6. Does the initiative embrace the sustainable development principle (5 ways of working):

	Yes	No	Details
Long term - how the initiative supports the long term well-being of people	x		The initiative supports the long term wellbeing of people by ensuring that public path orders are correctly introduced and implemented only when they can be justified and that resources are appropriately used in the provision of legal services to the Council and therefore the wider community.
Integration - how the initiative impacts upon our wellbeing objectives	x		The initiative will further allow the focusing of existing human and financial resources upon the 3 wellbeing objectives by ensuring that public path orders are correctly introduced and implemented only when they can be justified and that resources are appropriately used in assessing and evaluating them.
Involvement - how people have been involved in developing the initiative	x		The initiative builds upon the consultation and evidence gathering with all the stakeholders concerned, before coming to a recommendation.
Collaboration - how we have worked with other services/organisations to find shared sustainable solutions	x		This Authority has ensured all those who have an interest in this initiative have been given an opportunity to provide their views and any evidence they considered relevant.
Prevention - how the initiative will prevent problems occurring or getting worse	x		This initiative will reconcile the error in the classification of the path inherited by this Council.

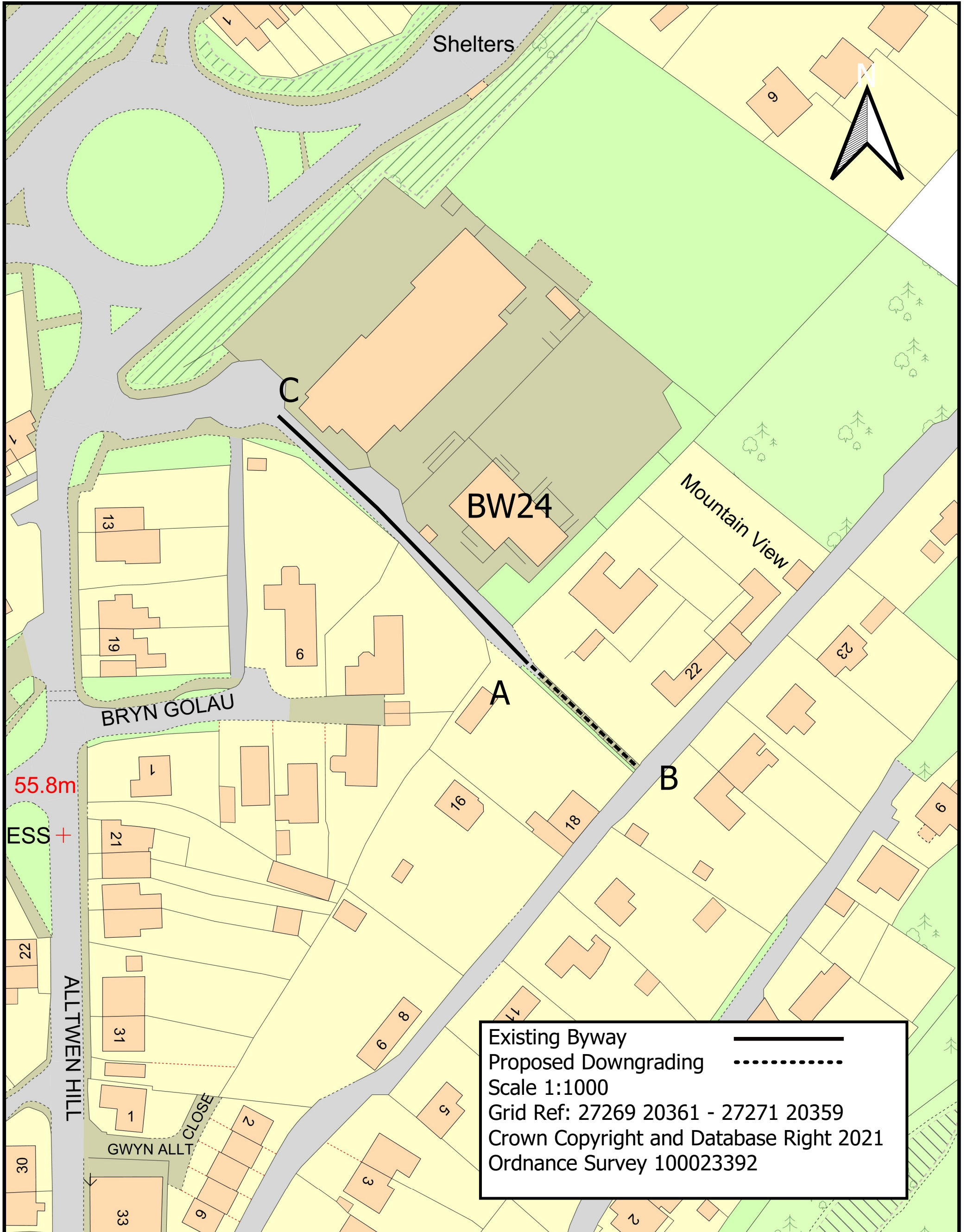
7. Declaration - based on above assessment (tick as appropriate):

A full impact assessment (second stage) is not required	X
Reasons for this conclusion	
Based upon the above assessment a second stage impact assessment is not required as the initiative does not negatively impact on any of the protected characteristics, or the Welsh Language, or biodiversity and embraces the sustainable development principle. The report is resolving an error in the Definitive Map.	

	Name	Position	Date
Completed by	Neil Chapple	Legal Regulatory Services Manager	10/01/23
Signed off by	Craig Griffiths	Head of Legal and Democratic Services	10/01/23

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Proposed Downgrading of Byway 24 (Part) Cilybebyll to a Footpath



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WILDLIFE AND COUNTRYSIDE ACT, 1981

Section 53 Duty to keep the Definitive Map and Statement under continuous review.

(2) As regards every Definitive Map and Statement, the Surveying Authority shall:

(a) as soon as reasonably practical after commencement date, by order make such modifications to the map and statement as appear to them to be requisite in consequence of the occurrence, before that date, of any of the events specified in Sub-Section 3; and

(b) as from that date, keep the map and statement under continuous review and as soon as reasonably practicable after the occurrence on or after that date, of any of those events, by order make such modifications to the map and statement as appear to them to be requisite in consequence of the occurrence of that event.

(3) The events referred to in Sub-Section 2 are as follows:

(b) the expiration, in relation to anyway in the area to which the map relates of any period such that the enjoyment by the public of the way during that period rises a presumption that the way has been dedicated as a public path or restricted byway;

(c) the discovery by the Authority of evidence which (when considered with all other relevant evidence available to them) shows:

- (i) that a right of way which is not shown on the map and statement subsists or is reasonably alleged to subsist over land in the area to which the map relates, being a right of way such that the land over which the right subsists is a public path, a restricted byway or, subject to Section 54A a byway open to all traffic;
- (ii) that a highway shown in the map and statement as a highway of a particular description ought to be there shown as a highway of a different description;
- (iii) that there is no public right of way over land shown in the map and statement as a highway of any description or any other particulars contained in the map and statement require modification.

HIGHWAYS ACT, 1980

Section 31. Dedication of way as a highway presumed after public use for 20 years.

Where a public way over land, other than a way of such a character that use of it by the public could not give rise at common law to any presumption of dedication, has actually been enjoyed by the public as of right and without interruption of a full period of 20 years, the way is deemed to have been dedicated as a highway unless there is sufficient evidence that there was no intention during this period to dedicate it.

For Section 31(1) Highways Act, 1981 to operate and give rise to a presumption of dedication the following criteria must be satisfied:

- the physical nature of the path must be such as is capable of being a public right of way
- the use must be 'brought into question', i.e. challenged or disputed in some way
- use must have taken place without interruption over the period of twenty years before the date on which the right is brought into question
- use must be *as of right* i.e. without force, without stealth or without permission and in the belief that the route was public
- there must be insufficient evidence that the landowner did not intend to dedicate a right of type being claimed
- use must be by the public at large

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**THE BASIS UPON WHICH A MODIFICATION ORDER MAY BE MADE TO
MODIFY OR DELETE A PUBLIC RIGHT OF WAY**

1. This Council must be satisfied that the existing entry in the Definitive Map and Statement is incorrect. This means that the evidence should show a mistake was made at the relevant date of the First Definitive Map, which in this case is 14th September 1954.
2. The provisions of Section 32(4)(b) to the National Parks and Access to the Countryside Act 1949 required the Authority to produce a Definitive Map and Statement. Section 56(1)(b) and (d) of the Wildlife and Countryside Act 1981 provides that, “the Definitive Map and Statement shall be conclusive evidence as to the particulars contained therein to the following extent, where the map shows a footpath the map should be conclusive evidence that there was at the relevant date a highway as shown on the map...”. So if a challenge is being made to an entry to the Map and Statement the evidence must show a mistake was made at the earliest relevant date which is the first date the path was recognised as having legal status.
3. The question therefore is what is considered sufficient evidence to show that such a mistake had been made. The 1981 Act permits a correction to be made when evidence is discovered and considered with all other relevant evidence and so a decision has to be made on the balance of probabilities that an error had been made.
4. The real difficulty lies when the evidence upon which the entries were made into the Definitive Map have been lost or that record is incomplete. This is a common predicament that this and other Authorities face, as once the procedure for finally showing a public right of way has been completed the conclusivity of the Map and Statement would have led many Authorities to be less concerned on retaining the

reasons for its final inclusion. Nonetheless as a result of previous case concerning R -v- S for Environment ex parte Simms and Burrows (1990), such deletions, or downgrading and other amendments are deemed possible.

5. The issue therefore is what weight is to be given to the entry into the original map especially when the evidence which led to its inclusion is absent. It was a document prepared pursuant to an Act of Parliament and which was to be an authoritative record, it required various stages leading up to its preparation to be satisfied and gave landowners several opportunities to challenge any proposed entry. It should also be borne in mind that the map was prepared at a time when one could find local people whose memories went back very much further than today's residents.
6. This issue was addressed at the Court of Appeal concerning the case of Trevelyan -v- Secretary of State for the Environment (2000). It concluded there must be an initial presumption in favour of the existence of that public right of way and unless there is evidence to the contrary, it should be assumed the proper procedures were followed and that evidence did exist which made it seriously arguable that the right subsisted at the relevant date, even if no trace of that evidence survives.
7. Two earlier Welsh Office Circulars assist, that numbered 45/90 on 'Modifications to the Definitive Map', advises that: 'in making an application for an order to delete...a right of way, it will be for those who contend that there is no right of way..., to prove that the map is in error by the discovery of evidence, which when considered with all other relevant evidence clearly shows that a mistake was made when the right of way was first recorded. ...it is not for the authority to demonstrate that the map is correct, but for the applicant to show that an error was made.'

8. The second Welsh Office Circular 5/93 on 'Public Rights of Way' states that: 'Surveying authorities, whenever they discover or are presented with evidence which suggests that a definitive map and statement should be modified, are required to take into consideration all other relevant evidence available to them concerning the status of the right of way involved. Moreover, before making an order they must be satisfied that the evidence shows on the balance of probability that a right of way....shown on the map is not in fact a public right of way. The mere assertion, without supporting evidence, that a right of way does not exist would be insufficient to satisfy that test.'

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**HISTORY OF THE COMPILATION OF THE DEFINITIVE MAP
AND STATEMENT**

1. The National Parks and Access to the Countryside Act of 1949 placed an obligation on all Councils to produce a Definitive Map and Statement. Parish Councils were given the task of surveying all routes they considered may have legal status. This resulted in the production of what has come to be known as the Parish Map (at the scale of 6" to one mile) and the all too often rather brief description of the path contained on small cards also known as the Parish Card. Some of the descriptions on these cards were more comprehensive than others but in combination with the paths' depiction in the "Parish Map", provide a useful record of what routes were considered to have public path status by 1954.
2. The information was passed to the former Glamorgan County Council who collated the information and produced the first Draft Definitive Map which in their opinion reflected routes considered to be public rights of way on 14th September 1954 which became the "relevant date" of the first Definitive Map published in 1970.
3. The legislation required that the information gathered should be the subject of a series of reviews, which would allow the public and landowners to make representations or objections to the inclusion or absence of routes in the various editions of these earlier Draft Maps. The result was the production of the initial Draft Map and Statement published in 1955. Objections to the inclusion or omission of routes were considered in 1956 and the results of those decisions were again subject to further objections which resulted in a further series of hearings which took place in the 1960s. The Provisional Map and Statement published in 1964 was the effect of those objections so determined. Once published, landowners were given another

opportunity to object and these were heard in the Quarter Sessions in around 1968. The result was the production of the first Definitive Map and Statement published in 1970. The passing of the Countryside Act 1968 required all Councils to reclassify routes they had designated as roads used as public paths (R.U.U.Ps) into either footpaths, bridleways or byways open to all traffic. This resulted in the production of the Draft Special Review of 1971, published in 1974, to which objections could be made. Those inquiries were mainly held in 1980 which when determined lead to the production of the current Definitive Map and Statement published in 1988.



Cyngor Castell-nedd Port Talbot
Neath Port Talbot Council

NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

Environment, Regeneration & Streetscene Services Cabinet Board

20th January 2023

Report of the Head of Engineering & Transport – D.W.Griffiths

Matter for Decision

Wards Affected: Margam and Tai-bach, Port Talbot

A48 MARGAM ROAD TO PORT TALBOT (REVOCATION) AND (30MPH SPEED LIMITS) - ORDER 2022

Purpose of the Report:

To consider the comments and objections received following for the advertisement of the A48 Margam Road to Port Talbot (Revocation) and (30mph Speed Limits) - Order 2022, as indicated in Appendix A.

Executive Summary:

The report outlines the proposed 30mph Speed Limit Traffic Regulation Orders which were formally advertised resulting in objections being received.

Background:

The Welsh Government are proposing to implement a national roll out of a revision to the current default speed limit of 30 mph.

The new default speed limit in lit areas across Wales will be 20 mph not 30 mph as currently. This is planned to happen in September 2023 when the new default limits become operational.

Local Authorities are able to convert back from the default of 20 mph speed limit to the current 30 mph speed limit on agreed strategic roads by creating a traffic regulation order.

The proposed 30mph speed limit traffic regulation order has been agreed with the Welsh Government and the local members as an exception to the general default 20 mph speed limit as indicated in Appendix A.

The traffic regulation order is necessary to maintain the existing speed limit of 30 mph on sections of A48 Margam Road, A48 Commercial Road, A48 Talbot Road, A48 Heilbronn Way, Dyffryn Road and Abbey Road within the borough after the Welsh Government has passed legislation to implement a 20mph default speed limit in urban areas nationally throughout Wales in the interest of road safety.

The Council as Local Highway Authority considers that these roads are strategic routes with higher volumes of daily traffic compared to urban residential streets and as such does not meet the criteria or the nature of a road or roads with a speed limit of 20 mph.

The Council considers that the existing 30 mph speed limits are appropriate speed limits in order to maintain a reasonable traffic flow on higher traffic volume strategic routes.

Financial Impacts:

The scheme is to be funded by the Welsh Government.

Integrated Impact Assessment:

A first stage impact assessment has been undertaken to assist the Council in discharging its legislative duties (under the Equality Act 2010, the Welsh Language Standards (No.1) Regulations 2015, the Well-being of Future Generations (Wales) Act 2015 and the Environment (Wales) Act 2016.

The first stage assessment, attached at Appendix B, has indicated that a more in-depth assessment is not required. A summary is included below: -

A full impact assessment is not required as the proposed traffic regulation orders will provide a safe environment for all highway users.

Valleys Communities Impacts:

There are 'No Implications' associated with this report.

Workforce Impacts:

There are 'No Implications' associated with this report.

Legal Impacts:

The proposals were advertised for a 21-day period between 26th September 2022 and 17th October 2022.

Risk Management Impacts:

There are no risk management impacts associated with this report.

Consultation:

This item has been subject to external consultation.

A consultation exercise was undertaken for a period of 21 days between 26th September 2022 and 17th October 2022.

There were 500 letters and plans hand delivered to the properties on A48 Margam Road, A48 Commercial Road, A48 Talbot Road, A48 Heilbronn Way, Dyffryn Road and Abbey Road detailing the proposals. Following a three-week consultation exercise, 1 support and 3 objections were received.

A summary of the objections and support received are given below:-

Support: - *Any officer observations/ comments are illustrated in italics in response to the points raised.*

- a) A resident supports the proposal as there is enough congestion as it is on the route, especially at peak times and diversions from the M4. When the Plaza re-opens that will attract more traffic.
- b) A resident doesn't want traffic backing up onto Junction 40 of the motorway. The resident feels that drivers drive according to road conditions and when vehicles travel down Abbey Road to the traffic lights they will not do 20mph.

Objection: - *Any officer observations/ comments are illustrated in italics in response to the points raised.*

- a) Residents are against this proposal due to the already excessive speeds along the route.
- b) Residents have stated that they regularly observe vehicles travelling up to 60 mph along this route. Speeding is the main cause of collisions along this road.

Whilst the council acknowledges that speeding may occur along this route, the enforcement of any speed limit is the responsibility of South Wales Police.

- c) A resident disagrees with the reasoning that lowering the speed limit is to maintain traffic flow as traffic will flow at whatever speed is in operation.

The A48 is a major highway, however if a lower speed limit was in place then traffic could divert into the side streets to avoid any enforcement by South Wales Police creating rat running through narrow residential streets.

- d) A resident has stated that 20 mph is a lot safer and less polluting.
- e) A resident feels that the speed limit is being kept at 30mph to allow buses to be kept running on time.

The Council notes that the speed limit is being kept at 30mph due to the nature and conditions of the existing A classified road and not to allow for the running time of buses.

- f) Residents feel that the installation of a speed camera or any such measure by the council would be a more appropriate solution to deter speeding vehicles and reduce accidents.

The Council will continue to monitor the situation going forward and may consider additional mitigation measures if required.

- g) A resident feels that there is no traffic control to slow vehicles at all and they never seen either fixed or mobile speed detection on this stretch of road.

h) A resident is formally against reducing the speed to 20mph.

The local members have been consulted on the feedback received and support that the objections be overruled with the scheme being implemented as advertised in Appendix A.

Recommendations:

Having had due regard to the integrated impact assessment it is recommended that the objections are overruled to the A48 Margam Road to Port Talbot (Revocation) and (30mph Speed Limits) - Order 2022 (as detailed in Appendix A to the circulated report) and that the scheme is implemented as advertised.

The objectors are to be informed of the decision accordingly.

Reasons for Proposed Decision:

The Orders are necessary to maintain the existing speed limit of 30 mph on sections of A48 Margam Road, A48 Commercial Road, A48 Talbot Road, A48 Heilbronn Way, Dyffryn Road and Abbey Road within the borough after the Welsh Government has passed legislation to implement a 20mph default speed limit in urban areas nationally throughout Wales in the interest of road safety.

Implementation of Decision:

The decision is proposed for implementation after the three day call in period.

Appendices:

Appendix A – Plan – Proposed 30mph Speed Limit, A48 Port Talbot to Margam – Legal Plan.

Appendix B – Integrated Impact Assessment.

List of Background Papers:

None.

Officer Contact:

Mr Martin Brumby, Engineering & Transport

Tel. No. 01639 686013

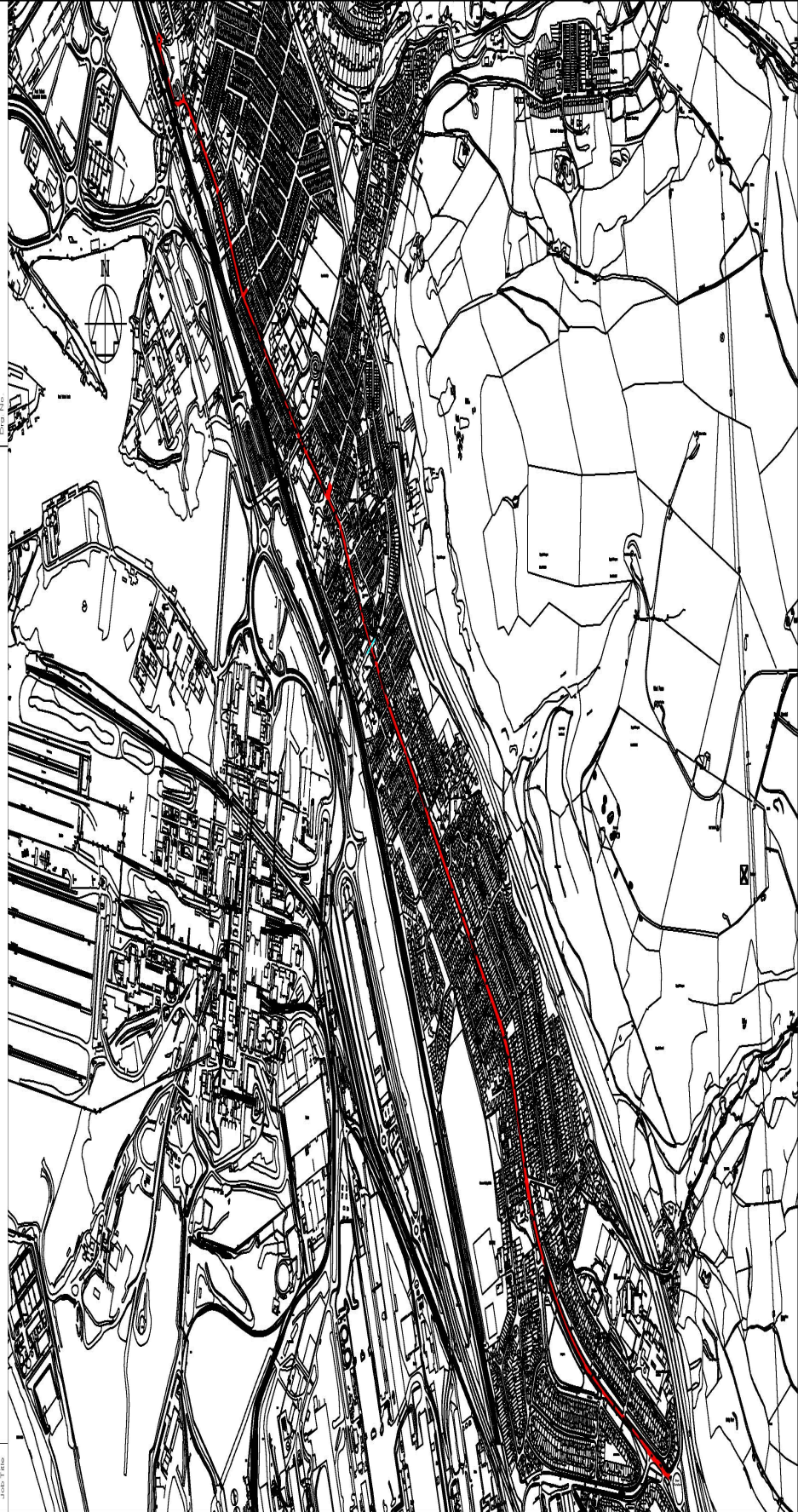
Email m.brumby@npt.gov.uk

Mr Ryan L. Jones, Engineering & Transport

Tel. No. 01639 686771

Email r.jones15@npt.gov.uk

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NOTES
 1. All dimensions are in millimetres unless otherwise stated.

Key:
 Proposed 30mph Speed Limit

Rev	Details	Dr	Ch	As	Date

Client:



ENGINEERING TRANSPORT
 WOLU PEARCE BSC (HON) Dip T (MOT)
 DIRECTOR OF ENVIRONMENT AND REGISTRATION
 THE QUAYS, BRUNEL WAY
 BRUNEL DRIVE PARK
 MERTHWYTH 200


Job Title:

Proposed 30mph Speed Limit
 A48 Port Talbot to Margam
 Legal Plan

File No: 1702 / Financial Code No: 20.01702020A.0020

Drawn:  Checked:  Approved:  +MFM

Date: May 22 Date: May 22 Date: May 22

Status: NTS Status:  +MFM

Drawing No: C2131C_04

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1. Details of the initiative

Initiative description and summary: A48 Margam Road to Port Talbot (Revocation) and (30mph Speed Limits) Order 2022
Service Area: Engineering and Transport
Directorate: Environment and Regeneration

2. Does the initiative affect:

	Yes	No
Service users	Y	
Staff	Y	
Wider community	Y	
Internal administrative process only	Y	

3. Does the initiative impact on people because of their:

	Yes	No	None/ Negligible	Don't Know	Impact H/M/L	Reasons for your decision (including evidence)/How might it impact?
Age		N			L	There is no negative impact as the speed limit will remain the same along the route thereby maintaining the location as a suitable route for all users of the locality. The route is generally wide with good footways and low traffic speeds.
Disability		N			L	
Gender Reassignment		N			L	
Marriage/Civil Partnership		N			L	
Pregnancy/Maternity		N			L	
Race		N			L	
Religion/Belief		N			L	
Sex		N			L	
Sexual orientation		N			L	

4. Does the initiative impact on:

	Yes	No	None/ Negligible	Don't know	Impact H/M/L	Reasons for your decision (including evidence used) / How might it impact?
People's opportunities to use the Welsh language	Y				L	There will be a positive impact as we welcome all correspondence in Welsh and English when dealing with the wider community.
Treating the Welsh language no less favourably than English	Y				L	There will be a positive impact because all permanent highway approved signage and road markings used in the traffic regulation orders are Bilingual (Welsh / English) with Welsh placed above English.

5. Does the initiative impact on biodiversity:

	Yes	No	None/ Negligible	Don't know	Impact H/M/L	Reasons for your decision (including evidence) / How might it impact?
To maintain and enhance biodiversity		N			L	There is no negative impact as the road markings are located on the carriageway, therefore the scheme does not impact the existing Flora, Fauna or Biodiversity.
To promote the resilience of ecosystems, i.e. supporting protection of the wider environment, such as air quality, flood alleviation, etc.		N			L	There is no negative impact as the road markings are located away from the kerb allowing the carriageway and footway drainage to function as at present. The scheme is located within the existing road surface and as such there is no opportunity to provide additional drainage systems such as swales, soakaways etc.

6. Does the initiative embrace the sustainable development principle (5 ways of working):

	Yes	No	Details
<p>Long term - how the initiative supports the long term well-being of people</p>	Y		<p>Within the Neath Port Talbot presently 59.6% of adults are obese or overweight (with 23.6% being obese) it is predicted that by 2025 the number will have risen to 66.5%. A quarter of children in Wales are overweight or obese (including 12.4% that are obese) Wales has a higher percentage of adolescents self-reporting to be overweight or obese compared to England, Scotland and Republic of Ireland, with rates being generally higher in boys than girls.</p> <p>Only 48.4% of adults in Neath Port Talbot are meeting the physical activity guidelines compared to 53.1% in Wales. For most people, the easiest form of physical activity are those that can be built into everyday life such as walking and commuting by active travel. By enabling active travel, the proposal will contribute to improved health benefits for users whilst reducing carbon emissions from vehicles.</p> <p>The Welsh Governments Llwybr Nweydd Wales transport strategy sets out the 20 year ambition and focuses on delivering an accessible, sustainable transport system that is good for people, communities, the environment the economy and Welsh language and culture.</p> <p>The 5 year priorities call for a transport system and infrastructure that plays its part in reducing greenhouse gas emissions whilst increasing active travel and public transport use by providing safe, accessible, sustainable transport systems that people will want to use.</p> <p>The sustainable transport hierarchy places active travel at the forefront of transport and sets out how the strategy will encourage people to change their travel behaviour to use low-carbon sustainable transport, cycling and walking as the preferred transport modes.</p>

			The scheme will help to encourage and maintain Active Travel through maintaining the existing street scene environment, thereby benefiting the community. Furthermore, in September 2023 the Welsh Government National 20 mph speed limit default strategy may be implemented lowering the speed limit over a greater urban area of secondary estate roads within the locality reducing overall emissions and the promotion of Active Travel, walking and cycling. The main route by remaining at the existing 30 mph speed limit will help to maintain traffic flow, thereby helping to reduce the traffic using the estate roads which could become rat runs following the defaulting to a lower speed limit.
Integration - how the initiative impacts upon our wellbeing objectives	Y		The scheme through maintaining the existing speed limit will maintain the existing street scene improving the community health through reduced air pollution and people walking to the local facilities, thereby contributing to other organisations goals on improving health for the population of Wales.
Involvement - how people have been involved in developing the initiative	Y		A statutory consultation exercise for the traffic regulation orders was undertaken with letters and plans delivered to the adjacent properties detailing the proposals. The traffic regulation orders were advertised in the South Wales Evening Post, on the Council's web site and Notices posted on site.
Collaboration - how we have worked with other services/organisations to find shared sustainable solutions	Y		The various sections within the Council such as Highway Engineering and the Legal section have worked together on this initiative.
Prevention - how the initiative will prevent problems occurring or getting worse	Y		In NPT 25.5% of homes do not have access to a car. Where car ownership levels are low, residents are more likely to be reliant on public transport and active travel for their day to day needs and to access key services and employment. Poor facilities can lead to difficulty in using active travel which can cause to social exclusion and isolation, which subsequently can lead to a range of health and social problems.

			<p>Facilitating more journeys by Active Travel will reduce our consumption of natural resources and act to tackle the causes and consequences of congestion, climate change, traffic pollution and noise.</p> <p>Encouraging people to be more active by providing Active Travel routes will help people to be healthy, to achieve their potential.</p>
--	--	--	---

7. Declaration - based on above assessment (tick as appropriate):

A full impact assessment (second stage) is not required	✓
Reasons for this conclusion	
<p>After completing the assessment, it has been determined that this proposal does not require a full Impact Assessment (second stage). The 30mph speed limit traffic regulation order will have a positive impact on service users, have no adverse impact on people who share protected characteristics or on people's ability to use the Welsh language.</p> <p>The 30mph speed limit traffic regulation order contributes to delivering the Council's Corporate Improvement Plan by improving the wellbeing of people within the community by providing safe passage for all highway users.</p>	

A full impact assessment (second stage) is required	
Reasons for this conclusion	

	Name	Position	Date
Completed by	Hasan I. Hasan	Engineering Manager	07/12/2022
Signed off by	D.W.Griffiths	Head of Engineering & Transport	07/12/2022

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Cyngor Castell-nedd Port Talbot
Neath Port Talbot Council

NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

Environment, Regeneration and Streetscene Services Cabinet Board

20th January 2023

Report of the Head of Engineering & Transport – D.W.Griffiths

Matter for Decision

Wards Affected: Resolven and Tonna

TRAFFIC CALMING MEASURES AT B4434 NEW ROAD, CLYNE - NOTICE 2022

Purpose of the Report:

To consider the objection received following the advertisement of the Traffic Calming Measures at B4434 New Road, Clyne - Notice 2022, as indicated in Appendix A.

Executive Summary:

The report outlines the proposed Traffic Calming Measures which were formally advertised resulting in an objection being received.

Background:

The scheme was prioritised by local members following representations from residents regarding excessive vehicle speeds

along the route. These practices were highlighted by residents as a road safety concern.

The proposed speed cushions are required in the interest of highway safety.

The proposed scheme is indicated in Appendix A.

Financial Impacts:

The scheme is to be funded by the Capital Works Programme.

Integrated Impact Assessment:

A first stage impact assessment has been undertaken to assist the Council in discharging its legislative duties (under the Equality Act 2010, the Welsh Language Standards (No.1) Regulations 2015, the Well-being of Future Generations (Wales) Act 2015 and the Environment (Wales) Act 2016.

The first stage assessment, attached at Appendix B, has indicated that a more in-depth assessment is not required. A summary is included below: -

A full impact assessment is not required as the proposed traffic calming measures will provide a safe environment for all highway users.

Valleys Communities Impacts:

There are 'No Implications' associated with this report.

Workforce Impacts:

There are 'No Implications' associated with this report.

Legal Impacts:

The proposals were advertised for a 21-day period between 21st October 2022 and 11th November 2022.

Risk Management Impacts:

There are no risk management impacts associated with this report.

Consultation:

This item has been subject to external consultation.

A consultation exercise was undertaken for a 21-day period between 21st October 2022 and 11th November 2022.

There were 25 letters and plans hand delivered to the properties on the B4434 New Road, Clyne detailing the proposals. Following a three-week consultation exercise, 1 statement of objection was received.

A summary of the objection received is given below:-

Objection: - *Any officer observations/ comments are illustrated in italics in response to the points raised.*

- a) The proposal falls well short of what the residents of Cyd Terrace have requested.
- b) The resident feels that the distance between the two proposed speed cushions is too great and leaves the 16 houses in the terrace at danger of speeding between these two speed cushions. The resident also feels that the original plan that residents were shown included 4 sets of speed cushions and would be better. Or even an additional set half way between

Number 1 Cyd Terrace and Number 16 Cyd Terrace.

Highways officers have investigated both the possibility of placing speed cushions and speed ramps (plateaus) fronting numbers 1 to 17 New Road. As a result of this, the existing carriageway width is too narrow with the inclusion of the parked cars to implement the cushions to the appropriate highway standard dimensions. Subsequently, due to existing levels on site the implementation of a plateau could not be achieved as it would have an adverse effect on the highway drainage along the route.

- c) Four sets of speed cushions at a similar distance have recently been put in in a nearby area.
- d) The road past Cyd Terrace is like a death trap for the elderly, children and pets, as cars and motorbikes once they see the road is clear just speed passed in a reckless fashion.

The council reviews each site individually and will consider the highway configuration, collision data, vehicle speeds, road widths, levels and drainage constraints when determining whether speed amelioration or mitigation measures should be implemented at a location.

The local members have been consulted on the feedback received and support that the objection is overruled with the scheme being implemented as advertised in Appendix A.

Recommendations:

Having had due regard to the integrated impact assessment it is recommended that the objections are overruled to the Traffic Calming Measures at B4434 New Road, Clyne - Notice 2022 (as detailed in

Appendix A to the circulated report) and that the scheme is implemented as advertised.

The objectors are to be informed of the decision accordingly.

Reasons for Proposed Decision:

The proposed speed cushions are required in the interest of highway safety.

Implementation of Decision:

The decision is proposed for implementation after the three day call in period.

Appendices:

Appendix A – Plan – B4434 New Road, Clyne – Proposed Traffic Calming.

Appendix B – Integrated Impact Assessment.

List of Background Papers:

None.


Officer Contact:

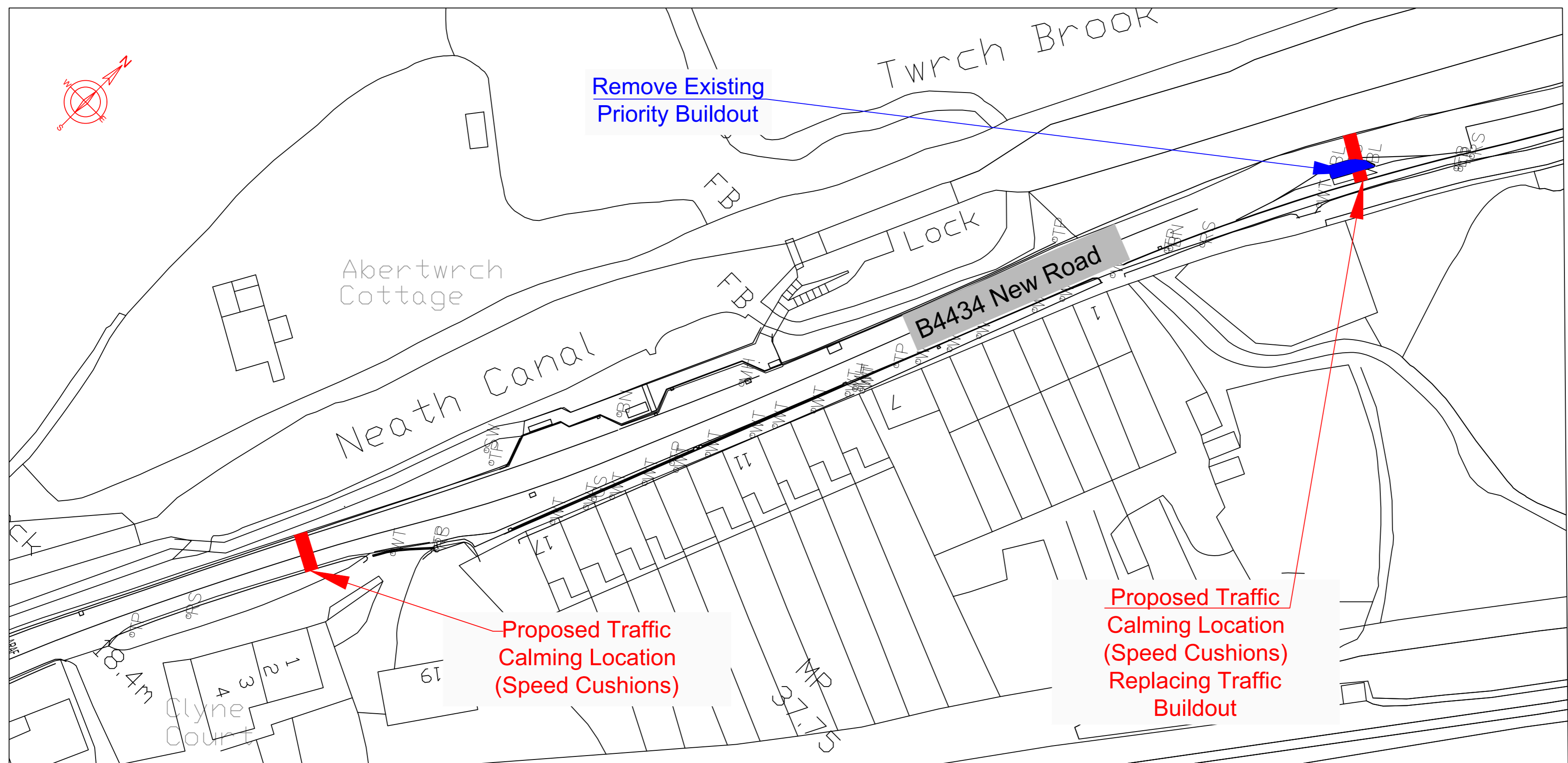
Mr Martin Brumby, Engineering & Transport
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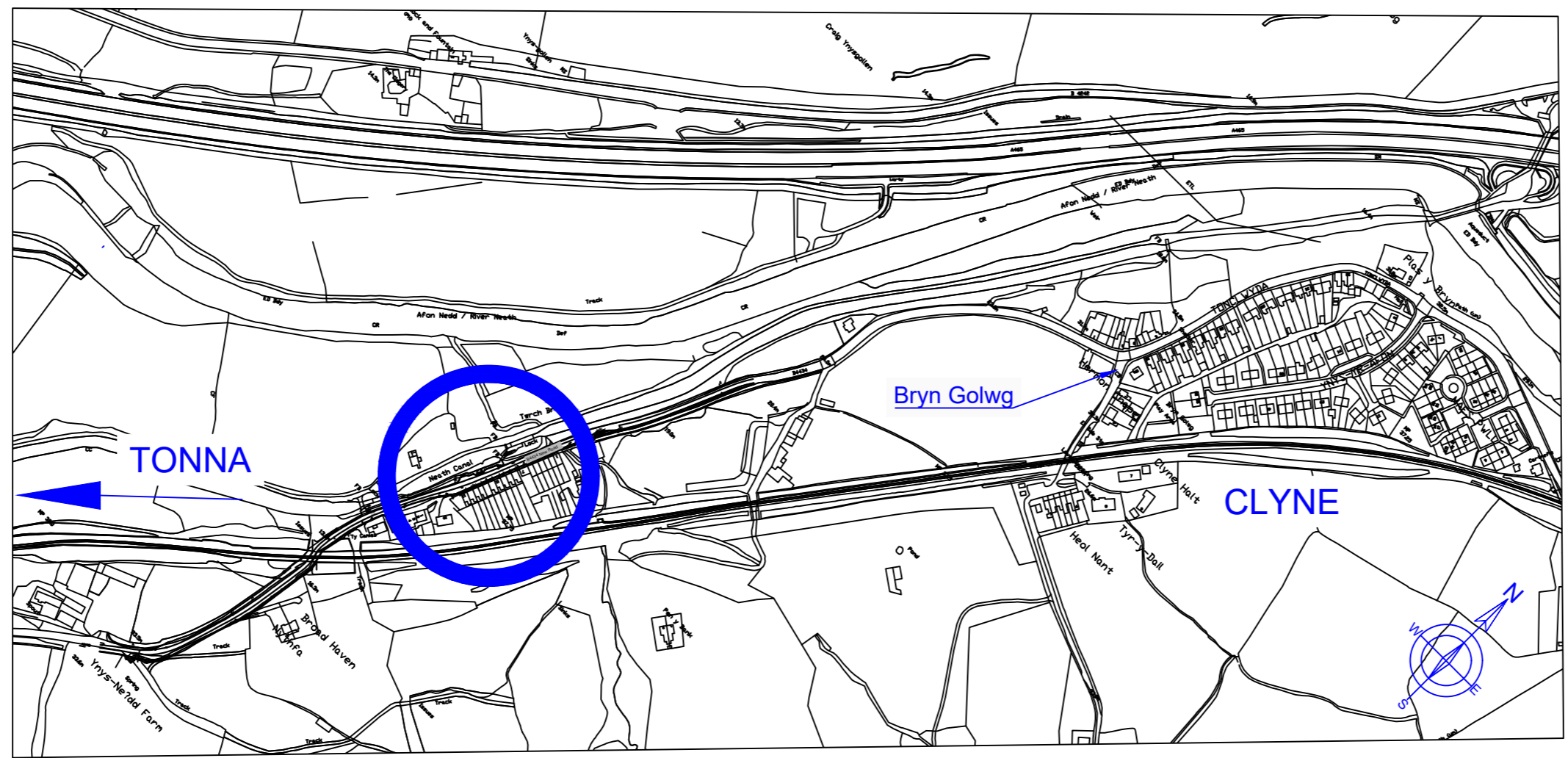
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1. All dimensions are in millimetres unless otherwise stated.

 Proposed Traffic Calming Location (Speed Cushions)



EXTENT OF TRAFFIC CALMING - SCALE 1:500 @ A2



SITE LOCATION - SCALE 1:5000 @ A2

Rev	Details	Dr	Ch	Ap	Date

Client

 **Cyngor Castell-nedd Port Talbot**
Neath Port Talbot Council

ENGINEERING AND TRANSPORT

NICOLA PEARCE BSC (Hons), Dip TP, MRTPI
DIRECTOR OF ENVIRONMENT AND REGENERATION
THE QUAYS, BRUNEL WAY
BAGLAN ENERGY PARK
NEATH SA11 2GG

Job Title

B4434 NEW ROAD, CLYNE

PROPOSED TRAFFIC CALMING

File No.	Financial Code No.

Drawn	RLJ	Checked	MCB	Approved	HHH
Date	AUG'22	Date	AUG'22	Date	AUG'22

Scales	As Detailed	Status	PRELIM

Drawing No: C30330_NRC_TC_TRO1

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1. Details of the initiative

Initiative description and summary: Traffic Calming Measures at B4434 New Road, Clyne – Notice 2022
Service Area: Engineering and Transport
Directorate: Environment and Regeneration

2. Does the initiative affect:

	Yes	No
Service users	Y	
Staff	Y	
Wider community	Y	
Internal administrative process only	Y	

3. Does the initiative impact on people because of their:

	Yes	No	None/ Negligible	Don't Know	Impact H/M/L	Reasons for your decision (including evidence)/How might it impact?
Age		N			L	There is no negative impact as the proposed speed cushions help reduce vehicle speeds along the route thereby making the location safer for all users of the locality.
Disability		N			L	
Gender Reassignment		N			L	
Marriage/Civil Partnership		N			L	
Pregnancy/Maternity		N			L	
Race		N			L	
Religion/Belief		N			L	
Sex		N			L	
Sexual orientation		N			L	

4. Does the initiative impact on:

	Yes	No	None/ Negligible	Don't know	Impact H/M/L	Reasons for your decision (including evidence used) / How might it impact?
People's opportunities to use the Welsh language	Y				L	There will be a positive impact as we welcome all correspondence in Welsh and English when dealing with the wider community.
Treating the Welsh language no less favourably than English	Y				L	There will be a positive impact because all permanent highway approved signage and road markings used in the traffic regulation orders are Bilingual (Welsh / English) with Welsh placed above English.

5. Does the initiative impact on biodiversity:

	Yes	No	None/ Negligible	Don't know	Impact H/M/L	Reasons for your decision (including evidence) / How might it impact?
To maintain and enhance biodiversity		N			L	There is no negative impact as the road markings are located on the carriageway, therefore the scheme does not impact the existing Flora, Fauna or Biodiversity.
To promote the resilience of ecosystems, i.e. supporting protection of the wider environment, such as air quality, flood alleviation, etc.		N			L	There is no negative impact as the road markings are located away from the kerb allowing the carriageway and footway drainage to function as at present. The scheme is located within the existing road surface and as such there is no opportunity to provide additional drainage systems such as swales, soakaways etc.

6. Does the initiative embrace the sustainable development principle (5 ways of working):

	Yes	No	Details
<p>Long term - how the initiative supports the long term well-being of people</p>	Y		<p>Within the Neath Port Talbot presently 59.6% of adults are obese or overweight (with 23.6% being obese) it is predicted that by 2025 the number will have risen to 66.5%. A quarter of children in Wales are overweight or obese (including 12.4% that are obese) Wales has a higher percentage of adolescents self-reporting to be overweight or obese compared to England, Scotland and Republic of Ireland, with rates being generally higher in boys than girls.</p> <p>Only 48.4% of adults in Neath Port Talbot are meeting the physical activity guidelines compared to 53.1% in Wales. For most people, the easiest form of physical activity are those that can be built into everyday life such as walking and commuting by active travel. By enabling active travel, the proposal will contribute to improved health benefits for users whilst reducing carbon emissions from vehicles.</p> <p>The Welsh Governments Llwybr Nweydd Wales transport strategy sets out the 20 year ambition and focuses on delivering an accessible, sustainable transport system that is good for people, communities, the environment the economy and Welsh language and culture.</p> <p>The 5 year priorities call for a transport system and infrastructure that plays its part in reducing greenhouse gas emissions whilst increasing active travel and public transport use by providing safe, accessible, sustainable transport systems that people will want to use.</p> <p>The sustainable transport hierarchy places active travel at the forefront of transport and sets out how the strategy will encourage people to change their travel behaviour to use low-carbon sustainable transport, cycling and walking as the preferred transport modes.</p> <p>The scheme will help encourage Active Travel through helping to enhance the street scene environment (footpath access) thereby benefiting the community. Furthermore, in September 2023 the Welsh Government</p>

			National 20 mph speed limit default strategy may be implemented lowering the speed limit over a greater area with the locality increasing the enhancement of reduced emissions and the promotion of Active Travel, walking and cycling.
Integration - how the initiative impacts upon our wellbeing objectives	Y		The scheme through introducing traffic calming measures will help to improve the street scene improving the community health through reduced air pollution and people walking to the local facilities thereby contributing to other organisations goals on improving health for the population of Wales.
Involvement - how people have been involved in developing the initiative	Y		A statutory consultation exercise for the traffic calming measures was undertaken with letters and plans delivered to the adjacent properties detailing the proposals. The traffic calming measures were advertised in the South Wales Evening Post, on the Council's web site and Notices posted on site.
Collaboration - how we have worked with other services/organisations to find shared sustainable solutions	Y		The various sections within the Council such as Highway Engineering and the Legal section have worked together on this initiative.
Prevention - how the initiative will prevent problems occurring or getting worse	Y		<p>In NPT 25.5% of homes do not have access to a car. Where car ownership levels are low, residents are more likely to be reliant on public transport and active travel for their day to day needs and to access key services and employment. Poor facilities can lead to difficulty in using active travel which can cause to social exclusion and isolation, which subsequently can lead to a range of health and social problems.</p> <p>Facilitating more journeys by Active Travel will reduce our consumption of natural resources and act to tackle the causes and consequences of congestion, climate change, traffic pollution and noise.</p> <p>Encouraging people to be more active by providing Active Travel routes will help people to be healthy, to achieve their potential.</p>

7. Declaration - based on above assessment (tick as appropriate):

A full impact assessment (second stage) is not required	✓
Reasons for this conclusion	
<p>After completing the assessment, it has been determined that this proposal does not require a full Impact Assessment (second stage). The traffic calming measures will have a positive impact on service users, have no adverse impact on people who share protected characteristics or on people's ability to use the Welsh language.</p> <p>The traffic calming measures will contribute to delivering the Council's Corporate Improvement Plan by improving the wellbeing of people within the community by providing safe passage for all highway users.</p>	

A full impact assessment (second stage) is required	
Reasons for this conclusion	

	Name	Position	Date
Completed by	Hasan I. Hasan	Engineering Manager	07/12/2022
Signed off by	D.W.Griffiths	Head of Engineering & Transport	07/12/2022

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Cyngor Castell-nedd Port Talbot
Neath Port Talbot Council

NEATH PORT TALBOT COUNTY BOROUGH COUNCIL
ENVIRONMENT, REGENERATION AND STREETSCENE
SERVICES CABINET BOARD

20th January 2023

Report of the Head of Engineering & Transport – D.W.Griffiths

Matter for Decision

Wards Affected: Neath North, Neath South and Neath East

**B4287 CIMLA ROAD, CIMLA, NEATH (30 MPH SPEED LIMIT) -
ORDER 2022**

Purpose of the Report:

To consider the comments and objections received following the advertisement of the B4287 Cimla Road, Cimla, Neath (30mph speed limit) - Order 2022, as indicated in Appendix A.

Executive Summary:

The report outlines the proposed 30mph Speed Limit Traffic Regulation Orders which were formally advertised resulting in objections being received.

Background:

The Welsh Government are proposing to implement a national roll out of a revision to the current default speed limit of 30 mph.

The new default speed limit in lit areas across Wales will be 20 mph not 30 mph as currently. This is planned to happen in September 2023 when the new default limits become operational.

Local Authorities are able to convert back from the default of 20 mph speed limit to the current 30 mph speed limit on agreed strategic roads by creating a traffic regulation order.

The proposed 30mph speed limit traffic regulation order has been agreed with the Welsh Government and the local members as an exception to the general default 20 mph speed limit as indicated in Appendix A.

The traffic regulation order is necessary to maintain the existing speed limit of 30 mph on the B4287 Cimla Road, Cimla within the borough after the Welsh Government has passed legislation to implement a 20mph default speed limit in urban areas nationally throughout Wales in the interest of road safety.

The Council as Local Highway Authority considers that these roads are strategic routes with higher volumes of daily traffic compared to urban residential streets and as such does not meet the criteria or the nature of a road or roads with a speed limit of 20 mph.

The Council considers that the existing 30 mph speed limits are appropriate speed limits in order to maintain a reasonable traffic flow on higher traffic volume strategic routes.

Financial Impacts:

The scheme is to be funded by the Welsh Government.

Integrated Impact Assessment:

A first stage impact assessment has been undertaken to assist the Council in discharging its legislative duties (under the Equality Act 2010, the Welsh Language Standards (No.1) Regulations 2015, the Well-being of Future Generations (Wales) Act 2015 and the Environment (Wales) Act 2016.

The first stage assessment, attached at Appendix B, has indicated that a more in-depth assessment is not required. A summary is included below: -

A full impact assessment is not required as the proposed traffic regulation orders will provide a safe environment for all highway users.

Valleys Communities Impacts:

There are 'No Implications' associated with this report.

Workforce Impacts:

There are 'No Implications' associated with this report.

Legal Impacts:

The proposals were advertised for a 21-day period between 23rd September 2022 and the 14th October 2022.

Risk Management Impacts:

There are no risk management impacts associated with this report.

Consultation:

This item has been subject to external consultation.

A consultation exercise was undertaken for a period of 21 days between 23rd September 2022 and 14th October 2022.

There were 182 letters and plans hand delivered to the properties on the B4287 Cimla Road, Cimla detailing the proposals. Following a three-week consultation exercise, 11 objections were received.

A summary of the objections received are given below:-

Objection: - *Any officer observations/ comments are illustrated in italics in response to the points raised.*

- 1) Residents are against this proposal due to the already excessive speeds along the route.

If traffic is travelling in excess of the legal speed limit then this is a matter for the Police to consider because they have the statutory Powers of enforcement not the Council.

- 2) Residents have stated that they have difficulty exiting their drives onto Cimla Road due to poor visibility from indiscriminate parking and the speed of traffic.
- 3) Residents have requested a controlled crossing for the lower section of Cimla Road as it is almost impossible to cross the road safely due to the speed of traffic.

The Council has agreed to investigate indiscriminate parking and the location and viability of a controlled crossing.

- 4) Residents have stated that 20 mph is a lot safer and less polluting as this is a walking route for school children to numerous schools located just off Cimla Road.

The Council will continue to monitor the situation going forward.

- 5) Residents can't seem to understand the logic behind making Cimla Road 30mph as a strategic route yet Windsor Road in Neath will remain default 20mph.

The Council considers that Windsor Road is more commercial and the properties including residential are closer to the carriageway plus there is greater footfall than Cimla Road.

The local members have been consulted on the feedback received and support that the objections be overruled with the scheme being implemented as advertised in Appendix A.

Recommendations:

Having had due regard to the integrated impact assessment it is recommended that the objections are overruled to the B4287 Cimla Road, Cimla, Neath (30mph speed limit) - Order 2022 (as detailed in Appendix A to the circulated report) and that the scheme is implemented as advertised.

The objectors are to be informed of the decision accordingly.

Reasons for Proposed Decision:

The Orders are necessary to maintain the existing speed limit of 30 mph on sections of the B4287 Cimla Road, Cimla, Neath within the borough after the Welsh Government has passed legislation to implement a 20mph default speed limit in urban areas nationally throughout Wales in the interest of road safety.

Implementation of Decision:

The decision is proposed for implementation after the three day call in period.

Appendices:

Appendix A – Plan – B4287 Cimla Road, Neath – Proposed traffic regulation order.

Appendix B – Integrated Impact Assessment.

List of Background Papers:

None.

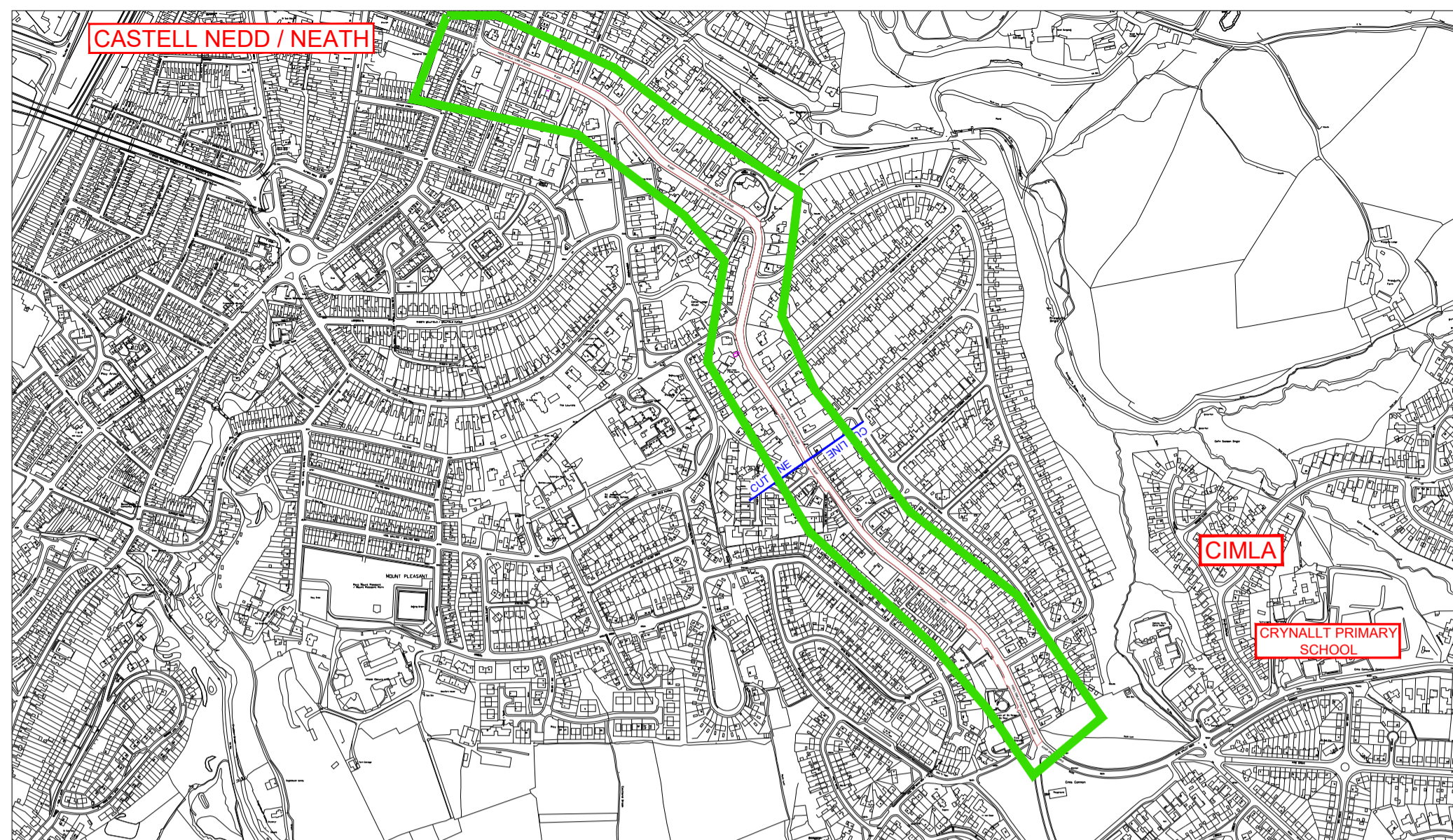
Officer Contact:

Mr Martin Brumby, Engineering & Transport
Tel. No. 01639 686013
Email m.brumby@npt.gov.uk

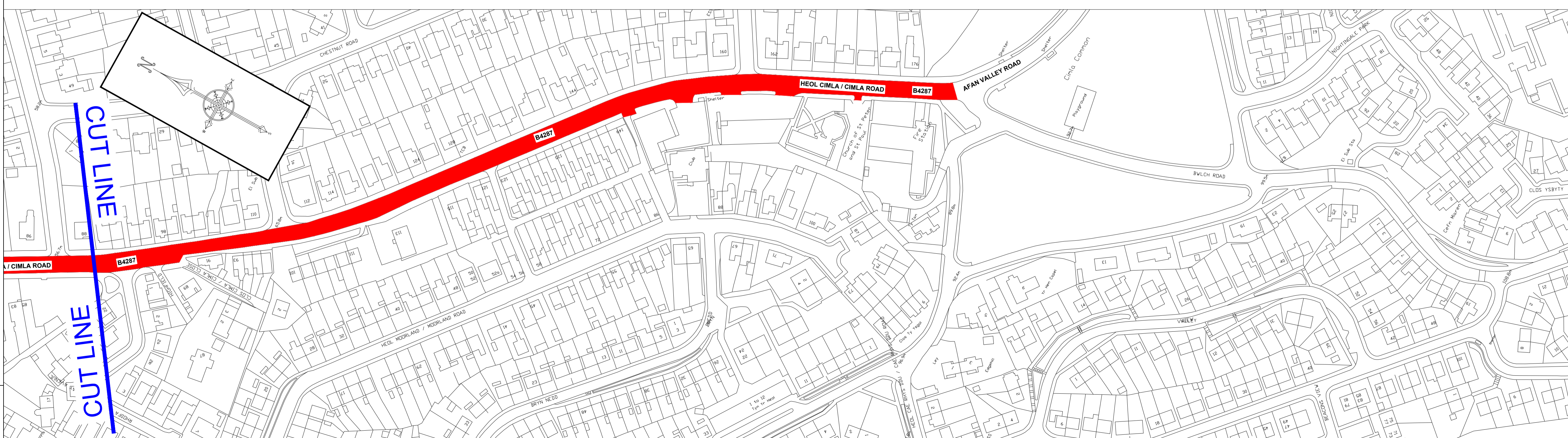
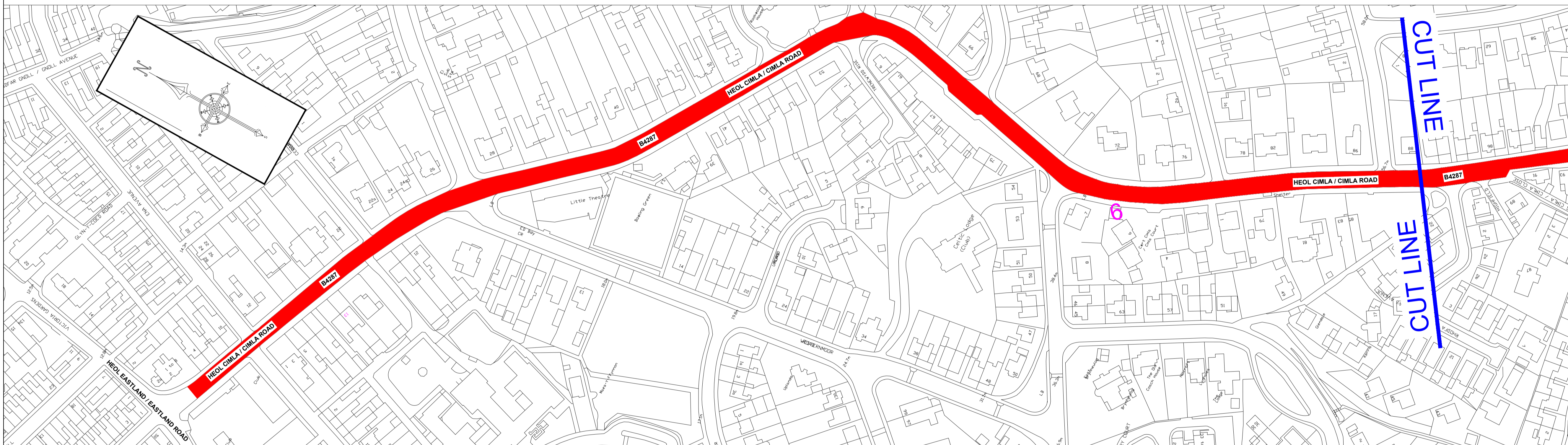
Mr Jonathan Davies, Engineering & Transport
Tel. No. 01639 686494
Email j.davies11@npt.gov.uk

1. All dimensions are in millimetres unless otherwise stated.

 PROPOSED 30MPH SPEED LIMIT EXTENT



LOCATION PLAN - EXTENT OF THE SPEED LIMIT.
NOT TO SCALE



Drwg. No.


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Job Title

Rev	Details	Dr	Ch	Ap	Date
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Client

APPENDIX A



ENGINEERING AND TRANSPORT
NICOLA PEARCE BSC (Hons), Dip TP, MRTPI
DIRECTOR OF ENVIRONMENT AND REGENERATION
THE QUAYS, BRUNEL WAY
BAGLAN ENERGY PARK
NEATH SA11 2GG

Job Title

B4287 CIMLA ROAD, NEATH PROPOSED TRAFFIC REGULATION ORDER.

File No.	Financial Code No.				
Drawn	JJD	Checked	MCB	Approved	HHH
Date	MAY'22	Date	MAY'22	Date	MAY'22
Scales	1:1250 @ A1	Status	PRELIM		
Drawing No.	CIMLA-RD/30MPH/TRO1				

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1. Details of the initiative

Initiative description and summary: B4287 Cimla Road, Cimla, Neath (30mph speed limit) - Order 2022

Service Area: Engineering and Transport

Directorate: Environment and Regeneration

2. Does the initiative affect:

	Yes	No
Service users	Y	
Staff	Y	
Wider community	Y	
Internal administrative process only	Y	

3. Does the initiative impact on people because of their:

	Yes	No	None/ Negligible	Don't Know	Impact H/M/L	Reasons for your decision (including evidence)/How might it impact?
Age		N			L	There is no negative impact as the speed limit will remain the same along the route, thereby maintaining the location as a suitable route for all users of the locality. The route is generally wide with good footways and low traffic speeds.
Disability		N			L	
Gender Reassignment		N			L	
Marriage/Civil Partnership		N			L	
Pregnancy/Maternity		N			L	
Race		N			L	
Religion/Belief		N			L	
Sex		N			L	
Sexual orientation		N			L	

4. Does the initiative impact on:

	Yes	No	None/ Negligible	Don't know	Impact H/M/L	Reasons for your decision (including evidence used) / How might it impact?
People's opportunities to use the Welsh language	Y				L	There will be a positive impact as we welcome all correspondence in Welsh and English when dealing with the wider community.
Treating the Welsh language no less favourably than English	Y				L	There will be a positive impact because all permanent highway approved signage and road markings used in the traffic regulation orders are Bilingual (Welsh / English) with Welsh placed above English.

5. Does the initiative impact on biodiversity:

	Yes	No	None/ Negligible	Don't know	Impact H/M/L	Reasons for your decision (including evidence) / How might it impact?
To maintain and enhance biodiversity		N			L	There is no negative impact as the road markings are located on the carriageway, therefore the scheme does not impact the existing Flora, Fauna or Biodiversity.
To promote the resilience of ecosystems, i.e. supporting protection of the wider environment, such as air quality, flood alleviation, etc.		N			L	There is no negative impact as the road markings are located away from the kerb allowing the carriageway and footway drainage to function as at present. The scheme is located within the existing road surface and as such there is no opportunity to provide additional drainage systems such as swales, soakaways etc.

6. Does the initiative embrace the sustainable development principle (5 ways of working):

	Yes	No	Details
<p>Long term - how the initiative supports the long term well-being of people</p>	Y		<p>Within the Neath Port Talbot presently 59.6% of adults are obese or overweight (with 23.6% being obese) it is predicted that by 2025 the number will have risen to 66.5%. A quarter of children in Wales are overweight or obese (including 12.4% that are obese) Wales has a higher percentage of adolescents self-reporting to be overweight or obese compared to England, Scotland and Republic of Ireland, with rates being generally higher in boys than girls.</p> <p>Only 48.4% of adults in Neath Port Talbot are meeting the physical activity guidelines compared to 53.1% in Wales. For most people, the easiest form of physical activity are those that can be built into everyday life such as walking and commuting by active travel. By enabling active travel, the proposal will contribute to improved health benefits for users whilst reducing carbon emissions from vehicles.</p> <p>The Welsh Governments Llwybr Nweydd Wales transport strategy sets out the 20 year ambition and focuses on delivering an accessible, sustainable transport system that is good for people, communities, the environment the economy and Welsh language and culture.</p> <p>The 5 year priorities call for a transport system and infrastructure that plays its part in reducing greenhouse gas emissions whilst increasing active travel and public transport use by providing safe, accessible, sustainable transport systems that people will want to use.</p> <p>The sustainable transport hierarchy places active travel at the forefront of transport and sets out how the strategy will encourage people to change their travel behaviour to use low-carbon sustainable transport, cycling and walking as the preferred transport modes.</p> <p>The scheme will help to encourage and maintain Active Travel through maintaining the existing street scene environment, thereby benefiting the community. Furthermore, in September 2023 the Welsh Government</p>

			National 20 mph speed limit default strategy may be implemented lowering the speed limit over a greater urban area of secondary estate roads within the locality reducing overall emissions and the promotion of Active Travel, walking and cycling. The main route by remaining at the existing 30 mph speed limit will help to maintain traffic flow, thereby helping to reduce the traffic using the estate roads which could become rat runs following the defaulting to a lower speed limit.
Integration - how the initiative impacts upon our wellbeing objectives	Y		The scheme through maintaining the existing speed limit will maintain the existing street scene improving the community health through reduced air pollution and people walking to the local facilities, thereby contributing to other organisations goals on improving health for the population of Wales.
Involvement - how people have been involved in developing the initiative	Y		A statutory consultation exercise for the traffic regulation orders was undertaken with letters and plans delivered to the adjacent properties detailing the proposals. The traffic regulation orders were advertised in the South Wales Evening Post, on the Council's web site and Notices posted on site.
Collaboration - how we have worked with other services/organisations to find shared sustainable solutions	Y		The various sections within the Council such as Highway Engineering and the Legal section have worked together on this initiative.
Prevention - how the initiative will prevent problems occurring or getting worse	Y		In NPT 25.5% of homes do not have access to a car. Where car ownership levels are low, residents are more likely to be reliant on public transport and active travel for their day to day needs and to access key services and employment. Poor facilities can lead to difficulty in using active travel which can cause to social exclusion and isolation, which subsequently can lead to a range of health and social problems. Facilitating more journeys by Active Travel will reduce our consumption of natural resources and act to tackle the causes and consequences of congestion, climate change, traffic pollution and noise. Encouraging people to be more active by providing Active Travel routes will help people to be healthy, to achieve their potential.

7. Declaration - based on above assessment (tick as appropriate):

A full impact assessment (second stage) is not required	✓
Reasons for this conclusion	
<p>After completing the assessment, it has been determined that this proposal does not require a full Impact Assessment (second stage). The 30mph speed limit traffic regulation order will have a positive impact on service users, have no adverse impact on people who share protected characteristics or on people's ability to use the Welsh language.</p> <p>The 30mph speed limit traffic regulation order contributes to delivering the Council's Corporate Improvement Plan by improving the wellbeing of people within the community by providing safe passage for all highway users.</p>	

A full impact assessment (second stage) is required	
Reasons for this conclusion	

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	Name	Position	Date
Completed by	Hasan I. Hasan	Engineering Manager	15/12/2022
Signed off by	D.W.Griffiths	Head of Engineering & Transport	15/12/2022

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Cyngor Castell-nedd Port Talbot
Neath Port Talbot Council

NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

Environment, Regeneration and Streetscene Services Cabinet Board

20th January 2023

Report of the Head of Engineering & Transport (David W. Griffiths)

Matter for Decision

Wards Affected: All

List of Approved Contractors

Purpose of the Report:

To seek Members' approval to amend the List of Approved Contractors.

Executive Summary:

To seek approval for a Contractor to be included on the List of Approved Contractors.

Background:

Members will be aware that on previous occasions, reports concerning the List of Approved Contractors have been presented to Cabinet Board.

The process gives local companies an opportunity to provide goods and services to the Council.

The full list of categories is set out in Appendix A for your information.

Financial Impacts:

No implications.

Integrated Impact Assessment:

A first stage Impact Assessment has been undertaken to assist the Council in discharging its legislative duties (under the Equality Act 2010, the Welsh Language Standards (No.1) Regulations 2015, the Well-being of Future Generations (Wales) Act 2015 and the Environment (Wales) Act 2016.

The first stage assessment, attached at Appendix B, has indicated that a more in-depth assessment is not required. A summary is included below:-

The report is seeking approval to add a new Contractor.

This does not affect any group of people and or impact the Welsh language, biodiversity or the five ways of working.

Valleys Communities Impacts:

No implications.

Workforce Impacts:

No implications.

Legal Impacts:

No implications.

Risk Management Impacts:

No implications.

Consultation:

There is no requirement for external consultation on this item.

Recommendations:

Having had due regard to the Integrated Impact Assessment it is recommended that:-

The List of Approved Contractors is amended as follows:-

Company to be **added** to the List of Approved Contractors

The following company has applied to be included on the list and has passed the required assessments:-

<u>Company</u>	<u>Category</u>
Rockall Safety Ltd (R042)	111

Reasons for Proposed Decision:

To keep the List of Approved Contractors up to date and as far as possible, ensure a competitive procurement process.

These recommendations to be adopted for the purpose of supplying a List of Approved Contractors for invitation to tender within the relevant category.

Implementation of Decision:

The decision is proposed for implementation after the three day call in period.

Appendices:

Appendix A - Categories for List of Approved Contractors

Appendix B - First Stage IIA

List of Background Papers

None

Officer Contact

Hasan Hasan, Engineering Manager

Tel. No: 01639 686463

Email: h.hasan@npt.gov.uk

Amanda Phillips, Programme & Commissioning Manager

Tel. No: 01639 686483

Email: environment@npt.gov.uk

Appendix A

Categories for List of Approved Contractors

General Services

1. Signs
2. Plant Hire
3. Security
4. Clinical Waste
5. Pest Control
6. Re-Cycling
7. Waste Disposal (e.g. Car, Computers, Steel)
8. Crowd Control
9. Traffic Management
10. Portable Buildings
11. Scaffolding

Building Construction / Maintenance

12. Building Construction £50,000 - £200,000
13. Building Construction £200,000 - £1m
14. Building Construction over £1m
15. Minor Building Works below £50,000
16. Works of Adaptation below £5,000
17. Re-Roofing
 - a) Felt & Asphalt below £10,000 / above £10,000
 - b) Tiles & Slate below £10,000 / above £10,000
 - c) GRP
 - d) High Performance Coverings
 - e) Sheeting & Cladding
18. Supply & Installation of Floor Finishes
 - a) Flexible Sheet, Tiles, Carpets
 - b) Jointless
 - c) Rigid Tiles, Slabs, Mosaics
 - d) Wood
19. Plastering
20. Painting & Decorating
21. Supply & Installation of Windows/Doors (Windows to BS 7412, Doors to PAS 23/1, PAS 24/1 to BS 7950 Kitemark Scheme)
 - a) PVCU (using Aluplast System)
 - b) Timber
 - c) Aluminium

- d) Steel
- e) Roller Shutter
- f) Security Doors
- g) Automatic Doors
- 22. Suspended Ceilings
- 23. Welding / Fabrication below £5,000
- 24. Welding / Fabrication above £5,000
- 25. Stonework Repair / Restoration / Cleaning
- 26. Glazing & Safety Filming
- 27. Wall Tie Replacement
- 28. External Wall Insulation
- 29. Damp Proofing / Dry Rot / Woodworm Treatment
- 30. Cavity Wall and / or Loft Insulation
- 31. Asbestos Handling & Removal, Asbestos Surveys & Asbestos Consultancy Services
- 32. Window Blinds
- 33. Shop Fitters – Specialist Joinery
- 34. Refurbishment of Laboratories
- 35. Clearance of Void properties
- 36. Works to Listed Buildings

Mechanical & Electrical Engineering

- 37. Domestic (including Housing) Plumbing & Central Heating below £50,000
- 38. Domestic (including Housing) Plumbing & Central Heating above £50,000
- 39. Commercial Heating & Ventilating below £100,000
- 40. Commercial Heating & Ventilating above £100,000
- 41. Domestic (including Housing) Electrical Installation below £50,000
- 42. Domestic (including Housing) Electrical Installation above £50,000
- 43. Commercial Electrical Installations below £100,000
- 44. Commercial Electrical Installations above £100,000
- 45. Gas Boiler Maintenance
- 46. Maintenance of Building Management Systems for Heating & Ventilation

Mechanical & Electrical Specialist Services

- 47. CCTV
- 48. Intruder Alarms
- 49. Fire Alarms
- 50. Warden Call System
- 51. Lifts
- 52. Swimming Pool Plant Equipment
- 53. Water Systems Cleaning & Chlorination

54. Ductwork System Cleaning & Sterilisation
55. Domestic & Commercial Kitchen Equipment Maintenance
56. Supply & Installation of Specialist Kitchen Equipment / Fittings
57. Installation, Testing & Maintenance of Local Exhaust Ventilation (LEV)
58. Water Systems – Risk Assessment
59. Supply & Installation of Pipework & Ductwork Installation
60. Supply, Installation and / or Servicing of Automatic Door Systems
61. PA Systems / Sound Systems
62. Stage Lighting
63. Service / Repair of Kilns
64. Supply, Installation & Servicing of Leisure Services Equipment
65. Specialist Steelwork (stainless Steel & Fabricated Works)
66. Lightning Conductors
67. Fire Fighting Equipment including Hose Reels
68. Smoke / Fire Detectors
69. Stage Equipment including Curtains, Gantry, Special Effects etc.
70. Computer / Telephone Cabling

Civil Engineering

71. Civil Engineering £0 – £25,000
72. Civil Engineering £25,000 – £250,000
73. Civil Engineering £250,000 – £1m
74. Civil Engineering over £1m
75. Land Reclamation
76. Sewers & Drainage
77. Hard & Soft Landscaping
78. Ground Investigation
79. Demolition
80. Surfacing, Carriageway & Footways
81. Surface Dressing
82. Road Markings & Reflective Road Studs
83. Carriageway Slurry Surfacing & Footways
84. Fencing
85. Gabion & Blockstone
86. Steel Fabrication below £25,000
87. Steel Fabrication above £25,000
88. Bridge Works, New & Maintenance

Civil Engineering Specialists

89. Concrete Repairs
90. Diving Inspections & Works within Water

91. Bridge Deck Expansion Joints
92. Bridge Deck Water Proofing
93. Soil Nailing
94. Sewer Relining
95. Sewer Surveys
96. Safety Fencing
97. Bridge Parapets (Manufacture & Installation)
98. Access Plant for Inspection
99. Bridge Parapet Painting
100. Painting of Structural Steelwork
101. Arboriculturalist
102. Weed-spraying
103. Weather Forecasting
104. Playground Equipment
105. Specialist Cleaning
106. Synthetic Pitches and Sports Facilities
107. Bus/Cycle Shelters
108. Traffic Signals
109. Street Lighting
110. Street Furniture
111. Specialist Contractor not listed above – please specify type of work



Appendix B

Impact Assessment - First Stage

1. Details of the initiative

Initiative description and summary: List of Approved Contractors – Approval to add new Contractor(s), add additional Category/ies for approved Contractor(s) and/or remove approved Contractor(s)

Service Area: Procurement

Directorate: All

2. Does the initiative affect:

	Yes	No
Service users		x
Staff		x
Wider community		x
Internal administrative process only	✓	

3. Does the initiative impact on people because of their:

	Yes	No	None/ Negligible	Don't Know	Impact H/M/L	Reasons for your decision (including evidence)/How might it impact?
Age			x			There is no impact. Applications to be included on the Approved List of Contractors are accepted from all construction companies who meet the criteria.
Disability			x			
Gender Reassignment			x			
Marriage/Civil Partnership			x			
Pregnancy/Maternity			x			
Race			x			
Religion/Belief			x			
Sex			x			
Sexual orientation			x			

4. Does the initiative impact on:

	Yes	No	None/ Negligible	Don't know	Impact H/M/L	Reasons for your decision (including evidence used) / How might it impact?
People's opportunities to use the Welsh language			x			
Treating the Welsh language no less favourably than English			x			

5. Does the initiative impact on biodiversity:

	Yes	No	None/ Negligible	Don't know	Impact H/M/L	Reasons for your decision (including evidence) / How might it impact?
To maintain and enhance biodiversity			x			N/A
To promote the resilience of ecosystems, i.e. supporting protection of the wider environment, such as air quality, flood alleviation, etc.			x			N/A

6. Does the initiative embrace the sustainable development principle (5 ways of working):

	Yes	No	Details
Long term - how the initiative supports the long term well-being of people	✓		The addition of contractors onto the List of Approved Contractors will enable these companies to be procured in accordance with NPT's Procurement Rules. Contractors who fail to meet the requirements of this List will be given the opportunity to meet NPT's criteria. If this is not met, approval will be sought from Members to remove these contractors.
Integration - how the initiative impacts upon our wellbeing objectives	✓		Approving additional contractors onto the List of Approved Contractors will enable NPT to procure works with these companies. This will allow the companies to provide employment opportunities, allowing people to take advantage of wealth generated through securing decent work.

			The List of Approved Contractors gives local companies the opportunity to be contracted by NPT to undertake works.
Involvement - how people have been involved in developing the initiative	✓		The companies have been assessed to determine their suitability to be included on the List of Approved Contractors. External financial checks have been undertaken. Various departments have undertaken checks on the companies for Insurances, technical ability, Quality, Environmental and Health & Safety.
Collaboration - how we have worked with other services/organisations to find shared sustainable solutions	✓		Several departments have been involved in checking that contractors are suitable to undertake works for the category/ies. Any contractors who fail to comply with the ongoing checks for the List of Approved Contractors will be given the opportunity to meet NPT criteria. If this is not met, approval will be sought from Members to remove these contractors. The List of Approved Contractors is available for use by all departments in the Authority wishing to undertake works.
Prevention - how the initiative will prevent problems occurring or getting worse	✓		Contractors who fail to comply with the ongoing checks for the List of Approved Contractors will be given the opportunity to meet NPT criteria. If this is not met, approval will be sought from Members to remove these contractors.

7. Declaration - based on above assessment (tick as appropriate):

A full impact assessment (second stage) is not required	✓
Reasons for this conclusion	
<p>This First Stage Impact Assessment has been undertaken to assist the Council in discharging its legislative duties (under the Equality Act 2010, the Welsh Language Standards (No.1) Regulations 2015, the Well-being of Future Generations (Wales) Act 2015 and the Environment (Wales) Act 2016.</p> <p>This First Stage Assessment has indicated that a more in-depth assessment is not required. A summary is below:-</p> <p>The report is seeking approval to add new Contractor(s), add additional Category/ies for approved Contractor(s) and remove approved Contractor(s).</p> <p>This does not affect any group of people and/or impact the Welsh Language, Biodiversity or the Five Ways of Working.</p>	

A full impact assessment (second stage) is required	x
Reasons for this conclusion	
N/A	

	Name	Position	Date
Completed by:-	Amanda J. Phillips	Programme & Commissioning Manager	15/12/2022
Signed off by:-	David W. Griffiths	Head of Engineering & Transport	15/12/2022

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NEATH PORT TALBOT COUNCIL

Environment, Regeneration and Streetscene Services Cabinet Board

20th January 2023

Report of

Head of Property & Regeneration - Simon Brennan

Matter for Information

Wards Affected: All Wards

Audit Wales National Study – Net Zero Decarbonisation Baseline Review

Purpose of Report

1. To receive an action plan setting out the Council's response to the recommendations identified by Audit Wales following their national study, Net Zero Decarbonisation Baseline Review in Wales.

Executive Summary

2. In July 2022, the Auditor General published Public Sector readiness for Net Zero Carbon by 2030, which looked at decarbonisation actions in 48 public bodies, including all councils. This report found uncertainty that the collective ambition for a net zero public sector by 2030 will be met.

The report identified significant, common barriers to progress that public bodies must collectively address to meet the collective net zero ambition, identifying that while public bodies are demonstrating commitment to carbon reduction, they must now significantly ramp up their activities, increase collaboration and place decarbonisation at the heart of their day-to-day operations and decisions.

The report makes the following five calls for action from public bodies:

- Strengthen leadership and demonstrate collective responsibility through effective collaboration;
- Clarify strategic direction and increase pace of implementation;
- Get to grips with the finances;
- Understand skills gaps and increase capacity; and
- Improve data quality and monitoring to support decision making

2.1 Overall Report Findings

The report found that the Council has a good understanding of the task it faces to achieve net zero by 2030, which is clearly articulated in its Decarbonisation and Renewable Energy Strategy, but the Strategy is not costed and does not identify the funding required to deliver all the activity within the Strategy.

2.2 Audit Wales Recommendation

In order to meet its net zero ambition, the Council needs to fully cost its action plan and ensure that it is aligned with its Medium Term Financial Plan. While costing its action plan, the Council needs to consider the balance between what is needed to achieve net zero by 2030 and what is achievable given available resources, time and funding.

2.3 NPT Council Proposed Action

The Council commissioned a net zero bridging report to identify and analyse the gaps between the Council's Dare Strategy and Welsh Government's net zero 2030 requirements. The bridging report was completed in December 2022.

To address the recommendation issued by Audit Wales, the Council have been in discussion with the Carbon Trust to formulate a commission for producing a net zero carbon 2030 action plan for the Council's operational service delivery emissions. This will be a fully costed implementation action plan, enabling the Council to reach its net zero ambition.

The aim is to produce an all-embracing 'Net Zero Carbon 2030 Action Plan' (with phased targets and periodic milestones) which will sit under and integrate with a refreshed and updated DARE Strategy, essentially the Net Zero Carbon 2030 Action Plan will be an addendum and delivery mechanism for the DARE strategy, the intended approach will consist of:

- Updated (DARE) Strategy (Authority Wide) – Planned 2023
- Net zero Carbon 2030 Action Plan (Operational Service Delivery Emissions) - Planned 2023

It must be acknowledged that for the Council to effectively transition to net zero by 2030, it is going to take high levels of funding, resource, organisational change, structured training, application of new technologies and the need for a holistic approach with responsibility assigned across all directorates, departments and embraced by all staff across the organisational structure of the Council.

The Action Plan contained in Appendix 2 sets out the Council's response to the above recommendations.

The proposed actions also reflect and support the Council's motion to approve the Welsh Government's 'Climate Emergency' declaration.

Financial Appraisal

3. The Council has set aside DARE strategy funding, however the Council is unable to ascertain at this stage, what exactly the overall costs for the effective delivery of net zero will be. The net zero carbon 2030 action plan will help us to better understand the long and short terms costs to deliver net zero by 2030.

To deliver net zero 2030, the Council will maximise external funding sources where possible and when available. Although there will also be the need to utilise its own capital funds to fully enable the capacity to transition to net zero within the timescale required by Welsh Government.

Integrated Impact Assessment

4. There is no requirement to undertake an Integrated Impact Assessment on this report.

Valleys Communities Impact

5. There are no valley community impacts associated with this report.

Workforce Impact

6. At this moment the impacts on the Council's workforce are unknown, similar to the cost impact the net zero carbon 2030 action plan will look to identify potential work force impacts.

Legal Impact

7. There are no legal impacts associated with this report.

Risk Management

8. Audit Wales findings are a key input into the Council's corporate governance arrangements and the areas identified for improvement work inform the Annual Governance Statement and the associated improvement action plan.

Consultation

9. There is no requirement for external consultation on this item.

Recommendations

10. For Cabinet to note the actions contained within Appendix 2.

Reason for Proposed Decision

11. This is a matter for information. Therefore, no decision is required.

Implementation of Decision

12. This is a matter for information. Therefore, no decision is required.

Appendices

13. Appendix 1 – Audit Wales – Public Sector Readiness for Net Zero Carbon by 2030: Evidence Report of the Auditor General for Wales (August 2022). Please access this appendix through the link below:

https://www.audit.wales/sites/default/files/publications/Public_Sector_Readiness_for_Net_Zero_Carbon_by_2030_Evidence_Report_English.pdf

14. Appendix 2 – Action Plan.

List of Background Papers

15. None

Officer Contact

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Energy Manager

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Action Plan – Carbon Reduction Public Sector Readiness for Net Zero Carbon by 2030: (Oct 22)

Ref	Recommendations	Council action planned in response to the recommendations issued by Audit Wales	Target date for completion of action	Monitoring arrangements	Responsible officer
R1	In order to meet its net zero ambition the Council needs to fully cost its action plan and ensure that it is aligned with its Medium-Term Financial Plan.	The Council will commission a net zero Carbon 2030 Strategy Action Plan which will provide a costed implementation action plan that will identify the pathway and options for net zero solutions, enabling the Council to reach its net zero ambition across its operational service delivery.	The net zero action plan will be completed within 2023.	Officers will duly monitor progress on a periodic basis in order to assess effectiveness and outcomes, and report back to Council.	Christopher Jones

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Cyngor Castell-nedd Port Talbot
Neath Port Talbot Council

Report of the Head of Legal and Democratic Services

Environment, Regeneration and Streetscene Services Cabinet Board – Friday, 20 January 2023

ACCESS TO MEETINGS/EXCLUSION OF THE PUBLIC

Purpose:	To consider whether the Public should be excluded from the following items of business.
Item (s):	Agenda item 15 - The Transfer of Land and Construction of a Commercial Unit at Burrows Yard - Update
Recommendation(s):	That the public be excluded from the meeting during consideration of the following item(s) of business on the grounds that it/they involve(s) the likely disclosure of exempt information as set out in the Paragraphs listed below of Schedule 12A of the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) (Wales) Order 2007 subject to the Public Interest Test (where appropriate) being applied.
Relevant Paragraph(s):	14

1. Purpose of Report

To enable Members to consider whether the public should be excluded from the meeting in relation to the item(s) listed above.

Section 100A (4) of the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) (Wales) Order 2007, allows a Principal Council to pass a resolution excluding the public from a meeting during an item of business.

Such a resolution is dependant on whether it is likely, in view of the nature of the business to be transacted or the nature of the proceedings that if members of the public were present during that item there would be disclosure to them of exempt information, as defined in section 100I of the Local Government Act 1972.

2. Exclusion of the Public/Public Interest Test

In order to comply with the above mentioned legislation, Members will be requested to exclude the public from the meeting during consideration of the item(s) of business identified in the recommendation(s) to the report on the grounds that it/they involve(s) the likely disclosure of exempt information as set out in the Exclusion Paragraphs of Schedule 12A of the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) (Wales) Order 2007.

Information which falls within paragraphs 12 to 15, 17 and 18 of Schedule 12A of the Local Government Act 1972 as amended is exempt information if and so long as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

The specific Exclusion Paragraphs and the Public Interest Tests to be applied are listed in Appendix A.

Where paragraph 16 of the Schedule 12A applies there is no public interest test. Members are able to consider whether they wish to waive their legal privilege in the information, however, given that this may place the Council in a position of risk, it is not something that should be done as a matter of routine.

3. Financial Implications

Not applicable

4. Integrated Impact Assessment

Not applicable

5. Valleys Communities Impact

Not applicable

6. Workforce Impact

Not applicable.

7. Legal Implications

The legislative provisions are set out in the report.

Members must consider with regard to each item of business the following matters.

- (a) Whether in relation to that item of business the information is capable of being exempt information, because it falls into one of the paragraphs set out in Schedule 12A of the Local Government Act 1972 as amended and reproduced in Appendix A to this report.

and either

- (b) If the information does fall within one or more of paragraphs 12 to 15, 17 and 18 of Schedule 12A of the Local Government Act 1972 as amended, the public interest test in maintaining the

exemption outweighs the public interest in disclosing the information; or

- (c) if the information falls within the paragraph 16 of Schedule 12A of the Local Government Act 1972 in considering whether to exclude the public members are not required to apply the public interest test by must consider whether they wish to waive their privilege in relation to that item for any reason.

8. Risk Management

To allow Members to consider risk associated with exempt information.

9. Recommendation(s)

As detailed at the start of the report.

10. Reason for Proposed Decision(s):

To ensure that all items are considered in the appropriate manner.

11. Implementation of Decision(s):

The decision(s) will be implemented immediately.

12. List of Background Papers:

Schedule 12A of the Local Government Act 1972

13. Appendices:

Appendix A – List of Exemptions

Appendix A

NO	Relevant Paragraphs in Schedule 12A
12	Information relating to a particular individual
13	Information which is likely to reveal the identity of an individual
14	Information relating to the financial or business affairs of any particular person (including the authority holding that information).
15	Information relating to any consultations or negotiations, or contemplated consultations or negotiations in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority
16	Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.
17	Information which reveals that the authority proposes: <ul style="list-style-type: none">• To give under any enactment a notice under or by virtue of which requirements are imposed on a person, or• To make an order or direction under any enactment.
18	Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.

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By virtue of paragraph(s) 14 of Part 4 of Schedule 12A
of the Local Government Act 1972.

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