

EXECUTIVE DECISION RECORD

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

14 JULY 2023

Cabinet Members:

Councillors: J.Hurley, W.F.Griffiths and S.Jones (Chairperson)

Officers in Attendance:

C.Morris, D.Griffiths, S.Brennan, D.Phillips, A.Collins, J.Stevens, A.Harvey, S.Owen, A.Phillips, T.Rees and C.Plowman

Scrutiny Invitees:

S.Purseley and T.Bowen

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.

It was explained that Agenda Item 14 of the circulated agenda pack, had been deferred from this meeting due to the need for more information in order to consider the report.

3. **DECLARATIONS OF INTEREST**

There were no declarations of interests received.

4. **MINUTES OF PREVIOUS MEETING**

That the minutes of the meetings held on 14 April 2023 and 2 June 2023 be approved as an accurate record.

5. **FORWARD WORK PROGRAMME**

The Forward Work Programme was noted.

6. **PUBLIC QUESTION TIME**

No questions were received.

7. **LIST OF APPROVED CONTRACTORS**

Decision:

Having had due regard to the Integrated Impact Assessment, the List of Approved Contractors be amended as follows:-

The following companies have passed the required assessments to be added to the List of Approved Contractors:

<u>Company</u>	<u>Category</u>
Afan Treescapes Ltd (A075)	101, 111
Integrex Ltd (I018)	61, 111

The following company to be removed from the List of Approved Contractors, due to the nature of its business; Arboricultural Consultant. Consultancy work does not fall under the remit of the List of Approved Contractors:

<u>Company</u>	<u>Category</u>
ArbTS (A046)	101

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 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 18 July 2023.

8. **VILLAGE ROAD, VILLAGE GARDENS, PENTRE AFAN AND BROOKLYN GARDENS (REVOCATION, PROHIBITION OF WAITING, LOADING AND UNLOADING AT ANY TIME, PROHIBITION OF MOTOR VEHICLES EXCEPT FOR ACCESS) ORDER 2023**

Decision

- Having had due regard to the integrated impact assessment, the objections be upheld in part to the Village Road, Village Gardens, Pentre Afan and Brooklyn Gardens (Revocation, Prohibition of Waiting, Loading and Unloading At Any Time, Prohibition of Motor Vehicles Except for Access) Order 2023 (as detailed in Appendix A to the circulated report).
- That the scheme be implemented as advertised, and an additional scheme be consulted upon (as detailed in Appendix B to the circulated report).
- That the objectors will be informed of the decision accordingly.

Reason for Decision

The Orders were necessary to prevent indiscriminate parking in the interest of road safety.

Implementation of Decision

The decision will be implemented after the three day call in period, which ended at 9am, Tuesday 18 July 2023.

9. **STREETSCENE CAPITAL FUNDING 2023/24**

Decision

Having had due regard to the first stage Integrated Impact Assessment, that the proposed funding allocations set out in the circulated report be approved.

Reason for Decision

To determine spending proposals with respect to 'Environment Street Scene Improvement' monies included in the capital budget for 2023- 24.

Implementation of Decision

The decision will be implemented after the three day call in period, which ended at 9am, Tuesday 18 July 2023.

10. **KEY PERFORMANCE INDICATORS 2022/2023 – QUARTER 4 (1ST APRIL 2022 – 31ST MARCH 2023)**

Decision

That the report be noted.

11. **URGENT ITEMS**

Because of the need to deal now with the matter contained in Minute No 12 and 13 below, the Chairperson agreed these could be raised at today's meeting as urgent items pursuant to Section 100B (4) (b) of the Local Government Act 1972.

Reason

Due to the time element.

12. **ADDITION TO STREETCARE FEES AND CHARGES 2023/2024**

Decision

Having due regard to the first integrated assessment, that an additional trade waste charge relating to Green Garden/Tree Cutting Wastes at a rate of £56.34/tonne be approved for implementation.

Reason for Decision

To agree an additional trade waste charge for the disposal of commercially generated garden waste for recycling.

Implementation of Decision

The decision will be implemented after the three day call in period, which ended at 9am, Tuesday 18 July 2023.

13. **PROPOSED COMPULSORY PURCHASE ORDER – LAND AND BUILDINGS AT PONTNEDDFECHAN**

Decisions

- Having due regard to the integrated impact screening assessment, that Members grant delegated authority to the Head of Property and Regeneration to commence the work necessary to prepare for Compulsory Purchase Order powers to be utilised by the Neath Port Talbot Council in respect of the land and buildings at Pontneddfechan, to facilitate the UK Government Levelling Up Fund Project
- That a report be brought back to Members for approval to seek the Compulsory Purchase Order at the appropriate time.

Reason for Decisions

To ensure that the Council could deliver the Pontneddfechan LUF project.

Implementation of Decision

The decision will be implemented after the three day call in period, which ended at 9am, Tuesday 18 July 2023.

14. **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.

15. **COMMERCIAL PROPERTY GRANT (CPG), PLACE MAKING GRANT (PMG), PROPERTY DEVELOPMENT FUND (PDF) AND VALLEYS AND VILLAGES PROSPERITY FUND (VVPF) - DIRECT AWARD FOR QUANTITY SURVEYING (QS) SERVICES (EXEMPT UNDER PARAGRAPH 14)**

Decision

Having given regard to the Integrated Impact Assessment, that approval be granted for the Council to make direct awards to Faithful and Gould and AHR Architects Ltd, for interim Quantity Surveying services for CPG, PMG, PDF & VVPF projects until the completion of the competitive procurement process.

Reason for Decision

To assist Regeneration in completing on PMG, PDF & VVPF projects whilst the limited funding was still available over the next two financial years

Implementation of Decision

The decision will be implemented after the three day call in period, which ended at 9am, Tuesday 18 July 2023.

16. **OPTION AGREEMENT FOR THE GRANT OF AN EASEMENT IN PERPETUITY FOR ROAD WIDENING AND ELECTRICAL APPARATUS WORKS IN RESPECT OF THE PROPOSED MYNYDD FFORCH DWM WIND FARM DEVELOPMENT IN AND AROUND TONMAWR PORT TALBOT (EXEMPT UNDER PARAGRAPH 14)**

Decision

That the report be deferred.

17. **PROPOSED AGREEMENT FOR LEASE OF RETAIL UNIT 3 WITHIN THE NEW NEATH TOWN CENTRE LEISURE AND RETAIL DEVELOPMENT TO THE CHERRY BLOSSOM COMPANY LIMITED (EXEMPT UNDER PARAGRAPH 14)**

Decision

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

Reason for Decision

The grant of the agreement for lease and lease will allow this prominently located vacant premises to be let and operated by a local 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 18 July 2023.

18. **PROPOSED AGREEMENT FOR LEASE AND LEASE OF PART OF THE FORMER PRODUCTION AREA AT THE METAL BOX NEATH TO THREE SIXTY AQUACULTURE LIMITED (EXEMPT UNDER PARAGRAPH 14)**

Decision

- Having had due regard to the first stage Integrated Impact Assessment, that the granting of the Agreement for Lease and lease on the terms set out in the circulated report be approved;
- That the Councils Contract Procedure Rules be excluded in accordance with rule 5, and that the Head of Property & Regeneration be granted delegated authority to directly award a contract to Andrew Scott Ltd for the works required at the remainder of the production unit.

Reason for Decision

The grant of the Agreement for lease and lease will allow for a substantial part of the former Production Area to be renovated, refurbished, and then let to a local company to grow and expand and provide an annual income for the Council. The direct award of the contract for works will provide value for money for the Council.

Implementation of Decision

The decision will be implemented after the three day call in period, which ended at 9am, Tuesday 18 July 2023.

19. **AGREEMENT FOR LEASE, GROUND LEASE, LICENCE TO BUILD AND OPTION TO PURCHASE OF LAND AND BUILDINGS KNOWN AS THE FORMER DAIRY SITE OFF CRIBBS ROW NEATH - ZOARS LIMITED (EXEMPT UNDER PARAGRAPH 14)**

Decision

Having had due regard to the first stage Integrated Impact Assessment, that the revised terms and conditions for the grant of the Agreement for

Lease, Ground Lease, Licence to Build and Option to Purchase to include provisions relating to the Council's proposed active travel route scheme, as set out in the aforementioned report, be approved. This would be subject to provision that the approval of the Welsh Government is obtained in connection with compliance with the grant funding arrangements prior to the Council entering into the relevant documentation, and that if repayment of grant funding is required this will not exceed or be required in advance of the sums to be received from Zoars Ltd.

Reason for Decision

The Agreement for Lease, Ground Lease, Licence to Build and Option to Purchase will enable an established local business to develop and expand its business through significant financial investment and include provisions relating to the Council's proposed active travel route scheme for the benefit of the Neath and wider community.

Implementation of Decision

The decision will be implemented after the three day call in period, which ended at 9am, Tuesday 18 July 2023.

CHAIRPERSON