



CABINET SPECIAL

2PM, WEDNESDAY, 7 AUGUST 2024

**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:

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Part 1

1. Appointment of Chairperson
2. Chairpersons Announcement/s
3. Declarations of Interest
4. Forward Work Programme 2024/25 (*Pages 5 - 20*)
5. Public Question Time
Questions must be submitted in writing to Democratic Services, democratic.services@npt.gov.uk no later than noon two working days prior to the meeting. Questions must relate to items on the agenda. Questions will be dealt with in a 10 minute period.

Report/s of the Education, Leisure and Lifelong Learning Directorate

6. The Cross Community Centre (*Pages 21 - 44*)
7. Events and Festivals Review (*Pages 45 - 170*)
8. Appointment of LA Governor (*Pages 171 - 176*)

Report/s of the Strategy and Corporate Services Directorate

9. Welsh Language Standards Annual Report 2023-2024
(*Pages 177 - 196*)
10. Regulation of Investigatory Powers Act Annual Report
(*Pages 197 - 246*)
11. Urgent Items
Any urgent items (whether public or exempt) at the discretion of the Chairperson pursuant to Regulation 5(4)(b) of Statutory Instrument 2001 No. 2290 (as amended).
12. Access to Meetings - Exclusion of the Public (*Pages 247 - 252*)
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

Private Report/s of the Environment and Regeneration Directorate

13. Demolition of Properties at Panteg, and Associated Agreement with Landowners. (Exempt under Paragraphs 13 and 14)
(*Pages 253 - 264*)

K.Jones
Chief Executive

Cabinet Members:

Councillors. S.K.Hunt, S.A.Knoyle, N.Jenkins, J.Hurley, S.Harris,
J.Hale, A.Llewelyn, W.F.Griffiths, S.Jones and C.Phillips

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CABINET Forward Work Programmes 24/25

Meeting Date	Agenda Item	TYPE	Contact Officer	Purpose of the report	Called for Scrutiny	Cabinet Portfolio Holder	Relevant scrutiny committee
Cabinet 11 th September	Revenue Budget Monitoring 24-25		Huw Jones		YES 18 th July	Cllr.S.Knoyle Portfolio 2	Community, Finance and Strategic Leadership
	Capital Budget Monitoring 24 -25		Huw Jones		YES 18 th July	Cllr. S.Knoyle Portfolio 2	Community, Finance and Strategic Leadership
	Treasury Management Outturn 24-25		Huw Jones		YES 18 th July	Cllr. S. Knoyle Portfolio 2	Community, Finance and Strategic Leadership
	Procurement Strategy	For Decision	Craig Griffiths	To set Strategic Procurement goals for Neath Port Talbot Council and to address an organisation wide approach to Procurement Digitisation, Social Value and Commercial operations.	YES 5 th Sept	Cllr.S.Knoyle Portfolio 2	Community, Finance and Strategic Leadership
	Viva Port Talbot BID Renewal Ballot 2024		Simon Brennan	To ask if NPT Electoral Services can assist with the process of facilitating a ballot.		Cllr. J.Hurley Portfolio 4	Environment, Regeneration and Streetscene Services
	Part Night Street Lighting Pilots Report	For Decision	Mike Roberts	To agree the location and details of part night street lighting pilots	YES 19 th July	Cllr.S.Jones Portfolio 10	Environment, Regeneration and Streetscene Services
	Flood Risk Management Plan	For Decision	Mike Roberts/ Steve Owen		YES 19 th July	Cllr. S.Jones Portfolio 10	Environment, Regeneration and Streetscene Services
	Public Participation Strategy 2023-2027- Progress Report	For Monitoring	Caryn Furlow Harris Anita James	It will provide an update on the progress to date with the actions in the Public Participation Strategy.	YES 5 th Sept	Leader Portfolio 1	Community, Finance and Strategic Leadership
	Management of Japanese Knotweed	For Decision	James Davies	Update on the treatment policy and operational plan.		Cllr. W. Griffiths Portfolio 9	Environment, Regeneration and Streetscene Services
	Transfer Station Energy Contract	For Decision	Mike Roberts	Seek Member approval to enter into a contract for the supply of electricity to the Council's Transfer Station at Crymlyn Burrows		Cllr. S.Jones Portfolio 10	Environment, Regeneration and Streetscene Services
	Commercial Property Grants – Review of Terms and Conditions	For Decision	Simon Brennan/Andrew Collins			Cllr. J.Hurley Portfolio 4	Environment, Regeneration and Streetscene Services
	Permission to amend Direct Payments Policy	For Decision	Hayley Short				
	UK Shared Prosperity	For Decision	Simon Brennan/ UK Shared Prosperity			Cllr.J.Hurley Portfolio 4	Environment, Regeneration and Streetscene Services.
	Review of Council Civil Contingency Arrangements	For Decision	Sheenagh Rees/ Emma John		YES 5 th Sept	Cllr.S.Knoyle Portfolio 2	Community, Finance and Strategic Leadership

Strategic Equality Plan Annual Report 23/24	For Decision	Rhian Headon/ Caryn Furlow- Harris	The Annual Report for 2023/2024 provides an account of progress in meeting the Public Sector Equality Duty and in particular against the equality objectives and actions set out in the Strategic Equality Plan.	YES 5 th Sept	Cllr.S.Knoyle Portfolio 2	Community, Finance and Strategic Leadership
Permission to Tender for an Independent Professional Advocacy Service	For Decision	Hayley Short/ Angela Thomas	To seek permission to retender Independent Advocacy Service in line with procurement regulations as the contract is coming to an end.		Cllr.J.Hale Portfolio 7	Social Services, Housing and Community Safety
Permission to consult on remodelling of Short Breaks.	For Decision	Angela Thomas	PRIVATE ITEM		Cllr.J.Hale Portfolio 7	Social Services, Housing and Community Safety
Appointment and Removal of School Governors	For Decision	John Burge	To appoint and remove Local Authority School Governors.		Cllr. N.Jenkins Portfolio 3	Education, Skills and Wellbeing
RECURRING ITEMS (IF NEEDED)				Called for Scrutiny		
Various Traffic Orders (Detail not available)	For Decision	David Griffiths	Various Traffic Orders (If Needed)		Cllr W.Griffiths Portfolio 9	Environment, Regeneration and Streetscene Services
Various Land Disposal Reports (If needed)	For Decision	Simon Brennan	Disposal of Land (If Needed)		Cllr J.Hurley Portfolio 4	Environment, Regeneration and Streetscene Services
Select Lists	For Decision	David Griffiths			Cllr.W.Griffiths Portfolio 9	Environment, Regeneration and Streetscene Services
Debt Write Offs	For Decision	Huw Jones			Cllr. S. Knoyle Portfolio 2	Community, Finance and Strategic Leadership
Miscellaneous Grant Applications	For Decision	Huw Jones			Cllr. S.Knoyle Portfolio 2	Community, Finance and Strategic Leadership

Meeting Date	Agenda Item	TYPE	Contact Officer	Purpose of the report	Called for Scrutiny	Cabinet Portfolio Holder	Relevant scrutiny committee
Cabinet 2 nd October	Young People Housing Support Grant Funded Services (Permission to Re-tender).	For Decision	Hayley Short/ Chele Howard	Proposal for the recommissioning of Young People Housing Support Grant Funded Services		Cllr. A.Llewelyn Portfolio 8	Social Services, Housing and Community Safety
	Outcome of Vehicle Procurement	For Decision	Mike Roberts/ David Griffiths	Seek Member approval to award a contract for the purchase of recycling collection vehicles collection vehicles and for associated funding.		Cllr. W.Griffiths Portfolio 9	Environment, Regeneration and Streetscene Services
	Permission to tender Domicilliary Care Framework	For Decision	Angela Thomas	To seek permission to retender Domiciliary Care Framework in line with procurement regulations as the contract is coming to an end.	YES 19 th Sept	Cllr.J.Hale Portfolio 7	Social Services, Housing and Community Safety
	Self Assessment 2023/2024	For Decision	Louise McAndrew/ Anita James		YES 5 th Sept	Cllr. S.Knoyle Portfolio 2	Community, Finance and Strategic Leadership
	Corporate Plan Annual Report 2023/2024	For Decision	Louise McAndrew/ Caryn Furlow- Harris	The purpose of the report is to approve the content of both the Corporate Plan Annual Report and Self- Assessment 2023 – 2024. Both documents reflect on progress made during 2023 – 2024. In relation to the delivery of the council’s well-being objectives and how well we performed as a council.	YES 5 th Sept	Cllr S.Hunt Portfolio 1	Community, Finance and Strategic Leadership
	Permission to tender a Housing First Service.	For Decision	Chele Howard/ Hayley Short	PRIVATE ITEM	YES 19 th Sept	Cllr.A Llewelyn Portfolio 8	Social Services, Housing and Community Safety
	Celtic Leisure	For Decision	Chris Saunders	To provide an update for members on the outcomes of the working group and the costs and opportunities of insourcing.	YES 12 th Sept	Cllr.C.Phillips Portfolio 5	Education, Skills and Wellbeing
	An overview of the School Based Counselling Service (SBCS) support for schools and staff wellbeing.	For Monitoring	Zoe Ashton- Thomas/Rhian Miller	Provides an update on 2023/2024 data across the service including number of pupils accessing therapy, waiting times, outcomes and a thematic overview of need. It will also provide an overview of the School Staff Supervision Project.	YES 12 th Sept	Cllr.N.Jenkins Portfolio 3	Education, Skills and Wellbeing
	Welsh in Education Strategic Plan Annual Report	For Monitoring	Rhiannon Crowhurst	Statutory duty to report on the Annual Progress to Welsh Government /Members	YES 12 th Sept	Cllr.N.Jenkins Portfolio 3	Education, Skills and Wellbeing
	Strategic School Improvement Programme Proposal to reorganise ALN Provision at Cwmtawe Comprehensive School	For Decision	Rhiannon Crowhurst	Permission to Consult on Proposal	YES 12 th Sept	Cllr.N.Jenkins Portfolio 3	Education, Skills and Wellbeing
	Air Quality Action Plan	For Decision	Ceri Morris/ Celvin Davies	Air Quality Action Plan	Yes 25 th July and 12 th Sept	Cllr. C.Phillips Portfolio 5	Educations, Skills and Wellbeing
	Special Procedures – Licensing			Implementation of New Legislation		Cllr.S.Knoyle Portfolio 2	Community, Finance and Strategic Leadership
	Options Appraisal Disabled Facilities Grant	For Decision	Chele Howard	Proposed options to enhance the sustainability of the Disabled Facilities Grant	YES 19 th Sept	Cllr. J.Hale Portfolio 7	Social Services, Housing and Community Safety
	Tree Policy and Operational Plan	For Decision	James Davies	An update to the Tree Policy and creation of a Tree Management Operational Plan.	YES 20 th Sept	Cllr. W. Griffiths Portfolio 9	Environment, Regeneration and Streetscene Services
	RECURRING ITEMS (IF NEEDED)						

	Various Traffic Orders (Detail not available)	For Decision	David Griffiths	Various Traffic Order (if needed)		Cllr W.Griffiths Portfolio 9	Environment, Regeneration and Streetscene Services
	Various Land Disposal Reports (If needed)	For Decision	Simon Brennan	Disposal of Land (If Needed)		Cllr J.Hurley Portfolio 4	Environment, Regeneration and Streetscene Services
	Select Lists	For Decision	David Griffiths			Cllr W.Griffiths Portfolio 9	Environment, Regeneration and Streetscene Services
	Debt Write Offs	For Decision	Huw Jones			Cllr. S.Knoyle Portfolio 2	Community, Finance and Strategic Leadership
	Miscellaneous Grant Applications	For Decision	Huw Jones			Cllr. S.Knoyle Portfolio 2	Community, Finance and Strategic Leadership

Meeting Date	Agenda Item	TYPE	Contact Officer	Purpose of the report	Called for Scrutiny	Cabinet Portfolio Holder	Relevant scrutiny committee
Cabinet 23 rd October 2024							
	Hillside Managers Report	For Monitoring	Keri Warren	PRIVATE ITEM		Cllr. S.Harris Portfolio 6	Social Services, Housing and Community Safety
	Hillside Responsible Individuals Report	For Monitoring	Keri Warren	PRIVATE ITEM		Cllr. S.Harris Portfolio 6	Social Services, Housing and Community Safety
	Rheola Estate – Next Steps	For Decision	Andrew Collins	To consider the options available to the Council following a legal request regarding title, from the current owners of the Rheola Estate		Cllr.J.Hurley Portfolio 4	Environment, Regeneration and Streetscene Services
	Active Travel Annual Report	For Monitoring	David Griffiths/ Amanda Phillips	Provides an overview of works completed and schemes under design development together with a breakdown of works funded out of the West Governments core allocation funding.		Cllr. W.Griffiths Portfolio 9	Environment, Regeneration and Streetscene Services
	The Active Travel (Wales) Act 2023 – Neath Port Talbot Active Travel Delivery Plan (2024 – 2029)	For Decision	Amanda Phillips David W.Griffiths	This plan highlights the strategy and proposed actions for Members consideration that are needed to achieve two broad aims within the county borough. To set out the strategic vision for active travel in Neath Port Talbot and demonstrate the Councils aspirations on how the active travel network will be improved and extended in the next five years.	YES 20 th Sept	Cllr W.Griffiths Portofio 9	Environment, Regeneration and Streetscene Services
	Disposal of Off Street Pay and Display Car Parks (Capacity and Utilization Review)	For Decision	David W Griffiths/ Ian Rees	This report considers surplus car parking capacity in the borough, income and expenditure with a view to reducing operational costs and to release the surplus land/buildings for potential re-development/regeneration or lease/asset transfer.	YES 20 th Sept	Cllr. W.Griffiths Portoflo 9	Environment, Regeneration and Streetscene Services
	Use of Containers on Safari Collections	For Decision	Mike Roberts	To establish policy regarding the use of containers as storage on black bag waste collection rounds.		Cllr.S.Jones Portfolio 10	Environment, Regeneration and Streetscene Services
	Viva Port Talbot Bid Renewal Ballot 2024	For Decision	Andrew Collins	To decide upon the NPT's vote in the ballot.		Cllr. J.Hurley Portfolio 4	Enviroment, Regeneration and Streetscene Services
	Report on HWRC Feasibility	For Decision	Mike Roberts	To inform Members on the outcome of feasibility work into suitable sites for a new HRWC in the Afan Valley area, and seek a decision regarding further work or not (further to Measure 17 of the approved Waste Strategy Action Plan)		Cllr. S.Jones, Portfolio 10	Environment, Regeneration and Streetscene Services
	Complaints and Compliments Annual Report 2023/2024	For Monitoring	Caryn Furlow- Harris	To provide an overview of the number of compliments and complaints received during 2023 – 2024.	YES 17 th Oct	Cllr.S.Knoyle Portfolio 2	Community, Finance and Strategic Leadership
	Contract Procedure Rules	For Decision Commend to Council 27 th November 24	Craig Griffiths	To agree new standing orders and procedural rules for contracts that are entered into by Neath Port Talbot Council.	YES 17 th Oct	Cllr.S.Knoyle Portfolio 2	Community, Finance and Strategic Leadership
	Permission to tender Accommodation Models for Young People	For Decision	Keri Warren	PRIVATE ITEM	YES 19 th Sept	Cllr. S.Harris Portfolio 6	Social Services, Housing and Community Safety
	Strategic School Improvement Programme Proposal to reorganise ALN provision at Cefn Saeson Comprehensive School	For Decision	Rhiannon Crowhurst	Permission to Consult on the Proposal	YES 12 th Sept	Cllr N.Jenkins Portfolio 3	Education, Skills and Culture

Curriculum for Wales	For Monitoring	Mike Daley	To provide an update on the progress to date with the actions that schools have taken and the support they have received.	YES 5 th Dec	Cllr.N.Jenkins Portfolio 3	Education, Skills and Wellbeing
Implementation of the Additional Learning Needs and Education Tribunal (Wales) Act 2018 in non-maintained settings, primary and secondary schools and all age schools and into Post 16.	For Monitoring	Zoe Ashton-Thomas/ Sophie Griffiths	Provides an update on the progress to date with the actions that schools and the Local Authority have taken in meeting the statutory duties around ALNET implementation and the support schools have received.		Cllr. N.Jenkins Portfolio 3	Education, Skills and Wellbeing
School Exclusion Report	For Monitoring	John Burge	A report on all exclusion information for the previous academic year.	YES 24 th Oct	Cllr.N.Jenkins Portfolio 3	Education, Skills and Wellbeing
Childcare Rents in School	For Decision	Sarah Griffiths/ Lisa Clement-Jones	This report will provide an evaluation of the Childcare Rents in Schools Pilot. It will also provide proposed recommendations based upon the evaluation of the pilot.	YES 12 th Sept	Cllr. N. Jenkins Portfolio 3	Education, Skills and Wellbeing
RECURRING ITEMS (IF NEEDED)						
Various Traffic Orders (Detail not available)	For Decision	David Griffiths	Various Traffic Orders (If Needed)		Cllr W.Griffiths Portfolio 9	Environment, Regeneration and Streetscene Services
Various Land Disposal Reports (If needed)	For Decision	Simon Brennan	Land Disposal (If Needed)		Cllr J.Hurley Portfolio 4	Environment, Regeneration and Streetscene Services
Select Lists	For Decision	David Griffiths			Cllr.W.Griffiths Portfolio 9	Environment, Regeneration and Streetscene Services
Debt Write Offs	For Decision	Huw Jones			Cllr S.Knoyle Portfolio 2	Community, Finance and Strategic Leadership
Miscellaneous Grant Applications	For Decision	Huw Jones			Cllr.S.Knoyle Portfolio 2	Community, Finance and Strategic Leadership

Meeting Date	Agenda Item	TYPE	Contact Officer	Purpose of the Report	Called for Scrutiny	Cabinet Portfolio Holder	Relevant Scrutiny Committee
Cabinet 13 th November							
	Assessing Transport Suppliers and Drivers DBS (Home to School and Social Services Transport) Policy	For Decision	Brendan Griffiths/ David Griffiths	This will provide a new Passenger Transport DBS Policy that will guide operators through the application process, sets out the assessment criteria and an appeals process.		Cllr. W.Griffiths Portfolio 9	Environment, Regeneration and Streetscene Services
	Admission to Community Schools	For Decision	Helen Lewis/ Chris Millis	The Council is the admission authority for community schools in its area and is required to determine its admission arrangements.		Cllr. N.Jenkins Portfolio 3	Education, Skills and Wellbeing
	School Exclusion Update	For Monitoring	John Burge	Making Members aware of the exclusion information for the previous academic year.		Cllr.N.Jenkins Portfolio 3	Education, Skills and Wellbeing
	Christmas New Year Opening Times – Libraries, Leisure Centres etc.	For Decision	Chris Saunders	Details of the Christmas and New Year Opening Times for Libraries and Leisure Centres etc.		Cllr.C.Phillips Portfolio 5	Education, Skills and Wellbieng
	Replacement Local Development Strategy 2023 – 2038	For Decision	Ceri Morris/ Lana Beynon			Cllr. W.Griffiths Portfolio 9	Environment, Regeneration and Streetscene Services
	Regional Transport Plan	For Monitoring	David Griffiths/ Amanda Phillips	This report provides Members with an overview of the duties of the Corporate Joint Committee that has been mandated to produce a Regional Transport Plan for Southwest Wales for Submission to Welsh Government in March 2025.		Cllr. W.Griffiths Portfolio 9	Environment, Regeneration and Streetscene Services
	Regeneration Strategy	For Decision	Andrew Collins	Work is being undertaken to produce a strategy which will form a reference and guide for future Regeneration Projects going forward.	YES 8 th Nov	Cllr. J. Hurley Portfolio 4	Environment, Regeneration and Streetscene Services
	Bus Franchising (Network Design)	For Decision	David Griffiths/ Brendan Griffiths	This report will set out the timeline for Bus Franchising and requires endorsement by Council of the new Bus Network that will operate in the County.		Cllr. W Griffiths Portfolio 9	Environment, Regeneration and Streetscene Services.
	Business Case for Payroll Software (Title to be Confirmed by Hayley)	For Decision	Hayley Short	Private Item	YES 19 th Sept	Cllr. Hale Portfolio 7	Social Services, Housing And Community Safety
	Aberavon Seafront Masterplan	For Decision	Chris Saunders	To adopt the Seafront Strategy	YES 24 th Oct	Cllr Cen Phillips Portfolio 5	Education, Skills and Wellbeing
	Margam Park Business Plan	For Decision	Chris Saunders	To provide an update on the NHLF bid for castle, and a business plan to meet the MTFP targets for the park.	YES 24 th Oct	Cllr. C.Phillips Portfolio 5	Education, Skills and Wellbeing
	Welsh Public Library Standards	For Monitoring	Chris Saunders	Provides an update in respect of the authorities library service performance against current Welsh Language Standards (WPLS) Framework 6 and note the feedback, comments and recommendations in the Welsh Library Report.		Cllr.C.Phillips Portfolio 5	Education, Skills and Wellbeing
	Attendance in Schools	For Monitoring	John Burge	Overview of Attendance across all Schools	YES 24 th Oct	Cllr.N.Jenkins Portfolio 3	Education, Skills and Wellbeing
	School Budget Pressures	For Monitoring	Rhiannon Crowhurst		YES (POST) 5 th Dec	Cllr. N.Jenkins Portfolio 3	Education, Skills and Wellbeing
	Youth Engagement Strategy	For Decision	Rhiannon Crowhurst	Updated Strategy for Approval	YES 24 th Oct	Cllr N.Jenkins Portflio 3	Education, Skills and Wellbeing
	Replacement Local Development Plan – Preferred Strategy 2023-2038 (Consultation Draft, December 2024).	For Decision (Commend to Council)	Ceri Morris/ Lana Beynon			Cllr. W.Griffiths Portfolio 9	Environment, Regeneration

							and Streetscene Services
	Outcome of the consultation on improving recycling performance	For Decision	Mike Roberts	To seek Members approval for any proposed waste collection service changes following public consultation (further to Measure 11 of the approved Waste Strategy Action Plan).	YES 20 th Sept	Cllr.S.Jones Portfolio 10	Environment, Regeneration and Streetscene Services
	Leadership Strategy and its Impact on NPT Workforce in Schools	For Monitoring	Mike Daley	Provides an update on the Leadership Strategy and the impact it has had across all schools.		Cllr. N.Jenkins Portfolio 3	Education, Skills and Wellbeing
	Teaching and Learning support and Development Programme	For Monitoring	Mike Daley	It will provide an update on the progress to date with the actions within the Teaching and Learning Programme across all clusters.		Cllr.N.Jenkins Portfolio 3	Education, Skills and Wellbeing
	RECURRING ITEMS (IF NEEDED)						
	Various Traffic Orders (Detail not available)	For Decision	David Griffiths	Various Traffic Orders (If Needed)		Cllr W.Griffiths Portfolio 9	Environment, Regeneration and Streetscene Services
	Various Land Disposal Reports (If needed)	For Decision	Simon Brennan	Land Disposal (If Needed)		Cllr J.Hurley Portfolio 4	Environment, Regeneration and Streetscene Services
	Select Lists	For Decision	David Griffiths			Cllr.W.Griffiths Portfolio 9	Environment, Regeneration and Streetscene Services
	Debt Write Offs	For Decision	Huw Jones			Cllr.S.Knoyle Portfolio 2	Community, Finance and Strategic Leadership
	Miscellaneous Grant Applications	For Decision	Huw Jones			Cllr.S.Knoyle Portfolio 2	Community, Finance and Strategic Leadership

Meeting Date	Agenda Item	TYPE	Contact Officer	Purpose of Report	Called for Scrutiny	Cabinet Portfolio Holder	Relevant Scrutiny Committee
Cabinet 4 th December							
	Revenue Budget Monitoring 24-25	For Decision	Huw Jones			Cllr. S.Knoyle Portfolio 2	Community, Finance and Strategic Leadership
	Capital Budget Monitoring 24-25	For Decision	Huw Jones			Cllr.S.Knoyle Portfolio 2	Community, Finance and Strategic Leadership
	Treasury Management Outturn 24-25	For Decision	Huw Jones			Cllr. S.Knoyle Portfolio 2	Community, Finance and Strategic Leadership
	Support visits by Education Support Officers in Schools	For Monitoring	Mike Daley	Provides an update on the progress to date with the actions that follow any support visit across all our schools.		Cllr. N.Jenkins Portfolio 3	Education, Skills and Wellbeing
	Community Focussed Schools	For Monitoring	Mike Daley	Provides an update on the progress of the Community Focussed Schools		Cllr.N.Jenkins Portfolio 3	Education, Skills and Wellbeing
	Elective Home Education	For Monitoring	John Burge	All information available on children and young people who are now Educated at Home.		Cllr N.Jenkins Portfolio 3	Education, Skills and Wellbeing
	Highways Status and Options Report	For Decision	Mike Roberts			Cllr.S.Jones Portfolio 10	Environment, Rgeneration and Streetscene Services
		RECURRING ITEMS (IF NEEDED)					
	Various Traffic Orders (Detail not available)	For Decision	David Griffiths			Cllr W.Griffiths Portfolio 9	Environment, Regeneration and Streetscene Services
	Various Land Disposal Reports (If Needed)	For Decision	Simon Brennan			Cllr J.Hurley Portfolio 4	Environment, Regeneration and Streetscene Services
	Select Lists	For Decision	David Griffiths			Cllr. W.Griffiths Portfolio 9	Environment, Regeneration and Streetscene Services
	Debt Write Offs	For Decision	Huw Jones			Cllr. S.Knoyle Portfolio 2	Community, Finance and Strategic Leadership
	Miscellaneous Grant Applications	For Decision	Huw Jones			Cllr.S.Knoyle Portfolio 2	Community, Finance and Strategic Leadership

Meeting Date	Agenda Item	TYPE	Contact Officer	Purpose of Report	Called for Scrutiny	Cabinet Portfolio Holder	Relevant Scrutiny Committee
Cabinet 15 th January 2025	Hillside Managers Report	For Monitoring	Keri Warren	Private Item		Cllr. S.Harris Portfolio 6	Social Services, Housing and Community Safety
	Hillside Responsible Individuals Report	For Monitoring	Keri Warren	Private Item		Cllr.S.Harris Portfolio 6	Social Services, Housing and Community Safety
	Updating the Side Waste Policy	For Decision	Mike Roberts	To seek Member approval for an updated Side Waste Policy (further to Measure 6 of the approved Waste Strategy Action Plan)		Cllr.S.Jones Portfolio 10	Environment, Regeneration and Streetscene Services
	Permission to Tender for Emergency Accommodation for Women - Violence Against Women, Domestic Abuse and Sexual Violence .	For Decision	Hayley Short Chele Howard	To feedback on the outcome of the consultation for the proposed remodel of emergency accommodation and seek permission to retender VAWDASV Emergency Accommodation on the feedback.	YES 7 th Nov	Cllr A.Llewelyn Portfolio 8	Social Services, Housing and Community Safety
	Education, Leisure and Lifelong Learning Strategic Development Plan.	For Monitoring	Chris Millis	Provides an Update on the Progress to date with the Actions from within the Education, Leisure and Lifelong Learning Strategic Development Plan.	YES 5 th Dec	Cllr.N.Jenkins Portfolio 3	Education, Skills and Wellbeing
	Impact of the Support by Case Assessment and Progression Team.	For Monitoring	John Burge	It will provide an update on the progress to date with the actions from the Case Assessment Progression Team.		Cllr.N.Jenkins Portfolio 3	Education, Skills and Wellbeing
	Vulnerable Learners Service	For Monitoring	John Burge	Update on the support offered by the Vulnerable Learners Service and the impact it has had on pupils and families in NPT		Cllr.N.Jenkins Portfolio 3	Education, Skills and Wellbeing
	Various Traffic Orders (Detail not available)	For Decision	David Griffiths			Cllr W.Griffiths Portfolio 9	Environment, Regeneration and Streetscene Services
	Various Land Disposal Reports (If Needed)	For Decision	Simon Brennan			Cllr J.Hurley Portfolio 4	Environment, Regeneration and Streetscene Services.

Meeting Date	Agenda Item	TYPE	Contact Officer	Purpose of Report	Called for Scrutiny	Cabinet Portfolio Holder	Relevant Scrutiny Committee
Cabinet 5 th February 2025							
	Fleet and Heavy Plant Renewals	For Decision	Kevin Lewis	This report seeks approval to procure new and replacement vehicles and heavy plant in 2025/2026 that has reached the end of their economic life cycle and require replacement in line with the Authority's Fleet Renewals Programme.	YES 6 th Dec	Cllr. W.Griffiths Portfolio 9	Environment, Regeneration and Streetscene Services
	Social Services Directors Annual Report	For Decision (Commending to Council)	Andrew Jarrett			Report of the Director of Social Services.	Social Services, Housing and Community Safety
	Strategic Risk Register	For Monitoring	Caryn Furlow-Harris		YES 9 th Jan	Cllr.S.Knoyle Portfolio 2	
	Library Strategy	For Decision		To approve the Library Strategy		Cllr.C.Phillips Portfolio 5	Education, Skills and Wellbeing
	Permission to Tender Supported Accommodation	For Decision	Hayley Short	Private Item		Cllr.A.Llewelyn Portfolio 8	Education, Skills and Wellbeing
	Permission to consult and pilot an alternative night time support	For Decision	Hayley Short	Private Item	YES 19 th Sept	Cllr. J.Hale Portfolio 7	Social Services, Housing And Community Safety
	Various Traffic Orders (Detail not available)	For Decision	David Griffiths			Cllr W.Griffiths Portfolio 9	Environment, Regeneration and Streetscene Services
	Various Land Disposal Reports (If Needed)	For Decision	Simon Brennan			Cllr J.Hurley Portfolio 4	Environment, Regeneration and Streetscene Services

Meeting Date	Agenda Item	TYPE	Contact Officer	Purpose of Report	Called for Scrutiny	Cabinet Portfolio Holder	Relevant Scrutiny committee
Cabinet 26 th February							
	Revenue Budget Monitoring 24-25	For Decision	Huw Jones			Cllr.S.Knoyle Portfolio 2	Community, Finance and Strategic Leadership
	Capital Budget Monitoring 24-25	For Decision	Huw Jones			Cllr. S.Knoyle Portfolio 2	Community, Finance and Strategic Leadership
	Treasury Management Outturn 24-25	For Decision	Huw Jones			Cllr. S.Knoyle Portfolio 2	Community, Finance and Strategic Leadership
	Education Development – Local Authority Education Grant Spending Plan 2024 -2025.	For Monitoring	Mike Daley	Provides an update on the progress to date with the actions from the grant.		Cllr. N.Jenkins Portfolio 3	Education, Skills and Wellbeing
	Safeguarding Support within Schools	For Monitoring	John Burge	Overview of all Safeguarding Advice and Training offered to Schools	YES 16 th Jan	Cllr. N.Jenkins Portfolio 3	Education, Skills and Wellbeing
	Appointment and Removal of Local Authority Governor Representatives	For Decision	John Burge	Information on the Appointment and Removal of Local Authority Governor Representatives		Cllr. N.Jenkins Portfolio 3	Education, Skills and Wellbeing
	An overview of the Families First Programme	For Information	Sarah Griffiths/ Allison Harris	The report will provide an overview of the Families First Early Intervention support services available to children, young people and families. It will also provide 2023/2024 data demonstrating the impact of the programme on children, young people and families who have accessed the service.		Cllr.N.Jenkins Portfolio 3	Education, Skills and Wellbeing
	Strategic Schools Improvement Programme Proposal to reorganise ALN Provision at Cwmtawe Comprehensive School	For Decision	Rhiannon Crowhurst	Results of Consultation and permission to advertise Notice for Objections		Cllr.N.Jenkins Portfolio 3	Education, Skills and Wellbeing
	Strategic Schools Improvement Programme Proposal to re-organise ALN Provision at Cefn Saeson Comprehensive School.	For Decision	Rhiannon Crowhurst	Results of Consultation and permission to advertise Notice for Objections		Cllr.N.Jenkins Portfolio 3	Education, Skills and Wellbeing
	Various Traffic Orders (Detail not available)	For Decision	David Griffiths			Cllr W.Griffiths Portfolio 9	
Various Land Disposal Reports (If Needed)	For Decision	Simon Brennan			Cllr J.Hurley Portfolio 4		

Meeting Date	Agenda Item	TYPE	Contact Officer	Purpose of Report	Called for Scrutiny	Cabinet Portfolio Holder	Relevant Scrutiny committee
Cabinet 19 th March	Period Dignity Report	For Monitoring	John Burge	Report on the spend and implementation of Period Dignity Scheme.		Cllr. N.Jenkins Portfolio 3	Education, Skills and Wellbeing
	Family Support in the Early Years. An overview of the family support provided by the Early Years and Flying Start Family Support Team.	For Information	Sarah Griffiths/ Lisa Clement-Jones	This report will provide an overview of the collaborative work across the Local Authority and Health in relation to providing equitable early help for children and families in the Early Years.	YES 6 th March	Cllr. N.Jenkins Portfolio 3	Education, Skills and Wellbeing
	Updating the Missed Bin Policy	For Decision	Mike Roberts	To seek Member approval for an updated Missed Bin Policy (further to the implementation of Measure 1 of the approved Waste Strategy Action Plan, once completed)		Cllr.S.Jones Portfolio 10	Environment, Regeneration and Streetscene Services
	Healthy Relationships for Stronger Communities Strategy	For Monitoring	Chele Howard/Elinor Wellington	12 Month Update		Cllr. A.Llewelyn Portfolio 8	Social Services, Housing and Community Safety
	Various Traffic Orders (Detail not available)	For Decision	David Griffiths			Cllr W.Griffiths Portfolio 9	
	Various Land Disposal Reports (If Needed)	For Decision	Simon Brennan			Cllr J.Hurley Portfolio 4	

Meeting Date	Agenda Item	TYPE	Contact Officer	Purpose of Report	Called for Scrutiny	Cabinet Portfolio Holder	Relevant Scrutiny committee
Cabinet 9 th April	Social Services Complaints Annual Report	For Monitoring	Leighton Jones			Cllr.A.Llewellyn Portfolio 8 Cllr S.Harris Portfolio 6 Cllr J Hale Portfolio 7	Social Services, Housing and Community Safety
	Community Safety Strategic Intent Document	For Monitoring	Chele Howard/ Elinor Wellington	12 Month Update		Cllr. A. Llewelyn Portfolio 8	Social Services, Housing and Community Safety
	Various Traffic Orders (Detail not available)	For Decision	David Griffiths			Cllr W.Griffiths Portfolio 9	
	Various Land Disposal Reports (If Needed)	For Decision	Simon Brennan			Cllr J.Hurley Portfolio 4	

Meeting Date	Agenda Item	TYPE	Contact Officer	Purpose of Report	Called for Scrutiny	Cabinet Portfolio Holder	Relevant Scrutiny committee
Cabinet 30 th April							
	Hillside Managers Report	For Monitoring	Keri Warren			Cllr.S.Harris Portfolio 6	
	Hillside Responsible Individuals Report	For Monitoring	Keri Warren			Cllr.S.Harris Portfolio 6	
	Early Years and Flying Start Childcare	For Monitoring	Sarah Griffiths/Lisa Clement-Jones	This report will provide information in relation to the Early Years and Flying Start Childcare Sector including the impact of Flying Start Expansion.	YES 10 th April	Cllr.N.Jenkins Portfolio 3	Education, Skills and Wellbeing
	Various Traffic Orders (Detail not available)	For Decision	David Griffiths			Cllr W.Griffiths Portfolio 9	
	Various Land Disposal Reports (If Needed)	For Decision	Simon Brennan			Cllr J.Hurley Portfolio 4	

Meeting Date	Agenda Item	TYPE	Contact Officer	Purpose of Report	Called for Scrutiny	Cabinet Portfolio Holder	Relevant Scrutiny committee
Cabinet 21 st May							
	Strategic Schools Improvement Programme Proposal to reorganise ALN provision at Cwmtawe Comprehensive School	For Decision	Rhiannon Crowhurst	Final Determination of the Proposal		Cllr. N.Jenkins Portfolio 3	Education, Skills and Wellbeing
	Strategic Schools Improvement Programme Proposal to reorganise ALN provision at Cefn Season Comprehensive School	For Decision	Rhiannon Crowhurst	Final Determination of the Proposal		Cllr. N.Jenkins Portfolio 3	Education, Skills and Wellbeing.
	Various Traffic Orders (Detail not available)	For Decision	David Griffiths				Cllr W.Griffiths Portfolio 9
Various Land Disposal Reports (If Needed)	For Decision	Simon Brennan				Cllr J.Hurley Portfolio 4	



Cyngor Castell-nedd Port Talbot
Neath Port Talbot Council

NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

Cabinet

7 August 2024

Report of the Head of Leisure, Tourism, Heritage & Culture

Matter for Decision

Wards Affected:

Pontardawe

Report Title

The Cross Community Enterprise Centre

Purpose of the Report:

To obtain approval to declare the premises known as the Cross Community Enterprise Centre, Pontardawe surplus to the ongoing strategic and operational requirements of the Education, Leisure and Lifelong Learning Directorate and transfer the ongoing responsibility for the future management to the Head of Property and Regeneration until such time as a decision is made on the future of the premises.

Executive Summary:

The lease and operating agreement for the Cross Community Enterprise Centre has been terminated and the building has been handed back to the Council. There are a number of significant maintenance and property compliance concerns in respect of the building, and it has therefore been necessary on health and safety grounds to close the building and work with the sub-tenants to secure alternative suitable accommodation.

After the closure the Fire Service visited the site and issued an Alterations Notice under the Fire Safety Order 2005 meaning the building cannot be occupied until such a time as the compliance issues are rectified.

This report seeks to transfer the ongoing responsibility for the future management of the premises to the Head of Property and Regeneration until such time as a decision is made on the future of the premises.

Background:

The Council holds freehold title to The Cross Community Enterprise Centre as shown edged in black on the plan in Appendix 1 together with a right of access over the enclosed lane shown cross hatched black which is held under the overall control of Education and Lifelong Learning Directorate. The Centre is situated on the junction of Herbert Street and the High Street in the heart of Pontardawe town centre. The building was formerly a coaching house and comprises of eighteen rooms over three floors operating as a Community Centre for the benefit of the local community and as an Enterprise Centre providing office space on the upper floors for rent by local businesses.

In 2015, as part of the national austerity measures this centre, like many others, was leased out to an independent operator on a full repair and maintaining basis for a term of twenty five years subject to review at an initial annual rent of £9845 for use as a Community Enterprise and Community Centre. The lease was subject to an operating agreement to ensure the premises continued to be used for Community purposes. The annual rent was offset by a 95% grant from the Council.

Over the past few years, the operator has run into various difficulties but remained entirely committed to ensuring the Centre continued to remain open and operate for the benefit of the local community. During 2023 it became clear the operator could no longer continue, and the lease was not viable, resulting in him serving on the Council three months' notice terminating the lease and operating agreement, and handing back the building on 8th December 2023.

After visiting the site in mid-November 2023, officers arranged for urgent statutory compliance checks and a condition survey to be undertaken to better understand the condition of the building, there were several significant property compliance concerns, and it was therefore necessary on health and safety grounds to close the building and work with the tenants to secure alternative suitable accommodation. After the urgent closure the Fire Service visited the site and issued an Alterations Notice under the Fire Safety Order 2005 meaning the building cannot be occupied until such a time as the compliance issues are rectified.

All tenants have now either found alternative accommodation with the help of Council officers, or no longer have need for the space.

A Condition survey of the premises has been undertaken and the details are shown in Appendix A. The backlog maintenance costs to bring the premises up to a suitable standard for its existing use are in excess of £500k.

Financial Impacts:

No revenue budget currently exists for the costs in relation to the building. Therefore, it is anticipated there will be an overspend in this financial year (24/25) of approximately £15-20k.

There will also be ongoing costs of approximately £5k per annum (excluding capital repairs) until such as time as the building is repurposed.

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 has indicated that a more in-depth assessment is not required as this is an internal administrative process.

Valleys Communities Impacts:

Transferring the premises from Education to Regeneration and Property is an internal administrative process and as such has no impact on the Valley Communities.

Workforce Impacts :

There are no implications for the workforce in formally closing the building or transferring the building to the Head of Property and Regeneration until such time as a decision is made on the future of the premises.

It is worth noting that the previous tenant employed one member of staff in a caretaker type role working part time, 9-1, 5 days a week. The member of staff was given notice by the previous occupier and has since finished with the Council assisting with the costs. NPTCBC offered assistance via our H.R department to look for future employment which was declined

Legal Impacts:

There are no legal implications in transferring the building to the Head of Property and Regeneration until such time as a decision is made on the future of the premises.

Risk Management Impacts:

There are no risk management implications in transferring the building to the Head of Property and Regeneration until such time as a decision is made on the future of the premises.

The building is unsafe to operate as a public facility in its current condition and is already closed on health and safety grounds.

Consultation:

Consultation is not required for the internal transfer of the premises to the Head of Property and Regeneration until such time as a decision is made on the future of the premises.

Scrutiny Observations:

The proposal was considered at the Education, Skills and Wellbeing Scrutiny Committee on the 25th July 2024.

Scrutiny members were conscious of the need to monitor the condition of Council owned buildings leased to 3rd parties. Clarification was given that leaseholders are responsible for all maintenance under full repair and maintaining leases. Members further highlighted the availability of funding via the Shared Prosperity Fund to assist community leaseholders to cover some of these costs.

Scrutiny raised concern about the loss of a community meeting space in the town because of the closure. The Cabinet Member confirmed that there are still a wide range of meeting spaces available for use by the local community within the Pontardawe area.

The scrutiny committee were supportive of the proposal with no changes to the recommendations.

Recommendations:

Having had due regard to the first stage Integrated Impact Assessment it is recommended that Members:

- Agree to declare the premises surplus to the ongoing strategic and operational requirements of the Education, Leisure and Lifelong Learning Directorate and to transfer ongoing responsibility for the future management of the premises to the Head of Property and Regeneration until such time as a decision is made on the future of the premises.

Reasons for the Proposed Decision:

To formally declare the site surplus to the needs of the Education Directorate and facilitate discussions on the longer term use.

Implementation of Decision:

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

Appendices:

Appendix A – Condition survey

Appendix B – Plan of the premises

Appendix C – Integrated Impact Assessment.

List of Background Papers:

None

Officer Contact:

Chris Saunders, Head of Leisure, Tourism, Heritage & Culture
c.saunders@npt.gov.uk

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Condition Assessment Report

Report run on: 13-DEC-2023

UPRN: 272091204023

Cross Community Centre
1 Herbert Street
Pontardawe

Assessment Date: 05-DEC-2023

Assessment ID: 780

Surveys By: NPTCBC

Public Access: YES

Fire Prec.: D

Asbestos:

Asbestos cisterns to toilets and replacement roof slates - low risk.

Site Comments:

The building has received limited investment over recent years. Mechanical and electrical services have reached the end of their lifespan; internal areas have been partially refurbished, remaining areas require significant investment; external elevation and windows require refurbishment. The roof covering has failed at several locations and requires partial renewal / remedial works. The fire alarm system has failed and inadequate for current building use.

		Condition Grade	Condition Cost	Access Grade	Access Cost
Unit 0	Cross Community Centre		£34,750		£500
Unit 1	Cross Community Centre	C-	£546,750	B	£20,250
	Overall Site:	C-	£581,500	B	£20,750

Condition Assessment Report

Report run on: 13-DEC-2023

UPRN: 272091204023 Unit ID: 0

Cross Community Centre
1 Herbert Street
Pontardawe

Condition Grade:

GEA: 1018

GIA: 827

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	Year 1	Year 2-3	Within 5 Years	Within 10 Years
CONDITION COSTS	£31,750	£2,500	£250	£250

OVERALL: £34,750

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

Type	Condition	Priority	Cost Urgent	Cost Within 2 Yrs.	Cost 3-5 Yrs.	Cost Outside 5 Yrs.	Comments
External Areas And Grounds - Walls And Fences	C	1	£4,000	£2,500			In poor to fair condition. Boundaries are mainly neighbouring buildings or main road. Stonework wall relatively sound, minor loss of mortar joints. Provision for remedial works. Stonework retaining wall between path and garden worn; vegetation growth; missing mortar pointing; displaced stonework. Provision for overhauling and repointing.
External Areas And Grounds - Gates	N/A	N/A					
External Areas And Grounds - Roads	N/A	N/A					
External Areas And Grounds - Car Parking	N/A	N/A					
External Areas And Grounds - Paths/Walkways	C	1	£16,000				In poor to fair condition. Steep exit ramp to rear; concrete surfaces worn / pitted; block paving has vegetation growth to surfaces; steel fire exit from ground floor is rusting. Provision for improving rear paths and fire exit routes.
External Areas And Grounds - Drainage	C	1	£4,500				Drainage in poor to fair condition. Foul smells to rear (leaking foul water drainage); poor run off for surface water; inadequate provision at low level. Provision for improving.
External Areas And Grounds - Hard And Soft Landscaping	C	1	£5,500				In poor to fair condition. Rear areas are unkempt / excessive vegetation / tree growth; soft play area saturated (poor drainage); fire exit routes are blocked by significant vegetation / rubbish. Provision for clearing and improving.

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

Type	Condition	Priority	Cost Urgent	Cost Within 2 Yrs.	Cost 3-5 Yrs.	Cost Outside 5 Yrs.	Comments
External Areas And Grounds - External Lighting	D	1	£1,750		£250		In poor condition. Fittings to rear are redundant. Renew light fittings and associated wiring.
External Areas And Grounds - Outbuildings	N/A	N/A					

Condition Assessment Report

Report run on: 13-DEC-2023

UPRN: 272091204023 Unit ID: 1

Cross Community Centre
1 Herbert Street
Pontardawe

Condition Grade: C-

GEA: 1018

GIA: 827

	Year 1	Year 2-3	Within 5 Years	Within 10 Years
CONDITION COSTS	£353,500	£154,000	£36,500	£2,750

£546,750

OVERALL: £546,750

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

Type	Condition	Priority	Cost Urgent	Cost Within 2 Yrs.	Cost 3-5 Yrs.	Cost Outside 5 Yrs.	Comments
External Roof - Roof Covering And Fascias	D	1	£42,500	£7,500			Viewed using drone. In poor to fair condition. Water ingress at several locations to main roof. Worn slate covering particularly to hipped ends; copious amounts of slipped, cracked and displaced slates (previous repairs with tingles); minor sagging to covering; leadwork poorly dressed, slipped and missing leadwork flashing. Expect renewal of hipped sections and repairs to remaining covering within 1 year. Timber fascia and soffits appear worn. Missing paintwork. Allow for minor repairs and redecoration. Flat roof covering has reached the end of its practical lifespan. Expect renewal within 2-3 years.
External Roof - Rainwater Disposal	D	1	£8,000				In poor condition. Leaks to downpipes and guttering throughout. Rear downpipe draining on to flat roof covering; loss of paint coating. Provision for the renewal of the majority of rainwater goods and overhaul remaining.
External Roof - Roof Lights Etc.	N/A	N/A					
External Walls, Windows And Doors - Walls/Cladding	C	1	£16,500	£14,500			In fair condition. Entrance facade generally sound. Cracking to and around window heads. Allow for repairs to rendered surfaces and redecoration within 2-3 years. Rear elevations comprise stonework with brick quoins. Holes present; timber bay window has low level decay; missing mortar pointing, displaced brickwork; steel beam corroding; excessive vegetation growth. Provision for external remedial works to rear.

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

Type	Condition	Priority	Cost Urgent	Cost Within 2 Yrs.	Cost 3-5 Yrs.	Cost Outside 5 Yrs.	Comments
External Walls, Windows And Doors - Windows	C	2		£22,500			In poor to fair condition. UPVC double glazed units are old but generally sound. Several failed / smashed double glazed window units. Provision for minor renewals / repairs only. Timber sash windows have low level decay to frame and sills; loss of paint finish. Provision for selected renewal and overhaul / redecorate remaining.
External Walls, Windows And Doors - Doors	C	2		£6,500			In fair condition. Several doors have been renewed over recent years, however, older timber doors have reached the end of their useful lifespan and should be renewed. UPVC door to rear of basement is not secure. Allow for improvements.
External Walls, Windows And Doors - Chimneys/Flues	C	1	£3,500				In poor to fair condition. Vegetation growth to chimney haunching; missing mortar joints; open stack allowing water ingress. Provision for clearing and improving detail during roofing works.
Internals - Floors	C	2		£19,000			In fair condition. Floor coverings to several areas have been renewed on an ad-hoc basis. Remaining older carpet and vinyl floorings are worn / stained. Allow for selected renewal within 3-years.
Internals - Walls	C	1	£28,000				In fair condition. Plasterwork worn / uneven to several rooms; blown / loose sections adjacent to cracking / damp. Provision for selected hacking off and replastering. Basement areas mainly used for storage, damp walls and flaking paintwork. Allow for improving.

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

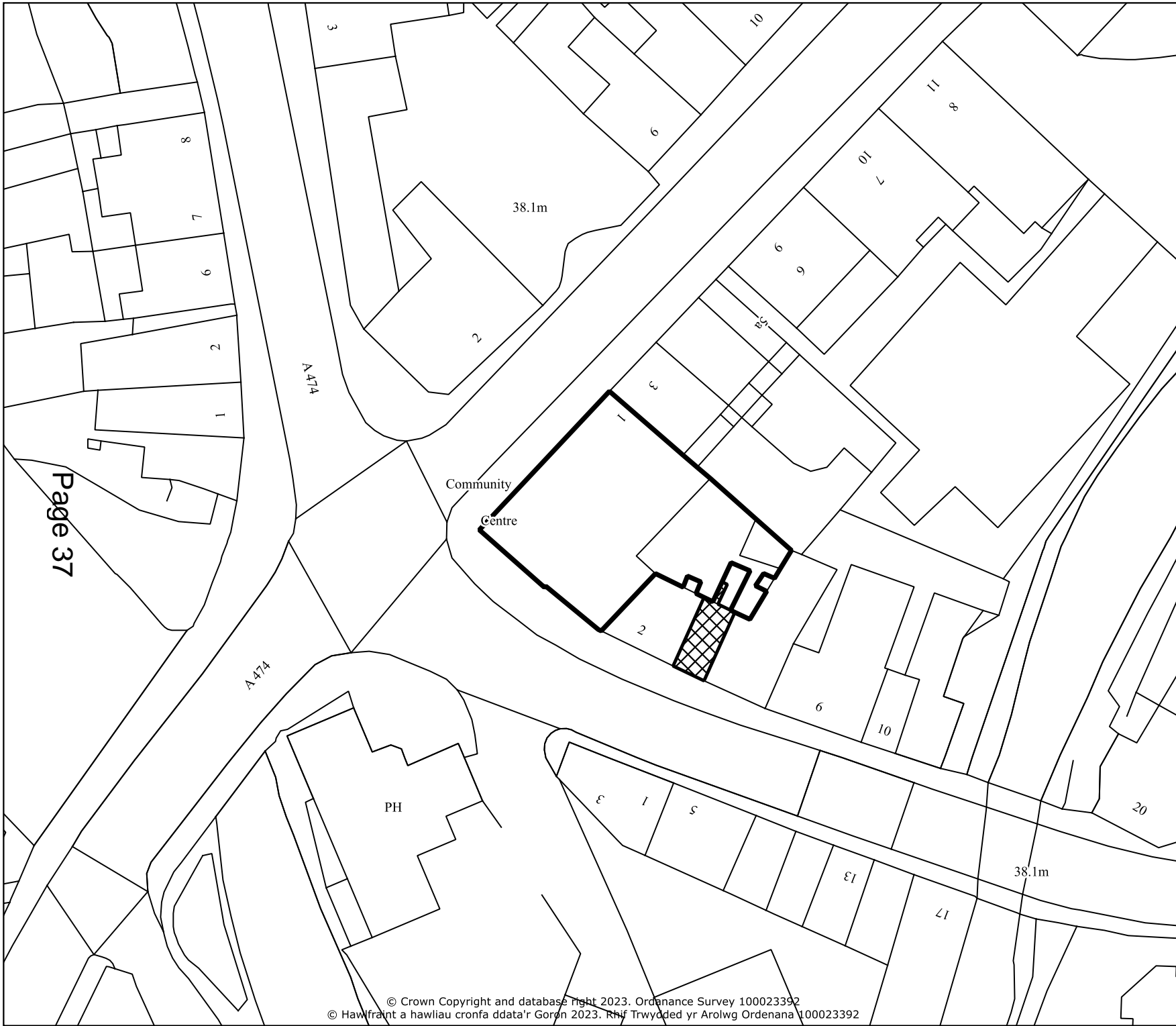
Type	Condition	Priority	Cost Urgent	Cost Within 2 Yrs.	Cost 3-5 Yrs.	Cost Outside 5 Yrs.	Comments
Internals - Ceilings	D	1	£17,500				In poor to fair condition. Cracking through plasterwork at several locations (risk of detaching); significant water ingress / leaks have damaged ceiling surfaces. Allow for hacking off affected plasterwork / removing plasterboard and renewing.
Internals - Doors	C	1	£25,000				In fair condition. New fire doors have been fitted to basement, ground and to cross-corridor. Minor issues with missing / detached door closers. Allow for repairs. Remaining doors throughout are ill fitting, dated and worn. Inadequate doors for multi-use occupancy and fire doors required. Provision for renewing.
Internals - Fitted Furniture	B	2		£2,000			In fair to good condition. Kitchens have been refurbished over recent years. Provision for maintaining.
Internals - Internal Decoration	C	1	£2,500	£6,000			In fair condition. The offices and majority of rooms have been redecorated by sub-tenents and in good condition. Remaining areas are looking tired; water ingress has damaged wall finishes at several locations. Redecoration required within 2-3 years.
Internals - Staircases Including Guarding And Handrails	B	2		£3,500			In fair condition. Steps to basement are inadequate. Provision for improving. Remaining staircases sound.
Internals - Roof Structure And Voids	N/I	N/A					No access. Not inspected.

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

Type	Condition	Priority	Cost Urgent	Cost Within 2 Yrs.	Cost 3-5 Yrs.	Cost Outside 5 Yrs.	Comments
Sanitary Services - Sanitary Appliances And Drainage	C	3			£35,000		In fair condition. Toilet areas to ground floor are relatively sound experiencing minor wear. Expect minor remedial works only. Remaining toilets to upper floors are worn / dated. Allow to refurbish.
Sanitary Services - Cold Water Storage Tanks, Cisterns And Pipework	N/I	N/A					
Mechanical Services - Heating Boilers And System	D	1	£47,500				In poor condition. Heating boiler and controls have exceeded their practical and recommended lifespan. Provision for renewing.
Mechanical Services - Fixed Heating Appliances	D	1	£72,500				In poor to fair condition. Boxed-in (Pendock) to majority of areas. Heating is not controllable; reports of differing heat levels and air locks. All heating distribution has exceeded its practical and recommended lifespan. Provision for renewing during boiler renewals.
Mechanical Services - Hot Water	C	2		£2,500	£750		In fair condition. Electric hot water heaters in working order. Nearing the end of their lifespan. Allow for selected renewal and maintain remaining.
Electrical Services - Switchgear And Meters	C	2		£20,000			In poor to fair condition. Electrical distribution boards have been renewed ad-hoc. Older switchgear / distribution boards have exceeded their lifespan; located at high level. Provision to renew all to an accessible location.

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

Type	Condition	Priority	Cost Urgent	Cost Within 2 Yrs.	Cost 3-5 Yrs.	Cost Outside 5 Yrs.	Comments
Electrical Services - Electrical Sub-Circuits And Devices	C	2		£50,000			In fair condition. General power provision has been renewed ad-hoc. Insufficient provision to the majority of rooms; overloading of sockets and extensive use of extension leads; older sockets and wiring to several rooms. Provision for rewiring throughout.
Electrical Services - Lighting	D	1	£60,000				Lighting poor throughout. Old switches, wiring and fittings have exceeded their recommended and economic lifespan. Provision for renewing / rewiring.
Electrical Services - Fire Protection Systems	D	1	£30,000				In poor condition. The current alarm system has extensive faults. Currently inadequate for purpose. Fire precautions and housekeeping is insufficient for multi-use occupancy. Allow for new system and improvements.
Electrical Services - Miscellaneous Items E.G. Lifts	B	3			£750	£750	In fair to good condition. Allow for maintaining.



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NOTES



PROPERTY & REGENERATION
 Nicola Pearce BSC (Hons), Dip TP, MRTPI
 Corporate Director of Environment
 The Quays, Brunel Way, Baglan Energy Park
 Neath SA11 2GG
 www.npt.gov.uk

Project
Land at the Cross Community Centre - Pontardawe

Drawing Title
Land Site Plan

Scales **A4 @ 1:500**

Drawing No. 23-1284	Rev.
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Integrated Impact Assessment - First Stage

1. Details of the initiative

Initiative description and summary: Transfer of Cross Community and Enterprise Centre from Education to Regeneration & Property.
Service Area: Leisure
Directorate: Education Leisure & Lifelong Learning
Strategic Decision: No

2. Does the initiative affect:

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

3. Evidence used in the Assessment

The building is already closed under Health and safety grounds and a Fire safety order.
The transfer from one department to another is just an internal administrative process.

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

	Yes	No	None/ Negligible	Don't Know	Impact H/M/L/D	Reasons for your decision and details of the impact
Age		x				The transfer from one department to another is just an internal administrative process.
Disability		x				The transfer from one department to another is just an internal administrative process.
Gender Reassignment		x				The transfer from one department to another is just an internal administrative process.
Marriage/Civil Partnership		x				The transfer from one department to another is just an internal administrative process.
Pregnancy/Maternity		x				The transfer from one department to another is just an internal administrative process.
Race		x				The transfer from one department to another is just an internal administrative process.
Religion/Belief		x				The transfer from one department to another is just an internal administrative process.

	Yes	No	None/ Negligible	Don't Know	Impact H/M/L/D	Reasons for your decision and details of the impact
Sex		x				The transfer from one department to another is just an internal administrative process.
Sexual orientation		x				The transfer from one department to another is just an internal administrative process.

5. 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 transfer from one department to another is just an internal administrative process.
Treating the Welsh language no less favourably than English		x				The transfer from one department to another is just an internal administrative process.

6. 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?
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To maintain and enhance biodiversity		x				The transfer from one department to another is just an internal administrative process.
To promote the resilience of ecosystems, i.e. supporting protection of the wider environment, such as air quality, flood alleviation, etc.		x				The transfer from one department to another is just an internal administrative process.

7. 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 transfer from one department to another is just an internal administrative process.
Integration - how the initiative impacts upon our wellbeing objectives		x	The transfer from one department to another is just an internal administrative process.
Involvement - how people have been involved in developing the initiative		x	The transfer from one department to another is just an internal administrative process.
Collaboration - how we have worked with other services/organisations to find shared sustainable solutions		x	The transfer from one department to another is just an internal administrative process.

Prevention - how the initiative will prevent problems occurring or getting worse		x	The transfer from one department to another is just an internal administrative process.
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8. Declaration - based on above assessment (tick as appropriate):

A full impact assessment (second stage) is not required	
Reasons for this conclusion	
The transfer of the site from one department to another is an internal administrative process. The closure of the building for its former use has already taken place under Health and Safety grounds and the wider impacts of any future usage will be fully assessed once that is determined and brought forward.	

	Name	Position	Signature	Date
Completed by				
Signed off by	C Saunders	Head of Service	C Saunders	09/07/2024

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Cyngor Castell-nedd Port Talbot
Neath Port Talbot Council

NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

Cabinet

7th August 2024

Report of the Head of Leisure, Tourism, Heritage & Culture.

Matter for Decision

Wards Affected:

All Wards

Report Title: Events and Festivals Review

Purpose of the Report:

To summarise the findings of the recently commissioned Events and Festivals Review to guide decision making around supporting, managing and resourcing events organised by the Council and/ or on Council land.

To propose the formation of a small team, on an invest to save basis, to manage events and festivals on public land in Neath Port Talbot and to maximise the commercial opportunities from filming enquiries.

Executive Summary:

Alpha1 Events have been commissioned to undertake a review of the Council's existing procedures for supporting, managing and resourcing events organised by the Council itself and/ or on Council land.

Considering the significant levels of staff time currently spent on assisting and organising events across various departments of the Council, this commission also included:

- A review of existing Safety Advisory Group (SAG) processes
- A review of non-statutory licences and agreements currently issued to event organisers by the Council. For the avoidance of doubt this does not include statutory licensing.
- Current charging structures and income received from event organisers and film companies for use of Council land.

Following consultation with a range of Council officers and external; event organisers involved in event management and administration, a draft events policy is provided for proposed adoption by the Council (please refer to Appendix 2).

A new events application process is proposed to replace the existing event registration process as well as a proposed set of charges for hire of Council land for events that maximises commercial opportunities including film production.

The Alpha1 Events report also provides sample event licence/agreement documentation, which act to grant agreement to hold an event on council land. Further work is required to produce template agreements which set out the terms and conditions to be set by the Council, however the sample agreements in Appendix 6 and 7) provide an indication of the simplified process that officers are seeking to achieve.

Please note that no amendments are to be made to statutory licencing requirements which event organisers must secure in order to comply with legislation such as alcohol, street trading or food hygiene for example.

Further to the above a revised Terms of Reference for a Safety Advisory Group has been set out which reflects national guidance and acknowledges the principle that the SAG is there to support the endeavours of event organisers.

A proposed future staffing structure for an ‘Events and Film Office’ is set out which manages the events policy and events application process and will enable the Council to fully realise the cultural and economic benefits of encouraging more events within the County.

Background:

Recent consultation which has been undertaken to devise the Neath Port Talbot Culture Strategy and Destination Management Plan (DMP), which were approved by Cabinet in September 2023, has established that a strong programme of events organised by the Council and external stakeholders is key in meeting the aims of these strategies.

Both the Culture Strategy and DMP include specific actions relating to the future management of events and encouraging and supporting events organised by third parties. In order to do this specialist skills are required through a dedicated ‘Events Team’ within the Council.

The Culture Strategy also identifies the opportunity to establish a new ‘film office’ to attract more filming enquires to the area, deal with the logistics of this and to generate additional revenue for the Council to fund some of the activities outlined in the Culture Strategy.

The Alpha1 Report is structured as follows:

Main Report: Outdoor Events Administration and Management – Report for Neath Port Talbot Council	Please Refer to Appendix 1 of this report
Appendix A: Draft Neath Port Talbot Events Policy	Please refer to Appendix 2 of this report

Appendix B: Current Event Administration Process Flow Chart	Please refer to Appendix 3 of this report
Appendix C: Proposed New Event Administration Process Flow Chart	Please refer to Appendix 4 of this report
Appendix D: Safety Advisory Group Terms of Reference – Proposed Changes	Please refer to Appendix 5 of this report
Appendix E: Sample Letter of Agreement – Minor Events	Please refer to Appendix 6 of this report
Appendix F: Sample Licence – Major Events	Please refer to Appendix 7 of this report

The recommendations for further action within the Alpha 1 report can be summarised as follows;

- Present the Draft Events Policy (Appendix 2) to Members for adoption (as set out within this report)
- Adopt the new proposed events application process as outlined in Appendix 3
- Create and fund an ‘Events Team’ with specialist event management expertise to be responsible for:
 - Management of the applications process for outdoor events
 - Advising event organisers and encouraging events in the county
 - Delivery of specific events by the Council
 - Operation of a new film office to encourage filming opportunities and generate revenue.

- To agree the proposed structure of the Events Team and the options to resource the team as outlined.
- Agree the remit of the team to include the chairing of the Safety Advisory Group. An independent Vice Chair will be required in order to substitute the Chair where there are conflicts of interest (such as in the case of Council run events).
- Consider minor amendments to the Safety Advisory Group Terms of Reference as set out in Appendix 5.
- To create an event application form to rationalise the information required from event organisers and create an online application process (e.g. Zoho or use of a commercial platform).
- Maximise commercial revenues by agreeing the creation and adoption of a charging policy for events and filming enquiries.
- To simplify event agreements in place for third parties, particularly for small events on Council land.
- Further develop the Council's thinking around the development of large scale events.

Events Policy Overview and Implementation

The proposed Events Policy (Appendix 2) has been subject to consultation with internal officers who have involvement in events, the Safety Advisory Group and external event organisers who have recent experience of taking events of varying scale through the current Council process.

The policy updates existing guidance and clearly maps out the responsibilities of all parties. In addition to this the policy identifies events which will and will not be permitted on Council land.

It is proposed that the new Events Policy and proposed charging structure are introduced from April 2025. This will enable sufficient lead in time to recruit the proposed team, finalise legal agreements and payment systems and prepare event organisers for the introduction of the new policy.

Officers would anticipate the earliest that the new Events Team could be put in place is by September 2024, subject to job evaluation and recruitment.

A new Events Strategy, funded via the Shared Prosperity Fund, is also in the process of being prepared. Whereas the proposed Events Policy sets out practical guidance for event organisers, the Event Strategy will provide a vision for how the Council and wider partners can attract more events to the area for the benefit of the local economy and wellbeing of residents of Neath Port Talbot. An Events Strategy will come forward for consideration towards the end of the 2024/2025 financial year.

Subject to adoption of the proposed Event Policy, a further report will be brought to members in due course to confirm the appropriate delegations and authorities to enter into agreements with event organisers.

Proposed Events Team Structure

The structure of the proposed Events Team would be as follows;

- Senior Events Officer – Grade 8, full time (a temporary contract until December 2024 funded via Shared Prosperity Funding has been advertised and a candidate appointed)
- Events Development Officer – Grade 6, full time
- Events Co-ordinator (SAG Administration) – Grade 5, 30 hours
- Film Office Co-ordinator – Grade 5, 22.5 hours.

Further detail on the proposed responsibilities for each of the above roles is set out in point 88 of the Alpha1 report (Appendix 1).

A properly resourced Events Team will be required to effectively manage existing events organised by the Council, provide sufficient guidance to event organisers and ensure that there is overarching work undertaken to implement an events strategy and attract large scale signature events to the County in future.

There will need to be a phased handover of existing events organised by the Council to the new Events Team in order to ensure that the events continue to run smoothly and safely. The Events Team would therefore shadow the existing departments which organise Neath Fair, Neath Food and Drink Festival and Remembrance Day Parades in year 1 and would then take over the organisation of the events in year 2.

The above arrangement is subject to all roles within the new team being occupied to undertake shadowing and safely operate the event the following year. This is with the exception of the Events Development Officer role which is scheduled to commence in April 2025 to coincide with the introduction of the proposed Event policy.

Subject to receiving approval to proceed, further consideration is required into developing job descriptions and person specifications for the proposed roles in addition to taking the posts through the job evaluation process.

Cost and Income Projections

The Alpha1 report identifies the following options for resourcing the new Events Team in future;

- Restructuring within the Council and review of existing staffing resources which contribute to event administration.

- Maximise income generation through the proposed charging structure for events and filming.
- Secure external funds to resource some of the activity of the Events Team.
- Review delivery options for Neath Fair and Neath Food and Drink Festival which may offer external commercial appeal and development potential

A detailed breakdown of costs and estimated income projections for the Events Team and Film office has been compiled and can be found in Appendix 8, these figures are summarised in Table 1.

Whilst the additional income targets are a risk, the Alpha 1 report is clear that we are currently missing opportunities to maximise revenue from filming in particular. Further discussions with Creative Wales suggest there is a real untapped potential to grow the filming offer across the whole County Borough and mirror the success Margam Park has seen.

Table 1: Summary of Team Costs and Funding

	2024/ 2025	2025/ 2026	2026/ 2027
Costs			
Staff costs <i>Assumes inflationary pay rise of est. 4%, figures based on top of grade.</i>	(£73,954)	(£159,426)	(£165,683)
Operational costs <i>covers IT, training, equipment & resources etc</i>	(£17,000)	(£37,000)	(£47,000)
Total Cost	(£90,954)	(£196,426)	(£212,683)
Funding			
Existing revenue budget <i>Special Events staff budget</i>	£13,854	£23,750	£23,750
Grant Income <i>SPF funded post up to Dec 2024.</i>	£29,339	£0	£0

Estimated income from introduction of event and filming fees	£0	£72,964	£113,083
Estimated income from potential future operating contracts	£0	£2,500	£10,500
<u>Added Value</u> Estimated income generated for Margam Country Park (will go towards the Park's existing MTFP saving target)	£0	£50,000	£110,000
Total Funding Available	£43,193	£149,214	£257,333
Net (cost) / surplus	-£47,761	-£47,212	£44,650
Total funding required from reserves		£94,973	

The proposal requests £94,973 from reserves on an invest to save basis to cover the deficit for the first two years. The proposal is then estimated to generate a surplus of £44,650 from year three onwards.

Funding has already been secured via the SPF funded Heritage, Culture, Tourism and Events fund to recruit a Senior Events Officer on a fixed term contract until 31st December 2024, this will cover 7 months of the 2024/2025 salary costs against the Senior Events Officer post. This officer has now been recruited.

As part of the SPF funding this officer will be responsible for producing an Events Strategy for the County in addition to managing the forthcoming Comedy Festival and undertaking two feasibility studies into large scale events which could be held within the County in future.

Existing staff budgets linked to staff currently covering event administration within the Authority has also been included in income projections, this covers the salary costs related to the Events Co-ordinator (SAG Administration) role.

All of the above sources of funding have been examined by Finance Officers who have confirmed that;

- There are no duplications or overlaps between the proposed budgets and existing Council budgets.
- That the proposed movement of event related staffing budgets is not detrimental to existing departmental activities.
- That estimated income is based on realistic projections of the proposed activities of new Events Team.

A key activity of the Events Team and Film Office will be to build relationships with Creative Wales and Events Wales. The aim of this is to generate new event and filming enquiries to Neath Port Talbot.

Initial discussions with both of these Welsh Government Departments has been hugely positive with encouraging levels of demand indicated in bringing more activity to the County.

Added Value

As a result of relationship building with key contacts in Creative Wales and Events Wales it is anticipated that both filming and events at Margam Park (and potentially our other country parks) will see an increase in demand.

The income generated from these events and filming enquiries will go directly to Margam Country Park and therefore cannot be reflected as a hard figure in the calculations of income for the Events Team, however this income adds to the overall net gain of investing in the team as their activities will generate additional income against Margam Park budgets, which in turn can assist with reducing existing subsidy targets.

Consideration of the wider economic benefit to the County should also be given, as attracting more events and filming will in turn increase spend in local supply chains and create local employment opportunities.

Creative Wales uses a formula for local economic impact based on a return on investment of 10-1 for every £1 invested by the organisation via grants. In order to make a crude estimate of the potential local economic impact of filming (through stays in local hotels and use of local skills and suppliers etc.) we can apply the same formula based on the income we anticipate to receive from filming enquiries. This would result in an estimated total value of filming to the local economy of £1.35m by the end of 2026/2027.

This formula can be refined at a future date and a formula for events included to determine a more comprehensive picture of local economic impact relating to the activities of the new team.

Proposed Charging Structure for Events and Filming

It is essential that the Council is able to access currently untapped revenue generation opportunities which contribute towards the costs of encouraging events and filming to the area. These fees need to be finely balanced against creating compelling reasons for events and filming companies to see the area as a viable location.

All events and filming productions are different in size, scope and nature and it is therefore proposed that commercial fees are agreed on a case by case basis.

For community events with little or no commercial trading taking place, it is proposed that a nominal fee be charged of between £25 and £100 depending upon anticipated attendance at the event.

Community events make up around 95% of the overall Officer workload on events, introducing a nominal charge for the use of council land in these instances will have a limited impact on community level event organisers, but will help to sustain the Events

Team, and the range of support it will be able to offer these organisations in the longer term. Research has shown that most local authorities in the UK charge fees for community events.

The proposed charging structure for events and filming permissions can be summarised below (full details can be found on pages 19, 20 and 21 of Appendix 2)

In summary,

- Community events will be charged a nominal fee (of between £25 -£100) for the use of Council land. Applications for road closures/ temporary road traffic orders (TRO's) will remain free of charge for non-commercial community events (where less than 33% of third party operators are trading commercially).
- Commercial events will pay a fixed fee which will be agreed on a case by case basis depending on the site location, size and scale of event and the level of staff involvement required. This will be provided via a quotation in advance of an event making an application. There will be a charge for road closures/ TRO's up to the level of full cost recovery to the Council.
- Filming crews will pay a fixed fee which will be agreed on a case by case basis depending upon filming location, disruption to local facilities and staff involvement required. There will be no charge for student filming. There will be a charge for road closures/ TRO's relating to filming up to the level of full cost recovery to the council.

In terms of the proposal to introduce full cost recovery to implement road closures/ TRO's for commercial events and filming productions, it is intended that this will be introduced on a 6 month trial basis in the first instance.

This trial period will enable us to analyse if full cost recovery for road closures/ TRO's has a detrimental impact on the Council's ability to

attract events and filming in future. Should this be the case the Council will need to reconsider this proposal and introduce an alternative arrangement to recover at least some of these costs in future.

Financial Impacts:

Appendix 8 sets out in detail the anticipated costs and income generation activities associated with the proposed Event Team and Film Office.

Whilst a significant level of income is expected from the activities of the Events Team and Film Office, there will need to be an ongoing allocation of revenue budget to cover staff and operational budgets.

Allocating any income targets is a risk and there is no guarantee. However, through the due diligence and engagement process leading to this review officers are as confident as possible the targets are achievable.

The aim is for the team to eventually become self-funding, subject to increasing demand for events and film productions in addition to securing external funding to carry out supplementary activity.

The anticipated costs to NPTCBC in putting in place an Events Team and Film Office are set out earlier in the report.

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 has indicated that a more in-depth assessment is not required. A summary is included below.

The proposal to introduce a new Events Policy and to resource a dedicated Event and Film office team will not negatively impact upon any individuals with protected characteristics. There will be no negative impact on the use of the Welsh language and the proposal will have the potential to impact positively on biodiversity by only holding events in suitable locations and appropriately advising event organisers on the biodiversity impacts of their own events.

Further to this the proposed new Events Policy and staff resource will support sustainable development principles and links directly with delivering outcomes against Wellbeing Objective 3 of the NPTCBC Corporate Plan which states, '*Our local environment, culture and heritage can be enjoyed by future generations*'.

Valleys Communities Impacts:

The valleys communities will benefit from being able to access a wider range of events and festivals within their local community. There is potential to attract filming productions to our valleys areas which will help to showcase our natural landscape and change perceptions of what our valleys areas offer to visitors and residents.

Workforce Impacts:

This report proposes to introduce a new Events Team. If formally approved this will result in the creation of a number of new roles to manage events across the Council including Neath Fair, Neath Food and Drink Festival and Remembrance Day Parades. The creation of this specialist team will in turn result in freeing up capacity in other service areas which are currently tasked with organising these events including Estates, Regeneration and HR.

Legal Impacts:

Amendments will need to be made to existing legal agreements and licences which are issued to event organisers for events on Council land. This will act to clarify roles, responsibilities and liabilities of event organisers. This will include the introduction of hire fees and charges for the events administration process.

Risk Management Impacts:

By adopting the proposed Events Policy, revising existing agreements/ licences for holding events on Council land and putting in place an Events Team to build relationships and guide event organisers through the event administration process, it will be possible to mitigate the risks associated with holding large scale events, both from the Council's perspective and the perspective of event organisers themselves.

Crime and Disorder Impacts:

No impact

Counter Terrorism Impacts:

The application of counter terrorism measures as part of the responsibilities of event organisers are clarified within the proposed Events Policy. This reinforces existing SAG requirements for event organisers.

Violence Against Women, Domestic Abuse and Sexual Violence Impacts:

No impact.

Consultation:

Consultation has been undertaken across all Council Departments which are currently involved in the management and/ or administration of events in the County. A range of event organisers who have recently been through the SAG process have also been consulted for their views to inform the draft policy.

The current Safety Advisory Group has been consulted on the changes to the Terms of Reference.

Further to the above, a wide range of consultation has been undertaken in the community and among the arts, culture and tourism sectors in devising the Culture Strategy and Destination Management Plan which has resulted in events being identified as a priority within these plans.

Scrutiny Observations

The proposal was considered at the Education, Skills and Wellbeing Scrutiny Committee on the 25th July 2024

Scrutiny raised that the organisers of the Pontardawe Remembrance Parade are unable to proceed with this years' event. Officers confirmed that they will consider the issues. When a team is in place Officers would hope to give Remembrance Parade organisers the support needed to continue.

Scrutiny asked for clarification on what constitutes a Community event as opposed to a commercial event. Officers provided clarification.

Scrutiny sought clarification on whether the new team would be responsible for arranging licences and road closures for events. Officers clarified that the team would signpost to relevant departments, but the event organisers would be responsible for securing all statutory consents.

Scrutiny requested one amendment to Appendix 2: Draft Events Policy to clarify within Table 1 the criteria for non-commercial and commercial Community Events of the policy. This has been noted and actioned.

.

Recommendations:

With due regard to the accompanying Integrated Impact Assessment Screening Form it is recommended that Cabinet provides endorsement of the following recommendations to progress through the decision making process:

- Provide approval to create and fund a dedicated Events Team (including a Film Office function) within the Council to assist in realising the aims of the Culture Strategy and

Destination Management Plan which align with Wellbeing Objective 3 of the Corporate Plan;

- Provide approval to adopt the Events Policy and proposed charging structure;
- Provide approval to utilise £94,973 from reserves on an invest to save basis to cover the anticipated deficits in years 1 and 2.

Reasons for Proposed Decision:

To ensure that the Council is able to deliver a comprehensive events service for internal and external events, generate additional revenue through events and filming productions and meet the aims Culture Strategy and Destination Management Plan which align with Wellbeing Objective 3 of the Corporate Plan.

Implementation of Decision:

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

Appendices:

Appendix 1: Main Alpha1 Report: Outdoor Events Administration and Management – Report for Neath Port Talbot Council

Appendix 2 (A): Draft Neath Port Talbot Events Policy

Appendix 3 (B): Current Event Administration Process Flow Chart

Appendix 4 (C): Proposed New Event Administration Process Flow Chart

Appendix 5 (D): Safety Advisory Group Terms of Reference – Proposed Changes

Appendix 6 (E): Sample Letter of Agreement – Minor Events

Appendix 7 (F): Sample Licence – Major Events

Appendix 8: Events Team and Film Office Income and Cost Projections

Appendix 9; Integrated Impact Assessment

Officer Contact:

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Impact Assessment - First Stage

1. Details of the initiative

Initiative description and summary: Events and Festivals Review
Service Area: Leisure, Tourism, Heritage and Culture
Directorate: Education
Strategic Decision: Yes

2. Does the initiative affect:

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

3. Evidence used in the Assessment

Consultation has been undertaken across council departments and with event organisers who have recently taken events through the Safety Advisory Group process.

An independent review of processes relating to organising events and supporting event organisers within the council was undertaken by Alpha1 events. The findings of this review are included within the appendices of the report.

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

	Yes	No	None/ Negligible	Don't Know	Impact H/M/L/D	Reasons for your decision and details of the impact
Age		x				The proposal will have no impact, this report relates to introducing a new procedure and team relating to supporting event organisers.
Disability		x				The proposal will have no impact, this report relates to introducing a new procedure and team relating to supporting event organisers.
Gender Reassignment		x				The proposal will have no impact, this report relates to introducing a new procedure and team relating to supporting event organisers.
Marriage/Civil Partnership		x				The proposal will have no impact, this report relates to introducing a new procedure and team relating to supporting event organisers.
Pregnancy/Maternity		x				The proposal will have no impact, this report relates to introducing a new procedure and team relating to supporting event organisers.
Race		x				The proposal will have no impact, this report relates to introducing a new procedure and team relating to supporting event organisers.
Religion/Belief		x				The proposal will have no impact, this report relates to introducing a new procedure and team relating to supporting event organisers.
Sex		x				The proposal will have no impact, this report relates to introducing a new procedure and team relating to supporting event organisers.
Sexual orientation		x				The proposal will have no impact, this report relates to introducing a new procedure and team relating to supporting event organisers.

5. 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 will enable the delivery of a wider portfolio of events which are organised by both the council and external events organisers. The Welsh language will be integrated into all NPT events as with existing practices and as part of the support delivered to event organisers, they will be encouraged to do the same.
Treating the Welsh language no less favourably than English			x			The proposal will enable the delivery of a wider portfolio of events which are organised by both the council and external events organisers. The Welsh language will be integrated into all NPT events as with existing practices and as part of the support delivered to event organisers, they will be encouraged to do the same.

6. 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				L	The events policy will reflect the councils view on suitable uses for land in its ownership. Activities which could be detrimental to biodiversity will not be permitted.
To promote the resilience of ecosystems, i.e. supporting protection of the wider environment, such as air quality, flood alleviation, etc.	x				L	The events policy will reflect the council's view on the sustainability of event proposals and the suitability of specific sites proposed. Event organisers will have to comply with environmental legislation and ensure that their proposals are not to the detriment of the local environment.

7. 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 proposal to create an Events and Film Office Team will enable a wider range of events to be held within the county. This will lead to our local communities gaining better access to cultural, sporting and leisure activities within their immediate area.
Integration - how the initiative impacts upon our wellbeing objectives	x		<p>The proposal directly supports wellbeing objective 3.</p> <p>Both the NPT Culture Strategy and Destination Management Plan include specific actions relating to the future management of events and encouraging and supporting events organised by third parties, this proposals directly addresses this need.</p>
Involvement - how people have been involved in developing the initiative	x		<p>Community and tourism sector consultation has been undertaken as part of the creation of the Culture Strategy and Destination Management Plan which identified the need and desire to enhance event provision and the support provided to attract more event organisers to the County.</p> <p>As part of the process of compiling the Alpha1 Events report, detailed consultation has been undertaken with event organisers, Council officers involved in organising events and strategic partners to ascertain their views on the existing and potential future processes proposed within the final report.</p> <p>Further detailed feedback has been sought from Senior Officers and officers who are involved in organising events within the council to refine the documents appended to the report, all feedback has been reflected in the documents presented.</p>

<p>Collaboration - how we have worked with other services/organisations to find shared sustainable solutions</p>	x		<p>Please refer above which states that detailed consultation has been undertaken with officers across the Council.</p> <p>Further to the above, officers have met with Visit Wales, Event Wales, Wales Screen and Creative Wales to discuss this proposal. All representatives of the above organisations stated that this was a positive step and welcome working with the Council in an events and film capacity in future.</p>
<p>Prevention - how the initiative will prevent problems occurring or getting worse</p>	x		<p>By putting in place a dedicated and professional resource to manage events on council land, enquiries for events not on council land and filming enquiries, the Council will be able to offer a more efficient service to event organisers and film producers. This will directly act on the feedback provided from consultation, provide an enhanced level of support for such enquirers and provide income generation opportunities for the Council.</p>

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

<p>A full impact assessment (second stage) is not required</p>	x
<p>Reasons for this conclusion</p>	
<p>The proposal to introduce a new events policy and to resource a dedicated event and film office team will not negatively impact upon any individuals with protected characteristics. There will be no negative impact on the use of the Welsh language and will have the potential to impact positively on biodiversity by only holding events in suitable locations and appropriately advising event organisers on the biodiversity impacts of their own events.</p> <p>Further to this the proposed new events policy and staff resource will support sustainable development principles and links directly with delivering outcomes against Wellbeing Objective 3 of the NPTCBC Corporate Plan which states, '<i>Our local environment, culture and heritage can be enjoyed by future generations</i>'.</p>	

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

	Name	Position	Signature	Date
Completed by	Karleigh Davies	Visitor Economy Manager	KE Davies	02/04/2024
Signed off by	Chris Saunders	Head of Service/Director	C Saunders	15/07/2024



Outdoor Events Administration And Management Report For Neath and Port Talbot Council

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Appendices

Appendix A – Draft NPTC Events Policy

Appendix B – Current Administration Process Flow Chart

Appendix C – Proposed new Administration Process Flow Chart

Appendix D – SAG Terms of Reference – proposed changes

Appendix E – Sample Letter of Agreement – Minor Events

Appendix F – Sample Licence Agreement – Major Events

Background/Brief

Alpha1 - Outdoor Events Management (Alpha-1) have been commissioned to:

1. Undertake an evaluation and review of the following:
 - i. The current application and administration process for community and commercial events, administered by Neath and Port Talbot Council (the Council) for events on parks, gardens, country parks, seafront, civic spaces and public highways.
 - ii. The charging policy for community and commercial event organisers using council land.
 - iii. The current process for the delivery of outdoor events organised by the Council and the level to which these are fit for purpose.
 - iv. An overview of the Safety Advisory Group (SAG), including the criteria, attendance and process in evaluating event organisers plans.

2. To generate an Events Policy for the Council that has clear transparent processes and decision making which will:
 - i. meet the strategic aspirations of the Council and regional and national partners in encouraging and developing events to take place for the economic and social benefit of the community
 - ii. create a seamless and effective outdoor event administration and management process for events and festivals, which balances the Council's duty of care in relation to events being delivered safely primarily on Council land, whilst at the same time supporting and encouraging events to be organised across the boundaries of the Council (the County)
 - iii. provide an events charging policy that is consistent, transparent, and fair, maximising commercial opportunities and cost recovery and generating forecasts for achievable income generation
 - iv. expand and build on the reputation for attracting local, national and international film production companies

3. To generate thinking around how the Council can work with local, regional and national partners to attract larger events to the area.

Recommendations

4. That the Council considers the contents and proposals of this report which recommends: -
- i. using the Draft Events Policy as outlined in **Appendix A** as a framework to develop the policy areas as summarised in point 6 Table 1 and then agree and adopt as a Council policy
 - ii. adopting the proposed event application process outlined in **Appendix C**, managed by a centralised Events team, with event management expertise. This team would be responsible for handling all event enquiries primarily on council parks, gardens, open space, seafront, highways, car parks, and town centre civic space. This includes overseeing and potentially chairing the Safety Advisory Group and ensuring that event organisers are given the opportunity to attend either in person or through an online meeting. Consider the amendments to the terms of reference found in **Appendix D**.
 - iii. to replace the event registration form with an application form, asking for initial information without the extensive level of detail currently requested, regardless of the size of the event. To consider making the form an online one (e.g. Zoho or use of a commercial platform).
 - iv. creating an Events team to be responsible not only for the applications and management of outdoor events but also the delivery of events by the council and the operation of a new film office. To consider the proposed structure of the team outlined in points 87 & 88 and the options to resource the team outlined in point 89.
 - v. creating a Film Office that will build on the reputation of the area as a filming destination, maximise revenues as a central hub dealing with all film production enquiries for both indoor and outdoor events, venues and locations across the area. The film office would handle the enquiry for all events on council land and venues, (excluding Margam Park) or for those relating to non-council land or venues - pass it on to the relevant venue/landowner directly.
 - vi. maximising commercial revenues and consider the creation and adoption of a charging policy which provides a clear and consistent framework for charging for the use of land for commercial and

- community events and filming as well as ancillary charges for licencing and traffic orders to close roads. There will be an annual charge for student filming levied on respective educational establishments.
- vii. To simplify agreements, particularly for small events for the use of Council land for events for the benefit and better understanding of the event organiser and for the events team to create and organise.
 - viii. The further development in thinking of ideas for large scale events in working with partners using -
 - the strategic themes from the National Welsh Events Strategy
 - the Council's Corporate Priorities, Cultural Strategy, Heritage Strategy and Destination Management Plan
 - emerging trends for events and festivals

Executive Summary

Introduction

5. Whilst the administration and development of outdoor events currently lacks collective ownership and thus any co-ordinated strategic approach within the Council on how and why it supports outdoor events in the county, it has recently demonstrated through its adoption of a Culture Strategy and a Destination Strategy, an acknowledgement of the future importance of the benefits of events and festivals to the area. This relates to the value of generating economic and social benefits and provides the foundation to develop a comprehensive and understood Events Policy.

Why an Events Policy?

6. An effective events policy will provide everyone, including councillors, officers, external event organisers, local communities, businesses and regional and national agencies, with a clear and transparent understanding of how the Council administrates, develops and delivers outdoor events. It will also demonstrate the strategic and operational rationale expressed through Corporate Priorities, service specific strategies and policies to manage, deliver and develop a future diverse and vibrant outdoor event management programme in the County.

A draft policy framework has been created and can be found in Appendix A. An analysis has been undertaken to look at the existing procedures and

processes and to identify the current strengths, weaknesses and actions taken to develop the events policy. These are summarised below in Table 1.

Table 1

Policy Area	Strengths, weaknesses and actions
Overview and links to Policy and Strategic Aims	<ul style="list-style-type: none"> • These can be easily identified highlighting the Council’s Cultural Strategy, the Heritage Strategy, and the Destination Management Plan. Plus, there is the intention to develop an Events Strategy for the area.
Roles and Responsibilities of the Council, its partners and the actions and responsibilities of event organisers	<ul style="list-style-type: none"> • No specific statements about Council roles except for the SAG • There is guidance on what is expected from event organisers • A review has been undertaken as part of the brief to improve the administration process • Proposed roles and responsibilities are outlined in the Draft Policy
Permitted Events	<ul style="list-style-type: none"> • Some information can be found on the website about the types of events, although there is no specific detail around what is encouraged or is not permitted • Suggested list is found in the Draft Policy
Event Application Approval and Refusal Policy	<ul style="list-style-type: none"> • There is an existing Application Approval policy which needs summarising and included with the application process. • Additional information required around <ul style="list-style-type: none"> ○ need for community engagement /consultation ○ Site availability and types of events encouraged including Margam Park ○ need for post event inspection/debrief
Charging Policy – for hire and other related services	<ul style="list-style-type: none"> • There is no specific charging policy for events except for Margam Park • Suggested charging policy is developed in Draft Policy with suggested payment and cancellation policy

Environmental policy	<ul style="list-style-type: none"> • There is no policy to encourage organisers to reduce their carbon footprint and meet the aspirations of climate change through its environmental strategy (DARE). • Suggestions are included in the Event Policy
Events development and support	<ul style="list-style-type: none"> • Content in Draft Policy explains the event development aspirations and potential options to support event organisers. This includes open days for training, being open to feedback on new event ideas, working with colleagues to overcome logistical challenges
Events organised by the Council	<ul style="list-style-type: none"> • Draft policy recognises the current events organised by the Council (Neath Fair, Neath Food and Drink Festival, Remembrance Sunday Parades, Margam Park Events) • It suggests moving forward to work with partners to develop and organise existing and new events
Other regulatory requirements and best practice	<ul style="list-style-type: none"> • Other considerations are outlined in the draft Policy (e.g. licencing, events advertising, equality, street trading).

Application/Registration Process

7. An effective and efficient application/registration process for outdoor events on council land is the foundation to be ensure that events are properly planned and delivered safely. This process must also ensure that there is effective support and encouragement for event organisers regardless of the size and complexity of the event. For every application both the event organiser and the Council will have to carefully balance risk reduction against the time, money and effort required to achieve a level of health and safety preparedness. This is a recognised standard in regulatory regimes.
8. Feedback received from council officers involved in events indicates that dealing with event applications is not seen as a core part of their role nor is it perceived as a key priority for the Council, with no one taking responsibility for the strategic and operational policy direction for events. In certain situations, this has led to officers placing conditions on event organisers that

can be seen as 'risk averse' as the officers do not have time to allow them to be more flexible and to dynamically assess the risks and develop specific mitigations. Through initial conversations with an event organiser an experienced events professional can assess any potential issues early in the process and work through approaches and solutions to the benefit of both the Council and the organiser.

9. Currently the application process can be seen by event organisers as protracted, confusing and frustrating, with them having to liaise separately with a number of different holding departments. A smoother assessment process for both the organiser and officer would be achieved through replacing the current registration form with a simpler more flexible application form asking for initial information without the necessity for the extensive level of detail currently requested, regardless of the size of the event. This application form will be assessed by an experienced event professional to identify any potential logistical, legal or programming issues. Where greater detail is required, this will be provided through the Event Management Plan for the event.
10. **Appendix C** outlines the proposed event application process which would be managed by a centralised Events Team responsible for handling all event enquiries except those for Margam Park. The team would require relevant event management expertise and would undertake initial screening of all applications, liaising with holding departments on behalf of event organisers to work through logistical challenges, oversee the running of the SAG, maximise commercial event opportunities, prepare agreements and take on the delivery of events organised by the Council including the running of a Council Film Office.

Delivery of Council run events

11. The Council currently organises events at Margam Park which are co-ordinated by the team working at the Park. Events at Gnoll Country Park were organised through a contractor but there are no arrangements in place at the moment and the feedback is that in the future it would be preferable for them to be managed centrally. Other Council run events, Neath Fair, Neath Food and Drink Festival and Remembrance Day Parades are organised by different council officers, but they do not form part of their main role or fall within

their particular expertise. It is proposed, with the exception of Margam Park, that these events should be the responsibility of the centralised Events Team who would be able to determine the best delivery mechanism and, particularly in relation to Neath Fair, undertake a review on the future development, working with Councillors, businesses and other stakeholders.

Event Development

12. The Council is currently taking a strong lead in events development. This includes seeking funding to develop an Events Strategy and appoint an Events Development Officer to take things forward to achieve an enhanced and varied outdoor events programme. Key elements identified in the feedback include -

- Promoting the region with the potential to develop hallmark events and festivals utilising the Country Parks, Aberavon Beach, Parks and Open Space and Town Centres.
- Developing and creating events that maximise the area's historic and cultural legacy, exploiting the Neath Port Talbot location to attract visitors.
- Promoting the benefit of events to the economy, promoting pride of place and mental health both through participating and spectating at events.
- Being able to be agile and responsive in creating an events programme

13. The events development function needs to be an integral part of the Events Team, linking the importance of having a centralised co-ordinated approach to both event development and events management/administration.

Future Centralised Events Team

14. The proposed Events Team would have the following functions: -

Management and Administration of Outdoor Events

- Dealing with all enquiries for events on Council land from the initial application through to preparation of any agreement.

- Providing advice and support to event organisers and respective departments, liaising with officers who have statutory and regulatory responsibilities to ensure events are safe and enjoyable.
- Managing, administering and potentially Chairing the Safety Advisory Groups.
- Regularly reviewing and developing the Events Policy.

Events Delivery

- Organising and / or contracting out arrangements for the delivery of events currently organised by the Council.
- Preparing specifications /tenders and overseeing the contracts.
- Preparing Event Management Plans and responsibility for all logistical requirements to deliver in-house events safely where required.

Events Development

- Provide advice and support on the feasibility of a new outdoor events policy
- Oversee the development of the Events Strategy, linked to Culture, Heritage and Destination Management plans and strategies and to the Events Policy.
- Co-ordinate a programme of events across the area/region.
- Develop a close working relationship with commercial and community event organisers and promoters and key regional and national partners.

Film Office

- Act as a hub that deals with all film production enquiries for both indoor and outdoor locations with an online library of venues to which enquiries can be signposted.
- Enquiries for Margam Park to go directly to them to administer.
- Manage and administer film production enquiries on outdoor council land/venues including liaison with all relevant departments, preparation of agreements and negotiation of terms including fees.
- Enquiries for non-council land/venues to be passed on to the relevant venue/landowner.

- Maximise the commercial and economic cultural opportunities of film production for local, regional, national and international film producers.

15. It is proposed that initially the Events Team would comprise of: -

- i. 1 x Senior Events Officer - Full time
- ii. 1 x Events Development Officer - Full Time (1 year)
- iii. 1 x Events Coordinator - Full time
- iv. 1 x Film Office Co-ordinator - Part Time

16. The funding of the Events Development Officer and the Film Office Co-ordinator would initially be through external funding. Future options to fund these posts could be through restructuring following a review of current officer roles across departments currently engaged in events administration and development thus maximising commercial income to cover costs and make an operational surplus (e.g. Film Office). The team would require expertise and experience in event administration, development, and promotion across public sector community and commercial settings.

Initial thinking in generating larger scale events, working with partners

17. The National Events Strategy developed by the Welsh Government and overseen by Event Wales provides both context and guidance to generate thinking about larger scale events, revolving around the strategic themes of Align and Collaborate, Authenticity and All of Wales.

18. Aligning and collaborating, could start by looking at key strategic assets with neighbours and how future aspirations could be jointly met. As an example, the Council's Cultural strategy has the ambition to host the Urdd Eisteddfod in 2025. This could be working with partners, including Event Wales, and local authority partners.

19. Further engagement with the national events forums representing promoters, curators, suppliers and event organisers across a number of sectors will help understand the opportunities of how the Council can play a key role in providing an 'All of Wales' events programme

20. The Council's Cultural Strategy has identified a number of events which are of true Welsh authenticity that it would like to see delivered. This includes events to celebrate the 100th anniversary of the birth of Richard Burton. There needs to be further exploration looking at other themes that would engage local businesses and major industries (e.g. TATA steel) as well as creative, cultural and sporting communities.

21. This report has identified a number of emerging key trends. This includes offering diverse entertainment options to broader audiences and a local/artisan focus around food and drink experiences. The combination of encouraging and facilitating these types of events, together with offering more diverse, authentic, sustainable and immersive experiences is key in establishing a vibrant programme, engaging local talent and attracting larger scale events including music festivals, and national and international sporting events (International Triathlon, and Tour of Britain).

Development of an Events Policy for Neath and Port Talbot Council

Introduction

22. The brief provided to Alpha-1 highlights potential barriers that do not support an effective and efficient Outdoor Events Service to meet the aspirations of the Council

- i. There is no oversight for managing, promoting and developing outdoor events (either public or private led) within the County.
- ii. Individual country parks are overseen by staff who set their own policies, pricing and procedures around event management.
- iii. There is little ownership of how applications are administered and inconsistency in decision making with some departments/individuals perceived to be taking an overly cautious/risk averse approach to allowing outdoor events to take place particularly in relation to highways.
- iv. Event organisers have expressed frustration at the inconsistent approach and lack of accountability, in addition to an inability to directly contact relevant officers.

- v. There is no specific charging policy for commercial or community outdoor events. The approach for charging for administration is inconsistent with no charge for events on open space, highways and seafront but with country parks making their own charge depending on the commercial nature of the event. In some cases, a charge will be levied on event organisers to cover some direct statutory and other costs (e.g. road closures, premise licence, cleansing).
- vi. The Council's commitment to encourage the development of outdoor events is demonstrated through the adoption of the Culture Strategy and the Destination Management Plan which extol the benefits of events and festivals as a way of generating economic benefit to the area and creating social pride for residents. A programme of festivals and events is therefore a desired outcome for the strategies.

23. Developing an Events Policy is the foundation to achieve the aspiration of effective and efficient outdoor event management and development for the social and economic benefit of event organisers, residents and visitors.

23. An Outline draft Events Policy for Neath and Port Talbot Council can be found in **Appendix A**. There are key areas that need developing and the issues recommendations on how this could be achieved are identified in points 25 to 39 below and are reflected in the draft Policy.

24. Much of the information on the Council's approach to processing applications from event organisers, including details of what is required from them when applying to hold an event, is already in existence and has been adapted and incorporated into the draft policy document.

Overview and links to Policy and Strategic Aims

25. The Council has articulated its strategic alignment to events development, highlighted in funding applications to the Shared Prosperity Fund to develop an Events Strategy. This aligns the benefits of events to the Council's and the National Welsh Government's wellbeing objectives as well as to the Council's emerging destination plan, and Culture and Heritage Strategies and strategic priorities for sustainable growth in the local economy.

Roles and Responsibilities of the Council, its partners and the actions and responsibilities of event organisers

26. There is no specific statement about the Council's roles except for the SAG. The events registration process outlines the process for applying for outdoor events, outlining what is required by the event organiser including timelines. A review of the efficiency and effectiveness of the events application process can be found in point 40 of this report.

Permitted Events

27. There is little information available to identify what is permitted/ encouraged and what is not permitted in general. The Council's website does provide a basic list of events. The draft Events policy provides a more detailed list.

Event Application Approval and Refusal Policy

28. The Neath and Port Talbot Event Application approval process is briefly explained on the website but there is no specific policy statement. This has been developed in the new draft policy.

29. Some additional points have been suggested in the draft Policy in relation to approval/refusal of events. It should be noted that whilst the current policy around this is not explicitly identified at the moment, it is likely that in some cases officers tacitly understand it.

30. Suggested reasons for refusal include:

- Need for Community Engagement/consultation
- Site availability and the development of list of types of events that would be supported and even encouraged. This section needs further development with the Council and would include not only parks, gardens, seafront, highways, town centres and civic spaces but also Margam Park where there are managed facilities in their own right.
- Post event inspection and debrief where relevant.

Charging Policy

31. Developing a consistent and transparent charging policy primarily for commercial and community hire is part of this brief.

32. There are no charges for community events and there are no published charges for commercial events or for filming on public open space and highways, with the exception of statutory charges such as road closures. The only publication of hire charges for outdoor events and filming relate to Margam Park.
33. At the time of writing the report, it has been difficult to know what the total amount the council receives from any events on Council land. The revenue that is known is that for the Neath Fair, and Filming on Council land. There is currently no charging policy or charge for any other events for any hire of council land which is unusual.
34. A suggested charging policy for events and filming can be found in **Appendix A**. Charges such as road closures, and premise licences are included. This along with suggested payment and cancellation terms and conditions.
35. The charging policy assumes that all community events of whatever size, as well as commercial events will be charged a fee. This may be unacceptable, but it is common practice in many local authorities to charge an administration fee for handling applications. Fees start from as little as £25. The charges also try to maximise commercial opportunities, including filming. Based on the very limited information we have the estimated revenue from events would be £2850. This excludes any income from markets and also the income generated from events organised by the Council, including Neath Spring and Autumn Fair and the Neath Food and Drink Festival which between them have income of in the region of £43,000 which goes towards funding the events.
36. Based on the information provided we have estimated that there could potentially be an additional £30,000 to be achieved through filming charges, above what has been made previously. This is a crude estimate as the information provided is limited and our income projections are based on the client base of the filming companies concerned.

Environmental Policy

37. This section recognises the Council's commitment to climate change through its decarbonisation and renewable energy strategy (DARE). It asks event organisers to demonstrate ways in which they will reduce the event carbon footprint.

Events Support and Development

38. This section in the **Appendix A** reinforces the commitment by the Council to develop events and outlines how the Council supports event organisers through the events registration process. The strategy assumes that an Events Development Officer has been appointed and outlines the support in encouraging new events both commercial, cultural and community as well as outlining the development of an events strategy.

39. If charging is included for community events, then there could be exemptions as well as links to suggested sites for funding and organisational support.

Events Organised by the Council

40. The section in **Appendix A** recognises the current situation and the expansion linked to the development aspirations for new events, seeking partnerships with event organisers for both new events and for enhancing existing events.

Other regulatory requirements and best practice

41. This section outlines other matters that need to be considered in organising an event e.g. trading standards/fire safety. It is recommended that certain general council policies should have event specific guidelines.

Review of the Events Management and Registration Process

42. The development of a comprehensive events policy states the Council's intentions to support and develop events and provides clear guidelines for event organisers to plan, organise and deliver events safely. However, to enable event organisers to comply with the Policy, it is essential to ensure that the process, from application through to approval and delivery, is as seamless as possible for the event organiser.

43. The brief identifies that the current process can be frustrating for event organisers with perceptible inconsistent decision making around events with some departments taking a more stringent and inflexible approach.

Feedback from Officers & Event Organisers

44. An internal assessment has been undertaken through meetings with key officers across the Council. This has included officers responsible for the management of Council land where outdoor events take place (Highways, Parks, Gardens, Margam Park, Seafront, Gnoll Country Park), officers overseeing and co-ordinating the events application process and officers responsible for organising events for the Council.

45. These meetings have provided a clearer understanding of how officers in holding departments perceive the events administration process and their interaction with the Health and Safety team and the SAG Chair. They have also identified specific issues they face in dealing with event organiser applications.

46. Further meetings have taken place with commercial event organisers and community event organisers to get their feedback. There was general frustration from the event organiser of a very well-established event for amateur and fun runners. In their view a lot of time was wasted in not being able to deal directly with an officer dealing with highways when trying to resolve road closure arrangements. Added to that was the excessive costs of over £5000 in not only having to pay for road closure orders but also having to employ a preferred council traffic management company to manage closures only for a few hours. They also felt that time was wasted in the organiser not being able to attend the SAG in person so to better understand feedback and clarify issues being raised by SAG members.

47. Feedback from Viva BID was that they were experiencing a lot of frustration in dealing with the Council and the event management process with a lot of time wasted going back and forwards. This is demonstrated by the fact that the process at the moment only involves them submitting a registration form with no requirement to submit an EMP/ RA and no opportunity for the event organiser to attend the SAG. As a consequence, there is only email correspondence with the SAG, often questioning things that are in the EMP if they had looked at it. They find the Emergency Services, particularly the

Police are helpful as are Licencing. However, they perceive Highways to be inconsistent and unhelpful and putting barriers up wherever they can. It is their perception that it is only through their tenacity and stubbornness that they have managed to resolve problems, in particular counter terrorism, but they believe other organisers would be put off and give up. They have organised similar events in Llanelli for a number of years with no similar problems and issues.

48. The BID feel that some council officers are more concerned about the 'letter of the law' to unreasonable levels, than about the safety and protection of the public. Overall, their conclusion is that there is a lack of proportionality in applying legislation and no proper dialogue. The result is that they felt the Council do not encourage events.

49. Feedback from a professional music event organiser with an event that was not held on Council land, and therefore only dealing with the SAG, was that the process was as they would have expected. As a new event it is believed they did attend the SAG in person.

50. The key points and issues raised from a Council Officer perspective were: -

- There is very limited capacity to enable effective management of event requests and provide adequate support to event organisers. As a result, their "Business As Usual" (BAU) work suffers. The exception is Margam Park where there is dedicated support.
- Highways currently run a very 'tight ship' – something that they consider has not been the case historically. There is acknowledgement that this results in a number of complaints, but they feel that it is necessary in order to adhere to the Council's 'duty of care'. There is currently no ownership or support for events within this team.
- There is a particular concern for many officers over not only the lack of the time but also the expertise to deal with experienced event organisers
- There is currently a lack of understanding over when there is a need to consider if counter terrorism measures are required
- Work needs to be undertaken with event organisers on emerging legislation e.g. Protect Duty Bill and the need for experienced event management to support and guide organisers in this area.

- There is no consideration at the start of the application process around any environmental impacts relating to an event (e.g. damage/litter) any potential of restrictions (e.g. byelaws) or any programme/activity clashes.
- There is currently no charge levied for administering community events and no deposit is taken to cover for damage or any costs such as waste collection as result of the events taking place.
- Film requests at Margam Park are managed and achieve significant revenues but elsewhere across the area they seemed not to be managed or coordinated properly.
- Feedback from external groups is that some departments are too risk averse creating friction and the potential for event organisers to ignore advice and organise events regardless on Council land.
- Costs for organisers can be prohibitive in relation to road closure management and hostile vehicle mitigation.
- Officers who are currently organising events for the Council do not have the necessary experience or expertise and are not event organisers. They consider that those events could be delivered and managed much better by experienced event organisers employed by the Council.
- There is general agreement that there is a need for an experienced person /team with the expertise and knowledge to support departments and to develop and take forward a consistent strategic and operational approach in managing event applications.
- The Special Events Administrator within the Health and Safety Department is currently the contact and provides the “hub” to handle event applications, liaise with officers and organising the SAG. However, this is a part time role with other responsibilities which means that there is less time to fully support event organisers and work with other departments to reduce barriers and try and work through solutions.
- Feedback from the Special Events Administrator was: -
 - a. Event organisers were not providing all the information required, resulting in the need to chase them on numerous occasions. The main issues are around road closures and first aid cover.
 - b. Organisers do not read the guidance that is provided to them on the Event Registration Form or the SAG website.
 - c. Organisers often want to change their event dates
 - d. Council departments do not respond to enquiries or queries that are raised on behalf of event organisers

- There is frustration from Council officers that dealing with events is not a core part of their role and is therefore not seen as key priority for the Council. There is no one to take responsibility for strategic and operational policy direction for events and for stronger corporate direction in creating a consistent approach in officers assessing risk and putting in proportionate mitigation. In some cases, officers are putting conditions on event organisers that can be seen as risk averse. They don't seem to have the time to work with event organisers to dynamically assess the risks and work with them to sensibly mitigate against those risks.

51. A framework for administrating and managing events is required to aid decision making and this needs to be led and supported by a dedicated Events team. Early intervention with event organisers by a team of experienced events professionals will help to assess any potential issues and work through potential solutions and approaches early on before planning has started.

52. **Appendix B** is a flow chart of the current event application and approval process. The process is currently confusing for event organisers particularly in relation to the number of different people involved in the process, **Appendix C** presents a more comprehensive and logical step by step process managed through a centralised Events Team including a Film Office.

53. There is information for event organisers on the Council's website that gives information for the event organiser on: -

- a. the types of events that can be held in open space
- b. the events process and notice periods
- c. the need to go to a SAG and the role of the SAG
- d. key things to consider when organising an event
- e. how to register and apply for an event
- f. links to national guidelines and legislation in organising an event

54. This process can be seen by event organisers as protracted confusing and frustrating, with the need to liaise separately with a number of holding departments without any initial overview by an event professional to assess potential logistical legal and programming issues that would help provide a smoother assessment process for the organiser and officers. Even at the end of the process, the Agreement to approve the event goes to another department to liaise with the organiser.

55. The above is in complete contrast to the process at Margam Park where the end-to-end application process is dealt with by one commercial officer who also supports the event organiser in going to the SAG and issues the agreement and agrees the hire fee. This results in a much simpler more productive process whatever size of the event.

56. Feedback also indicated that the current set up does not invite or encourage National events like the recent Tour of Britain. It was identified that a more co-ordinated approach with support across a number of departments, sites and attractions would have made the process easier. An experienced events team of professionals would help address these issues supporting aspirations to attract more National, UK and International sporting events and cultural festivals.

Proposed future events application process and management of outdoor events

57. **Appendix C** outlines the proposed future application and administration process. It would be managed through a centralised events function responsible for handling all outdoor events enquiries and applications on parks, gardens and open space, as well as public highways including car parks, town centres and other civic space. All applications for Margam Park would continue to be handled by their team.

58. The event team would eventually be responsible for all events held on council land, taking on the Council's duty of care to ensure the event organiser has taken reasonable and practical steps to plan and deliver a safe event. The advice given by SAG to an organiser for an event on Council land would also be provided to the Council's events team, representing the landowner, for them to approve the event.

59. It is proposed that the centralised function would also have an events delivery and development function which is outlined in more detail in points 78 - 80. It would also establish a centralised Film Office for the area maximising commercial film production opportunities both for Parks and other attractions and sites across the county. Within that function would also sit

the responsibility for overseeing, monitoring and developing the new events policy in addition to creating and developing an events strategy.

60. The events function would replace the registration form, with an application form, asking for initial information (details of event organiser, date and type of event, site, numbers expected, licensable activities and a list of any infrastructure and amenities required) without the extensive level of detail currently requested, regardless of the size of the event. To consider making the form an online one (e.g. Zoho or use of a commercial platform).
61. The events team would provide initial screening of all event applications and enquiries. This would include looking at site suitability and availability, any key legal and logistical obstacles and suggesting alternative options. There would then be dialogue with the respective holding departments and with the event organiser on progressing the application and working through solutions to overcome any logistical challenges and compliance requirements. Confirmation and agreement for events would also be undertaken by the team including the preparation of any licences and commercial agreements in addition to raising invoices for rentals and deposits.
62. Where a new, more complex event needs to go to a SAG, the Events Team would provide guidance and set up initial meetings with relevant SAG representatives and key stakeholders (Ward Councillors, Residents Associations, businesses, and community groups) to gauge initial views before event organisers progress with their application.
63. It is proposed that the Events team responsibility would be to determine whether an event needs to go to a SAG and to handle all the arrangements for the SAG potentially including acting as Chair. As the majority of applications relate to events on Council land being Chair provides for better engagement and continuity. Event organisers to be invited to attend a SAG either face to face or online. This allows them to seek feedback in a concise and constructive way.
64. **Appendix D** suggests some minor changes to the SAG Terms of Reference. It clarifies that SAG members are there to support the endeavours of event

organisers. It develops SAG objectives that reflect national guidance and acknowledges that the advice is not only to the event organiser but also to the landowners of the site on which the event is located, including the Local Authority. It clarifies the advisory capacity of SAG members to event organisers and the SAG's role in ensuring that the event organisers planning meets legislative and regulatory requirements.

Examples of Agreements/Licences for Events

65. With the diverse types of outdoor events which range in size and complexity, a key objective is to have contractual licences/agreements that are flexible and not to have a 'one size fits all' approach to cover all eventualities. The approach is to ensure the event organiser fully understands the expectations of the Council and that relevant conditions can be easily customised and be put in place to deliver a safe and enjoyable event.
66. The right approach will reduce the need to engage Estates in the production of licences and agreements, particularly for small events (filming, small fetes), which can then be dealt with by an events team. At the same time, there would be a standard set of general Licence conditions for larger more complex events with an operational specification within a Schedule forming part of the legal agreement that reflects the nature of the event and specific requirements. This allows an experienced officer to put together a draft licence with minimal feedback from Legal Services for them to finally sign off.
67. Attached in **Appendix E and F** are draft examples of a Letter of Agreement for a minor event and a Licence for a major event. These would need to be developed with Legal.

Review of the current events delivery and development

68. Below is an overview and assessment of the limited number of events the Council delivers. This includes feedback from three of the officers organising the events. It also includes feedback on the current position in relation to events delivery and development opportunities moving forward, from the Commercial Officer overseeing the application for funding of an Events Strategy and an Events Development Officer through the HCTE Fund.

Margam Country Park

69. Margam Park organises a programme of events activities as well as hiring out the venue to event organisers. Over the years this has included popular and cultural festivals and performances. It has also created a successful reputation as a location for film production which achieves commercial rentals. It has been identified by Event Wales as an event location of national significance. Over the years the site has attracted major concerts and cultural events.

70. Whilst Margam Park is well respected as a visitor attraction, there seems to be nothing in any policy or business plan that explicitly states the role of the park, although this is probably tacitly understood by Councillors, officers and stakeholders. The Margam team determine the programming of events at the park every year with no specific guidance or link to any specific events policy or strategy that the Council wishes to pursue.

71. Any future events policy and strategy must take into consideration the key role Margam Park plays in events development across the area and in the type of outdoor events and festivals it wants to develop and attract moving forward.

Gnoll Country Park

72. The management of small events at Gnoll Country Park, e.g. nature trails, Park runs etc. are overseen by the Park. The large field site has historically been tendered out annually for a period of six months at a minimal rental primarily for holiday activities and rides from Easter through the Summer. The Park also hosts one of the biggest vintage car shows with over 3000 cars across the whole site. In 2023 a successful contractor was not appointed.

73. As a result of the major facility improvements being carried out in 2024 there are no plans for this year. However, future plans are aimed at encouraging and promoting an events programme at the Park moving forward. The improvements include a 3 Phase electrical supply to the big field which will facilitate small to medium size events (max 1000 capacity)

which could include local musical festival, open air cinema, Christmas events to include an ice rink/market.

74. There is currently no dedicated officer managing and developing events and feedback was that the best approach for the future (2025 onwards) would be for events to be managed centrally through the Events Team.

Neath Fair and Neath Food and Drink Festival

75. These are the only other major events the Council organises. Both events are organised by council officers across separate council departments and organising these events does not fall within their key responsibilities

76. **Neath Fair** is a very long-standing event in the town and is co-ordinated and organised by the Council's Estates Team which includes the Principal Estates Manager, Estate Assistants and Surveyors. This forms very small and disconnected part of their roles and they are not event professionals. The Fair has two separate elements with the role of the Estates Team being to organise the stalls for the street fayre. The second element is the funfair on a car park operated through a negotiated agreement with the Showman's Guild.

77. Officers struggled to find sufficient time within their roles to deliver the event. During the event officers were very much hands on and had very little, or no time to engage with businesses and other stakeholders to seek feedback and develop/changes to the event or understand how the Fair benefits the Town. The event seems to be very fragmented with no overall management control or review on its value to businesses and residents. It is proposed that it will be overseen by the events team once they are in place and fully resourced. A full review will need to be undertaken to develop the event and to look at the possibility for it to be contracted out to an external event organiser.

78. **The Neath Food and Drink Festival** is organised by the Town Centres Manager assisted by other members of the Economic Development and Regeneration team. The officer's main role is working with key stakeholders in four town centres, including town councils and the VIVA Port Talbot BID to develop economically vibrant towns.

79. The Festival has reportedly been well received by businesses and residents. The organisation of the Festival is identified as part of the responsibilities of the Town Centre Manager, but events delivery is not a key element of her expertise. It is clear that the event has a role to play in supporting a vibrant Neath Town Centre.

80. It would be pragmatic for the future delivery of this event to be by an events professional, either within the Council or preferably contracted out with the “client” responsibility still remaining with Town Centres Manager. This has the potential to maximise the opportunity to develop and commercialise the Festival further moving forward to the benefit of local businesses and the Council. The approach could apply for any future events that the Manager was considering.

Remembrance Day Parades in Neath and in Port Talbot

81. These were organised for the first time in 2023 by the Council and the Council has committed to organising the events for the foreseeable future. The arrangements were co-ordinated by the People and Organisational Department and delivered with the support of a number of officers across the department. It is proposed that future delivery would be through the Events team.

82. A key part of the development of an Events Policy and Events Strategy will be clearly identifying the range and type of events being encouraged in the town centres and those that the Council do not want to encourage or permit.

Commercial Co-Ordinator and Events Development

83. The commercial co-ordinator has been actively involved in the development of events within their role of identifying commercial opportunities across the Council. They are the lead officer in applying for funding from the Heritage Culture Tourism and Events Fund for an Events Development Officer with a key output to develop an Events Strategy and to reach out to key community groups to organise and develop events.

84. Feedback from the officer has identified some key issues and opportunities in moving forward in developing events and these are summarised below: -

- The need to have a consistent strategic approach by the Council which would be understood by officers.
- Promoting the region, having the potential to develop hallmark events and festivals utilising the Country Parks, Aberavon Beach, Parks and Open Space and Town Centres
- Better co- ordination in programming of events in key sites (e.g. Margam and Gnoll) and being more proactive in developing an events programme
- Having dedicated resources, in addition to grant funding, to deliver an Events Strategy, maximising commercial opportunities both through the Council and with partners, to sustain a future events programme
- Developing and creating events that maximise the areas historic and cultural legacy, exploiting the Neath and Port Talbot location to attract visitors both locally, regionally and from further afield.
- Promoting the benefit of events to the economy, promoting pride of place and mental health both as spectators and through participating in an event
- Being able to be agile and responsive in creating an events programme

85.The overview reinforces the need to have an outdoor event function that not only administers and manages applications from event organisers but can deliver outdoor events for the Council or oversee outdoor events delivered on behalf of the Council by external contractors.

86.It also strengthens the case to have a more co-ordinated approach towards event development and event programming across key sites included within the framework of an event strategy and the event policy. The co-ordination of this element would also be the responsibility of this event function.

Future Events Team

87.A future events team would have multiple functions.

Management and Administration of Outdoor Events

- Act as a central hub dealing with all event enquiries from the initial application through to preparation of any agreement for outdoor events on Council land.

- Provide advice and support to event organisers and respective departments, including on the imminent Protect Duty Law and events on highways, liaising with officers who have statutory and regulatory responsibilities to ensure events are safe and enjoyable.
- Manage and administer, and potentially Chair, the Safety Advisory Group
- Review and develop the Events Policy
- Handle enquiries for events not on Council land and signpost organisers to relevant Council Officers in relation to any legal compliance and attendance at SAGs

Events Delivery

- Organise or contract out arrangements to deliver only outdoor events currently organised by the Council.
- Prepare specifications /tenders and oversee contracts
- Prepare event management plans and organise logistical requirements to deliver in house events safely as required.

Events Development

- Provide advice and support on the feasibility of any new outdoor events.
- Oversee the development of the Events Strategy linked to Culture, Heritage and Tourism plans and strategies and the Events Policy
- Co-ordinate a programme of events across the area and the region
- Develop a close working relationship with commercial and community event organisers and promoters and key regional and national partners.

Film Office

- Act as a hub that deals with all film production enquiries for both indoor and outdoor events with an online library of venues to signpost enquiries.
- Manage and administer film production enquiries on outdoor council land. Negotiate terms including fees, liaise with relevant departments and prepare agreements.

- Maximise the commercial and economic cultural opportunities of film production for local, regional, national and international film companies.

88. It is proposed that the team would include the following: -

i. Senior Events Officer

Would require 5 years plus experience in organising and developing events, working with a range of organisations and stakeholders. They would need to have a comprehensive understanding of all logistical and legal requirements, including experience in running events on highways and knowledge of developing and applying counter terrorism measures and an understanding of the potential new Protect Duty legislation. They would also need to demonstrate experience in commercial income generation, resourcing of events/festivals and marketing of events. The post would be responsible for managing any major outdoor events and major film applications and for contracting out the delivery of existing Council events. Where premise licences for public open space are held then this officer is likely to be the premises licence holder.

ii. Events Development Officer

The responsibilities would be similar to that outlined in the funding application going to the Heritage Culture and Tourism Fund i.e. creation of an events strategy, events programme development, supporting new and existing event's organisers to grow in the local community, develop and deliver a comedy festival. The post requires similar attributes, knowledge and skills to the Senior Events Officer with an understanding of the development of broader policy and strategy related to events.

iii. Events Co-ordinator

This position would be the main point of contact for event enquiries, liaising with council departments, the SAG and the event organiser. They would be responsible for approving or refusing applications, preparing agreements and raising invoices for any charges. The officer would need to have at least 2 years' experience, working in a similar management and

administrative environment, preferably with experience in working in a supportive role in delivering a major event.

iv. Film Office Co-ordinator (20 hours per week).

The officer would be responsible for setting up and delivering a Film Office for Neath and Port Talbot as described and would preferably have had experience in working in a similar role with experience and knowledge in managing and administering filming location requests on Council land.

89. Funding options for the appointment of Event Team officers: -

- a. Restructuring within the Council through a review of the current event administration and management responsibilities of existing officers.
- b. Maximising income generation from commercial events and sponsors including Film production.
- c. External Funds – since the Event Development Officer is intended to be funded for one year through the Heritage Culture and Tourism Fund a further application could be made to support the set-up, development and marketing of the Film Office and either an officer or contractor to administer it. In future years there would be an income target to support the role and provide an operational surplus to the Council.

Initial thinking in generating ideas for larger scale events, working with Partners

90. The starting point is to understand the Welsh national context and ambition for developing events as identified through the National Events Strategy for Wales launched in May 2022. One of the key aspects of the strategy is working together at a national, regional and local level and having a clear understanding of each partners' roles. This is across the private sector, national and local government, voluntary, creative, cultural sporting bodies and regional bodies (tourism authorities, national parks).

91. The National Events Strategy has three strategic themes: Align and Collaborate, Authenticity and All of Wales. Any partnership working must embed the strategic themes to help ensure new events and festivals succeed and are supported.

Align and Collaborate

92. Neath and Port Talbot Council already have a good working relationship with Event Wales, who are responsible for overseeing the delivery of the national events strategy.

93. Event Wales have been setting up events industry forums for business events, culture, live events, sport and local authorities. The involvement in these forums by the Council and other relevant stakeholders can help to understand the national context better and thus work with partners to explore the opportunities for new events.

94. Event Wales are very supportive of the direction in which the Council is moving forward through the development of an events strategy and the positive direction in having more expertise in the local authority to encourage event organisers to the area. Event Wales identify Margam Park as a nationally important strategic events destination. This venue together with other venues within the County and with neighbouring local authorities could provide the opportunity to come together and bid for the Urdd Eisteddfod in 2025. A better understanding of the strategic direction of key private, public, cultural, creative and community partners in both Swansea and Neath and Port Talbot provides the opportunity to strengthen the events and festivals programme.

Authenticity

95. The National Strategy focused the need for events to have a distinct “Welshness” that can reflect language, the Cymru Wales Brand and the Well Being Act goals (prosperous, resilient, healthier more equal Wales; a Wales of cohesive communities; a vibrant culture and thriving Welsh Language; a globally responsible Wales). This continues the focus on working with local communities, businesses, cultural creative and sporting organisations. It also reinforces the focus on animating through events and festivals, the heritage of the area.

96. The Council's Cultural Strategy and Action plan has identified the development of events and festivals that reflect the heritage and culture of the area. In addition to the bid for UK City of Culture it also includes

- the development of a series of events celebrating the 100th anniversary of Richard Burton, planned for 2025.
- bringing together musical opportunities in the borough that exist to develop a local Eisteddfod
- working with TATA Steel to find ways to tell the story of Port Talbot Steel
- Hosting the Urdd Eisteddfod in summer 2025
- Attracting national and international mountain biking events.

These are examples of the right approach to develop an attractive unique authentic programme of events and festivals across the area reflecting the business, creative cultural and sporting communities as well as the built heritage offer identified in the Council's Heritage strategy.

97. As an example, the use of drones shows and projection mapping on and over the diverse built heritage offer provides the opportunity to tell the story of the area's heritage, engage the community working with digital creatives to tell that story and provide an attraction for both residents and visitors to enjoy.

All of Wales

98. The third strand is spreading events across the whole of Wales, maximising the existing assets across the year to achieve equality, diversity and inclusivity. The assessment of ideas mentioned in the first two strands needs to consider how well it fits/fills a gap within the Welsh national programme of events and festivals.

Events and Festivals - Broad Trends

99. Broad trends in outdoor events and festivals in the UK have been gradually evolving and below are some of the more noticeable trends, many of which have already been reflected in the report.

- Wellness and Mindfulness - Outdoor events now often include wellness and mindfulness activities. From yoga sessions to meditation workshops, there is a focus on providing attendees with opportunities to relax and rejuvenate.

- **Diverse Entertainment Options** - festivals are diversifying their entertainment offerings to cater to a broader audience. This includes a mix of music genres, art installations, food festivals, and cultural performances.
- **Local and Artisan Focus** – There is a trend towards showcasing local talent, whether it is in the form of local musicians, artists, or food vendors. This adds a unique touch to events and supports the local community.
- **Unique Venues** - Events are moving beyond traditional venues. Abandoned warehouses, historical sites, and unconventional outdoor spaces are being used to create memorable and unique festival locations.
- **Food and Drink Experiences** - The focus on culinary experiences is growing, with festivals incorporating food and drink tastings, chef demonstrations, and collaborations with local breweries and wineries.
- **Family Friendly Options** - Some festivals are becoming more family-oriented, offering child-friendly activities, family camping areas, and entertainment suitable for all ages.
- **Immersive Experiences** - people are seeking more immersive and interactive experiences. This could involve virtual reality installations, interactive art installations, or even themed areas that transport visitors to different worlds
- **Inclusive and Accessible Festivals** – organisers are working towards creating more inclusive spaces, considering event better accessibility for people with disabilities, providing gender-neutral facilities, and promoting diversity in their lineups.
- **Sustainability and Eco-Friendly Practices** – there is a growing emphasis on reducing the environmental impact of events. Many festivals are incorporating eco-friendly practices such as waste reduction, recycling initiatives, and sustainable sourcing of materials.

100. These trends reflect a broader shift towards more diverse, sustainable, and immersive experiences. The combination of these broad trends, together with the strategic focus at both local, regional and national level, provide the initial steps in developing larger scale events. Large scale events can develop both from the grass roots upwards, providing more authentic and sustainable events, or by attracting established large-scale approaches - e.g. Rock/Pop Music Festivals, National and International sporting events (e.g. Tour De France Stage, International Triathlon, and Tour of Britain)



Cyngor Castell-nedd Port Talbot
Neath Port Talbot Council

Neath Port Talbot Events Policy

(DRAFT April 2024)

www.npt.gov.uk

1. Introduction

Neath and Port Talbot Council (the Council) recognises the value and benefit that a varied and well managed outdoor events programme can offer to local, residential and business communities in contributing towards a vibrant cultural environment and an economy that is active, lively and inclusive.

The Council Events Policy refers mainly to the use of our owned and managed land to hold an event, including: –

- Any public open space, park, garden
- Any public highway, public car parks, town centre/civic space
- Aberavon Seafront

The Policy also applies to all outdoor events in the Neath Port Talbot area that may need input from a Safety Advisory Group (SAG) or are looking for advice and feedback in developing a new outdoor event.

The broad definition of an event is one that involves an organised activity which is not part of usual daily activities. It is generally planned for a special or particular purpose and involves more people than you would normally find (at any one time) in that space.

This policy does not apply to organised routine sporting activities (e.g. football, rugby, cricket matches). It does apply to applications for running events, organised cycling, fitness classes/personal group training and large scale sporting events.

The processes set out within this Policy provide the framework for the event application process. These processes have been put in place to ensure that events take place safely and as successfully as possible.

The Council performs a number of diverse roles and functions to support and facilitate events. This includes statutory functions such as licencing sites and premises, undertaking road closures and ensuring health and safety requirements are met.

The Council also provides a supporting role in organising and facilitating cultural and recreational activities. This Policy demonstrates our commitment to developing events and festivals and providing a supportive and engaged process with event organisers to create, plan and deliver events safely.

2. Aims

The Neath Port Talbot Culture and Heritage strategies in addition to the county's Destination Management Plan have identified new strategic priorities around enabling wellbeing. Events have been identified as playing an important role in delivering economic and cultural benefits in addition to enabling a sense of local pride of place within these strategies.

Our obligations, in having a duty of care as a landowner/manager, together with statutory and regulatory responsibilities to ensure compliance of relevant legislation for organising events, means we have to ensure events are delivered in a safe and controlled manner and in line with public expectations.

3. Events Policy Statement

The Policy will:

- give clear guidance in relation to those events that will/will not be permitted to take place on council owned/controlled land
- ensure a fair, consistent and transparent process
- outline our role and the role of our officers in relation to the events process
- provide a comprehensive framework for the benefit of event organisers, to ensure their events meet with our policy and procedures including best practice
- ensure the protection of the local environment and our assets for future use by event organisers and throughout the year by the public
- support delivery of an enhanced leisure and cultural offer for the county
- balance the interests of local residents, regular users of parks, open space and seafront, stakeholders and businesses against the impact and/or benefits of holding the event
- ensure that only a sustainable number of events are permitted
- promote best practice in all aspects of event management
- provide a supportive environment for community and commercial event organisers to help the development and delivery of safe and enjoyable events.

4. Roles and Responsibilities

Our role is to support the event application and delivery process from start to finish, ensuring compliance with the adopted policy and procedures and its statutory obligations. This includes supporting the event organisers to promote events via our various media streams.

a. The role of Neath and Port Talbot Council - for events taking place on Council land, includes:

- Providing a central point of contact for all events management communications from initial application to final decision to approve or refuse
- providing information and feedback at all stages of the events process, to facilitate the effective planning, organising and delivery of events by the event organiser
- ensuring that where necessary the relevant Services with the expertise in event management and relevant statutory and regulatory responsibilities, both internal and external, have the opportunity to comment and advise on event applications
- facilitating and chairing meetings of the Safety Advisory Group (SAG)
- undertaking visits to events during set up, the event itself and the event break down to assess compliance with the event application, risk assessment and any licenses issued for the event
- undertaking a review/debrief with the event organiser

Where a Premise Licence is required due to the nature of the activities being organised, the granting of that Licence for an event on Council land does not automatically mean the event can go ahead. The event organiser still has to make an application for a licence or permission to use the land following the events application process.

b. The role of Neath and Port Talbot Council includes:

- Advising event organisers of the application process required to be undertaken to hold an event in county, both on public and private land
- ensuring as far as practicable, that event organisers and the landowner are aware of their responsibilities for events to take place on public and private land
- providing event organisers with advice from our Events Team or other relevant Officers, and where appropriate the SAG, in order that these responsibilities are met

c. The role of the SAG

The SAG is an advisory panel that provides advice and guidance to event organisers, both on Council owned and private land. Membership of the group will vary depending on the nature of the event (for example for events that take place on the sea as well as on land the Coast Guard may be consulted) but typically include representatives from police, fire services, highways, council services and the ambulance service.

The SAG does not make decisions but will provide advice on event plans, give feedback and share any concerns with organisers. Enquiries to the group can be made via the Events Team who will, if they feel it is appropriate, consult with the relevant representatives.

The final decision on approval/refusal for an event to go ahead on Council land rests with us as the landowner. Where an event is on private land and where there are serious concerns about public welfare, SAG members including the police and the local authority may raise their concerns and give advice. Overall responsibility rests with the organiser of the event and the landowners. If public order, serious threat to life or public safety issues arise, the police can enforce their statutory powers.

We oversee applications for road closures, in consultation with agencies and have the final decisions in relation to consent or refusal.

As a general rule events with 500+ attendees at any one time, whether on council or on private land, may require attendance and input from a SAG. These may incorporate high risk/complex elements such as, but not limited to, fireworks, ticketed professional music concerts and festivals, road closures, counter terrorism measures, high volume alcohol sales. An event of less than 500 attendance at any one time may need to go to a SAG if it is deemed to be high risk.

For the full terms of reference of the SAG visit [\[insert link once live\]](#)

d. The role of the event organiser

The event organiser has overall responsibility for the safe planning and management of the event. Whilst several people may be involved in the planning and delivery, there should be a single named event organiser on any event application who has overall responsibility for the event.

On our owned land the event organiser is required to:

- read and adhere to our events policy and procedures
- engage with local ward councillors, residents and businesses prior to the event, as deemed necessary by the Council, so that any negative impacts of the event are minimised and mitigations put in place for any inconvenience caused by the event
- ensure all current health, safety and welfare regulations and guidance relating to all activities and persons during the planning, delivery and attendance of events, is adhered to at all times
- ensure all relevant licences are in place where required e.g. premises licence
- provide us and any other statutory body/agency with all the required documentation according to the events policy and procedures
- attend as required any SAG meetings, and any other meeting/s
- ensure that the event is run in accordance with the submitted documentation: the application form, the event management plan, risk assessment and method statement

- to provide us with feedback, on completion of the event, including the following information: numbers attending, details of any accidents/incidents, lessons learned and what went well. An email will be sent to the event organiser (after the event) containing a link to the feedback form to be completed
- attend a post-event debrief (if required) on invitation from the Events Officer or SAG
- hold and supply us with evidence of the required level of public liability insurance, including damage cover.

On private land, organisers are advised to:

- ensure all current health, safety and welfare regulations and guidance relating to all activities and persons during the planning, delivery and attendance of events is adhered to at all times
- provide us and any other statutory body or agency with the required documentation
- be aware of their responsibilities in relation to the impact on the wider area such as highways
- seek advice from our officers in the following departments; events, licensing and environmental health and where appropriate the SAG

5. Permitted Events on Council Land

Events which may cause offence or conflict with existing policies or cause reputational damage will not be permitted. We have clear policies in place for what we consider to be appropriate events on council land and a clear rationale for this.

Please refer to Table 1 for further information.

Table 1: Types of Events

Type	Permitted or not Permitted	Description / Rationale	Example of an event	Application Required?
Small Family Events	Generally Permitted	Where a private event is considered to be within the wider context of the location	Family gatherings of up to 30 people	No formal application required but advise for confirmation

		proposed (i.e. parks) and does not breach any byelaws		and sensible guidelines
Community, charity and non-profit events (CCNP)	Permitted	Not for profit making organisations or fundraising events where all profits are invested back into the event for the following year with detail identified in the application form. Events can be free to access or ticketed	<ul style="list-style-type: none"> -Fetes -local sporting events -exhibitions -events with children's activities - family fun days -procession and parades - Open air music performances/ concerts - historical enactments 	Yes. A charge for the commercial use of the land will apply
Commercial, profit-making Event	Permitted	Applications considered on a case-by-case basis. Events can be free to access or ticketed	<ul style="list-style-type: none"> - Funfairs (no animals) -Circuses -Open Air Music concerts, theatre, cinema and music festivals -Exhibitions -Promotions -Themed markets 	Yes. A charge for the commercial use of the land will apply

Private/All ticketed	Generally Permitted	Applications considered where public access is retained.	Corporate product launch, graduation event	Yes. A charge for the commercial use of the land will apply
Weddings and Wedding Receptions	Permitted where the venue has the applicable licence	E.g. The Orangery, Margam Country Park	N/A	N/A
Motor Sport events	Not permitted	These events can have a detrimental impact on areas e.g. parks/ beach and severely restrict access for public use	N/A	N/A
Balloon and Lanterns	Not Permitted	These events can have long term detrimental effects on wildlife particularly the marine environment. Lantern releases also pose an unacceptable fire safety risk	- Remembrance releases - Sky lantern releases	N/A
Fireworks	Generally Permitted	Permitted if delivered by a competent company complying with all regulatory requirements,	-Specific firework display -Fireworks can be incorporate	Yes.

		assurance and risk assessments	d as part of an event	
Events involving animals	Considered on a case-by-case basis	Incidental use of animals is not permitted. Use of animals in circuses is not permitted. Animal displays or demonstrations may be permitted for educational purposes. Animal welfare agencies must be supportive and provide evidence of veterinary care and all required licencing, transportation, health and safety and welfare documents	-Dog shows -Bird of prey demonstrations	Yes.
Events involving road closures	Generally permitted	A road closure application will need to be applied for when the activity impacts the safe flow of traffic on a public highway or is organised on land on public highways where	-filming - parades -processions - markets -funfairs -sporting events -Street Party	Yes

		legislation applies		
Religious events	Considered on a case-by-case basis	See additional information in section below		Yes
Protests or rallies	Considered on a case-by-case basis	Freedom of speech / right to lawfully and peacefully protest. All safety and planning operations as for an event with the same considerations and due process		Yes

No event application is required for charitable collections with no structures and where no activity takes place other than the collection of money. A charitable collection licence is required, see Table 5 for details.

The Events team will communicate with counterparts in neighbouring local authorities in order to ensure that no other large scale events are planned on the same date. This is to ensure that the emergency services are not overwhelmed should incidents occur and to minimise impact on transport networks. Event organisers are advised to check dates in advance by visiting respective local authority websites prior to making an application to the council and to consider holding events during off-peak seasons/ dates.

Other non-permitted events and activities

We reserve the right to withhold granting permission for an event or any advertising which is either directly involved with or associated with any of the following activities:

- Tobacco and alcohol manufacturers
- Extreme political parties or organisations
- Any event on our land requiring our approval where the aims conflict with or seek to undermine decisions or policy democratically taken by us, the Council
- Any business involved in the manufacture or sale of firearms

- Any companies involved in the sex industry
- Businesses involved in animal experiments
- Any organisations involved in blood sports or which involve the use of, or cause harm to, any animal or are detrimental to the safety and welfare of any animal
- Any activity that might cause disharmony on the grounds of race, religion, sexual orientation or disability, or any activity with negative attitudes which compromise our commitment to equal opportunities or which could be considered a breach of the Equalities Act 2010. This will specifically include any charity, community or commercially ticketed event where any of the groups or individuals are excluded or refused entrance
- Vox pops, stop and ask activities are generally not permitted to avoid causing unnecessary interruption to the general public but may be considered on a case-by-case basis
- An activity specifically prohibited by a bylaw

6. Filming and Drones Policy

Supporting filming opportunities is generally in our interest as it can raise the profile of the area. We are happy to consider applications to film on our land including the use of drones. All applications must still ensure that they comply with similar requirements for organising any event on council land.

If filming requests are agreed at short notice, primarily for live or pre-recorded news broadcasts, then these will be dynamically assessed and will require evidence of risk assessment and public liability insurance.

Filming requests that are not permitted include:

- Any of the activities listed in the Table 1
- If the filming would create an unreasonable or prolonged nuisance or annoyance to the occupiers of any neighbouring property, business or the general public
- Filming invades the privacy of others
- If the filming would place the security of buildings and premises at risk
- If the filming would contravene the GDPR and/or CAA regulations or any other safety or privacy regulation

Use of Drones

In order to obtain permission from us to operate a drone for commercial purposes the operator must have a permit from the Civil Aviation Authority (CAA). Permission will not be granted unless this permit is evidenced. All permits must adhere to the CAA drone code.

The drone operator is also required to have public liability insurance in place with a minimum cover of £5 million.

Student Filming

We support student filming for non-commercial purposes and where it is an essential part of coursework. Confirmation of this is required in writing from the university, college or other further education provider. All filming dates and times must be agreed in advance with the Council. Evidence of public liability insurance for student filming on location is also required.

Student filming in public open space can require more support than can reasonably be provided by us and to reduce any risk the following restrictions apply:

- Maximum of six hours filming between the hours of 9:00 AM and 5:00 PM on weekdays only, excluding bank holidays
- No infrastructure is permitted
- Any licences or permits required are the responsibility of the student and their educational establishment and must be confirmed prior to consent
- A full risk assessment is required with the application

7. Event Application, Approval and Refusal Policy

The Council is committed to providing the best available advice and guidance to event organisers to assist them in planning a safe and enjoyable event.

The event application process is a series of steps that the event organisers need to follow that can be considered for approval by the Council and its statutory partners including the agencies that are part of the SAG where applicable.

The application process is designed to ensure that all necessary and relevant information relating to an event has been well prepared by the organiser and is reviewed and considered by appropriate officers, organisations and specialist services to ensure compliance with legislation and any wider Policies and best practice as outlined in this policy.

The Council has the final decision in approving or refusing an event application.

Applications

The event application form is found [here](#) [insert link once live] together with supporting information. However, it is strongly advised that the event organiser liaises with the Events Team in the first instance regarding the availability of dates and locations and the feasibility of the event being able to take place. It is particularly important to refer to the

procedures contained in this Policy and to ensure that the application is submitted with the appropriate documentation and within the policy timeframes.

Organisers of new major events may be required to complete a pre-application assessment and obtain an 'in principle agreement' to use a location **before** a formal event application can be submitted. This may involve initial consultation with key stakeholders and SAG members to assess the feasibility of holding the event. 'In principle' support will be subject to the necessary licences and consents being obtained and failure to obtain those may result in the 'In principle' support being withdrawn, and the Council will not be liable for any costs incurred.

When considering applications in most cases we will operate on a first come first served basis however, in some cases, the historical performance of an established event may result in it being given priority if more than one party applies for an event on the same date/location.

The Council and the relevant officers and agencies, including the SAG, will consider the appropriateness of any application based on the event organisers previous events and any forthcoming events within the geographical area.

The event organiser must comply in full with the application procedure, respond to all requests for further information from the Council and ensure policy and procedures are evidenced as part of the event application process.

The anticipated numbers attending the event at any one time is the key determinant in what documentation is required in the planning of the event. It will also determine whether the event needs to go to a SAG. However, there can be cases when a smaller event could be of more complex nature or present sufficient risks that it may require attendance at a SAG.

A large event is very likely to have an impact on the infrastructure of the wider area. Events not on the highway can still cause traffic congestion and noise from the event along with large numbers of people entering and exiting the event may have an impact on the local residential and business communities.

Organisers may need to consider licencing implications including the need for a specific premise licence which can take several months to get agreed by the Council's Licencing Board and may involve full consultation with SAG members and the local community.

Table 2 below outlines different types of events with the preferred timescales to submit an application and an indication for what you are required to submit. It is not exhaustive, and links are provided to national guidelines and legislation that may be relevant to the planning of your event. Again, please make sure you contact the **Events team** to help you through the application process

Table 2: Event Application Timescales and Documentation

Type of Event	Preferred timescale	What to submit
Events with up to 500 attendees at any one time	3 months	<ul style="list-style-type: none"> - Event application form - Basic Event Management Plan (EMP) to include risk assessment, stewarding plan, first aid plan etc. - event layout plan - Public liability Insurance (min £5 million indemnity) - details of event content (e.g. traders, food vendors, children’s rides, stage, PA) - Temporary Event Notice for entertainment and bar if applicable
Events with 500+ attendees at any one time. These events require SAG input and incorporate high risk/complex elements such as, but not limited to, fireworks, ticketed professional music concerts and festivals, road closures, counter terrorism measures, high volume alcohol sales	<p>Minimum 6 months</p> <p>New events over 1000 attendees will be required to go through a pre-application process</p>	<ul style="list-style-type: none"> -Event application form -Event management plan (EMP) to include, but not limited to, event layout plan, specific risk assessments – fire, terrorism threat, crowd management plan, traffic management plan, medical plan, alcohol management plan. -Potential requirement for Temporary Event Notices or Premise Licence

		- Public Liability Insurance between £5 million and £10 million
<p>Large production filming (e.g. over 10 crew with production trucks)</p> <p>Includes any with drones</p>	Minimum 4 weeks for large commercial productions	<p>-film application form</p> <p>-event management plan with risk assessments, traffic management plan (if applicable) site layout plan, security and stewarding, and local consultation arrangements</p> <p>- Public Liability Insurance £5 million</p> <p>- CAA permit and specific risk assessment and insurance for drones</p>
<p>Small production filming (limited crew and no staging or infrastructure)</p> <p>Includes any with drones</p>	2 weeks	<p>-film applications form</p> <p>-risk assessment</p> <p>- Public Liability Insurance £5million</p> <p>- CAA permit and specific risk assessment and insurance for drones</p> <p>Other requirements depending on individual plan</p>
<p>Student filming applications</p> <p>Includes any with drones</p>	2 weeks	<p>film applications form</p> <p>-risk assessment</p> <p>- Public Liability Insurance £5million</p> <p>- CAA permit and specific risk assessment and insurance for drones</p>

		Other requirements depending on individual plan Consent from relevant Education establishment
Any events involving road closures	12 weeks	-Route map which may need to include which roads are being closed, the location of road safety signage and where Marshalls are placed -Traffic management plan which would include a risk assessment and details of access and exit routes for emergency vehicles Plus other relevant plans and insurance detailed for other event applications

Please note the above timings are used as a guideline. It is the responsibility of the event organiser to obtain a written agreement from the Events team if these deadlines need to change. In each case the event organiser must contact the Events team before the deadline to seek approval. The Events team may decline an application if the above advised deadlines are not met. In consultation with relevant representatives of the SAG the Events team decision on the requirement for an event to be considered by the SAG is final.

Approval

The event application is only valid if all the supporting information and documentation required under this policy is submitted as per the policy requirements. We advise the event organiser **not** to publicise their event until they have received written confirmation for the event to proceed. Should the event organiser publicise the event before the application is approved, the Council cannot be responsible for any costs incurred by the event organisers or contractors should the event subsequently be refused.

Refusal

The Council's decision is **final** and we reserve the right to refuse permission for an event based on the following circumstances:

- non-compliance with one or more of the requirements outlined in our Event Policy and Procedures or any other relevant Council policy
- non-submission of the application or any supporting information within the specified time frames as outlined in this policy, or within any amended timescale agreed by the Events team
- non-payment of event application, hire fees or reinstatement deposits
- concerns are raised by one or more internal service area relating to a serious negative impact of the event on that particular service
- serious and unresolvable concerns raised by one or more members of the SAG
- other similar or large-scale events in close geographical proximity and/or close in terms of dates which in the opinion of the Council, will lead to over congestion of events in a particular area or site
- concerns over the detrimental impact the event may have on the site in question, e.g. where considerable damage may be caused to the land which impacts on the ability for short term/long term future public use by the local community and residents
- previous or known breaches or non-compliance with any condition or requirement as set out by us in any license or agreement between ourselves and the event organiser, including breaches of this policy
- previous or known non-compliance or breaches by the event organiser against the information and procedures as set out in the event organisers application, risk assessment or event management plan
- concerns regarding the financial viability of the event and financial stability of the organisation(s) proposing the event
- publishing or posting inappropriate and/or defamatory comments about the Council, its staff or members, in any public forum including social media
- previous evidence of fly posting of promotional material, or non-removal of permitted advertising
- concerns regarding the competency and/or suitability of the event organiser(s)
- information received from another local authority, agency or service which highlights concerns about the general compliance or appropriateness of the event/event organiser
- if the volume of existing applications received determines that we are unable to administer any further applications received

Post Event Inspection

A post event site inspection will take place if applicable 1-2 days after the event and will involve the Events Team, event organiser and/or other appropriate officers or contractors acting on our behalf.

During the site inspection, the officer may observe and record the following:

- adherence to conditions as set out in any license/consent/authorisation to use the land
- damage to the site and/or site infrastructure. Images (photographic or video) may be used to record evidence of any damage or issue relating to our land, property, flora and fauna. The event organiser may request copies of recorded images if they are not present at the post event inspection
- waste left on site
- non-removal of promotional materials at any site or location

If damage is identified and the Events Officer believes it is as a result of the event, then we are entitled to keep part or all of the reinstatement deposit (refer to Section 8) to cover any reasonable costs associated with the repair/replacement and the administration time involved. If the costs of the repairs are higher than any deposit paid the event organiser will be sent an invoice for the balance of the costs.

Debrief and feedback

Event organisers may be required to provide feedback on their event. Typically, this will include details on attendance numbers, operational reports, accidents, near misses and any public feedback reports.

For large and/or high-risk events event organisers will be required to hold a more detailed event debrief. The Events Officer should be invited to attend this debrief.

8. Charging Policy

The Council is committed to providing a fair set of fees and charges for commercial and non-profit hire/use of Council land, which contribute towards the cost of the administration and management of events. There may also be additional charges for facilitating events through support from staff and contractors, including road closures, waste, parking suspensions, ground reinstatement, premise licences applications.

These charges are reviewed annually. The Council reserves the right to vary, waive or increase charges in consultation with appropriate senior managers to ensure the Council balances the need for best value with the viability of an event.

*Please note that Margam Country Park operates a separate pricing structure. Please contact the Events Team for more information.

NOTE: Fees for commercial events and filming will depend upon a range of variables including event size and scale, level of input required from NPT Council staff etc. All events are different and a fixed fee will be agreed with commercial event organisers prior to submission of an application. Commercial event organisers are advised to contact the Events Team as the earliest opportunity.

Table 4: Events Fees And Charges

Type of event	Charge £ excluding VAT	Notes
Community Non Commercial Events Small – under 100 Medium - 101-499 Large - 500+	£25 £50 £100	Applicant would have to demonstrate the organisation/ individual is non-profit making and that the event does not have a large number of third- party operators commercially trading
Community Events with Commercial Activity. Medium - 101-499 Large - 500+	£150 £300	Where the event includes over 33% of third-party operators commercially trading

<p>Commercial Events including for example:</p> <ul style="list-style-type: none"> • Funfairs & Circuses • High profile concert / Music Festival • Music Festival (tribute acts, low profile) • Sporting Events • Food and Drink/themed Festival 	<p>A fixed fee will be agreed on a case by case basis.</p>	<p>Depends on site location, size of event and NPTCBC staff involvement required.</p> <p>10% deposit to be provided on application.</p>
<p>Reinstatement Deposits</p>	<p>Deposits start from £1,000 and depend upon on the size and scale of the event, numbers attending and the nature of the activities, duration and amount of infrastructure to be put in place. Where considerable damage occurs Council land the full cost of reinstatement will be pursued.</p>	
<p>Filming</p> <ul style="list-style-type: none"> • Large Production Commercial Filming • Small Production Commercial Filming • Not for profit Organisation (reduced fee) • Student Filming (no fee) 	<p>A fixed fee will be agreed on a case by case basis.</p>	<p>Depends on filming location, disruption to local facilities, hire of venues and NPTCBC staff involvement required.</p> <p>There are no fees for student filming, please refer to Section 6.</p>
<p>Road Closures Application of Temporary Traffic Regulation Order</p>	<p>Community events – no fee.</p> <p>Commercial events – full cost recovery of staff time, costs start from £500, a fixed</p>	<p>There will be additional costs required for qualified personnel to put out road closure signs and manage the road closure and create a traffic management plan for the closure. Please contact the Events team for advice on options</p>

	<p>fee will be agreed in advance of application.</p> <p>Late applications will incur an additional fee of £100.</p>	
Street/car park/pay and display suspensions	Price dependant on requirement and specific car parks close.	Price will include an assessment of loss of income alongside reimbursement of any reasonable costs faced by the council and possibly nearby businesses in suspending car parking at the location requested.

Site Deposits and Fees

Reinstatement deposits may be charged to the event organiser to cover any potential damage to the site and must be paid no later than four weeks prior to the event. All site fees must be paid within 14 days of receipt of formal event approval. The operator will not be granted access to the Council land without both hire fees and deposit being paid.

Any unpaid fees and charges will result in the event organiser being refused permission for any future events.

Event organisers will be charged an additional deposit for loan of keys for access to an event site on council land. A minimum deposit of £100 is required for all keys being loaned from the council. A key allocation form will be filled out and signed by one of the Events Team when signing out keys and when keys are returned.

It is the responsibility of the event organiser to check that all keys work prior to the event and the organiser may collect keys by arrangement no earlier than 5 days prior to the event and must arrange to return them on the first working day after the event

closes. It is prohibited, under any circumstances for event organisers, or those associated with the event in any way, to make copies of the keys loaned to them.

Late Cancellation, event shutdown and refunds

The Council reserves the right to cancel an event or shut down an event during its operation should it be deemed to be necessary. Examples include but are not limited to the following:

- the site has become water-logged or it is considered that the site will be damaged beyond reasonable repair (beyond the level covered by any site deposit) if the event were to take place
- related fees charges and deposits have not been paid
- information required by the Council has not been received from the event organiser by the given deadline
- any other exceptional or unforeseen circumstances such as severe weather or following government/public health direction/guidance
- health and safety breaches or concerns for public welfare both prior to and during the event
- non-compliance to the Council's conditions or requirements
- non-compliance or breaches by the event organiser in relation to procedures or information set out in their application form, risk assessment or event management plan

The Council accepts no liability for any pre/during/post event costs the event organiser may have already incurred in relation to the above.

Where an event is cancelled through no fault of the event organiser and where this falls within 14 days of the date of the event all fees /charges /deposits will be returned in full.

If an event organiser wants to cancel an event, they must contact us at least 14 days prior to the event. Under all circumstances we reserve the right to charge the administration fee for the event.

9. Events Health and Safety Policy

Policy statement

It is vital that events are operated safely, and that is something that needs to be given high consideration by both the event organiser and the Council.

The risks and requirements to manage an event safely vary, but where appropriate the following will be required as part of the full application process.

General requirements of the event organiser: -

Risk Assessment (RA)

All events on our land require a well-considered and robust risk assessment to be in place. The RA must identify the risks associated with the event and demonstrate how these risks will be mitigated against and reduced to an acceptable level.

A template for risk assessment is available on our website [[insert website link once live](#)]

Event Management Plan (EMP)

Large and major events will require substantial forward planning and the risk assessment should be undertaken by a competent person. The assessment should form part of a wider Event Management Plan.

An Event Management Plan is a safety document that should be written in conjunction with the RA and submitted for review with the event application form. The EMP details all the safety and organisational aspects of the event from set up to de-rig. Events are subject to Health and Safety regulations, and it is the event organiser's responsibility to ensure all regulations are adhered to strictly and addressed appropriately in the EMP.

All events must submit an EMP which is reviewed by our relevant officers/ departments. Additional analysis of the EMP will be carried out by the SAG for events with over 500 attendees and/or involving road closures or higher risk activity.

The length and complexity of the EMP will vary depending on the size and nature of the event. Below is a reasonable, but not exhaustive, outline of areas to be covered for a large scale event –

- marshal and security details including job roles, training and location plan
- traffic management including parking, vehicles on site and entry and exit of vehicles
- road closure details
- key contact details
- licenses required
- health and safety procedures/provision
- medical cover and first aid
- safeguarding procedures and policy
- fire safety and fire risk assessment
- crowd management
- waste management
- site plan(s)
- contingency plans (including cancellation and scaling back)
- emergency evacuation plan

- schedule and programme of events
- details of power sources/generators
- details of temporary structures
- details of event catering, traders and suppliers including documented food safety controls
- stalls/stands and activities
- noise management plan
- communication plan
- proof of ADIPS (see glossary of terms for funfairs & circuses only)
- toilet facilities provision

Failure to submit the full information required in the Event Management Plan will result in the event not being approved. Event organisers are advised to use resources available for guidance such as the [Purple Event Safety Guide](#).

Licenses

It is the event organiser’s responsibility to ensure they have obtained all the correct authorisations and licences in the relevant timescales from our licensing department.

Further information is available on the Council’s [Licencing webpage](#).

Table 5 - Licence information

Type	Application deadline	What to submit	Fee
Premises licence (alcohol and / or entertainment)	At least 6 months prior to the event date, applicants are advised to contact licensing outlining the details of their proposed event.	<ul style="list-style-type: none"> - premises licence application - premises plan - consent of premises supervisor - supporting evidence to the application (optional) Fee	- fees vary per application so please refer to the council’s licence fee web page for more information

<p>TENs (Temporary Events Notice) (Alcohol and / or entertainment , for events with less than 499 persons in attendance.</p>	<p>No later than 10 working days prior to the event date</p>	<p>Application form Fee</p>	<p>£21</p>
<p>Street Trading (Selling refreshments / merchandise)</p>	<p>At least 2 months prior to the event date, applicants are advised to contact licensing to discuss any traders attending the event.</p>	<p>Application form Fee</p>	<p>- fees vary per application so please refer to the council's licence fee web page for more information</p>
<p>Street collection permit / lotteries (Charitable collections and general fundraising)</p>	<p>At least 2 months prior to the event date, applicants are advised to contact licensing to discuss any fundraising activities at the event.</p>	<p>Application form</p>	<p>No fee</p>

Public Liability Insurance

Event organisers must meet the following requirements:

- evidence of a minimum of £5 million indemnity cover must be provided to us. However, the Events team will consult our Insurance team and a minimum of £10 million may be required for particular events.
- insurance must cover all setup and close down days of the event
- it is the responsibility of the event organiser to ensure that all suppliers, traders and exhibitors at their event have the necessary, in date, insurance cover in place (minimum £5 million indemnity)
- for events involving road closures, the Council requires £10 million public liability insurance.

Parking and traffic management

Event organisers can request spaces in council-owned car parks for their event. Charges, to cover loss of revenue, may be applicable for parking spaces allocated for the event in our pay and display car parks or any regulated area on the highway.

Event organisers are responsible for the management and marshalling of car park spaces and the movement of vehicles at all times during the setup and the de-rig of the event.

The event organiser will need to provide a traffic management plan showing the route the event traffic will take during the setup and de-rig of the event. Traffic movement during an event will be confirmed on an event-by-event basis.

Event organisers must respect other car park users and not block access or egress to the facility or individual spaces.

Road closures and highway safety

Event organisers may need to apply for a road closure.

For road closures, an application should be sent to us:-

- A temporary traffic regulation order is generally required where there is a risk of danger, this is to maintain highway safety. In all cases the event organiser should consult with us at the earliest opportunity to discuss the most appropriate route to take concerning road closures and highway safety. Charges may be applicable for road closure applications.

- Road closure applications must be submitted a minimum of 8 weeks prior to the event. The event organiser will be contacted by us as soon as a decision has been made.

Safeguarding

We have a duty of care to ensure that all children and vulnerable adults are protected during the delivery of our services including during events. Event organisers are expected to have regard to our safeguarding policy within their event management and operations plans.

If the site is to be used for the purpose of children's entertainment, the event organiser must arrange for adequate adult supervision by those experienced in the care and control of children and who have undergone the necessary DBS checks to work with children/vulnerable people.

The event organiser must, within their event documentation, provide details on what processes will be put in place to protect children/vulnerable adults. The event organiser is advised to take the following information into consideration:

- provision for lost children/vulnerable adults
- provision of baby changing facilities
- provision for lost property
- details of DBS checked event staff
- details of the event procedure relating to a lost or found child or vulnerable person including how this will be logged
- identifying a specific person who will be present at the event who can deal with complaints from attendees
- to have two adults to one-child policy, to ensure no child is supervised by just one member of staff or volunteer at any time
- age limits that should apply to some events/activities

Food safety

Where commercial caterers are used as part of an event organisers must meet the following requirements:

- Ensure that all caterers have a minimum food hygiene rating of 3 (generally satisfactory) or above.
- Provide a list of caterers, including all associated paperwork, to the Events Officer a minimum of four weeks prior to the event, to allow sufficient time for checks to be carried out by our environmental health team.

- The event organiser will be responsible for removing any caterers from their list who fail to meet this standard. Checks may be made throughout the event by our representatives.
- We expect the event organisers to prioritise using local businesses for the provision of food/catering at their event.

Any professional caterers must be registered under the [Food Safety Act 1990](#) and have received training in food hygiene; this applies even if food is being given away for free. An outline of the type of catering and facilities should be provided in advance of the event.

There is no formal Events approval process for catering at small community events; however, organisers are encouraged to contact the Council's Food Safety team on food@npt.gov.uk for advice and support

Accident/incident reporting

As part of the EMP, and in accordance with Health and Safety regulations, all event organisers must have a procedure to record accidents/incidents or near misses associated with the event (including set up/de-rig) and must give this information to the Events Team at the earliest opportunity.

In the event of any serious accidents and those requiring hospital visits the event organiser must notify the Health and Safety Executive and the Council immediately - Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 (RIDDOR).

10. Environmental Policy

At Neath and Port Talbot Council we recognise that tackling climate change is necessary and urgent, and the Council is determined to respond with commitment and speed through our Decarbonisation And Renewable Energy Strategy (DARE).

Event organisers are required to tell us the ways in which they are reducing the impact of their operational activities across the following areas:

- ✓ energy and water use
- ✓ transport and travel
- ✓ sourcing of food, beverages and procurement of other supplies
- ✓ waste and recycling
- ✓ protecting the landscape and wildlife from contamination including from plastics and micro-plastics.

Examples of how this can be achieved:

- Use of reusable vessels for beverages, such as plastic cup deposit schemes
- Avoid all single-use, disposable packaging e.g. condiment sachets
- Make free drinking water available. The local water authority may be able to assist in providing drinking water stations at your event
- Provide waste and recycling facilities
- Make use of reusable or recyclable products for display and promotional materials, reuse banners with date changes, find alternatives to cable ties
- Use of clean electric battery-operated generators, or generators powered by Bio Fuels
- Use of electric vehicles at events

PLEASE NOTE that from October 2023, as part of the implementation of the Environmental Protection (Single-use Plastic Products) (Wales) Act 2023, **single use plastic products are not permitted**. This includes plates, including those with a laminated plastic surface, cutlery, drink stirrers, balloon sticks, plastic stemmed cotton buds, plastic drinking straws (exemptions for people who need to eat or drink safely). It also includes takeaway food containers and cups made of expanded or foamed extruded Polystyrene

When planning events, we encourage event organisers to develop transport and travel plans that promote more sustainable modes of transport (walk, bike, bus, coach, train) with the aim of encouraging as many staff and attendees as possible to travel in this way, reducing their environmental footprint

11. Events Development and Support Policy

The Council is committed to supporting event organisers to offer advice and guidance through the application process. Whilst we cannot tell you how to organise your event our Events team will liaise with their colleagues in the Council and our partners to seek solutions to overcome any logistical challenges.

The Events team can also signpost potential funding sources to support both new and existing events.

We are very receptive to listening to new ideas for events or for developing existing events and will provide feedback on content, logistics, funding, commercial opportunities and potential partners.

We will also be organising open days for community event organisers where training and advice will be given on a range of areas from creating a risk assessment and

developing an event management plan to understanding existing and new legislation on the use of public highway and the potential need for counter terrorism measures.

We will also continually review our processes and procedures and corporate policies to ensure our County is a welcoming place, with a diverse range of events and festivals. The development of the Events Strategy will provide a clear framework and commitment to events and will be developed working with local communities, event organisers, promoters, and creative organisations.

12. Events Organised by the Council

There are currently only a limited number of events organised by the Council. These include the Neath Fair, Neath Food and Drink Festival and the Remembrance Day Parades in Neath and Port Talbot. In addition, there are outdoor events and activities at Margam Park, particularly in school holidays and around Christmas.

Through the development of the Events Strategy the Council will be seeking commercial and community partners to deliver new events and maximise the opportunity for future grant funding from the Government and large corporations to support new events and develop existing ones.

13. Other Regulatory requirements and Best Practice

Event organisers need to consider the below when organising an event. Not all will be relevant to every event, but organisers need to consider which apply to their event and seek guidance if unsure as many are a statutory requirement:

Counter Terrorism Measures

Many outdoor events have a very low terrorism threat and require minimal mitigation measures but this needs to be assessed like any other health and safety risk. Any measures put in place for an event will be proportionate taking into consideration factors like the size of the event, who is attending and the nature of activities. For example, a community fete attracting 300 people at any one time will require a significantly lower number of mitigation measures compared to a festival or concert with a several thousand people attending, involving international celebrities and VIPs.

New legislation, currently known as Martyn's Law, may be introduced sometime in 2024. Event organisers should be aware of the key requirements and measures that would be expected to be put in place but these will be proportionate and practical depending on the size of the event being organised. Proportionality is the fundamental consideration in this legislation. Further information can be found on the [Protect UK website](#). For any further enquiries please contact the Events team.

Accessibility

All event organisers are bound by the requirements of the Equalities Act 2010, regardless of the size of the event or whether people will be charged for attending. As such, they are obliged to think ahead and make reasonable adjustments to ensure that disabled attendees (or potential attendees) are not put at a substantial disadvantage, compared with non-disabled people.

"Disability" has a broad meaning. It is defined as a physical or mental impairment that has a substantial and long-term adverse effect on the ability to carry out normal day-to-day activities.

What is a "reasonable" adjustment will depend on all the circumstances, including the cost of the adjustment, the potential benefit it might bring to other attendees (for example, ramps may also benefit attendees with small children), the resources an organisation has, and how practical the changes are.

Reasonable adjustments may include, but are in no way limited to:

- Laying down temporary plywood paths on uneven or wet ground
- Installing ramps next to steps
- Providing toilets which are accessible and have adequate lighting for people with visual impairments
- Displaying warning signs if strobe lighting is to be used
- Planning a way of communicating with deaf and hearing-impaired attendees, in the event of an emergency

Any adjustments deemed reasonable should be in place before the event begins.

Organisers should not wait until a disabled person experiences difficulties at the event, as it may then be too late to make the necessary adjustment

Advertisements

Advertisements and signage will normally require consent. Consent would not be required for temporary notices or signs which are intended to advertise any local event being held for charitable purposes, such as a fête or sponsored marathon.

Any attachment or advertisement on a listed building will also require Listed Building Consent. It is preferable to avoid additional advertisements on listed buildings.

Regardless of whether advertisement consent is required, all outdoor advertisements must comply with five standard conditions. They must:

- Be kept clean and tidy
- Be kept in a safe condition
- Have the permission of the owner of the site on which they are displayed (this includes the Highway Authority, if the sign is to be placed on highway land)
- Not obscure, or hinder the interpretation of, official road, rail, waterway or aircraft signs, or otherwise make hazardous the use of these types of transport
- Be removed carefully where so required by the planning authority

Equalities Policy

The Council is committed to equality of opportunity for the whole community and believes that the diversity of the community is a major strength which contributes to the social and economic prosperity of the area. The Council commits to ensuring that no resident of, or visitor to, the area is treated inequitably or in an unlawful or unjustifiably discriminatory manner.

Events that compromise the Council's commitment to equal opportunities, in terms of their content and/or the organisers' affiliations (negative attitudes, racial hatred, homophobia, etc) will not be sanctioned by the Council.

Emergency Vehicles

It is essential that emergency vehicles are able to access the site at all times. Nothing can be permitted to restrict access to emergency facilities such as hospitals and medical centres. Where an event is held on the highway, barriers can be used to close off the road and items such as tables and chairs can be placed on the highway, providing they can easily be removed if necessary to allow emergency access.

Fire Safety

The onus is on the event organiser as the "responsible person" to actively pursue and maintain fire safety. The responsible person must carry out a risk assessment and implement appropriate measures to minimise the risk to life and property

It can be advisable for event organisers to involve the Fire Authority at the earliest opportunity

Temporary Structures

Organisers of events who intend to erect temporary structures such as grandstands, stages, lighting, sound or control towers, tents, marquees or canopies should contact

the Building Control/ Structures Sections well in advance of the event and provide sufficient details including layout plans and construction details/calculations to enable the structural stability of the structure to be verified. The Building Control/ Structures sections will check the information provided and undertake inspections to ascertain the structural stability of any significant temporary structures.

The Chartered Institute of Structural Engineers has produced [comprehensive guidance on temporary demountable structures](#).

For further information and advice, contact the Council's Building Control Department on building.control@npt.gov.uk

Toilet facilities (including accessibility)

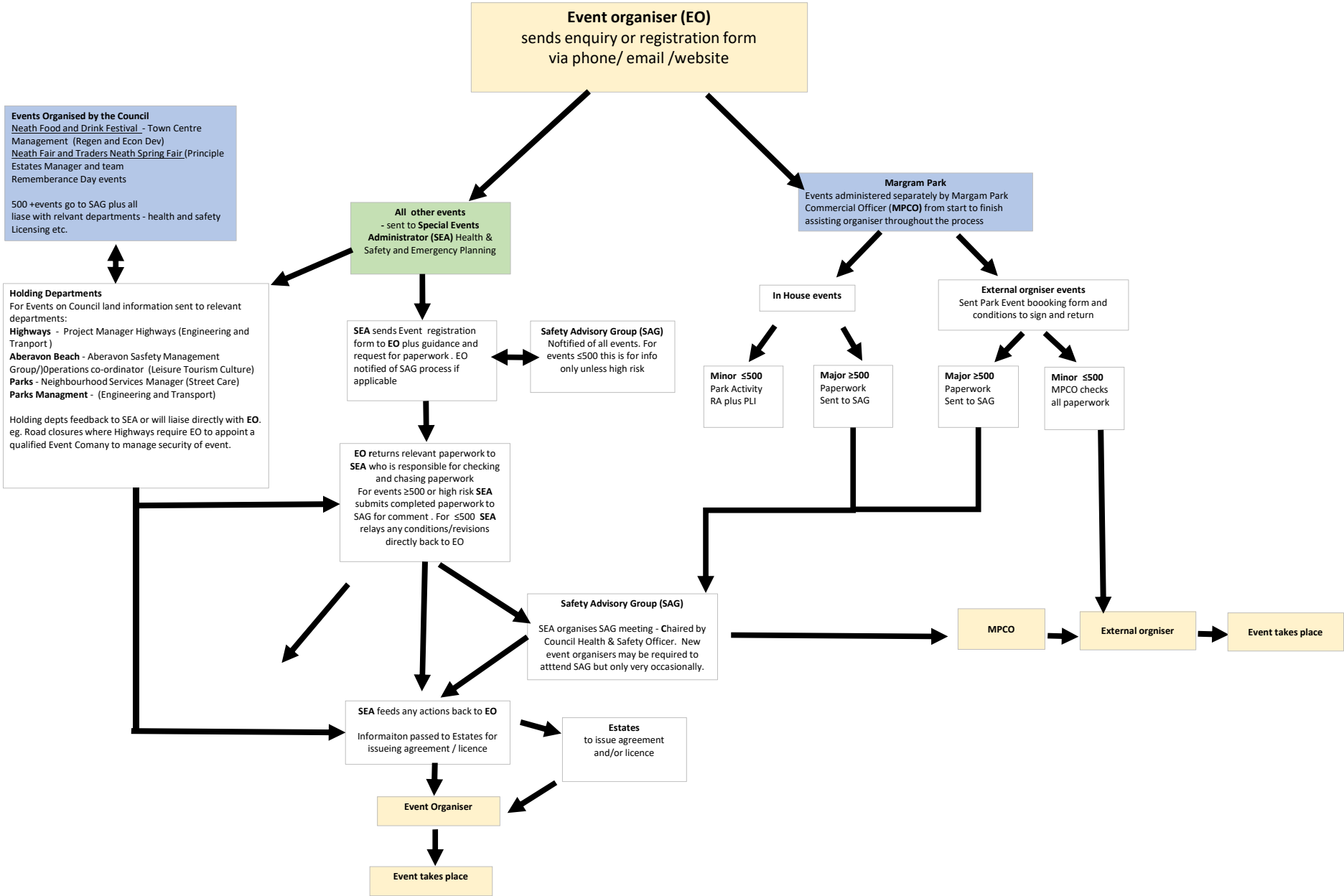
It is the duty of the event organiser to provide adequate and accessible toilet facilities for events. Guidance on the anticipated number of attendees to toilet provision ratios can be found in [The Purple Guide](#).

For small scale community events in a location where there are public toilets the Council will need to be aware of your requirements in order that they can arrange for extended opening hours and extra cleaning. There will be a charge incurred for this service.

14. Contact the Events Team

For further advice please contact the Events team on [\[insert email once live\]](#) or telephone [\[insert number once live\]](#)

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Events Organised by the Council
 Neath Food and Drink Festival - Town Centre Management (Regen and Econ Dev)
 Neath Fair and Traders Neath Spring Fair (Principle Estates Manager and team)
 Remembrance Day events
 500 +events go to SAG plus all liaise with relevant departments - health and safety Licensing etc.

Holding Departments
 For Events on Council land information sent to relevant departments:
Highways - Project Manager Highways (Engineering and Transport)
Aberavon Beach - Aberavon Safety Management Group/Operations co-ordinator (Leisure Tourism Culture)
Parks - Neighbourhood Services Manager (Street Care)
Parks Management - (Engineering and Transport)
 Holding depts feedback to SEA or will liaise directly with EO. eg. Road closures where Highways require EO to appoint a qualified Event Company to manage security of event.

All other events
 - sent to Special Events Administrator (SEA) Health & Safety and Emergency Planning

SEA sends Event registration form to EO plus guidance and request for paperwork. EO notified of SAG process if applicable

Safety Advisory Group (SAG)
 Notified of all events. For events ≤500 this is for info only unless high risk

EO returns relevant paperwork to SEA who is responsible for checking and chasing paperwork
 For events ≥500 or high risk SEA submits completed paperwork to SAG for comment. For ≤500 SEA relays any conditions/revisions directly back to EO

Safety Advisory Group (SAG)
 SEA organises SAG meeting - Chaired by Council Health & Safety Officer. New event organisers may be required to attend SAG but only very occasionally.

SEA feeds any actions back to EO
 Information passed to Estates for issuing agreement / licence

Estates
 to issue agreement and/or licence

Event Organiser

Event takes place

Margram Park
 Events administered separately by Margam Park Commercial Officer (MPCO) from start to finish assisting organiser throughout the process

In House events

External organiser events
 Sent Park Event booking form and conditions to sign and return

Minor ≤500
 Park Activity RA plus PLI

Major ≥500
 Paperwork Sent to SAG

Major ≥500
 Paperwork Sent to SAG

Minor ≤500
 MPCO checks all paperwork

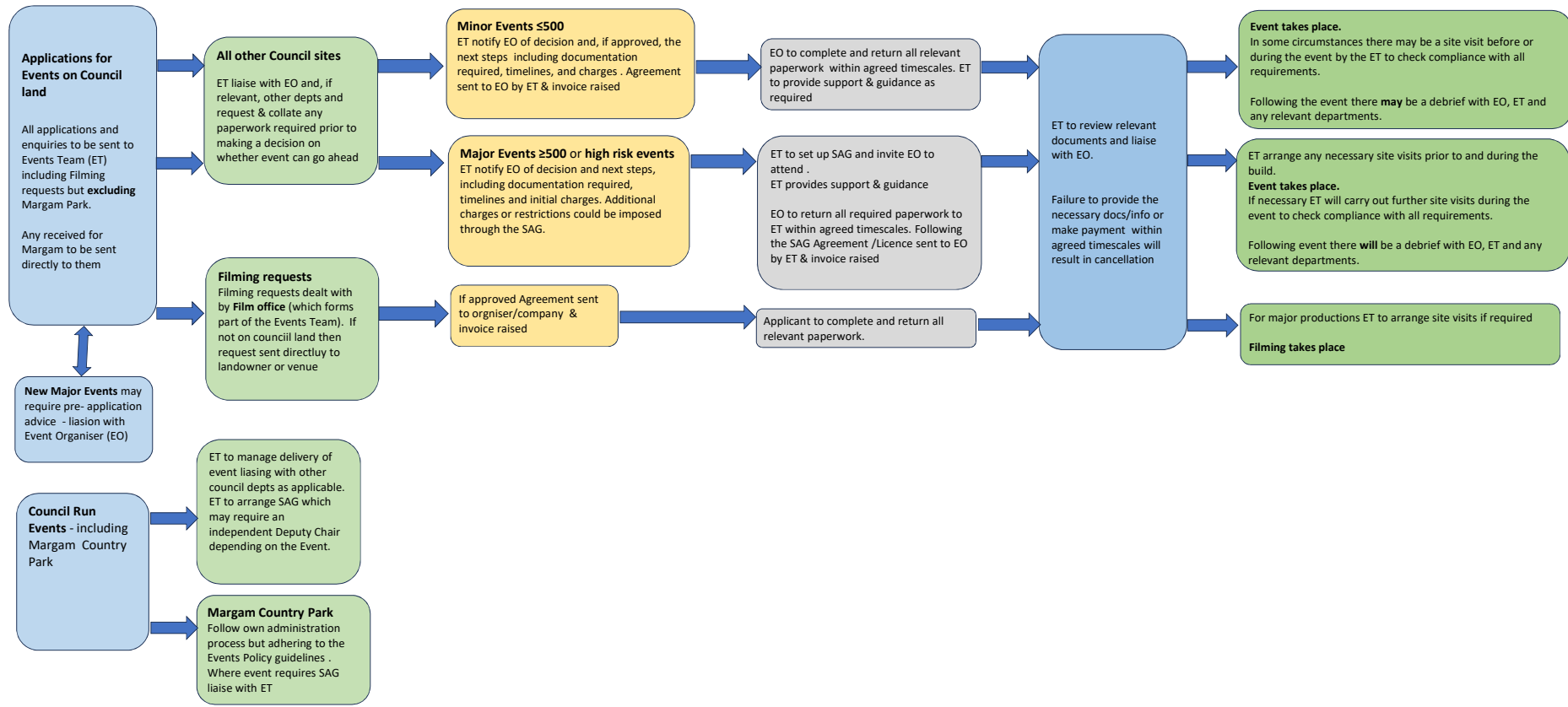
MPCO

External orgniser

Event takes place

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Proposed Events application and delivery flow chart



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Safety Advisory Group Terms of Reference

Proposed Changes April 24

Neath Port Talbot Council



Cyngor Castell-nedd Port Talbot
Neath Port Talbot Council

(changes highlighted in yellow)

Safety Advisory Group

Neath Port Talbot County Borough Council

South Wales Police

Mid and West Wales Fire and Rescue Service

Welsh Ambulance Services University NHS Trust

Swansea Bay University Health Board

Emergency Planning (EPRR)

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1. INTRODUCTION

1.1 Neath Port Talbot County Borough Council is responsible for the establishment of the Safety Advisory Group (SAG) and this document provides comprehensive details of the constitution and terms of reference, together with a brief outline of the roles of the group members.

1.2 Safety Advisory Groups (SAGs) can be labelled as a vital centre-point, around which the health and safety organisation of all public occasions requiring their services can be deliberated.

1.3 SAG members should balance all reasonable matters of safety and not permit specific members to focus on just one source of danger. The holistic view is essential to ensure all aspects of safety have been considered.

1.4 Neath Port Talbot County Borough Council is responsible for the establishment of the SAG. SAG will advise on the relevant statutory provisions contained within legislation to ensure the health, safety and welfare of employees, members of the public and any other person affected by or involved in an event.

1.5 The local authority will maintain the SAG for selected events and set up sub-groups, if required, for individual or groups of venues/events and technical issues. The SAG is purely an advisory body to provide guidance to event organisers. It is up to organisers to decide whether to follow their advice or not.

2. POLICY OF THE SAFETY ADVISORY GROUP

2.1 The main role of the SAG is to provide professional advice to organisers in order to ensure the highest possible standards of public safety at events and to encourage the wellbeing of those who could be affected by such events. In this context the 'public' includes not only those attending the event, but also those in the surrounding areas who may be affected by it.

2.2 Advice provided is to help the event organiser to delegate their duties under public events legislation and their duty of care. The group shall consider all matters within its remit and make recommendations to organisers.

2.3 In general, "public event" will be treated as being an event where more than 500 people are expected to attend, although smaller events may require the involvement of the SAG, depending on the event. The approach is therefore driven

by a risk based approach considering such aspects as location, audience profile and behaviour, new event, new event organiser, history, and traffic

2.4 SAGs should be seen by organisers as supportive of their endeavours

2.5 The objectives of the SAG are:-

- To promote the clarity of roles and responsibilities relevant to the event within the remit of the SAG and SAG members powers and policies in relation to events
- To promote the principles of sensible risk management and good practice in safety and welfare planning. In doing so to balance all reasonable matters of safety and not permit specific members to focus on just one source of danger. The holistic view is essential to ensure all aspects of safety have been considered.
- To promote a consistent, coordinated, multi-agency approach to event planning and management.
- To advise event organiser in the formulation of appropriate contingency and emergency arrangements.
- To advise event organiser of relevant legislation and guidance.
- To encourage arrangements to be made to minimise disruption to local communities.
- To consider the implications of significant incidents and events relevant to their events
- To consider emerging threats to events, such as terrorism methodologies, drone use
- To consider the implications of significant incidents and events relevant to the surrounding areas and facilities
- To discuss any noteworthy incident with potential safety implications or “near misses” at public events at SAG Event Debriefs

3. STATUS OF THE SAFETY ADVISORY GROUP AND CONFLICT OF INTEREST

- 3.1** The SAG cannot make any decisions on behalf of the Local Authority ; its role is purely advisory in nature and it has no authority to either approve or ban events. Whilst that decisions rests with the event organiser it may also rest potentially with the owner of the land where the event takes place and that includes where the land is owned or managed by the Local Authority.
- 3.2** Any members of the SAG must declare any material conflict of interest in relation to any item put before the group, prior to discussion on that matter. If the interest could be considered prejudicial, then that person should withdraw and be replaced by an alternative representative from that body agreed with the group.
- 3.3** The SAG is not responsible for reviewing safe systems or work of the event organiser. However, it will be relevant to consider the consequences of work-related incidents during periods of public access. The overall responsibility for the safety of persons at an event lies with the event organiser, their management team and contractors. This reflects the purely advisory nature of the group and ensures the line between the group and the event organiser is not blurred and that the overall culpability rests firmly with the organiser of the event.

4. STRUCTURE OF THE SAFETY ADVISORY GROUP

- 4.1** The Group shall consist of officers with sufficient seniority / experience/ competency / knowledge on their Service's strategic /policy / practical issues; to be able to notify on behalf of their service/body.
- 4.2** The group shall consist of core members and invited representations.
- 4.3** Core Members are as follows:-
- Chair (from Neath Port Talbot County Borough Council) with representatives as necessary from:
 - Neath Port Talbot County Borough Council Officers which include: -
 - Fire Safety, Health and Safety, Highways, Licensing, Environmental Health, Emergency Planning, and any relevant holding department operational reps.
 - South Wales Police
 - Mid and West Wales Fire and Rescue Service
 - Welsh Ambulance Services University NHS Trust
 - Swansea Bay University Health Board, EPRR (Emergency Preparedness, Resilience & Response)

4.4 The SAG may also invite other such specialists / representative as it feels appropriate to assist the SAG to fully consider any issue.

5. ADMINISTRATION OF THE SAFETY ADVISORY GROUP

5.1 The administrative roles are as follows:-

- **Chair:** The Chair will be a senior representative from Neath Port Talbot County Borough Council
- **Secretariat:** Neath Port Talbot County Borough Council will provide the administrative support to the SAG and sub-groups or as agreed
- **Consultation:** The SAG will consult all core members of the SAG, invited representation, other council services and national bodies as considered appropriate.

5.2 The SAG shall meet for a minimum of four times a year; however, any core member can request an additional special meeting or series of meetings. Such requests will be considered by the Chair.

5.3 Each meeting of the SAG will be prearranged to an agenda published in advance of the meeting with minutes recorded in accordance with the Local Authority's set procedures. The minutes of the meetings will be circulated to all group members and to such other parties as may be deemed necessary by the Chair. Formal minutes will not normally be recorded for sub-group meetings, however sufficiently detailed notes will be taken and retained by individual members.

6. ROLES AND RESPONSIBILITIES OF THE CORE MEMBERS OF THE SAFETY ADVISORY GROUP

6.1 It is important that the core members' responsibilities are recorded, in order to clarify the level/limitations of accountability within the SAG that is offering recommendations to event organisers on compliance with national legislation. It is the responsibility of each member to respond to the Events Administrator, where an event is relevant to the service, in a timely manner.

6.2 Role of the Chair of the SAG

To ensure that the Safety Advisory Group properly discharges the responsibilities delegated to it by the Local Authority.

To ensure meetings are organised to give sufficient planning time prior to any major event

6.3 General Expectations and Role of SAG members

All members of the SAG and associated Sub-Groups will operate within the areas identified as their roles and responsibilities in section 1 above .

Objections to any proposed event by a member of the SAG will be in line with their identified roles and responsibilities as mentioned in section 1 above .

All attendees will maintain a high degree of professionalism and probity at all times and will not at any time act in any way which may compromise the position of the Group or members of the Group

6.4 Role of Neath Port Talbot County Borough Council Departments

Relevant services will be represented at SAG Meetings by an officer or appointed deputy who has the appropriate experience/competency and who also has the full authority of the relevant service to give advice and guidance on safety issues

The current NPTCBC departments who have representatives on the SAG, Environmental Health, Highways, Licensing, Emergency Planning, Corporate Health & Safety (for events organised by NPTCBC) Transport, Streetworks, Structures, and Trading Standards. This is because the areas these departments cover are considered to transcend what organisers need to be considering when organising their events, and are therefore best placed to provide the relevant guidance and advice on compliance with legislation as required.

6.5 Role of the Emergency Services

Each Service will be represented by an officer of appropriate experience/competency (or his/her appointed deputy) who has the full authority of the relevant service to give advice and guidance and make recommendations on safety issues and advice.

Specific areas of concern in respect of each Emergency Service are outlined below:

Role of Fire and Rescue Service

To advise on:

- a. The suitability of Fire Risk Assessments prepared by event organisers.
- b. The impact on Fire Service operational response an event might present.
- c. The access requirements for Fire Service vehicles.

Role of South Wales Police

- a. To provide advice relating to the prevention and detection of crime.
- b. To provide advice relating to the prevention of disorder or breaches of the peace.
- c. To provide advice with relation to traffic management.
- d. To provide advice regarding the activation and implementation of contingency plans for foreseeable incidents.

Special note: Police resources will not be routinely deployed to tasks which the event organiser suggests are necessary but for which there are no legal responsibilities or powers.

In the event of a deployed police presence, a memorandum of understanding will be agreed and signed by all relevant parties highlighting areas of responsibility.

Role of Welsh Ambulance Services University NHS Trust (WAS), Swansea Bay UHB and EPRR

- a. Advice on the provision of First Aid/Ambulance and medical facilities.
- b. Advising on the standards required in respect of First Aid facilities and equipment.
- c. Advising on the standards expected to ensure that proper equipment and properly trained staff are available with any ambulance provision at an event.
- d. Advising on the requirements in respect of attendance of medical practitioners at events.
- e. Agreeing arrangements for access and egress of emergency ambulances, before, during and after events.
- f. To ensure that wherever arrangements are made in respect of ambulance and first aid provision, that these arrangements link in with the Welsh Ambulance Service to ensure that no problem exists between the provisions of services and to be satisfied there is appropriate co-ordination. Organisers and anyone providing first aid cover at events should aim to provide minimum disruption to the Welsh Ambulance Service's normal service delivery.
- g. WAST will liaise with SBUHB as appropriate. SBUHB will take receipt of appropriate medical plans and ensure the ED's and MIU's are aware of the medical provision at an event.

NB: in discharging their roles within the SAG, each core member Service should bear in mind that the operation of the event and its installations on the day are under the control of the Event Organiser.

The event organiser is the person in control and is most familiar with the activities connected with that event until conclusion. It is accepted that on occasions unforeseen hazards may present themselves close to or at the time of the event, however it remains the responsibility of the event organiser to continue to assess the risks created by the event in light of such occurrences and to seek to eliminate hazards before resorting to managing them if avoidance is not practicable. Such practices, whilst eligible for advice from the SAG and the bodies contained within, should be considered entirely the responsibility of the event organiser.

Please Note: The SAG will operate on a majority/consensus based means of advice distribution, and where dissenting views are present; these will also be communicated to the event organiser for completeness' sake.

7. DATA PROTECTION

Each of the bodies represented will ensure that they, and all information gathered under their remit complies with the General Data Protection Regulation Act (2016) and Data Protection Principles and the clauses therein when processing personal data brought before the group.

Event registrations and details are not to be discussed or shared outside of SAG unless it is in the professional capacity of that member – e.g. referring details of the event onto a colleague in relation to service, planning or support action.

Disclaimer: The Core Members of the SAG do not intend that any requirement of these Terms of Reference are legally binding and should be enforceable by virtue of the Contracts (Rights of Third Parties) Act 1999

The information contained in this form will be processed by members of the Events Group in order for them to carry out their relevant statutory functions.

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Insert Name & Address

Date:

Dear

LETTER OF AGREEMENT

Thank you for your application for the below named event which we are happy to confirm subject to the terms and conditions detailed below. Please sign and return this letter of agreement as confirmation that you wish to proceed.

Event Name: Festival A

Organisation: Event Organiser B

Date(s): 25/08/2024 (set up) 26/08/2024 (event day)

Time: 11:00 – 22:00

Location: C Park

Cost: £150 (site fee) + £50 (on call fee) + VAT = £200 + VAT

Terms and Conditions

1. Your appointment of a sufficient number of people to supervise the event in the interests of public safety.
2. Your acknowledgement and undertaking that you and all those involved in organising the event will observe any directions given by Council events staff
3. Your organisation taking out public liability insurance in the sum of £5 million, and producing the insurance policy for inspection at least 14 days prior to the event being held. Furthermore, your agreement to be responsible for, and release from and indemnify the Council against:
 - (i) all liability for death or personal injury (other than liability for death or personal injury resulting from the Council's negligence)
 - (ii) loss of/or damage to property
 - (iii) any other loss, damage, costs and expenses which may arise in consequence of this permission to the extent that death, injury, loss, damage, costs or expenses are caused. This Agreement is given notwithstanding any supervision given or approval expressed by the Council
4. Your undertaking that the site will be left in a clean and tidy condition and all event infrastructure and equipment removed immediately after the event.
5. Your undertaking to comply with the Special Conditions set out below.

5. Your acknowledgement that a copy of this letter, signed by you, shall be treated as a formal agreement, binding on you.

SPECIAL CONDITIONS

- 1) No fly posting and no posters, bills or other advertisements in connection with the event will be posted or affixed in any part of the council land except on authorised billboards or hoardings and subject to the consent of the owners thereof. A breach of this will result in a fixed penalty notice being issued.
- 2) The Council reserves the right to charge the hirer for the cost of any reinstatement works required to the area caused by the event or if any additional cleaning up work is required to be undertaken by the Council after the event.
- 3) The hirer is responsible for the collection and disposal of all rubbish.
- 4) The Council will accept no liability (other than for death or personal injury caused by negligence of itself or its employees or servants) for any loss, damage or injury to any person or property however caused or arising and shall not be liable for any indirect or consequential loss whatever or however caused.
- 5) A valid Street Collection License must support any charity collections,
- 6) If applicable, the Event Organiser will ensure that the terms & conditions in the Street Traders Consent are observed.
- 7) Where third parties such as caterers will be trading at the event it is the organiser's responsibility to provide the Council with the necessary documentation **X** working days prior to the event. Failure to provide this may result in refusal of the trader to the event.
- 8) All on-site caterers must provide certification in advance to confirm that their structures are fire retardant.
- 9) All on-site caterers and traders must provide risk assessments for their working practices, in advance.
- 10) All on-site caterers must provide suitable firefighting equipment, tested in date.
- 11) Where electricity is not available, the use of diesel generators is permitted only if they are properly segregated from public access and have sufficient drip trays.
- 12) The organiser must ensure that any sound amplification on the site will not exceed the level sufficient to cause a statutory noise nuisance (up to 65 dba depending on background noise levels) and must regularly monitor the noise levels on the site.
- 13) The organiser must consult with and obtain agreement from the Council's Traffic Management Team on any plans which will affect the highway.
- 14) The organiser must comply with all statutory and other requirements relating to public safety including the guidelines set out in the HSE Event Safety 'Purple Guide' and any other requirements of the Council and the Fire Authority.
- 15) If deemed necessary by the Council, a Safety Advisory Group (SAG) meeting will be held involving the organiser, Police, Ambulance and other appropriate bodies.
- 16) Cancellation of the event within 28 days' notice of the event will result in 50% of the fee being charged and the full fee being charged if cancelled within 10 days of the event.
- 17) The event organiser is responsible for obtaining any relevant Phonographic Performance Licence (PPL) or Performance Rights Society (PRS) licences, authorising any public use of sound recordings which are to be played at the event and to cover the performance of any musical works at the event, either on individual stands or throughout the event as a whole, in accordance with the terms of the Copyright Designs and Patents Act 1988.
- 18) The organiser is responsible for putting a plan in place for any emerging infectious disease of public health significance if there is an increase in risk or changes to national guidance.
- 19) The organiser must adhere to all conditions of the premises licence.

20) There can be no release or mass release of balloons or sky lanterns on council land.

On signing of this agreement, the Council will raise the invoice for your event which must be paid within 14 days of receipt and before you come onto site if sooner. Once this fee is paid it will be non-refundable except in exceptional circumstances.

Please signify your agreement to the above by completing the section below and returning one signed copy of this Letter of Agreement to **insert email address**

Yours faithfully

The Events Team

I AGREE TO THE ABOVE TERMS AND CONDITIONS ON BEHALF OF:

Signed

Status

Date

Please carry a copy of this signed letter of agreement, at all times during the event. You may be asked to produce this letter as evidence that the event has permission to take place. Failure to do so could lead to the event being refused or stopped.

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SAMPLE LICENCE

THIS LICENCE is made on the Xth day of XXXX 2024

BETWEEN

- (1) THE COUNCIL** of the XXXXXXXX ("Council") and
- (2) B FESTIVAL ORGANISER** (COMPANY NUMBER) ("Licensee")

NOW IT IS AGREED:-

1. DEFINITIONS AND INTERPRETATION

In this Licence

- 1.1 **"DEFINE EVENT"** means that Music Festival Weekender is a family music event with bands, entertainment, traders, caterers, workshops and a funfair.
- 1.2 **"Force Majeure Event"** means any circumstance not within the Council's reasonable control including, without limitation:
 - 1.2.1 acts of God, flood, drought, earthquake, high tide, storm surge or other natural disaster;
 - 1.2.2 epidemic or pandemic;
 - 1.2.3 terrorist attack, civil war, civil commotion or riots, war, threat of or preparation for war, armed conflict, imposition of sanctions, embargo, or breaking off diplomatic relations;
 - 1.2.4 nuclear, chemical or biological contamination or sonic boom;
 - 1.2.5 any law or any action taken by a government or public authority, including without limitation imposing an export or import restriction, quota or prohibition, or failing to grant a necessary licence or consent;
 - 1.2.6 collapse of buildings, fire, explosion or accident;
 - 1.2.7 any labour or trade dispute, strikes, industrial action or lockouts;
 - 1.2.8 non-performance by suppliers or subcontractors; and
 - 1.2.9 interruption or failure of utility service.
- 1.3 **"Licence Fee"** means the sum of X THOUSAND POUNDS PLUS VAT (£X+VAT).
- 1.4 **"Licence Period"** means the period commencing at 06:00 hours on X and ending at 15:00 on X
- 1.5 **"Operating Period"** means the period commencing at 14:00 on 28th X and ending at 21:00 on X 2024.
- 1.6 **"Necessary Consents"** means all planning permissions and all other contents, licences, permissions, certificates, authorisations and approvals whether of a public or private nature which shall be required by any competent authority for the purpose of this Licence and the Permitted use.
- 1.7 **"Permitted Use"** means the use of the Site by the Licensee as a DEFINED EVENT as per 1.1 together with the right but only during the Licence Period:

- 1.7.1 to erect and bring onto the Site such mechanical rides, stalls and ancillary structures and equipment reasonably necessary for the proper enjoyment of the Permitted Use;
 - 1.7.2 immediately following the end of the Operating Period of the Licence to dismantle and remove any such mechanical rides, stalls and ancillary structures, vehicles and equipment from the Site.
- 1.8 **“Site”** means such part of the land at ABC event area, as the Council may allocate in writing to the Licensee for the purposes of the Permitted Use and as identified on the plan attached at [Schedule 2](#).
- 1.9 Words importing one gender shall be construed as importing any other gender.
- 1.10 Words importing the singular shall be construed as importing the plural and vice versa.
- 1.11 References to persons shall include bodies corporate;
- 1.12 All payments required by virtue of this Licence shall where applicable be subject to payment of Value Added Tax;
- 1.13 The clause headings do not form part of this Licence and shall not be taken into account in its construction or interpretation.
- 1.14 Any undertaking by the Licensee not to do an act or thing shall be deemed to include an obligation not to permit or suffer such an act or thing to be done by another person.
- 1.15 Unless the context otherwise requires, references to clauses and the Schedule are to the clauses and the Schedule of this Licence and references to paragraphs are to paragraphs of the Schedule.

2. GRANT OF LICENCE

- 2.1 In consideration of payment to be made by the Licensee as set out in clause 3 and subject to the Licensee complying fully with the obligations and conditions in this Licence, the Council grants the following rights to the Licensee: -
- 2.1.1 during the Licence Period the right for the Licensee to enter upon and use the Site for the Permitted Use to include all access to make all necessary preparations for the [Defined event] and to ensure clearance and reinstatement of the Site.
 - 2.1.2 during the Operating Period to permit members of the public and all other persons duly authorised by the Licensee to enter upon and use the Site for all purposes in connection with the Permitted Use.
- 2.2 The term “Licensee” will include the Licensee’s employees, agents and sub-contractors including organisers of the Defined Event.

3. DURATION OF THE LICENCE AND PAYMENT

- 3.1 This Licence will commence on xxx 2024 and end at the end of the Licence Period unless terminated earlier in accordance with the terms of this Licence.

- 3.2 The Licensee will pay to the Council in respect of the rights granted by this Licence the Licence Fee no later than seven calendar (7) days prior to the Defined Event.

4. THE LICENSEE'S UNDERTAKINGS

The Licensee hereby agrees with the Council as follows: -

- 4.1 to pay the Licence Fee in accordance with the above provisions;
- 4.2 that the Defined Event will operate and be open to members of the public only during the Operating Period;
- 4.3 not to enter the Site before the commencement of the Licence Period for the Site and to vacate the Site no later than the end of the Licence Period;
- 4.4 not to permit members of the Public to enter the Site except during the Operating Period;
- 4.5 to observe and perform the conditions set out at Schedule X of this Licence;
- 4.6 to comply with all reasonable instructions given by the Council in relation to the operation of the [Defined Event] in accordance with the conditions contained within this Licence;
- 4.7 to observe all statutory and other provisions, byelaws and regulations for the time being in force and applicable to the Site and in particular not to use the Site for the Permitted Use until the Licensee has produced to the Council for inspection safety certificates normally issues to members of the Showmen's Guild of Great Britain for each mechanical ride to be used on the Site, a Performing Rights Society Licence and all other licences necessary to enable the Permitted Use to take place; and
- 4.8 to follow and observe the guidance in the Council's published Events Policy and Guidelines in organising outdoor events, a copy of which is attached to this Licence and which shall be read and construed as forming part of this Licence insofar as it does not conflict with the provisions contained in this Licence in which case the provisions in this Licence shall prevail.

5 THE COUNCIL'S UNDERTAKINGS

The Council agrees with the Licensee to permit the Licensee peaceably and quietly to hold and enjoy the Site for the Permitted Use during the Licence Period without any interruption or disturbance from or by the Council or any person claiming under or in trust for the Council.

6. PROVISOS

6.1 If and whenever during the Licence Period:

- 6.1.1 there is a breach by the Licensee of any of the Licensee's Undertakings or other term of this Licence; or
- 6.1.2 the Licensee (being an individual) becomes bankrupt; or
- 6.1.3 the Licensee (being a limited company) enters into liquidation whether

compulsory or voluntary (but not if the liquidation is for amalgamation or reconstruction of a solvent company); or

- 6.1.4 has a receiver or administrative receiver appointed; or
- 6.1.5 the Licensee enters into an arrangement for the benefit of its creditors; or
- 6.1.6 the Licensee has any distress or execution levied on its goods.

The Council may serve on the Licensee notice immediately determining this Licence or may re-enter a Site or any part of it in the name of the whole at any time (and even if a previous right of re-entry has been waived) and then the Licence Period will absolutely cease but without prejudice to any rights or remedies which may have accrued to the Council against the Licensee in respect of any breach of undertaking or other term of this Licence

7. INDEMNITY AND INSURANCE

- 7.1 The Licensee will fully indemnify and keep the Council fully indemnified against all actions, claims, costs including legal costs, demands, charges, expenses and liabilities arising out of or in connection with this Licence and the holding of the [Defined Event] on the Site to the extent that neither the Council nor any of its officers, employees, servants or agents shall be subject to any liability which it or they would have been subject had this Licence not been granted.
- 7.2 Without prejudice to the Licensee's liability under clause 4.1 the Licensee will obtain and maintain: -
 - 7.2.1 a Public Liability insurance policy against all risks including third party in an amount not less than X MILLION POUNDS (£X,000,000.00) in respect of any one event or series of events arising from any one event unlimited until the end of this Licence, in terms to be approved by the Council with an Insurer of repute; and
 - 7.2.2 at minimum the level of Employers Liability Insurance required by law;
 - 7.2.3 such other insurance policies in such sums as is deemed prudent in all circumstances by the Licensee, for example to cover its goods and vehicles.Such policy shall include the following: -
 - 7.2.4 identify the Council as owner of the Site and be in some insurance office or with underwriters to be approved in writing by the Council;
 - 7.2.3 incorporate an "Indemnity to Principals" clause; and
 - 7.2.4 not later than X () working days before the commencement of the Licence Period be produced by the Licensee to the Council.
- 7.4 to cause all monies received by virtue of such insurance (where the insurance money is paid in respect of any damage to property belonging to the Council) to be paid direct to the Council by the Licensee's insurer (or within x calendar days of receipt by the Licensee in the event of any such insurance monies having been paid direct to the Licensee).

7.5 Notwithstanding clause 4.2 hereof the Licensee will be responsible for and keep the Council indemnified against all damage of any description which may occur to the Site or any part thereof or to other property of the Council arising directly or indirectly out of or on account of the grant of this Licence by the Council or the exercise (whether negligent or not) of the rights granted to the Licensee or any person employed by the Licensee. Notice of such damage must be received by the Licensee in writing within xx days of the Event.

8. PERFORMANCE LICENCES AND COPYRIGHT (WHERE APPLICABLE)

8.1 The Licensee is responsible for obtaining a Licence from Phonographic Performance Licence (PPL) authorising any public use of sound recordings which are to be played at the Event, either on individual stands or throughout the Event as a whole, in accordance with the terms of the Copyright Designs and Patents Act 1988.

8.2 The Licensee is responsible for obtaining a Licence from the Performance Right Society Limited to cover the performance of all musical work in the repertoire of that Society.

8.3 The Licensee is responsible for ensuring that it does not infringe a copyright or any other intellectual property right effective during the Event. The Council will not have any liability for any such infringement by the Licensee.

8.4 The Licensee will at all times whether during or after termination or expiry of this Licence indemnify and keep indemnified the Council against all losses, damages, costs, expenses and liabilities (including legal fees) incurred by or awarded against the Council or its officers, agents, employees, members and successors in interest in connection with any proceedings, claim or action against the Council as a result of any failure by the Licensee to comply with its obligations under this clause.

8.5 The Licensee will at all times whether during or after termination or expiry of this Licence indemnify and keep indemnified the Council against any material adverse reputational damage as a result of any failure by the Licensee to comply with its obligations under this clause.

8.6 If the Event includes child performers of statutory school age a letter of exemption must be produced from the child's home local authority stating a child performance licence is not required; otherwise, each child must have a copy of their performance licence. Chaperones looking after the children should also produce a copy of their registration; they must not look after more than 12 children each or have any other duties. All documentation must be obtained by the Licensee and produced to the Council at least 14 days before the Event commences.

9. TERMINATION

9.1 The Council will terminate this Licence by written notice and, if applicable, expel the Licensee from the Site if any of the events specified in clause 9.2 occur. No period of notice will be required but the notice will state the date on which it is to take effect.

9.2 The events referred to in clause 9.1 are: -

9.2.1 the Licensee has failed to observe or perform any of its obligations under this Licence;

9.2.2 (if an organisation) the Licensee makes any arrangement with its creditors or is subject to winding up or dissolution, or has an administrator, administrative receiver, receiver or liquidator appointed;

9.2.3 (if an individual) the Licensee makes any arrangement with its creditors or is declared bankrupt or adjudged incapable of managing his or her affairs within the meaning of Part VII of the Mental Health Act 1983 or dies.

9.3 The Council reserves its right to terminate this Licence at will by giving the Licensee 48 hours written notice.

10. COMPLIANCE WITH LEGISLATION

10.1 The Council has obligations and duties under the Freedom of Information Act 2000 and the Environmental Information Regulations 2004 (each as amended and superseded from time to time).

10.2 The Licensee will facilitate the Council's compliance with the Council's obligations under these provisions and comply (at its own cost) with any reasonable request from the Council for that purpose. The Licensee understands and agrees that the Council may be required to provide information relating to this Licence or the Licensee to a third party in order to comply with its obligations under these provisions.

11. HEALTH AND SAFETY

11.1 The Licensee will notify the Council immediately in the event of any incident occurring during the [Defined Event] where that incident causes any personal injury or damage to property and if requested by the Council will provide a copy of the incident investigation report.

11.2 The Licensee will comply with the requirements of the Health and Safety at Work etc. Act 1974, its subordinate regulatory framework and any other acts, orders, regulations and codes of practice relating to health and safety, which may apply to employees and other persons who may be affected by the Licensee's operations under this Licence.

11.3 The Licensee will ensure that its health and safety policy statement (as required by the Health and Safety at Work etc Act 1974) and any safe systems of work or health and safety assessments and procedures are made available to the Council on request.

11.4 The Licensee will carry out a risk assessment before the [Defined Event] and provide a copy of the risk assessment (or a summary of it if it is unable to be released for any justifiable reason) to the Council.

11.5 The Licensee will fully indemnify and keep the Council fully indemnified against all actions, claims, costs including legal costs, expenses and liabilities arising under statute or common law from injury to or the death of any person insofar as they arise from matters pertaining to this Licence or as a result of any act, omission, default or negligence by the Licensee or its employees or agents, except and to the extent that such death or personal injury arise out of any action, omission, default or negligence of the Council, its employees or agents.

12. ASSIGNMENT AND SUB-CONTRACTING

12.1 This Licence is personal to the Licensee and the Licensee may not assign, transfer or in any other way deal in or dispose of its rights or obligations under this Licence or any part of it.

12.2 The Licensee may not sub-contract the whole or any part of its obligations under this Licence without the prior written consent of the Council. Sub-contracting will not relieve the Licensee of any obligation or duty attributable to the Licensee under this Licence. The

Licensee will be responsible for the acts omissions defaults and negligence of its sub-contractors as though they are its own.

- 12.3 The Council may assign, transfer or otherwise deal in or dispose of its part under this Licence and will notify the Licensee in writing in any such event.

13. ENTIRE AGREEMENT

- 13.1 This Licence and the documents annexed to it constitute the entire agreement and understanding of the parties and supersede any previous agreement between them relating to the subject matter of this Licence.

- 13.2 The Licensee acknowledges and agrees that in entering into this Licence, it does not rely on and will have no remedy in respect of any statement, representation, warranty, collateral agreement or other assurance (whether made negligently or innocently) of any person (whether party to this Licence or not) other than:

- (a) as expressly set out in this Licence or the documents annexed to it; or
- (b) in any written replies which the Council has given to any written enquiries raised by the Licensee before the date of this Licence.

- 13.3 Nothing in this clause will, however, operate to limit or exclude any liability for fraud.

14. INDIRECT OR CONSEQUENTIAL LOSS

- 14.1 The Licensee acknowledges that the Council shall not have any liability to the Licensee, whether in contract, tort (including negligence), breach of statutory duty, or otherwise, for any indirect or consequential loss arising under or in connection with this Licence.

15. FORCE MAJEURE

- 15.1 to perform, any of its obligations under this Licence if such delay or failure result from a Force Majeure Event or any other events, circumstances or causes beyond its reasonable control. If the period of delay or non-performance continues for one week, the Council may terminate this Licence by giving 24 hours' written notice to the affected party

- 15.2 Notwithstanding clause 14.1 above, each party will put in place a contingency plan to avoid, where reasonably possible, being prevented from performing its obligations under this Licence by a Force Majeure Event, will notify the other party of the Force Majeure Event promptly and will use all reasonable endeavours to mitigate the effect of the Force Majeure Event.

16. NECESSARY CONSENTS

- 16.1 The Council gives no warranty that any property possesses the Necessary Consents for the purpose of this Licence

- 16.2 [The Licensee shall apply and obtain all Necessary Consents which may be required from time to time in connection with this Licence and not to do anything that will or might constitute a breach of any Necessary Consents in respect of this Licence or which will or might vitiate in whole or in part any insurance effected by the Council from time to time]

17. NOTICES

- 17.1 A notice given by a party to a party under or in connection with this Licence will be in writing and delivered by hand or sent by pre-paid first class post or other next working day delivery service (providing proof of postage or proof of delivery) or by facsimile transmission, to the address given on the first page of this Licence for the party, or to such other address as is notified by a party from time to time.
- 17.2 Any notice or communication will be deemed to have been received: -
- a) if delivered by hand: when left at the relevant address referred to in this clause or when the Council hands it to the Licensee's authorised representative on the Site during the Event;
 - b) if sent by pre-paid first-class post or other next working day delivery service: at 12 noon on the second working day after posting;
 - c) if delivered by commercial courier: on the date and at the time that the courier's delivery receipt is signed;
 - d) if sent by facsimile: on confirmation of successful transmission to the address referred to in this clause.

18. DISPUTES

The parties will attempt in good faith to negotiate a settlement to any claim or dispute between them arising out of or in connection with this Licence. If the matter is not resolved by negotiation the parties will refer the dispute to mediation in accordance with CEDR (Centre for Dispute Resolution) procedures. The parties reserve all their respective rights in the event that no agreed resolution shall be reached in the mediation referred to and neither party shall be deemed to be precluded from taking such interim formal steps as may be considered necessary to protect such party's position while the mediation or other procedure is pending or continuing.

19. COUNCIL'S POSSESSION OF THE SITE

Possession of the Site remains vested in the Council subject only to the rights granted by this Licence and this Licence shall not confer on the Licensee any rights which may in law amount to a tenancy or agreement for a tenancy nor confer any other interest or right of the Licensee to possession of the Site or any part of it

20. SEVERANCE

- 20.1 Each clause or provision of this Licence will be separately construed. If any provision of this Licence or of any attachment hereto is held invalid, illegal or unenforceable for any reason by any court of competent jurisdiction, such provision will be severed and the remainder of the provisions of this Licence will continue in full force and effect.
- 20.2 In the event of a holding of invalidity, illegality or unenforceability so fundamental as to prevent the accomplishment of the purpose of this Licence, the parties will immediately commence good faith negotiations to remedy such invalidity, illegality or unenforceability.

21. THIRD PARTIES

Except where expressly provided for in this Licence, the parties agree that a person who is not a party to this Licence may not enforce any of its terms by virtue of the Contracts (Rights of Third Parties) Act 1999.

22. VARIATION

The terms of the Licence may be varied by agreement in writing between the parties.

23. WAIVER

23.1 The failure of the Council to insist upon strict performance of any provision of this Licence or the failure of the Council to exercise any right or remedy will not constitute a waiver of that right or remedy and will not cause a diminution of the obligations under this Licence.

23.2 No waiver will be effective unless it is expressly stated to be a waiver and communicated to the other party in writing in accordance with the provisions of clause 12.

23.3 A waiver of any right or remedy arising from a breach of this Licence will not constitute a waiver of any right or remedy arising from any other or subsequent breach of this Licence.

24. PREVENTION OF CORRUPTION

24.1 The Council may terminate this Licence and recover all its loss if the Licensee, its employees or anyone acting on the Licensee's behalf do any of the following things: -

- (a) offer, give or agree to give to anyone any inducement or reward in respect of this or any other Council contract (even if the Licensee does not know what has been done); or
- (b) commit an offence under the Bribery Act 2010 or Section 117(2) of the Local Government Act 1972; or
- (c) commit any fraud in connection with this or any other Council order or contract whether alone or in conjunction with Council Members, contractors, suppliers, or employees.

Any clause limiting the Licensee's liability will not apply to this clause.

25. GOVERNING LAW

This Licence will be governed by and interpreted in accordance with English law and the parties submit to the exclusive jurisdiction of the courts of England.

IN WITNESS WHEREOF the parties have signed this Licence on the day and date first before written

Signed on behalf of the Council of xxxxxxxxxx by

Authorised Signatory

Name

Position

Signed on behalf of [] by

Director Signatory

Name

Position

SCHEDULE 1

Conditions to be observed and performed by the Licensee

1. **Health and Safety - Statutory and Regulatory Requirements and Event Management Plan**
 - i. the Licensee will produce an Event Management Plan (EMP) to be submitted to the SAG for comment should a SAG be deemed necessary
 - ii. the Licensee will notify the Council of any significant changes from the agreed version of the EMP prior to the event
 - iii. the Licensee will comply with all statutory and other requirements relating to public safety including the guidelines set out in the HSE Event Safety 'Purple Guide' and any other requirements of the Council and the Fire Authority
 - iv. that if it is deemed necessary by the Council, a Safety Advisory Group (SAG), a meeting will be held involving the Licensee, Police, Ambulance and other appropriate bodies;
 - v. that it will provide a full safety plan and evacuation procedure to the Council at least two weeks prior to the event.
 - vi. that adequate arrangements will be made for securing the safety of those taking part in the Event and any other persons, and a marshalling plan will be submitted to and agreed with the Council at least x months prior to the Event.
 - vii. any events featuring alcohol sales or supply will submit a robust alcohol policy for the site to include a challenge 25 policy, staff training log, refusals / incident log and security policy.
 - viii. all drinks in the designated areas shall be served in plastic containers.
 - ix. that all electrical installations and equipment will comply with the require the Electricity at Work Regulations (1989) and the Licensee will provide the Council with a certificate supplied by an independent authorised electrical contractor following installation;
 - x. that a completion certificate will be provided to the Council for all temporary structures prior to the Event and this certificate must be issued by an appropriately qualified and competent person
 - xi. that any cables installed where vehicular access is required will be installed at a minimum height of 5.8 metres;
 - xii. that cables installed at ground level have cable protection and, where accessible by members of the public, e.g. walk through, will have the appropriate cable ramps installed
 - xiii. that distribution panels are appropriately positioned and protected so that they cannot be accessed by members of the public or any other unauthorised persons but are accessible by authorised persons for emergency isolation in the event of an emergency;
 - xiv. that a suitably qualified person will test the total electrical installation of the Event, and the required test certificates are issued to show compliance;
 - xv. that it will permit the Chief Constable of the Dorset and ABC Council Constabulary,
 - xvi. the Chief Fire Officer of the ABC Fire Service and the Council's XXXX, or such persons as are duly authorised by them, to enter upon the Site at all times during the Event;
 - xvii. that it will be responsible for crowd and traffic management and provide to the Council a detailed plan of the Site at least one month before the Event;

- xviii. that it will liaise with the Fire Authority and the Police Authority on all aspects of crowd and traffic management and comply with such conditions relating to public health and safety, fire prevention, providing adequate means of escape in case of fire and first aid, as the Council, the Fire Authority and the Police Authority may require
- xix. that it will at its own expense provide and maintain adequate safe and secure lighting during the times the Event is open to the public;
- xx. where third parties such as caterers will be trading at the Event it is the organiser's responsibility to provide the Council with the necessary documentation 10 working days prior to the Event, failure to provide this may result in refusal of the trader to the event

2. Noise & Nuisance

That the Licensee will not do or permit or suffer anything to be done on the Site which will be or may become a nuisance damage annoyance or inconvenience to persons using the Site or to occupiers of adjoining land or neighbouring premises and in particular will ensure:-

- i. that any generators used will be silent diesel and:-
- ii. that generators will be fuelled before the start of Defined Event and turned off during fuelling;
- iii. that fuelling will only be carried out by a fully trained and competent adult;
- iv. that spill mats will be provided and used during fuelling;
- v. that outlets will be protected by RCD (residual current device or circuit breaker);
- vi. that generators are placed securely inside a fenced area that cannot be accessed by unauthorised persons or members of the public;
- vii. that generators are well maintained, have no leaks and do not produce excessive fumes;
- viii. that generators with visible moving parts are not be permitted on Site;
- ix. the Licensee understands that the Council reserves the right to stop the Licensee from using and/or demand immediate removal of a generator from Site, if the Council at its sole discretion considers that the generator is unsafe and/or the Licensee does not comply with these terms or health and safety requirements generally;
- x. that any form of public address system will not be used before 11:00 hrs or after 20:00 hrs and will be kept at a reasonable level directed at the Defined event;
- xi. that suitable arrangements are made to the satisfaction of the Council for the collection and disposal of refuse generated by the Licensee;
- xii. that noise disruption will be kept to a minimum and that noise levels will be to the satisfaction of the Council
- xiii. that it will arrange for local residents to be notified of the Event at least seven days prior to the Event by letter containing a contact number for the Licensee or its nominated representative in the event of noise complaints, and that the Licensee or its nominated representative will be available on the Site at all times whilst the Event is open to deal with any such complaints;
- xiv. that it will liaise with the Council at all times regarding the Defined Event and noise and close down immediately any equipment that in the opinion of the Council's Service Director of Environmental Health and Consumer Services constitutes a noise nuisance;

- xv. that no loudspeaker will be used by or on behalf of the Licensee for the 2.0 jurisdiction of x Council or from any aircraft boat or other craft or vehicle;
- xvi. that there will be no movement of vehicles on or off the Site between the hours of 11:00 hrs and 20:00 hrs;

3. Premises and other Licences

- i. that the Licensee will comply with the conditions of the Premises Licence in relation to the provision of licensable entertainment activities as well as any policies implemented by the Council thereunder, at the expense of the Licensee - a copy of the Premises Licence conditions is annexed at Appendix 1;
- ii. that detailed Event management procedures will be submitted to the Council at least two weeks prior to the Event including lost child procedures;
- iii. that all security staff must be Security Industry Authority (SIA) registered. Copies of their registration cards must be supplied to the Council at least 48 hours prior to the Event;
- iv. General Obligations
- v. that the Licensee will at its own expense obtain all Necessary Consents
- vi. that it they will liaise with x Water Company for the supply of water to be provided on the Site to the satisfaction of the Council;
- vii. that they will dispose of sewage on the Site to the satisfaction of the Council and to ensure that no foul water is discharged into the surface water drains at the Site or any adjacent land;
- viii. make payment of any charges that may apply for parking in local car parks
- ix. that no gambling machines or similar devices will be permitted on any part of the Site;
- x. that the Council may in its absolute discretion prohibit the use on the Site of any device apparatus or exhibit and may reasonably stop any activities being undertaken on the Site and the Licensee will forthwith at its own expense remove anything from the Site if directed to by the Council;
- xi. that no fly posting and no posters bills or other advertisements in connection with the Event will be posted or affixed in any part of the X council land except on authorised bill boards or hoardings and subject to the consent of the owners thereof;
- xii. that no touting of any kind will be permitted;
- xiii. that no car parking will be permitted on the Site except where parking arrangements and conditions are agreed by the Council in writing at least seven days prior to the Event;
- xiv. that no release of balloons or sky lanterns will be permitted on Council land;
- xv. where the Event requires the use of the Council's electricity supply there will be a £xxx connection fee followed by £xx per day for usage,;
- xvi. that the hire and use of refuse bins from the Council will be at additional expense to the organiser;
- xvii. that should any Council call out services be required during the Event these will be at the expense to the organiser;
- xviii. that no overnight camping / sleeping will be permitted onsite;
- xix. that it will comply with the Licensing Act 2003 and the four licensing objectives.
- xx. that no leafleting will be permitted on the Site;
- xxi. Leaving the Site after the Event
- xxii. that it will, at the end of the Event:-leave the Site, and the vicinity thereof as far as practicable, in a clean and tidy condition free from all litter and refuse arising from the holding of the Event;
- xxiii. make all necessary arrangements to remove all litter and refuse at its own cost;

- xxiv. make good at its own cost any damage caused to the property of the Council to the reasonable satisfaction of the Council and that in the event of the Licensee failing to comply with the terms the Council may carry out or arrange for the carrying out of the necessary works and the Licensee will be liable for the costs incurred by the Council which the Council may recover from the Licensee as a debt

**Schedule 2
PLAN OF THE SITE**

SAMPLE

Appendix 1
PREMISE LICENCE

Events Team Costings and Income Projections

Events Team Costings				Notes
Costs	24/25	25/26	26/27	
Senior Events Officer (Grade 8 FT)	£39,627	£54,393	£56,569	Candidate to start at bottom of grade 24/25. Figures based on top of grade in 24/25 and 25/26 in case there are any staff changes. Assumes 2.5% pay award in 24/25 and 4 % pay award in 25/26 & 26/27. June 2024 start date confirmed.
Events Development Officer (Grade 6 FT)	£0	£44,398	£46,174	Based on top of grade, assumes 2.5% pay award in 24/25 and 4 % pay award in 25/26 & 26/27. Assumes April 2025 start to coincide with the introduction of the event policy in April 2025.
Events Co-ordinator (SAG Administration) (Grade 5 PT 30 hours)	£18,472	£32,934	£34,251	Based on top of grade, assumes 2.5% pay award in 24/25 and 4 % pay award in 25/26 & 26/27. Assumes Sept 2024 start
Film Office Co-ordinator (Grade 5 PT 22.5 hours)	£13,854	£24,700	£25,688	Based on top of grade, assumes 2.5% pay award in 24/25 and 4 % pay award in 25/26 & 26/27. Assumes Sept 2024 start
Travel and Subsistence	£2,000	£3,000	£3,000	
IT	£3,000	£3,000	£3,000	Reduces in 26/27 once team is established. Assumes full team in place by August 2024.
Training	£4,000	£4,000	£4,000	Reduces in 26/27 once team is established. Assumes full team in place by August 2024.
Events operational budget (equipment/ external services/ research)	£10,000	£30,000	£40,000	Allocation for event equipment, marshalling and to cover current 'hidden' costs for Neath Food and Drink Festival and Neath Fair.
Total staff/ operational budget cost	£90,954	£196,426	£212,683	
	24/25	25/26	26/27	
Income (*based on estimates and or assumptions)				
Senior Events Officer Project (SPF Funded up to Dec 31st 2024)	£29,339	£0	£0	Postholder will be appointed on 3rd June 2024. Includes £600 for Travel and Sub and £1,000 IT allocation from HCTE project budget on top of 7 months salary at bottom of grade in yr 1 only. Yr 2 and 3 assumes top of grade to allow for any potential change in staff.
Events Admin (already in post @22.5 hours)	£13,854	£23,750	£23,750	Assumes transfer of 22.5 hours of existing Events Admin post in Sept 2024
Filming Permissions*	£0	£45,000	£60,000	Current income in 23/24 would be £30k if fees were charged. 24/25 figure assumes small uplift in activity as a result of support offered to event organisers. Proposing on introducing fees from April 2025 onwards.
Commercial events*	£0	£25,000	£50,000	Estimate based on charging for funfairs, town centre promotions, civic space and commercial events on council land.
Community event fees*	£0	£2,964	£3,083	Based on existing community event levels and introducing charge for all events including not for profit. Assumes 4% increase with inflation
Neath Fair*	£0	£0	£8,000	Put out to market to generate income. Event needs to be reviewed in particular street market.
Neath Food and Drink Festival*	£0	£2,500	£2,500	Additional income if operation of event is put out to market to generate income
Total Income	£43,193	£99,214	£147,333	
Balance to be covered by NPTCBC	£47,761	£97,211	£65,350	

Added Value				
New income directed to Margam Country Park generated by Events Team and Filming Office	£0	£50,000	£110,000	As a result of the events team building relationships with Creative Wales and Events Wales it is estimated that both filming and events at Margam Park will see an increase in demand. The income generated from these events will go directly to Margam Country Park and therefore cannot be reflected as a hard figure in the calculations of income above but does represent an increase in income to offset the subsidy at Margam Country Park . This figure represents an estimate of this potential income and assumes a phased approach.
Balance covered by NPT once added value to Margam Country Park taken into account	£47,761	£47,211	-£44,650	NET Gain to Council by Year 3 of £44,650
Wider economic impact (minimum)	£300,000	£450,000	£600,000	Creative Wales uses a formula based on a return of investment in the local economy of 10-1 for every £1 invested by the organisation via grants within Wales. In order to estimate the potential local economic impact of filming (through stays in local hotels and use of local skills and suppliers etc) we can apply the same formula based on the income we receive from filming companies from our filming permission income projection. This formula can be refined at a future date based on data held by Creative Wales to understand total benefit to the local economy, but in the interim, if we use the income received from filming as basis for the 10-1 formula we will generate the following economic benefit within the local economy from attracting film companies to the county.

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NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

Cabinet

Wednesday 7th August 2024

Report of the Head of Education Development – Mr. Chris Millis

Matter for Decision

APPPOINTMENT OF LA GOVERNOR

Ward Affected:

Glynneath Central and East

Purpose of the Report

This is a special report to seek the re-appointment of one LA Governor at YGG Cwmnedd.

Background

The long-standing Chair of Governors of the school previously signalled his intention to retire from the governing body at the end of his term of office in August, 2024. The school is likely to be inspected by Estyn at some point during the Autumn term and the Headteacher has recently been called for Jury Service in September. To ensure there is consistent leadership and experience at the school over the next few months the Chair of Governors has agreed to continue in the role; therefore, permission is sought to re-appoint the current LA Governor for a further term of office.

Governing bodies are made up of various categories of governor under existing legislation of The Government of Maintained Schools (Wales) Regulations 2005. One of those categories is LA governor representative. This Authority has determined that appointments and removals of LA governor representatives will be made by Cabinet.

Criteria for appointing and removing LA Governor Representatives

The Cabinet shall apply the following criteria in the priority set out below when considering appointments:

- a) Elected members representing wards in the catchment area of the relevant school or pupil referral unit.
- b) Other elected members of the LA.
- c) Persons who, in the opinion of the panel, would contribute to the well-being of the school or pupil referral unit.

In each of the above categories, where there are more candidates than vacancies, LA governor representatives shall be appointed on the basis of who, in the opinion of the Cabinet, will make the most significant contribution to the management of the relevant school or pupil referral unit.

The Cabinet shall apply the following criteria when considering removals.

Where there is an oversubscription of LA governor representatives on the governing body of the relevant school, or pupil referral unit, then the Board will replace one of the current LA governor representatives with the newly elected member.

Priority for replacement will be: any former elected member(s) having lost or resigned their ward seat; followed by the shortest time served LA governor representative on that particular governing body.

The Cabinet shall take the steps necessary to remove LA governor representatives where, in the opinion of the Cabinet, there is good reason.

Financial Impact

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 has indicated that a more in-depth assessment is not required. A summary is included below.

This report focusses solely on the appointment of LA governors to schools.

Valleys Communities Impacts:

No implications.

Workforce Impacts

No implications.

Legal Impacts

The recommendations contained within this report are in accordance with the Council's obligations set out in The Government of Maintained Schools (Wales) Regulations 2005.

Risk Management Impacts:

Failure to appoint sufficient numbers of governors is likely to impede the operation and efficiency of the governing body.

Consultation

There is no requirement under the Constitution for external consultation on this item. Internal consultation regarding nominations of the LA governor representatives has, though, been undertaken with the respective Ward Members.

Recommendations

That, in line with approved policy, the LA governor representative listed within the appendix is appointed for a further term of office.

Reasons for Proposed Decision

To enable the Authority to contribute to effective school governance through representation on school governing bodies.

Implementation of Decision

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

Appendices:

1. Details of the extension to be considered are set out in the appendix to this report.

List of Background Papers

Education, Leisure and Lifelong Learning Policy in relation to the appointment and removal of LA governor representatives.

Officer Contact

John Burge, Manager, Child & Family Support Team:
j.burge@npt.gov.uk

Kathryn Gilbert / Catherine Jones, Principal Schools Governance Officers, Child & Family Support Team:

k.gilbert@npt.gov.uk / c.f.jones@npt.gov.uk

LA Governor Representatives
Summary

School	Date of Vacancy	Proposal
YGG Cwmnedd	01/09/2024	Re-appointment

YGG CWMNEDD

Current LA Representatives

Twn Cllr Del Morgan

Mrs Carolyn Edwards

Mr David Trefor Jones

Term of office ends

31/08/2024

31/12/2024

16/04/2027

Recommendation

Re-appoint

N/A

N/A

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Local Member

Cllr. Simon Knoyle

Ward

Glynneath Central and East

School 1

-

School 2

-

Other Information

i) None.



Cyngor Castell-nedd Port Talbot
Neath Port Talbot Council

NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

Cabinet

7 August 2024

Report of the Head of People and Organisational Development – S Rees

Matter for Monitoring

Wards Affected: All Wards

Report Title: Welsh Language Standards Annual Report 2023-2024

Purpose of the Report

1. To present the Welsh Language Standards Annual Report for 2023-2024, produced in accordance with the Welsh Language Standards (No.1) Regulations 2015.

Executive Summary

2. This annual report, produced in accordance with the Welsh Language Standards (No.1) Regulations 2015, provides an overview of compliance with the standards with which we had a duty to comply during the year.
3. Also included is specific information as required by the standards in relation to the Welsh language skills of employees and new and vacant posts.

Background:

4. The Welsh language standards with which the council has to comply are contained in a compliance notice, issued by the Welsh Language Commissioner in accordance with the Welsh Language (Wales) Measure 2011.

5. The annual report, attached at Appendix 1, provides an overview of compliance with the standards with which we had a duty to comply during 2023-2024.
6. The Council's Welsh Language Officer Group remains key to the promotion of the Welsh language, the implementation of the standards, identification of good practice and monitoring compliance.

Annual Report

7. In March 2024 we met with the Welsh Language Commissioner's Standards Setting and Compliance Officer to discuss the outcome of the compliance monitoring exercise.
8. Our compliance was assessed as good, particularly in relation to telephone calls, corporate identity (including our corporate social media accounts) and in complying with all the 'supplementary' standards.
9. Although the majority of the feedback received was positive, a few minor issues were raised, for example incorrect hyperlinks and lack of required text on English language versions of documents.
10. The Welsh Language Officer Group continues to promote the Welsh language as well as supporting staff in complying with the Standards.

Financial Impacts:

11. Compliance with the standards is delivered within service budgets.

Integrated Impact Assessment:

12. There is no requirement to undertake an Integrated Impact Assessment as this report is for monitoring/information purposes.

Valleys Communities Impacts:

13. The Annual Report includes progress made in delivering services to support residents in valley communities.

Workforce Impacts:

14. Staff with Welsh language skills continue to be encouraged to use Welsh in their work. In order to help increase the future language capability of staff, the Council encourages the uptake of available Welsh courses. We are taking every opportunity to recruit staff with Welsh language skills where appropriate.

Legal Impacts:

15. This report deals with the Council's duty to comply with the final Compliance Notice issued on 25 April 2018.

Risk Management Impacts:

16. Failure to comply with the standards could lead to a £5,000 fine per standard. There is also a risk of damage to the Council's reputation.

Consultation:

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

Recommendations:

18. It is recommended that:

Members monitor Neath Port Talbot Council's Welsh Language Standards Annual Report 2023-2024, attached at Appendix 1, prior to its publication by the statutory deadline of 30 June.

Appendix:

19. Appendix 1 - Welsh Language Standards Annual Report 2023-2024

List of Background Papers:

Welsh Language (Wales) Measure 2011

Welsh Language Standards (No.1) Regulations 2015

Welsh Language Standards Compliance Notice

Officer Contact:

20. Sheenagh Rees Head of People and Organisational Development Tel: 01639 763315 or e-mail: s.rees5@npt.gov.uk

21. Rhian Headon Corporate Policy Officer Equalities and Welsh Language
Tel 01639 763010 or email: r.headon@npt.gov.uk
22. Anita James, Corporate Policy, Performance and Engagement Manager
Tel: 01639 763842 or email: a.james6@npt.gov.uk



Cyngor Castell-nedd Port Talbot
Neath Port Talbot Council



Welsh Language Standards Annual Report 2023-2024

Mae'r ddogfen hon hefyd ar gael yn Cymraeg
This document is also available in Welsh

If you require this information in larger print or in an alternative format, please contact the
Corporate Policy Team on 01639 763010 or email: policy@npt.gov.uk

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Introduction



This, our latest annual report, highlights work undertaken to continue to comply with the Welsh language standards as applied to the council.

Complying with the language standards continues to be challenging but we are encouraged by the progress made in a number of areas as highlighted by the Welsh Language Commissioner during the year.

However, our compliance journey remains challenging, particularly with a continually limited number of Welsh speakers who are willing and able to use their language skills at work.

With our revised Welsh Language Promotion Strategy (WLPS) now in place to complement the Welsh in Education Strategic Plan (WESP) we are confident that progress in the awareness, acceptance, confidence and use of Welsh will become a part of our everyday lives.

While we recognise that not everyone wants to use their language skills at work there is also an element of underreporting and a lack of confidence amongst staff and this is something that we would like to understand more fully in conversation with staff, though we recognise this may take time.

There is still a great deal before compliance becomes second nature in all aspects of our lives but we are on the right road to achieve this - marathons rather than sprints come to mind but however we get there, get there we will.

Background

This annual report provides an overview of how as a council we have implemented the Welsh language standards and provides information on specific areas: the number staff who are Welsh speakers and the language requirements of vacant posts as required under the Welsh Language Measure (2011) and Welsh Language Standards (No1) Regulations 2015.

The standards which have been applied to the council under section 44 of the Welsh Language (Wales) Measure 2011 are contained in our [compliance notice](#).



Accountability

The council has ultimate responsibility for the implementation of the standards, with the Chief Executive having overall responsibility for ensuring arrangements are in place to secure compliance. In addition, we recognise that each member of staff has a role to play in the successful implementation of the standards.

Our governance arrangements require the Annual Report to be monitored by Cabinet thereby ensuring progress on performance is being sustained.

At the time of writing we are in the process of reviewing and revising our equalities oversight arrangements to ensure they remain as effective as possible. It is proposed to establish a Member Panel along with an Officer Group to help oversee and progress the equalities agenda, including the Welsh language, across our service areas. Local Equality Groups will remain a key part of these arrangements; participating in the Member Panel as well as contributing through invaluable insight through the Officer Group.

The Welsh Language Officer Group (WLOG) supports the administration and implementation of the standards and helps with the early resolution of any issues that may occur, supports staff in the delivery of services in accordance with the duties placed on the council as well as helping promote the language.

All information and support materials relating to the implementation of the Welsh language standards are available on our intranet, NPT Connect. Awareness of the requirements of the standards is raised via Corporate Management Group, directorate management teams, team meetings as well as through the council's usual internal publicity mechanisms, e.g. Viva Engage communication channels, NPT Connect Highlight (top news stories), the online newsletter, 'In the Loop' and Sway staff newsletters.

Compliance & Promotion

Welsh Language Commissioner: compliance with Welsh language standards

In March 2024 we met with the Welsh Language Commissioner's Standards Setting and Compliance Officer to discuss the outcome of the compliance monitoring exercise.

A selection of areas of activity were assessed including: telephone calls; corporate identity; website; publicity and advertising; documents; forms; jobs.

Our compliance was assessed as good particularly in relation to telephone calls, corporate identity (including our corporate social media accounts) and in complying with all the 'supplementary' standards.



Although the majority of the feedback received was positive, there were a few instances where we fell short including the following:

- some documents/forms lacked a statement that the document was also available in Welsh
- instances where links in a Welsh language form went to an English document.
- out of the 15 webpages reviewed, five had something missing e.g. text, links etc.
- there appeared to be a number of inconsistencies in compliance among the fifteen vacancies reviewed.

Addressing the above issues will be key to our work over the coming months.

Over the year we have become aware of instances where compliance with the standards has impacted on publicity and engagement with our residents. Consequently we are working with the Welsh Language Commissioner's office to address some of these: for example balancing compliance and creativity in the use of publicity videos; utilising appropriate questions to meet the requirements of the policy making standards while ensuring respondents don't feel overwhelmed and lose interest.

Use Your Welsh Campaign

The campaign ran between 27 November and 11 December 2023 and although we were unable to explicitly promote the campaign to the wider public we had already been promoting the use of Welsh amongst staff since the beginning of the year.

Details of social events and activities, short videos and word of the week, new learner and improver language skills training opportunities as well as language awareness and training sessions, Welsh speakers' and learners' peer support have all begun to provide a foundation for encouraging the use of Welsh to, by and amongst staff.

Our revised Welsh Language Promotion Strategy and [Welsh in Education Strategic Plan](#) both pre-empted the ethos of the campaign though their objectives/outcomes and actions.

Using Welsh at Work with Health & Social Care, Early Years & Childcare Sectors

Following the link from Social Care Wales for further information and guidance on the below and much more:

- Why is using Welsh at work important?
- Welsh Language Policy and Legislation
- What is 'More than just words'?
- How can I make the active offer?

Using Welsh at work | Social Care Wales



Internal Use of Welsh

Over the year 2023-2024 we have seen an, albeit small, increase in the use of Welsh internally; in work and social conversations; in meetings; and most encouragingly, unprompted bilingual posting on our various Yammer channels.

Recognising this increasing trend and eager to fan the flames of encouragement we offered respondents to our new annual Employee Engagement Survey (March 2024) the choice of responding via a Welsh or English questionnaire. The survey closes at the end of May and feedback to staff will be provided in both languages. As at the time of writing there have been 658 responses of which 6 were in Welsh; we aim to increase in this figure at each future survey.

Parhewch i Sgwrsio Am Weithio i Gyngor CnPT Arolwg Gweithwyr 2024

Eich cyfle i wneud sylwadau a dylanwadu
pethau sy'n effeithio arnoch yn y gwaith!

Dweud eich dweud heddiw!



Bydd yr arolwg yn cau
am hanner nos **ddydd**
Gwener 31 Mai 2024



Cyngor Castell-nedd Port Talbot
Neath Port Talbot Council

Service Delivery Standards

Council Meetings

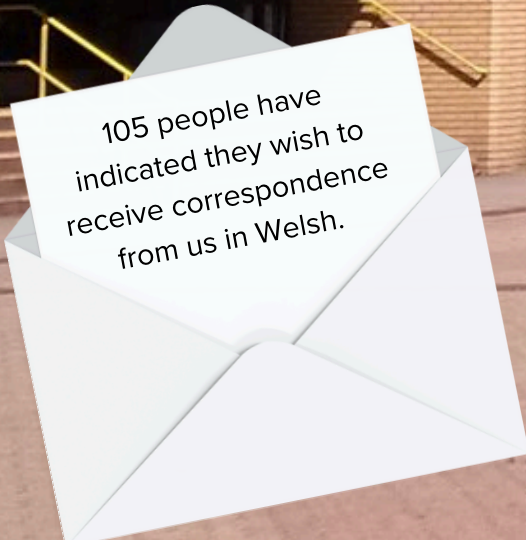
Council meetings are held on a hybrid basis, with participants choosing whether they attend in person in the Council Chamber or if they sign in remotely.

With the activation of Microsoft Teams Welsh translation software, we offer simultaneous Welsh translation for all participants in Council meetings (whether in person or remotely) while being fully integrated with the Council's Public-I webcasting and hybrid audio visual equipment.

Correspondence in Welsh

Although the introduction of our Welsh only online language preference form has reduced the number of erroneous requests it hasn't eliminated them completely.

Unfortunately we were unable to undertake a data cleansing exercise during 2023-2024 but aim to do so by September 2024.



105 people have indicated they wish to receive correspondence from us in Welsh.

Policy Making Standards

The requirements of the policy making standards are incorporated into the council’s Integrated Impact Assessment (IIA) framework. The impact assessment process is undertaken for all new and revised policies /initiatives and so opportunities to use Welsh as well as not treating Welsh less favourably than English are considered each time. Comprehensive guidance and associated forms are currently available to all staff on NPT Connect.

This guidance and associated forms were updated in autumn 2023 to comply with the enforcement actions as contained in the Welsh Language Commissioner’s decision notice in relation to complaint CS 114 (for further details see the Complaints section page 16).

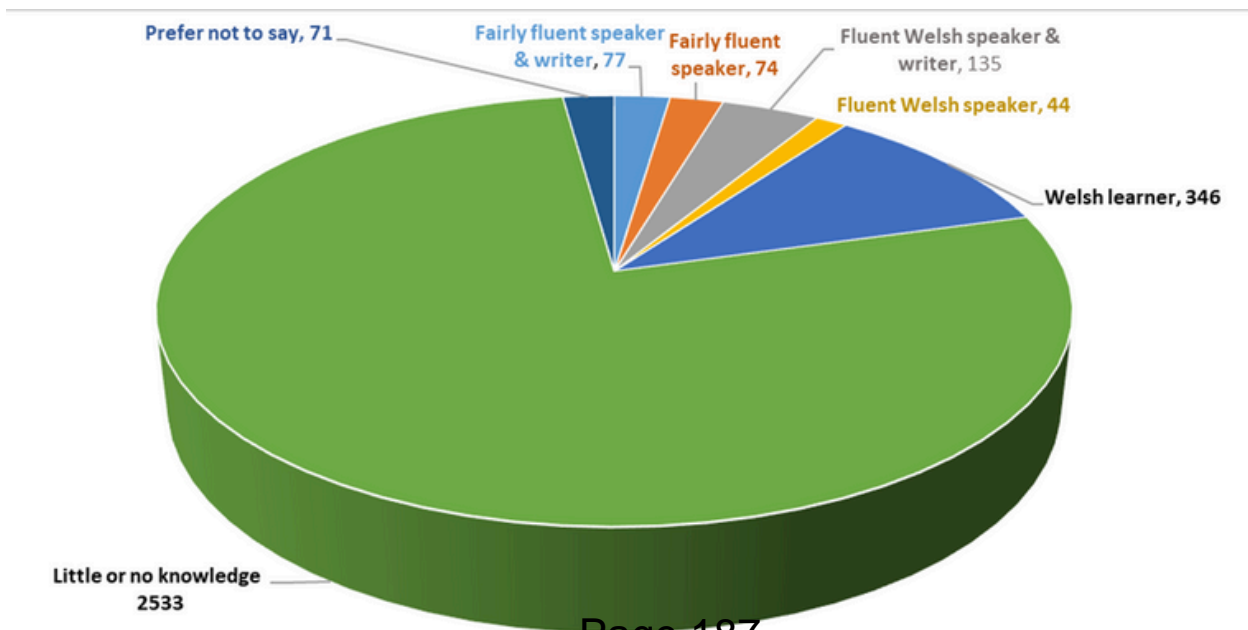
In addition training on the requirements of the policy making standards as they relate to consultation documents is being arranged for relevant officers during 2024.



Operational standards

2023-2024 saw a decrease in the number of staff who identified as having Welsh language skills, with the exception of the fairly fluent speaker category where numbers remained the same (74). There was also a decrease in the number of Welsh learners during the period; 346 compared to 367 during 2022-2023.

A breakdown of Welsh language skills by directorate/service area can be found on page 15, while a comparison of language skills since 2021-2022 can be found on page 19.



Welsh speaking employee directory - 125 members of staff were identified on our employee directory as willing/able to use their language skills as part of their work.

We are working to introduce a framework to assist in the language skill self- assessment (and so potentially boost the numbers in the directory. It is hoped that this work will come to fruition during 2024-2025.

Information, and support material - guidance and other support material on using and complying with the Welsh language standards is available to all staff via Welsh language pages on NPT Connect.

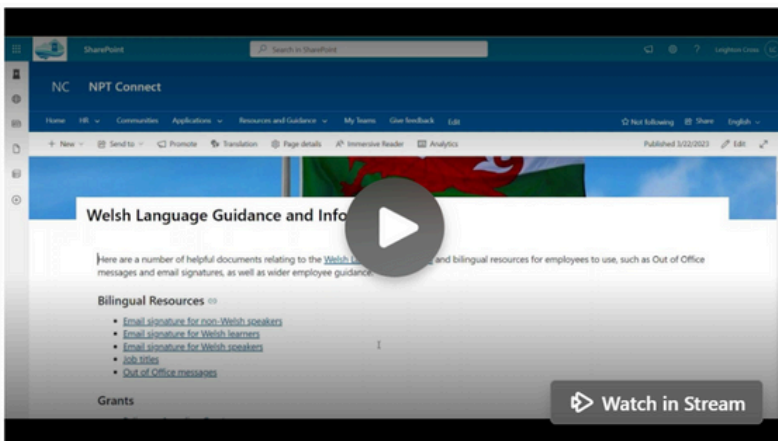
In response to feedback from a survey (undertaken in February 2023) on the ease of accessing Welsh language guidance and information, an explanatory video was produced and published to assist staff who were unaware of the availability of the Welsh language guidance. The video was publicised on our Welsh Language Standards Viva Engage channel.

Ydych chi angen help ar gyfer dod o hyd i Ganllawiau Cymraeg??

Peidiwch ag anobeithio... mae llawer o wybodaeth ar NPTConnect... bydd y fideo yma'n dangos i chi ble i ddod o hyd iddo!!

Do you need help with finding Welsh Language Guidance??

Don't despair...there's lots of information on NPTConnect... this video will show you where to find it!!



Viva Engage (formerly Yammer) Communication Channels

Unfortunately we have not utilised our communications channels, Welsh Language Standards & Guidance and Welsh Speakers and Learners, as regularly as we would have liked due to limited staffing capacity.

We have endeavoured to publicise activities and events learning, using and enjoying Welsh, for example Hyderish sessions facilitated by Menter Iaith Castell-nedd Port Talbot, coffee mornings as well as shows at Pontardawe Arts Centre and on S4C; articles and videos to encourage the use of Welsh, for example 'Welsh Words of the Week' and 'Diwrnod Shwmae Su'Mae'; sharing information as well as supporting learners, the latter being developed organically rather than overly planned.





Training

Our fully inclusive training programme has been updated to include a range of resources available to Welsh language learners, including the 'Help me choose a course' guide, and resources to support learning including mobile applications, podcasts, music, TV, and resources to use with children and young people.

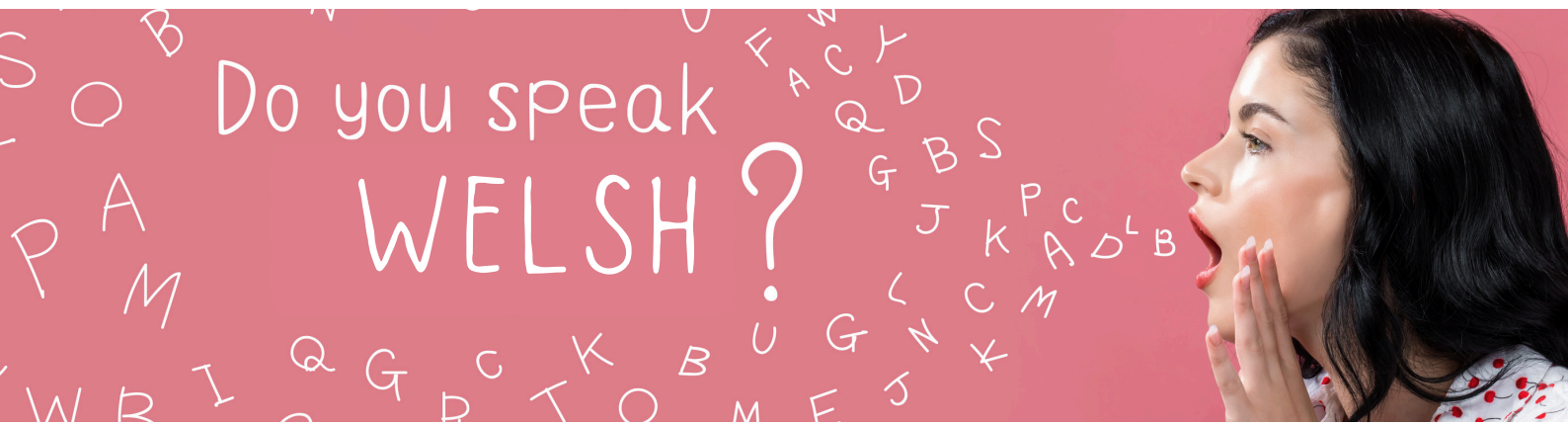
The programme also contains information on the range of courses provided by our local Welsh for Adults Centre and the National Centre for Learning Welsh. Courses are advertised on our internal staff communications Viva Engage communities, including a page exclusively for Welsh speakers and learners and on our Intranet 'NPT Connect' where we have a dedicated area for Welsh Language training.

This year we have again published our training programme electronically using Book Creator and it can be viewed [here](#).

In 2023-24:

- 18 new learners enrolled on various Welsh Language courses.
- 3 learners have completed modules of training.
- 104 learners remain enrolled and are at various stages of completion.
- 1,680 staff have completed the mandatory Welsh Language in NPT eLearning course.

Overall the online Welsh courses provided by the National Centre for Learning Welsh are the preferred option taken by staff. Feedback received from learners indicates this is because the online courses can be completed at the learners own pace and in the learners own time. Learning online is self-directed which means it can fit around a work life balance. Other feedback received from learners on the online Welsh courses included that although it had a great deal of benefits and they were very good courses, conversational opportunities in and for work being available was lacking and it was felt these things would strengthen the learning process.



Training (continued)

In the next year to combat this we will look at re-establishing the 'Sgwrs' network group that met regularly prior to the COVID pandemic and Menter Iaith newsletters will be shared regularly with the learners and speakers group. This newsletter provides updates and opportunities on when and how staff can immerse themselves in using and learning the language across Neath Port Talbot.

In 2023-24 our Internal Audit department run a review of mandatory training and gave high priority recommendations to senior managers to ensure staff complete the required mandatory training. This includes the 'Welsh Language Awareness in Neath Port Talbot' eLearning module. The audit has resulted in a significant uplift in the number of staff completing the eLearning package. During 2023-24, the eLearning module was updated to include additional information around the Welsh Language Standards.

In 2023-24, 1,680 members of staff completed the Welsh Language Awareness eLearning module. The previous year just 231 staff completed the module, proving that the audit was very effective. It is hoped that the workforce will be better informed around the requirements of equal opportunities for the Welsh language to be used in public services.

Social work students seconded and hosted by the Council receive are instructed to complete the 'Welsh Language Awareness in Neath Port Talbot' eLearning to raise awareness of the use of the Welsh language across Neath Port Talbot and in delivering the 'Active Offer'. Social Work Students and Practice Educators also receive training on Welsh Context as part of their Practice Learning Opportunities.

Newly qualified social workers entering their second year of practice are required to undertake a consolidation programme which is available in both Welsh and English. The 'Porth Agored' partnership, of which the Council is a partner, is responsible for the writing, development and implementation of the consolidation programme and works in conjunction with the University of Wales Trinity Saint David.

In February 2024 we successfully filled the vacant Social Work Education Coordinator role. The individual now employed in this role is a Welsh speaker and is able to provide Welsh medium Practice Education. They actively advocate for the language and awareness of the language throughout process and practice and also support the Learning, Training and Development Team with any Welsh language requirements.

Our Learning, Training and Development Team have several publications, including phrasebooks, course books, dictionaries and light reading, available for loan to supplement and complement language training courses.

Our corporate induction includes information on Welsh language resources and encourages managers to discuss and make new employees aware of the Welsh language standards and Welsh language awareness. Other sections of the induction including set up of bilingual signatures, answering the telephone bilingually etc.

Promotional Standards

Our Welsh Language Promotion Strategy was revised and published in September 2023.

While the Strategy sets out our response to the requirement of the Welsh language standard 145 and complements our current Welsh in Education Strategic Plan it goes beyond that. It aims to permeate the fabric of our society, from helping ensure language courses are available for all who wish to learn and providing an environment in which it can be used, to celebrating and raising awareness of its place in our heritage and culture, our daily lives and as part of our visitor offer.

Welsh is more than the language it is part of our very being - whether born here or not. It is woven into the fabric of our lives - even if not instantly recognisable; our place names, forenames, colloquialisms, all are rooted in the Welsh language.

It is a strategy that will help raise the profile of Welsh, help ensure people can participate in society in their language of choice and provide a strong base for developing an environment where people can respect, accept and take pride in the Welsh language.

Vacant Posts for 1 April 2023 – 31 March 2024		
Welsh language skill requirements	Number of posts	% of posts
Essential	22	2.5%
Desirable	123	14%
Need to learn Welsh	4	0.5%
No Welsh skills required	716	83%



Language Skills of Staff

Directorate/Service	Fairly Fluent Speaker & Writer	Fairly Fluent Speaker	Fluent Speaker & Writer	Fluent Speaker	Welsh Learner	Little or no knowledge	Prefer Not To Say	Not Reported	Total
Chief Officers	0	0	1	0	1	3	0	0	5
Education Leisure and Lifelong Learning									
Early Years Inclusion & Partnerships	6	3	8	2	32	95	4	30	150
Education Development	8	3	18	3	32	141	7	48	212
Leisure Tourism Heritage & Culture	1	1	6	0	13	92	0	9	113
Support Services & Transformation	8	4	20	9	18	314	22	148	395
Environment & Regeneration									
Engineering & Transport	3	4	4	2	10	97	2	34	122
Planning & Public Protection	3	4	1	1	25	58	1	21	93
Property & Regeneration	0	6	2	1	10	107	3	23	129
South Wales Trunk Road Agency	2	5	8	5	18	148	1	26	187
Streetcare Services	10	11	15	7	32	363	8	91	446
Social Service Health and Housing									
Adult Services	16	12	17	5	50	405	17	54	522
Business Services	0	3	4	3	8	79	1	22	98
Children & Young People Services	9	6	13	3	45	221	1	71	298
Housing & Communities	0	2	3	1	12	71	1	14	90
Strategy & Corporate Services									
Digital Services	3	1	1	0	7	71	1	20	84
Financial Services	2	4	3	0	9	127	0	14	145
Legal & Democratic Services	4	2	5	1	15	54	0	18	81
People & Organisational Development	2	3	6	1	9	87	2	24	110
Total	77	74	135	44	346	2533	71	667	3280

Complaints

No complaints were received neither via the Welsh Language Commissioner nor directly to the council, during 2023-2024.

The following complaint was determined during 2023-2024:

- CS114 - Consultation regarding the closure of three English medium schools to create a new school for around 700 children in Pontardawe. The complaint alleges that the council did not include a Welsh Language Impact Assessment during the first part of the consultation process. It also refers to the Impact Assessment commissioned by the Welsh Government that was not available to the public, and therefore no opportunity was available to comment on that assessment. The Commissioner found that the council had failed to comply with Standard 91 as the consultation document did not adequately consider the potential impacts of the policy decision on opportunities to use the Welsh language and treating the Welsh language no less favourably.

The council, following appeal to the Welsh Language Tribunal, accepted the recommendations contained in the [decision notice](#).

Measures

Translations	2021-2022	2022-2023	2023-2024
Total cost of translations (where able to be identified)	£39,573	£46,701	£89,735
Number of requests for translation received by the translation unit	815	N/A	N/A

Telephone Calls	2021-2022	2022-2023	2023-2024
Number of staff with fluent/fairly fluent language skills identified in the employee directory	146*	125	125
Average time to answer telephone calls – English	44 seconds	65 seconds	48 seconds
Average time to answer telephone calls – Welsh	57 seconds	81 seconds	71 seconds

Our average wait times have reduced since the 2022-2023.

We appointed a Welsh speaker who following a period of training has taken up full time duties thus contributing to reducing wait times.

By reducing our opening hours at our reception areas, this has freed up Welsh speaking staff to cover the phones between 8.30am – 9.00am and 4.30pm – 5.00pm to ensure we always have someone available to answer Welsh calls.

Social Media	2021-2022	2022-2023	2023-2024
Twitter (followers)			
English corporate account	16,584	17,107	17,131
Welsh corporate account	431	476	520
Facebook (followers)			
English corporate account	17,704	21,273	22,596
Welsh corporate account	141	236	313

NPT News e-Newsletters Number of subscribers	2021-2022	2022-2023	2023-2024
Welsh e-Newsletter	17	20	95
English e-Newsletter	2,186	2,480	2769
Bilingual e-Newsletter	48	63	N/A

Measures (continued)

Website	2021-2022	2022-2023	2023-2024
Total number of hits on website	4,009,274	5,188,512	5,197,608
Total number of hits Welsh webpages	29,177	25,675	18,588*
* Due to changes to Google analytics, there have been periods where it has not been possible to identify between Welsh and English hits. This problem has now been addressed by our new website which enable easier analysis.			

Language Skills	2021-2022	2022-2023	2023-2024
Fairly fluent speaker & writer	79	81	77
Fairly fluent speaker	80	74	74
Fluent Welsh speaker & writer	137	139	135
Fluent Welsh speaker	50	53	44
Welsh learner	400	367	346

Vacant Posts - Language Skills	2021-2022	2022-2023	2023-2024
Desirable	181	150	123
Essential	8	29	22
No Welsh skills required	438	712	716
Need to learn Welsh	0	5	4

Complaints	2021-2022	2022-2023	2023-2024
Number of complaints received via the Welsh Language Commissioner	6	1	0
Number of complaints where the Welsh Language Commissioner determined no investigation necessary	2	1	0
Number of complaints where the Welsh Language Commissioner determined there was no failure to comply with the standards	3	N/A	0



Have Your Say

Enquiries or feedback on this report are welcomed via:

Email: policy@npt.gov.uk

Post:

Chief Executive,
Neath Port Talbot County Borough Council,
Civic Centre,
Port Talbot,
SA13 1PJ

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Cyngor Castell-nedd Port Talbot
Neath Port Talbot Council

CABINET

REPORT OF THE HEAD OF LEGAL AND DEMOCRATIC SERVICES – MR CRAIG GRIFFITHS

7th August 2024

Matter for Monitoring

Wards Affected: All Wards

Regulation of Investigatory Powers Act 2000

Purpose of the Report:

1. The purpose of this paper is to provide the Cabinet with information on the instances that Neath Port Talbot County Borough Council (“the Council”) used its investigatory powers in the last financial year, as required by the Code of Practice issued by the Home Office. It is also to provide assurance that the Council uses its surveillance powers in a lawful and proportionate way.

Executive Summary:

2. The Regulation of Investigatory Powers Act 2000 (RIPA) controls and regulates surveillance and other means of information gathering which public bodies employ in the discharge of their functions. RIPA provides an authorisation process for covert surveillance and information gathering, and an authorisation can be used as a defence against a claim that the council has

interfered with an individual's right to private life under Article 8 of the European Convention on Human Rights.

3. This report confirms that there has one use of surveillance powers for the year 1st April 2023 – 31st March 2024.

Background:

4. RIPA controls and regulates surveillance and other means of information gathering which public bodies employ in the discharge of their functions. RIPA provides an authorisation process for covert surveillance and information gathering, and an authorisation can be used as a defence against a claim that the council has interfered with an individual's right to private life under Article 8 of the European Convention on Human Rights.
5. RIPA regulates:
 - directed surveillance;
 - intrusive surveillance;
 - the conduct and use of covert human intelligence sources (CHIS);
 - intercepting communication; and
 - the acquisition and disclosure of communications data.
6. The Council has a RIPA Policy (copy enclosed at Appendix 1) which says that the Council will apply a presumption in favour of overt investigation methods, and that covert methods will be used only when other reasonable options have been considered and ruled out. Authorisations can generally only be made by the Authorising Officers (as detailed in the Policy) with ultimate responsibility for the Council's use of RIPA powers vesting in the Monitoring Officer.
7. The Council can only authorise the use of covert methods in very limited circumstances. The Council cannot authorise intrusive

surveillance. The Council can only authorise directed surveillance where this is necessary and proportionate for the purpose of preventing or detecting serious criminal conduct, and an authorisation cannot take effect until a Justice of the Peace (JP) or District Judge has made an order approving it.

8. The Council can only authorise the use of a Covert Human Intelligence Sources, or authorise the acquisition of communications data where this is necessary and proportionate for the purpose of preventing or detecting crime or of preventing disorder, and again an order by a JP approving the authorisation is required.
9. In the period of 1st April 2023 to 31st March 2024, the Council has undertaken one surveillance activity. This continues the theme for recent years:

Year	Number of Surveillance Applications
2018-2019	0
2019-2020	0
2020-2021	0
2021-2022	1
2022-2023	0
2023-2024	1

10. In respect of the 2023-2024 application, cameras were placed in an area, known to be used regularly for dumping waste, which was often then set alight. When recorded footage was examined, a successful prosecution was then able to take place.
11. Whilst the number of authorisations for RIPA surveillance activity remains low, this cannot be used as an indication of likely future use. The Council must ensure a suitable regime is in place to ensure legal compliance.

12. The Council's use of surveillance powers is regularly subject to external inspection by the Investigatory Powers Commissioner's Office. This Office was formed in September 2017 as a result of the introduction of the Investigatory Powers Act 2016, and is an amalgamation of three separate commissioners. These were the Office of the Surveillance Commissioner, the Interception of Communication Commissioner's Office, and the Intelligence Services Commissioner. In his regulatory function, the Assistant Surveillance Commissioner reviews the Council's use of directed surveillance, covert human intelligence source and CCTV systems under the Regulation of Investigatory Powers Act. The last inspection by the Investigatory Powers Commissioner's Officer, undertaken as a remote desktop inspection, occurred in Spring 2024.

13. The following commentary was provided by the Inspector:

- *I am satisfied that your reply provides your assurance that ongoing compliance with RIPA 2000 and the Investigatory Powers Act 2016 will be maintained. As such, your Council will not require further inspection this year.*
- *I am pleased to note that RIPA training continues to form a part of your compliance regime, with those most likely to utilise the covert powers regularly updated.*
- *Additionally, I acknowledge that your Authority fully recognises the need for managers to audit the use of social media by your staff.*
- *Two directed surveillance authorisations (DSAs) undertaken since the last inspection and utilised to assist in the investigation of waste crime, were reviewed by my Inspector. Both authorisations were found to have been well formed, but my Inspector would urge your authorising officers (AOs) to ensure that during the regular reviews of the authorised activity, that they revisit and document their contentment that the ongoing activity remains necessary and proportionate.*

- *I would ask that you ensure that the key compliance issues continue to receive the necessary internal governance and oversight through yourself and your Senior Responsible Officer: policy refreshes; annual updates to your Elected Members; ongoing training and awareness raising; internal compliance monitoring by lead managers within their business areas; and the retention, review and destruction (RRD) of any product obtained through the use of covert powers (Records and Product Management in accordance with the Safeguards Chapters of the relevant Codes of Practice).*

14. The principal reasons for the use of surveillance are for prevention and detection of crime and not for criminal proceedings. As such, conviction rates, although high, are not the only measure of success (different methods of disposal such as letters of written warning, Simple Cautions and website takedowns are also justifiable indicators of RIPA usage).

Financial Impacts:

15. No implications.

Integrated Impact Assessment:

16. An Integrated Impact Assessment is not requirement for this report.

Valleys Communities Impacts:

17. No implications

Workforce Impacts:

18. No implications

Legal Impacts:

19. Compliance is had at all times with RIPA and other associated legislation.

Consultation:

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

Recommendations:

21. It is recommended that members:

- note the Neath Port Talbot County Borough Council Regulation of Investigatory Powers Act 2000 enclosed at Appendix 1
- note the contents of this report and that the Neath Port Talbot County Borough Council's surveillance powers continue to be exercised appropriately and proportionately.

Appendices:

22. Appendix 1 – NPTCBC RIPA Policy

List of Background Papers:

23. None

Officer Contact:

Mr Craig Griffiths
Head of Legal and Democratic Services

NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

REGULATION OF INVESTIGATORY POWERS ACT 2000

POLICY AND PROCEDURES

January 2024

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1. Introduction
 2. Benefits of Obtaining Authorisation under RIPA
 3. Directed Surveillance
 4. Covert Human Intelligence Sources (CHIS)
 5. Authorisation Process
 6. Covert Surveillance Authorised outside RIPA
 7. Confidential Material
 8. Joint Operations
 9. Handling & Disclosure of Product
 10. Use of Surveillance Devices
 11. Covert Surveillance of Social Networking Sites
 12. Codes of Practice
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-
- Appendix 1 List of Authorising Officers
 - Appendix 2 List of Home Office RIPA Forms
 - Appendix 3 Council Procedure for Application for Magistrates Court and Application Form
 - Appendix 4 Social Media – Extract from Home Office Code of Practice on Covert Surveillance and Property Interference (3.10 to 3.17)

SECTION 1 – INTRODUCTION

1. Local Authorities powers to conduct covert surveillance come from the provisions of the Local Government Act 1972. The main restrictions on the use of those powers can be found in the Human Rights Act 1998, and in particular Article 8 of the European Convention on Human Rights (The right to respect for a person's private and family life).
2. The Regulation of Investigatory Powers Act 2000 (RIPA) (as amended) regulates covert investigations by a number of bodies, including local authorities. It was introduced to ensure that individuals' rights are protected whilst also ensuring that law enforcement and security agencies can still exercise the powers they need to do their job effectively. The Act only applies in relation to local authorities to any covert surveillance carried out by a local authority for the purposes of investigating qualifying criminal offences.
3. Covert surveillance carried out for reasons other than the investigation of qualifying criminal offences falls outside the scope of RIPA. Such surveillance can still be lawful, but extra care is needed to ensure such surveillance does not breach an individual's Human Rights. The purpose of this document is to set out the circumstances where RIPA applies to the Authority, and the procedures to be followed when conducting covert surveillance
4. Regard has been had to the respective Codes of Practice on Covert Surveillance & Property Interference and Covert Human Intelligence Sources issued by the Home Office in 2018, and Guidance and Practice notes issued by the Investigatory Powers Commissioner (IPCO) in preparing these procedures.
5. Subject to the provisions of Section 6 of this document, any covert surveillance activity carried out by or on behalf of the Council **MUST** be authorised by one of the properly trained Authorising Officers listed in Appendix 1, and dealt with in accordance with Section 5 of this document.

6. Individual Investigating Officers and Authorising Officers should familiarise themselves with this procedure document, the Codes of Practice issued by the Home Office, and such Guidance as is issued by the ICPO from time to time.
7. Deciding when an authorisation is required is a question of judgement. However, if an investigating officer is in any doubt, he/she should immediately seek legal advice from the Authority's Legal Services Section. **As a basic rule however, it is always safer to seek the appropriate authorisation.**
8. The Senior Responsible Officer within the Council with strategic responsibility for RIPA issues is Craig Griffiths, Head of Legal Services.
9. The 'Gate-keeping' Officer, with responsibility for vetting all RIPA applications and maintaining the Central register is Paul Watkins, Corporate Solicitor.
10. The elected members responsible for reviewing the authority's use of RIPA and setting the authority's RIPA policy each year are the Policy and Resources Cabinet Board.
11. All officers must note that the council may only authorise directed covert surveillance under the regulation of investigatory powers act for the purposes of preventing or detecting criminal offences that are punishable by a maximum term of at least 6 months imprisonment.
12. The only exception to the above rule is for the authorisation of test purchasing operations in relation to the sales of alcohol and tobacco or nicotine inhaling products to children.
13. The only exception to the above rule is for test purchasing operations in relation to the sale of alcohol or cigarettes to children.

14. Officers should also note that any surveillance which is carried out or authorised by them which does not comply with the requirements and/or stipulations of this policy may result in disciplinary action being taken against them by the council.

SECTION 2 - BENEFITS OF OBTAINING AUTHORISATION UNDER RIPA

1. RIPA states that where an authorisation is obtained, and the covert surveillance activity is conducted in accordance with that authorisation, then the activity will be lawful for all purposes.
2. Where an authorisation is not obtained, there is a risk that any evidence obtained as a result could be ruled as inadmissible in subsequent legal proceedings.
3. Furthermore, unauthorised covert surveillance activity is more likely to result in a breach of an individual's human rights, leading to a possible compensation claim against the Council.

SECTION 3 - DIRECTED SURVEILLANCE

1. Directed Surveillance includes;
 - The monitoring, observing or listening to persons, their movements, their conversations or their other activities or communication.
 - The recording of anything so monitored observed or listened to in the course of surveillance.
 - The surveillance by or with the assistance of a surveillance device.
2. Directed Surveillance does NOT occur where covert recording of suspected noise nuisance takes place and the recording device is calibrated to record only excessive noise levels.

3. Surveillance is 'Directed' for the purposes of RIPA if it is covert (but not intrusive) and is undertaken;
 - For the purposes of a specific investigation into a criminal offence punishable by a maximum term of at least 6 months imprisonment, and
 - In such a manner as is likely to result in the obtaining of private information about a person (whether or not one is specifically identified for the purposes of the investigation or operation); and
 - Otherwise than by an immediate response to events or circumstances the nature of which is such that it would not be reasonably practicable for a Directed Surveillance authorisation to be sought for the carrying out of the surveillance
4. **OFFICERS SHOULD NOTE THAT THE SURVEILLANCE OF AN INDIVIDUAL'S ACTIVITIES AND/OR CONVERSATIONS IN A PUBLIC PLACE MAY STILL AMOUNT TO THE OBTAINING OF PRIVATE INFORMATION**
5. Surveillance is 'covert' if it is carried out in a manner calculated to ensure that the persons subject to the surveillance are unaware it is or may be taking place. Therefore surveillance of an individual using city centre CCTV cameras could still require RIPA authorisations if the cameras are targeted on that individual and he/she is unaware that they are being watched.
6. Covert surveillance becomes 'intrusive' if;
 - (a) It is carried out in relation to anything taking place on any residential premises or in any private vehicle or on premises where legal consultations are taking place, and
 - (b) Involves the presence of an individual on the premises or in the vehicle or is carried out by means of a surveillance device on the premises or in the vehicle, or

- (c) Is carried out by means of a surveillance device in relation to anything taking place on any residential premises or in any private vehicle but is carried out without that device being on the premises or in the vehicle or legal consultation premises, where the device is such that it consistently provides information of the same quality and detail as might be expected to be obtained from a device actually present on the premises or vehicle.
- (d) For the purposes of (a), (b) and (c) above residential premises includes any premises as is for the time being occupied or used by any person, however, temporary, for residential purposes or otherwise as living accommodation. It will not include communal areas, front gardens or driveways visible to the public.

Private vehicles will be those used primarily for the private purpose of the person who owns it or a person otherwise having the right to use it.

- 7. **THE COUNCIL HAS NO POWER TO AUTHORISE INTRUSIVE SURVEILLANCE UNDER THE ACT. IF INVESTIGATING OFFICERS HAVE ANY CONCERNS REGARDING THIS THEY SHOULD IMMEDIATELY SEEK LEGAL ADVICE.**
- 8. Surveillance is for the purposes of a specific investigation or operation if it is targeted in a pre-planned way at an individual or group of individuals, or a particular location or series of locations.
- 9. Surveillance will not require authorisation if it is by way of an immediate response to an event or circumstances where it is not reasonably practicable to get an authorisation.

SECTION 4 - COVERT HUMAN INTELLIGENCE SOURCES (CHIS)

1. A person is a CHIS if;
 - He/she establishes or maintains a personal or other relationship with a person for the covert purpose of facilitating the doing of anything falling within paragraphs (a) or (b) below.
 - (a) He/she covertly uses such a relationship to obtain information or provide access to any information to another person, or
 - (b) He/she covertly discloses information obtained by the use of such a relationship or as a consequence of the existence of such a relationship.
2. Guidance to Local Authorities on who may or may not be a CHIS is set out in the Covert Human Intelligence Sources Code of Practice produced by the Home Office. The relevant extracts from that guidance are set out in Appendix 8 below for officers' information.
3. A purpose is covert in this context if the relationship is conducted in a manner that is calculated to ensure that one of the parties is unaware of that purpose.
4. Council policy is to treat all such activities as being in need of authorisation whether or not the information sought is private information.
5. When considering whether or not to make use of CHIS, investigating officers ***MUST*** consult with the gate-keeping officer before taking any action, in order to ensure that the Home Office Code of Practice on Covert Human Intelligence Sources is complied with. Where use is made of CHIS, his/her designated handler must be a properly trained officer, who may not necessarily be based within the same department/section as the investigating officer.

6. It is the intention of this Council to avoid the use of a CHIS whenever possible; accordingly any contemplated use must be discussed with the Head of Legal Services in all cases.
7. Only the Chief Executive may authorise the use of a juvenile CHIS.
8. **THIS AUTHORITY DOES NOT CONDONE THE USE OF A JUVENILE AS A CHIS. ACCORDINGLY, NO CHIS SHALL BE AUTHORISED IN RESPECT OF A PERSON UNDER 18 YEARS OF AGE BY ANY AUTHORISING OFFICERS.**

SECTION 5 - AUTHORISATION PROCESS

1. Applications must be in writing, using the standard forms provided by the Home Office. A list of these forms are set out in Appendix 2 and are available for downloading from the Home Office website by entering "RIPA Forms" in its search engine.
2. Although it is possible to combine two or more applications in the same form, this practice is generally to be avoided. One situation where it may be appropriate is during a covert test purchase exercise involving more than one premise. In such cases investigating officers should contact the gate-keeping officer to discuss the operation before completing the forms.
3. Once the appropriate application forms are completed, they should be submitted by email to the gate-keeping officer.
4. The gate-keeping officer will then vet the application, enter it onto the Central Register and allocate a unique central reference number (URN) to it.
5. The gate-keeping officer may recommend changes to the application, or agree to it being submitted unaltered to a designated Authorising Officer. A list of such officers is set out in Appendix 1.
6. Where an application must be authorised by the Chief Executive (i.e. in cases of a juvenile CHIS or confidential information), the gate-keeping officer will arrange a meeting

between the Investigating Officer, Head of Legal Services and Chief Executive.

7. In all other cases the investigating officer shall arrange to meet one of the Authorising Officers to discuss the application.
8. When determining whether or not to grant an authorisation, Authorising Officers must have regard to;
 - Whether what is proposed is necessary for preventing/detecting criminal offences that meet the requirements in Section 1 paragraphs 11 and 12 above.
 - Whether what is proposed is proportionate to the aim of the action
 - Proportionality will involve balancing the seriousness of intrusion into the privacy of the subject of the operation (or any other person who may be affected) against the need for the activity in investigative and operational terms. The authorisation will not be proportionate if it is excessive in the overall circumstances of the case. Each action authorised should bring an expected benefit to the investigation or operation and should not be disproportionate or arbitrary. The fact that a suspected offence may be serious will not alone render intrusive actions proportionate. Similarly an offence may be so minor that any deployment of covert techniques would be disproportionate.
 - No activity should be considered proportionate if the information which is sought could reasonably be obtained by other less intrusive means. The following elements of proportionality should be considered.
 - Whether the proposed action is likely to result in collateral intrusion into the private lives of third parties, and if it is, whether all reasonable steps are being taken to minimise that risk.

- Balancing the size and scope of the proposed activity against the gravity and extent of the perceived crime or offence;
 - Explaining how and why the methods to be adopted will cause the least possible intrusion on the subjects and others;
 - Considering whether the activity is an appropriate use of the legislation and a reasonable way, having considered all reasonable alternatives, of obtaining the necessary result;
 - Evidencing, as far as practicable, what other methods had been considered and why they were not implemented.
- In the case of applications to authorise the use of a CHIS, whether all the requirements of the Code of Practice relating to the authorisation of a CHIS issued by the Home Office are complied with.
9. If an application is refused by an Authorising officer, the reasons for refusal shall be endorsed on the application form.
 10. If an application is granted, the Authorising Officer must specify;
 - The scope of the authorisation
 - The duration of the authorisation
 - The date (not more than one month) for review of the authorisation.
 11. Irrespective of the outcome of the application, the investigating officer must immediately forward the authorisation or refused application, to the gate-keeping officer, who will make the appropriate entries in the Central

Register, and place the application or authorisation in the Central Record.

12. Legal Services Section will then arrange for an application to be made to the Magistrates Court for the judicial approval of the authorisation. The procedure for such an application for approval is set out in Appendix 3.
13. **ALL OFFICERS MUST NOTE THAT THE AUTHORISATION WILL NOT TAKE EFFECT UNTIL IT HAS BEEN JUDICIALLY APPROVED BY MAGISTRATES COURT.**
14. If, upon initial review of the authorisation, the Authorising Officer determines that it should remain in effect, reviews must take place monthly during the life of the authorisation. The investigating officer must keep a record of the results of any review and communicate them to the gate-keeping officer for entry in the Central Register.
15. Once the operation to which the authorisation relates is concluded, or the activity authorised ceases, then the investigating officer must immediately meet the Authorising Officer to cancel the authorisation.
16. Once an Authorising Officer determines that an authorisation is no longer necessary it must be cancelled immediately.
17. Although paragraph 5.18 of the Covert Surveillance and Property Interference Code of Practice is correct in saying that there is no *requirement* for any further details to be recorded when cancelling a directed surveillance authorisation, the Commissioners consider that it would be sensible to complete the authorisation process in a form similar to other parts of the authorisation where relevant details can be retained together. When cancelling an authorisation, the Authorising Officer should:
 - Record the date and times (if at all) that surveillance took place and the order to cease the activity was made.
 - The reason for cancellation.
 - Ensure that surveillance equipment has been removed and returned.
 - Provide directions for the management of the product.

- Ensure that detail of property interfered with, or persons subjected to surveillance, since the last review or renewal is properly recorded.
 - Record the value of the surveillance or interference (i.e. whether the objectives as set in the authorisation were met).
18. Whenever an authorisation is cancelled, a copy of that cancellation must be sent to the gate-keeping officer for it to be placed in the Central Record, and appropriate entries to be made in the Central Register.
19. Unless previously cancelled, an authorisation will last as follows:
- Written authorisation for Directed Surveillance – **3 months**
 - Written authorisation for use of a CHIS – **12 months**
20. If shortly before an authorisation ceases to have effect, the Authorising Officer is satisfied that the grounds for renewing the authorisation are met, then he/she may renew the authorisation by completing a renewal form. ***(Before renewing an authorisation, Authorising Officers must have regard to the appropriate sections of the relevant code of practice issued by the Home Office)***
21. An authorisation may be renewed for;
- In the case of a written renewal of a Directed Surveillance authorisation - **3 Months.**
 - In the case of a written renewal of a CHIS authorisation – **12 months.**
22. An authorisation may be renewed more than once.
23. Applications for renewal of an authorisation must record all matters required by the relevant Code of Practice issued by the Home Office

24. Where an authorisation is renewed, it must continue to be reviewed in accordance with the requirements set out above.
25. Where an authorisation is renewed, a copy of the renewal must be sent to the gate-keeping officer and placed in the Central Record and appropriate entries made in the Central Register.
26. Legal Services Section will then arrange for an application to be made to the local magistrates' court for the judicial approval of the renewal by a Magistrate.
27. **ALL OFFICERS MUST NOTE THAT THE RENEWAL WILL NOT TAKE EFFECT UNTIL IT HAS BEEN JUDICIALLY APPROVED BY A MAGISTRATE.**
28. **WHERE AN APPLICATION IS GRANTED OR RENEWED THE INVESTIGATING OFFICER MUST ENSURE THAT ALL OFFICERS TAKING PART IN THE COVERT SURVEILLANCE ACTIVITY HAVE AN OPPORTUNITY TO READ THE AUTHORISATION AND FAMILIARISE THEMSELVES WITH ITS TERMS AND RESTRICTIONS BEFORE THE OPERATION COMMENCES (*ruling established in R -v- Sutherland*).**

SECTION 6 - COVERT SURVEILLANCE AUTHORISED OUTSIDE RIPA

1. Certain instances of covert surveillance that may be carried out by public authorities are incapable of being authorised under RIPA. Examples of these include:
 - The investigation of criminal offences punishable by less than 6 months imprisonment.
 - The investigation of general disorder or anti-social behaviour.
 - Surveillance carried out as part of a planning investigation prior to issuing an enforcement notice
 - Surveillance carried out as part of a public health investigation prior to issuing an abatement notice.

- Surveillance carried out as part of an internal disciplinary, child protection or POVA investigation.
 - Surveillance carried out in support of the defence of a personal injury claim
 - The use of surveillance devices to monitor a person living in a residential care setting where it is considered to be in their 'best interests' to do so.
2. None of these examples can be authorised as directed surveillance under RIPA, although all are capable of being justifiable cases of interference with an individual's human rights on the grounds that they are necessary in a democratic society in the interests of public safety, the economic well-being of the country, for the protection of health or morals or for the protection of rights and freedoms of others. In these cases, although the authority cannot rely upon RIPA to authorise surveillance, such surveillance can still be carried out provided steps are undertaken to ensure any interference with an individual's human rights complies with the requirements set out in Article 8 of the European Convention on Human rights.
 3. Wherever an officer wishes to consider carrying out directed surveillance, which cannot be justified on the grounds in RIPA, but which may fall within the scope of paragraphs 1 and 2 above, he/she should contact the Authority's Legal Services Section for advice.
 4. **NO SURVEILLANCE ACTIVITY OF THE SORT OUTLINED IN PARAGRAPH 1 ABOVE MAY TAKE PLACE UNLESS IT HAS BEEN EXPRESSLY APPROVED IN WRITING BY THE INVESTIGATING OFFICER'S HEAD OF SERVICE.**

SECTION 7 - CONFIDENTIAL MATERIAL

1. Confidential material such as personal medical or spiritual information, confidential journalistic information, information between an MP and his/her constituent or information

subject to legal privilege is particularly sensitive and is subject to additional safeguards.

2. In cases where such information may be obtained, an investigator must seek immediate legal advice from the Authority's Legal Services Section.
3. **Only the Chief Executive may authorise surveillance activity which may result in confidential information being obtained.**
4. Any application for an authorisation, which is likely to result in the acquisition of confidential material **MUST** include an assessment of how likely it is that confidential material will be acquired.
5. Special care should be taken where the target of the investigation is likely to be involved in handling confidential material. Such applications should only be considered in exceptional and compelling circumstances and with full regard to the proportionality issues this raises.
6. The following general principles apply to confidential material acquired under such authorisations;
 - Officers handling material from such operations should be alert to anything that may fall within the definition of confidential material. Where there is any doubt, immediate legal advice should be sought.
 - Confidential material should not be retained or copied unless it is necessary for a specified purpose.
 - Confidential material should only be disseminated, after legal advice has been sought, where it is necessary for a specified purpose.
 - The retention and/or dissemination of confidential material should be accompanied by a clear warning of its confidential nature.

- Confidential material should be destroyed as soon as it is no longer necessary to retain it for a specified purpose.

SECTION 8 - JOINT OPERATIONS

1. Where officers are engaged in operations with other public authorities, any covert activity must be authorised either in accordance with this document, or by an appropriate Authorising Officer employed by the other authority.
2. Officers should always ensure that when operating under an authorisation issued by another authority, that the Authorising Officer has the power to issue that authorisation, and that the authorisation covers the scope of the proposed activity.
3. Officers are advised to request a copy of the relevant authorisation, or at least obtain a written note of the scope, duration and conditions of the authorised activity.
4. Officers should also have regard to any other protocols specifically dealing with joint operations.

SECTION 9 - HANDLING & DISCLOSURE OF PRODUCT

1. Authorising Officers must send the original of any authorisation, any cancellation, renewal or review to the SRO within 2 working days of the issue.
2. The Council must keep records relating to all authorisations, Magistrates Court approvals, reviews, renewals, cancellations and refusals in accordance with the Home Office Code of Practice. A Central Register of all authorisations, Magistrates approvals, reviews, renewals, cancellations, refusals and records of oral authorisations will be monitored and maintained by the SRO with each Department keeping their own file of copies of their authorisations.

3. Records must be available for inspection by the Investigatory Powers Commissioner and retained to allow the Investigatory Powers Tribunal to undertake its functions. Although records are only required to be retained for at least three years, it is therefore desirable, if possible, to retain records for up to five years. Such information will be reviewed at appropriate intervals to confirm that the justification for its retention is still valid and will be securely destroyed as soon as it is no longer needed for authorisation purposes.
4. There are separate and specific record keeping requirements where use is made of CHIS. Records should be maintained in such a way as to preserve the confidentiality of the source and the information provided by that source. There should at all times be a designated person in the Council with responsibility for maintaining a record of the use made of the source.
5. Documents created under the RIPA procedure are highly confidential and shall be treated as such. Authorising Officers, through the Data Protection Officer must ensure compliance with the appropriate data protection requirements under the Data Protection Act 2018 and the Council's internal arrangements relating to the handling and storage of material. Any breaches of data protection requirements should be reported immediately to the Data Protection Officer.
6. The procedures and safeguards outlined in the Home Office Covert Surveillance and Property Interference Code of Practice in **and** the Covert Human Intelligence Sources Code of Practice respectively in regards to the dissemination, copying, storage and destruction of any material obtained through covert surveillance and/or the use of a Covert Human Intelligence Source must also be applied in relation to the handling and storage of material. Extracts from the above respective Codes are set out in Appendices 6 and 7 below.
7. The SRO will ensure that robust and adequate arrangements are in place for the secure handling, storage and destruction of material obtained through the use of surveillance. The

Council's internal safeguards will be kept under periodic review to ensure that they remain up to date and effective. Where the material could be relevant to pending or future criminal proceedings, it should be retained in accordance with established disclosure requirements for a suitable period and subject to review.

8. Where material is obtained by surveillance, which is wholly unrelated to a criminal or other investigation or to any person who is the subject of such an investigation, and there is no reason to believe it will be relevant to future criminal or civil proceedings, it should be destroyed immediately.
9. Consideration as to whether or not unrelated material should be destroyed is the responsibility of the Authorising Officer.
10. RIPA does not prevent material properly obtained in one investigation being used in another investigation. **However, the use of any covertly obtained material for purposes other than that for which the surveillance was authorised should only be sanctioned in exceptional cases and only after seeking legal advice from the Council's Legal Services Section.**

SECTION 10 - USE OF SURVEILLANCE DEVICES

1. Surveillance devices include static and mobile CCTV cameras, covert surveillance cameras, noise monitoring/recording devices, and any other mechanical and/or recording devices used for surveillance purposes.
2. Static CCTV cameras include 'Town Centre' cameras operated from the authority's CCTV Control Room under the control of Council staff, as well as fixed security cameras located in council buildings.
3. Fixed security cameras, which are incapable of being remotely controlled, do not require RIPA authorisation **provided** their existence and purpose is made clear to the public through appropriate signage.

4. 'Town Centre' and mobile CCTV cameras will not ordinarily require authorisation where their existence and use is also made clear by signage. However, where camera operators are requested to control the cameras so as to target specific individuals or locations then, unless the request is made by way of an immediate response to an incident or intelligence received, an authorisation is required.
5. Camera operators should normally refuse to comply with any requests for surveillance activity unless they are satisfied;
 - That an authorisation is unnecessary, or
 - That an authorisation has been obtained and the scope, duration and limitations of the permitted activity have been confirmed in writing.
6. It is recognised that many departments maintain conventional cameras and mobile phone cameras for use by staff on a regular basis. Staff must be reminded;
 - That the covert use of such cameras (i.e. where the 'target' is not aware that he/she is being photographed) may require authorisation.
 - As a general rule, unless the photograph is being taken as an immediate response to an unexpected incident, authorisation should be sought.
7. Use of noise monitoring/recording equipment may also require authorisation, where the equipment records actual noise, as opposed to just noise levels. Much will depend upon what noise it is intended, or likely, to record.
8. Where a target is made aware in writing that noise monitoring will be taking place, then authorisation is not required.
9. Service Managers with responsibility for surveillance devices **MUST** ensure that:

- (i) Those devices are stored securely and that robust systems are in place to prevent unauthorised access to them both by Council staff and members of the public.
- (ii) Full and accurate records are kept at all times documenting the use of those devices including (but not limited to), when deployed, the purpose of any deployment, the officer with responsibility for that deployment and, where being deployed to conduct Directed Surveillance, details of any authorisation under which that deployment takes place
- (iii) Any personal information obtained as a result of the deployment of such a device is handled in accordance with the Council's Data Protection Policies.

SECTION 11 – COVERT SURVEILLANCE OF SOCIAL NETWORKING SITES

1. Care must be taken when using or monitoring a Social Networking Site for work purposes. Even though a site may seem to be an open source of publically available information, the author may have expectations of privacy, especially if they apply at least some access controls.
2. The fact that digital investigation is routine or easy to conduct does not reduce the need for authorisation. Care must be taken to understand how the Social Networking Site is being used works, Authorising Officers must not be tempted to assume that one service provider is the same as another or that the services provided by a single provider are the same.
3. Whilst it is the responsibility of an individual to set privacy settings to protect unsolicited access to private information, and even though data may be deemed published and no longer under the control of the author, it is unwise to regard it as "open source" or publicly available; the author has a reasonable expectation of privacy if access controls are applied. Where privacy settings are available but not applied the data may be considered open source and an authorisation is not usually required. Repeat viewing of "open source" sites may constitute directed surveillance on a case by case basis and this should be borne in mind.

4. If it is necessary and proportionate for a public authority to covertly breach access controls, the minimum requirement is an authorisations for Directed Surveillance. An authorisation for the use and conduct of a CHIS is necessary if a relationship is established or maintained by a member of a public authority or by a person acting on its behalf (i.e. the activity is more than mere reading of the site's content).
5. It is not unlawful for a member of a public authority to set up a false identity but it is inadvisable for a member of a public authority to do so for a covert purpose without authorisation. Using photographs of other persons without their permission to support the false identity infringes other laws.
6. A member of a public authority should not adopt the identity of a person known, or likely to be known, to the subject of interest or users of the site without authorisation and without the consent of the person whose identify is used, and without considering the protection of that person. The consent must be explicit (.i.e. the person from whom consent is sought must agree (preferably in writing) what is and is not to be done).
7. Any use of a Social Networking Site for these purposes must also comply with Council policies on Internet and Social Media Usage which can be found on the Authority's Intranet.
8. Appendices 4 and 5 set out the guidance in the Code of Practices for Covert Surveillance and Property Interference and Covert Human Intelligence Sources respectively which deal with the use of social media.

SECTION 12 - CODES OF PRACTICE

1. The Home Office has issued Codes of Practice relating both to Covert Surveillance and the use of CHIS. Copies of these codes are available via the Home Office, or ICPO websites, or can be obtained from the gate-keeping officer.
2. These codes are statutory guidance, and adherence to them will give the authority a better chance of opposing any

allegation that RIPA and/or the Human Rights Act has been breached by its use of covert surveillance.

3. Investigating and Authorising Officers should ensure that when dealing with applications, regard is had to these codes.
4. The Investigatory Powers Commissioner has also published useful guidance, copies of which can be obtained from his website or the gate-keeping officer.

SECTION 13 - SCRUTINY AND TRIBUNAL

The council will be subject to an inspection by an OSC inspector roughly every 2 years. The inspector will;

- Examine the Central Register
- Examine authorisations, renewals and cancellations
- Question officers regarding their implementation of the legislation.
- Report to the Chief Executive regarding his/her findings

A Tribunal has also been set up to deal with complaints made under RIPA. The Tribunal may quash or cancel any authorisation and order the destruction of any record or information obtained as a result of such an authorisation.

Courts and Tribunals may exclude evidence obtained in breach of an individual's human rights. Failure to follow the procedures set out in this document increases the risk of this happening.

This document will be kept under annual review by the Council's Cabinet, who will also receive regular reports as to its implementation.

SECTION 14 – TRAINING

The Senior Responsible Officer will ensure that guidance and/or training is being provided to investigating and/or authorising officer as and when necessary to ensure that RIPA is being used

appropriately. A record of officers training will be maintained by the relevant investigating departments within the Council; which shall be made available to the Senior Responsible Officer as and when he requires them for his monitoring purposes.

APPENDIX 1

LIST OF AUTHORISING OFFICERS

Name	Post
Karen Jones	Chief Executive
Michael Roberts	Head of Streetcare
Nicola Pearce	Director of Environment and Regeneration
Ceri Morris	Head of Planning and Public Protection

APPENDIX 2

PART II OF THE REGULATION OF INVESTIGATORY POWERS ACT 2000 – HOME OFFICE FORMS

1. Authorisation of Directed Surveillance.
(Version: 2010-09 DS Application)
2. Review of a Directed Surveillance Authorisation
(Version: 2007-01 DS Review)
3. Renewal of a Directed Surveillance Authorisation

(Version: 2007-01 DS Renewal)

4. Cancellation of a Directed Surveillance Authorisation
(Version: 2007-01 DS Cancellation)
5. Application for Authorisation of the Conduct or Use of a Covert Human Intelligence Source (CHIS)
(Version: 2010-09 CHIS Application)
6. Review of a Covert Human Intelligence Source (CHIS) Authorisation
(Version: 2010-09 CHIS Review)
7. Application for a Renewal of a Covert Human Intelligence Source (CHIS) Authorisation
(Version: 2007-01 CHIS Renewal)
8. Cancellation of an Authorisation of the Use or Conduct of a Covert Human Intelligence Source
(Version: 2007-01 CHIS Cancellation)

APPENDIX 3

COUNCIL PROCEDURE FOR APPLYING TO A MAGISTRATES COURT FOR AN AUTHORISATION TO BE APPROVED BY A JUSTICE OF THE PEACE AND APPLICATION FORM TO BE USED

1. Complete the usual RIPA directed surveillance or telecoms application form, providing full details for the necessity and proportionality issues.
2. Have the RIPA form approved by an Authorised Officer in the Council.
3. Complete a new 'Approval by a Justice of the Peace' application form.
4. Contact Legal Services to seek availability of a Solicitor or Barrister to attend court.

5. Contact office at Magistrates Court to book an appointment with a JP.
6. Attend court accompanied by a solicitor to make the application with JP.
7. If RIPA is approved and supported by a JP they will sign the Order, which is the 2nd page of the 'Approval by JP' form (see attached).

Then....

8. RIPA application to be reviewed by the Authorised Officer with the investigator every month, to review its continued necessity and proportionality.
9. After 3 months the initial RIPA authorisation will come to an end. It will then need to be (i) cancelled or (ii) renewed – and the necessary forms completed.
10. There is no requirement for a JP to be involved in RIPA reviews and/or cancellations as this is merely an internal process.
11. If a RIPA application is to be renewed – continued past 3 months – then a JP will once again need to be involved. The investigator will need to complete a RIPA Renewal form and then follow points 2 to 6 above again, seeking a signed Order from a JP at court.

REGULATION OF INVESTIGATORY POWERS ACT 2000

APPLICATION FOR APPROVAL BY A JUSTICE OF THE PEACE

Application for judicial approval for authorisation to use a covert human intelligence source or to conduct directed surveillance. Regulation of Investigatory Powers Act 2000 sections 32A, 32B.

Local authority: Neath Port Talbot County Borough Council

Local authority department:

Offence under investigation:

Address of premises or identity
.....
.....

Covert technique requested: (tick one and specify details)

Covert Human Intelligence Source

Directed Surveillance

Summary of details

.....
.....
.....
.....
.....

Note: this application should be read in conjunction with the attached RIPA authorisation/RIPA application or notice.

Investigating Officer:
Authorising Officer/Designated Person:
Officer(s) appearing before JP:
Address of applicant department:
.....
Contact telephone number:
Contact email address (optional):
Local authority reference:
Number of pages:

ORDER

Order made on an application for judicial approval for authorisation to use a covert human intelligence source or to conduct directed surveillance. Regulation of Investigatory Powers Act 2000 sections 32A and 32B.

Magistrates' court: Swansea Magistrates Court

Having considered the application, I (tick one):

am satisfied that there are reasonable grounds for believing that the requirements of the Act were satisfied and remain satisfied, and that

the relevant conditions are satisfied and I therefore approve the grant or renewal of the authorisation / notice.

refuse to approve the grant or renewal of the authorisation /notice.

refuse to approve the grant or renewal and quash the authorisation/notice.

Notes

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Reasons

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Signed:

Date:

Time:

Full name:

Address of magistrates' court: Grove Place, Swansea, SA1 5DB

APPENDIX 4

Social Media – Extract from Home Office Code of Practice on Covert Surveillance and Property Interference (3.10 to 3.17)

3.10 The growth of the internet, and the extent of the information that is now available online presents new opportunities for public authorities to view or gather information which may assist them in preventing or detecting crime or carrying out other statutory functions, as well as in understanding and

engaging with the public they serve. It is important that public authorities are able to make full and lawful use of this information for their statutory purposes. Much of it can be accessed without the need for RIPA authorisation; use of the internet prior to an investigation should not normally engage privacy considerations. But if the study of an individual's online presence becomes persistent, or where material obtained from any check is to be extracted and recorded and may engage privacy considerations, RIPA authorisations may need to be considered. The following guidance is intended to assist public authorities in identifying when such authorisations may be appropriate.

- 3.11 The internet may be used for intelligence gathering and/or as a surveillance tool. Where online monitoring or investigation is conducted covertly for the purpose of a specific investigation or operation and is likely to result in the obtaining of private information about a person or group, an authorisation for directed surveillance should be considered, as set out elsewhere in this code. Where a person acting on behalf of a public authority is intending to engage with others online without disclosing his or her identity, a CHIS authorisation may be needed (paragraphs 4.10 to 4.16 of the Covert Human Intelligence Sources code of practice provide details on where a CHIS authorisation may be available for online activity).
- 3.12 In deciding whether online surveillance should be regarded as covert, consideration should be given to the likelihood of the subject(s) knowing that the surveillance is or may be taking place. Use of the internet itself may be considered as adopting a surveillance technique calculated to ensure that the subject is unaware of it, even if no further steps are taken to conceal the activity. Conversely, where a public authority has taken reasonable steps to inform the public or particular individuals that the surveillance may be taking place, the activity may be regarded as overt and a directed surveillance authorisation will not normally be available.
- 3.13 As set out in paragraph 3.14 below, depending on the nature of the online platform, there may be a reduced expectation of privacy where information relating to a person or group of people is made openly available within

the public domain, however, in some circumstances privacy implications still apply. This is because the intention when making such information available was not for it to be used for a covert purpose such as an investigative activity. This is regardless of whether a user of a website or social media platform has sought to protect such information by restricting its access by activating privacy settings.

- 3.14 Where information about an individual is placed on a publicly accessible database, for example the telephone directory or Companies House, which is commonly used and known to be accessible to all, they are unlikely to have any reasonable expectation of privacy over the monitoring by public authorities of that information. Individuals who post information on social media networks and other websites whose purpose is to communicate messages to a wide audience are also less likely to hold a reasonable expectation of privacy in relation to that information.
- 3.15 Whether a public authority interferes with a person's private life includes a consideration of the nature of the public authority's activities in relation to that information. Simple reconnaissance of such sites (i.e. preliminary examination with a view to establishing whether the site or its contents are of interest) is unlikely to interfere with a person's reasonably held expectation of privacy and therefore is not likely to require a directed surveillance authorisation. But where a public authority is systematically collecting and recording information about a particular person or group, a directed surveillance authorisation should be considered. These considerations apply regardless of when the information was shared online. See also paragraph 3.6

Example 1

A police officer undertakes a simple internet search on a name, address and telephone number to find out whether a subject of interest has an online presence. This is unlikely to need an authorisation. However, if having found an individual's social media profile or identify, it is decided to monitor it or extract information from it for retention in a record because it is relevant to an investigation or operation, authorisation should then be considered.

Example 2

A customs office makes an initial examination of an individual's online profile to establish whether they are of relevance to an investigation. This is unlikely to need an authorisation. However, if during that visit it is intended to extract and record information to establish a profile including information such as identify, pattern of life, habits, intentions or associations, it may be advisable to have in place an authorisation even for that single visit. (As set out in the following paragraph, the purpose of the visit may be relevant as to whether an authorisation should be sought.)

Example 3

A public authority undertakes general monitoring of the internet in circumstances where it is not part of a specific, ongoing investigation or operation to identify themes, trends, possible indicators of criminality or other factors that may influence operational strategies or deployments. This activity does not require RIPA authorisation. However, when this activity leads to the discovery of previously unknown subjects of interest, once it is decided to monitor those individuals as part of an ongoing operation or investigation, authorisation should be considered.

3.16 In order to determine whether a directed surveillance authorisation should be sought for accessing information on a website as part of a covert investigation or operation, it is necessary to look at the intended purpose and scope of the online activity it is proposed to undertake. Factors that should be considered in establishing whether a directed surveillance authorisation is required include:

- Whether the investigation or research is directed towards an individual or organisation;
- Whether it is likely to result in obtaining private information about a person or group or people (taking account of the guidance at paragraph 3.6 above)
- Whether it is likely to involve visiting internet sites to build up an intelligence picture or profile

- Whether the information obtained will be recorded and retained;
- Whether the information is likely to provide an observer with a pattern of lifestyle;
- Whether the information is being combined with other sources of information or intelligence, which amounts to information relating to a person's private life;
- Whether the investigation or research is part of an ongoing piece of work involving repeated viewing of the subject(s);
- Whether it is likely to involve identifying and recording information about third parties, such as friends and family members of the subject of interest, or information posted by third parties, that may include private information and therefore constitute collateral intrusion into the privacy of these third parties.

3.17 Internet searches carried out by a third party on behalf of a public authority, or with the use of a search tool, may still require a directed surveillance authorisation (see paragraph 4.32)

Example

Researches within a public authority using automated monitoring tools to search for common terminology used online for illegal purposes will not normally require a directed surveillance authorisation. Similarly, general analysis of data by public authorities either directly or through a third party for predictive purposes (e.g. identifying crime hotspots or analysis trends) is not usually directed surveillance. In such cases, the focus on individuals or groups is likely to be sufficiently cursory that it would not meet the definition of surveillance. But officers should be aware of the possibility that the broad thematic research may evolve, and that authorisation may be appropriate at the point where it begins to focus on specific individuals or groups. If specific names or other identifies of an individual or group are applied to the search or analysis, an authorisation should be considered.

Appendix 5

Social Media – Extract from Home Office Code of Practice on Covert Human Intelligence Sources (4.29-4.35)

4.29 Any member of a public authority, or person acting on their behalf, who conducts activity on the internet in such a way that they may interact with others in circumstances where the other parties could not reasonably be expected to know their true identity should consider whether the activity requires a CHIS authorisation. This applies whether the interaction involves publicly open websites such as an online news and social networking service, or more private exchanges such as messaging sites. Where the activity is likely to result in obtaining private information but does not amount to establishing or maintaining a CHIS relationship, consideration should be given to the need for a directed surveillance authorisation.

4.30 Where someone, such as an employee or member of the public, is tasked by a public authority to use an internet profile to establish or maintain a relationship with a subject of interest for a covert purpose, or otherwise undertakes such activity on behalf of the public authority, in order to obtain or provide access to information, a CHIS authorisation is likely to be required. For example:

- an investigator using the internet to engage with a subject of interest at the start of an operation, in order to ascertain information or facilitate a meeting in person;
- directing a member of the public to use their own or another internet profile to establish or maintain a relationship with a subject of interest for a covert purpose;
- joining chat rooms with a view to interacting with a criminal group in order to obtain information about their criminal activities.

4.31 A CHIS authorisation will not always be appropriate or necessary for online investigation or research. Some websites require a user to register providing personal identifiers (such as name and phone number) before access to the site will be permitted. Where a member of a public authority sets up a false

identity for this purpose, this does not in itself amount to establishing a relationship, and a CHIS authorisation would not immediately be required. However, consideration should be given to the need for a directed surveillance authorisation if the conduct is likely to result in the acquisition of private information, and the other relevant criteria are met.

Example 1: An HMRC officer intends to make a one-off online test purchase of an item on an auction site, to investigate intelligence that the true value of the goods is not being declared for tax purposes. The officer concludes the purchase and does not correspond privately with the seller or leave feedback on the site. No covert relationship is formed, and a CHIS authorisation need not be sought.

Example 2: HMRC task a member of the public to purchase goods from a number of websites to obtain information about the identity of the seller, country of origin of the goods and banking arrangements. The individual is required to engage with the seller as necessary to complete the purchases. The deployment should be covered by a CHIS authorisation because of the intention to establish a relationship for covert purposes.

4.32 Where a website or social media account requires a minimal level of interaction, such as sending or receiving a friend request before access is permitted, this may not in itself amount to establishing a relationship. Equally, the use of electronic gestures such as “like” or “follow” to react to information posted by others online would not in itself constitute forming a relationship. However, it should be borne in mind that entering a website or responding on these terms may lead to further interaction with other users and a CHIS authorisation should be obtained if there is an intention to engage in such interaction to obtain, provide access to or disclose information.

Example 1: An officer maintains a false persona, unconnected to law enforcement, on social media sites in order to facilitate future operational research or investigation. As part of the legend building activity he “follows” a variety of people and entities and “likes” occasional posts without engaging further. No relationship is formed, and no CHIS authorisation is needed.

Example 2: An officer who has maintained a false persona uses that persona to send a request to join a closed group known to be administered by a subject of interest, connected to a specific investigation. A directed surveillance authorisation would be likely to be appropriate in respect of the proposed covert monitoring of the site if the activity is likely to result in obtaining private information. Once accepted into the group it becomes apparent that further interaction is necessary: this should be authorised by means of a CHIS authorisation.

4.33 When engaging in conduct as a CHIS, a member of a public authority should not adopt the identity of a person known, or likely to be known, to the subject of interest or users of the site without considering the need for a CHIS authorisation. Full consideration should be given to the potential risks posed by that activity.

4.34 Where use of the internet is part of the tasking of a CHIS, the risk assessment carried out in accordance with paragraphs 7.15 to 7.21 of this Code should include consideration of the risks arising from that online activity including factors such as the length of time spent online and the material to which the CHIS may be exposed. This should also take account of any disparity between the technical skills of the CHIS and those of the handler or Authorising Officer, and the extent to which this may impact on the effectiveness of oversight.

4.35 Where it is intended that more than one person will share the same online persona, each individual should be clearly identifiable within the overarching authorisation for that operation. The authorisation should provide clear information about the conduct required of – and the risk assessments in relation to – each individual involved.

Appendix 6
Covert Surveillance and Property Interference
Code of Practice
(Sections 9.5, 9.16 – 9.22 – Dissemination, Copying, Storing
and Destruction of Materials)

9.5 Dissemination, copying and retention of material must be limited to the minimum necessary for authorised purposes. For the purposes of this code, something is necessary for the authorised purposes if the material:

- is, or is likely to become, necessary for any of the statutory purposes set out in the 2000, 1997 or 1994 Act in relation to covert surveillance or property interference;
- is necessary for facilitating the carrying out of the functions of public authorities under those Acts;
- is necessary for facilitating the carrying out of any functions of the Commissioner or the Investigatory Powers Tribunal;
- is necessary for the purposes of legal proceedings; or
- is necessary for the performance of the functions of any person by or under any enactment.

Dissemination of Information

9.16 Material acquired through covert surveillance or property interference will need to be disseminated both within and between public authorities, as well as to consumers of intelligence (which includes oversight bodies and the Secretary of State, for example), where necessary in order for action to be taken on it. The number of persons to whom any of the information is disclosed, and the extent of disclosure, should be limited to the minimum necessary for the authorised purpose(s) set out in 9.5 above. This obligation applies equally to disclosure to additional persons within a public authority and to disclosure outside the authority. In the same way, only so much of the material may be disclosed as the recipient needs; for example if a summary of the material will suffice, no more than that should be disclosed.

9.17 The obligations apply not just to the original public authority acquiring the information under a warrant or authorisation, but also to anyone to whom the material is subsequently disclosed. In

some cases, this will be achieved by requiring the latter to obtain the original authority's permission before disclosing the material further. In others, explicit safeguards should be applied to secondary recipients.

9.18 Where material obtained under a warrant or authorisation is disclosed to the authorities of a country or territory outside the UK, the public authority must ensure that the material is only handed over to the authorities if it appears to them that any requirements relating to minimising the extent to which material is disclosed, copied, distributed and retained will be observed to the extent that the authorising officer, Judicial Commissioner or Secretary of State considers appropriate.

Copying

9.19 Material obtained through covert surveillance or property interference may only be copied to the extent necessary for the authorised purposes set out at 9.5 above. Copies include not only direct copies of the whole of the material, but also extracts and summaries which identify themselves as the product of covert surveillance or property interference, and any record which refers to the covert surveillance or property interference and the identities of the persons to whom the material relates.

Storage

9.20 Material obtained through covert surveillance or property interference, and all copies, extracts and summaries of it, must be handled and stored securely, so as to minimise the risk of loss or theft. It must be held so as to be inaccessible to persons without the required level of security clearance (where applicable). This requirement to store such material securely applies to all those who are responsible for the handling of the material.

9.21 In particular, each public authority must apply the following protective security measures:

- physical security to protect any premises where the information may be stored or accessed;
- IT security to minimise the risk of unauthorised access to IT systems;

- an appropriate security clearance regime for personnel which is designed to provide assurance that those who have access to this material are reliable and trustworthy.

Destruction

9.22 Information obtained through covert surveillance or property interference, and all copies, extracts and summaries which contain such material, should be scheduled for deletion or destruction and securely destroyed as soon as they are no longer needed for the authorised purpose(s) set out in 9.5 above. If such information is retained, it should be reviewed at appropriate intervals to confirm that the justification for its retention is still valid. In this context, destroying material means taking such steps as might be necessary to make access to the data impossible.

Appendix 7
Covert Human Intelligence Sources Code of Practice
(Sections 9.4, 9.18 – 9.25 – Dissemination, Copying, Storing
and Destruction of Materials)

9.4 Dissemination, copying and retention of material obtained through a CHIS authorisation must be limited to the minimum necessary for the authorised purposes. Dissemination, copying or retention of material is necessary for the authorised purposes if:

- the material is, or is likely to become, necessary for any of the statutory purposes set out in the 2000 Act in relation to the authorisation of a CHIS;
- it is necessary to do so for facilitating the carrying out of the functions under the Act of the public authority;
- it is necessary to do so for facilitating the carrying out of any functions of the Judicial Commissioners or the Investigatory Powers Tribunal;
- it is necessary to do so for the purposes of legal proceedings; or
- it is necessary to do so for the performance of the functions of any person by or under any enactment.

Dissemination of Information

9.18 Material acquired through a CHIS authorisation may need to be disseminated both within and between public authorities, as well as to consumers of intelligence (which includes oversight bodies and the Secretary of State, for example), where necessary in order for action to be taken on it. Material which tends to indicate the presence, activity or identity of a specific CHIS should be classified and handled as highly sensitive material. The number of persons to whom such material is disclosed, and the extent of disclosure, is limited to the minimum that is necessary for one or more of the authorised purposes set out at paragraph 9.4 above. This obligation applies equally to disclosure to additional persons within a public authority and to disclosure outside the authority.

9.19 This obligation is enforced by prohibiting disclosure to persons who have not been appropriately vetted and also by the need-to-know principle in accordance with subsection (4A)(e) and

subsection (5)(e) of Section 29 of the 2000 Act: material must not be disclosed to any person unless that person's duties, which must relate to one of the authorised purposes, are such that he or she needs to know about the material to carry out those duties. In the same way, only so much of the material may be disclosed as the recipient needs. For example, if a summary of the material will suffice, no more than that should be disclosed. See also the [Prosecution Disclosure Manual](#).

9.20 The obligations should apply not just to the original public authority, but also to anyone to whom the material is subsequently disclosed. In some cases, this will be achieved by requiring the latter to obtain the original public authority's permission before disclosing the material further. In others, explicit safeguards should be applied to secondary recipients.

9.21 The above is not intended to affect arrangements for sharing actionable intelligence in accordance with the statutory functions and procedures of public authorities.

Copying

9.22 Material obtained through a CHIS authorisation may only be copied to the extent necessary for one or more of the authorised purposes set out at paragraph 9.4 above. Copies include not only direct copies of the whole of the material, but also extracts and summaries and any other records which contain material obtained through a CHIS authorisation.

Storage

9.23 Material obtained through a CHIS authorisation and all copies, extracts and summaries which contain such material, must be handled and stored securely, so as to minimise the risk of loss or theft. It must be held so as to be inaccessible to persons without the appropriate level of security clearance (where applicable). This requirement to store such material securely applies to all those who are responsible for the handling of the material.

9.24 In particular, each public authority must apply the following protective security measures:

- physical security to protect any premises where the information may be stored or accessed;
- IT security to minimise the risk of unauthorised access to IT systems;
- an appropriate security clearance regime for personnel which is designed to provide assurance that those who have access to this material are reliable and trustworthy.

Destruction

9.25 Material obtained through a CHIS authorisation, and all copies, extracts and summaries which contain such material, should be scheduled for deletion or destruction and securely destroyed as soon as it is no longer needed for one or more of the authorised purposes set out at paragraph 9.4 above. If such information is retained, it should be reviewed at appropriate intervals to confirm that the justification for its retention is still valid. In this context, destroying material means taking such steps as might be necessary to make access to the data impossible

Appendix 8
Extracts from Home Office Covert Human Intelligence
Sources Code of Practice
(Paragraphs 2.18, 2.21, 2.24-2.27)

2.18 The word “establishes” when applied to a relationship means “set up”. It does not require, as “maintains” does, endurance over any particular period. Consequently, a relationship of seller and buyer may be deemed to exist between a shopkeeper and a customer even if only a single transaction takes place. Repetition is not always necessary to give rise to a relationship, but whether or not a relationship exists depends on all the circumstances including the length of time of the contact between seller and buyer and the nature of that contact.

Example 1: Intelligence suggests that a local shopkeeper is openly selling alcohol to underage customers, without any questions being asked. A child is engaged and trained by a public authority to make a purchase of alcohol. On the basis that the exchange between a buyer and seller will be simply transactional, it is unlikely a relationship would be formed in these circumstances, and therefore it is unlikely that the child would be considered a CHIS according to the definition in Section 26(8) of the 2000 Act. A CHIS authorisation would not therefore be appropriate. However, if the test purchaser is wearing recording equipment but is not authorised as a CHIS, consideration should be given to granting a directed surveillance authorisation if it is likely to result in the obtaining of private information.

Example 2: In similar circumstances, intelligence suggests that a shopkeeper will sell alcohol to children from a room at the back of the shop, providing they have first got to know and trust them. As a consequence, the public authority decides to deploy its operative on a number of occasions, to befriend the shopkeeper and gain their trust, in order to purchase alcohol and pass back information to the public authority on the shopkeeper’s activities. In these circumstances a relationship has been established and maintained for a covert purpose and therefore a CHIS authorisation should be obtained.

2.21 In many cases involving human sources, the source will not have established or maintained a relationship for a covert purpose. Many sources provide information that they have observed or acquired other than through a relationship. This means that the source is not a CHIS for the purposes of the 2000 Act and no CHIS authorisation is required.

Example 1: A member of the public volunteers a piece of information to a member of a public authority regarding something they have witnessed in their neighbourhood. The member of the public is not a CHIS. They are not passing information obtained as a result of a relationship which has been established or maintained for a covert purpose.

Example 2: A caller to a confidential hotline (such as Crimestoppers, the HMRC Fraud Hotline, the Anti-Terrorist Hotline, or the Security Service public telephone number) reveals that they know of criminal or terrorist activity. Even if the caller is involved in the activities on which they are reporting, the caller would not be considered a CHIS as the information is not being disclosed on the basis of a relationship which was established or maintained for that covert purpose. However, should the caller be asked to maintain their relationship with those involved and to continue to supply information (or it is otherwise envisaged that they will do so), an authorisation for the use or conduct of a CHIS may be appropriate.

2.24 Tasking a person to obtain information covertly may result in a CHIS authorisation being appropriate. However, this will not be true in all circumstances. For example, where the tasking given to a person does not require that person to establish or maintain a relationship for the purpose of obtaining, providing access to or disclosing the information sought, or where the information is already within the personal knowledge of the individual, that person will not be a CHIS.

Example: A member of the public is asked by a member of a public authority to maintain a record of all vehicles arriving and leaving a specific location or to record the details of visitors to a neighbouring house. A relationship has not been established or maintained in order to gather the information and a CHIS authorisation is therefore not available. Other authorisations under the 2000 Act, for example, a directed surveillance authorisation,

may need to be considered where the activity is likely to result in the public authority obtaining information relating to a person's private or family life.

2.25 Individuals or members of organisations (e.g. travel agents, housing associations and taxi companies) who, because of their work or role have access to personal information, may voluntarily provide information to public authorities on a repeated basis and need to be managed appropriately. Public authorities must keep such human sources under constant review to ensure that they are managed with an appropriate level of sensitivity and confidentiality, and to establish whether, at any given stage, they should be authorised as a CHIS.

2.26 Determining the status of an individual or organisation is a matter of judgement by the public authority. Public authorities should avoid inducing individuals to engage in the conduct of a CHIS, either expressly or implicitly, without obtaining a CHIS authorisation or considering whether it would be appropriate to do so.

Example: Mr Y volunteers information to a member of a public authority about a work colleague out of civic duty. Mr Y is not a CHIS at this stage as he has not established or maintained (or been asked to establish or maintain) a relationship with his colleague for the covert purpose of obtaining or disclosing information. However, Mr Y is subsequently contacted by the public authority and is asked if he would ascertain certain specific information about his colleague. At this point, it is likely that Mr Y's relationship with his colleague is being maintained and used for the covert purpose of providing that information. A CHIS authorisation would therefore be appropriate.

2.27 It is possible that a person may become engaged in the conduct of a CHIS without a public authority inducing, asking, or assisting the person to engage in that conduct. However, a CHIS authorisation should be considered, for example, where a public authority is aware that an individual is independently maintaining a relationship (i.e. "self-tasking") in order to obtain evidence of criminal activity, and the public authority intends to make use of that material for its own investigative purposes.



Cyngor Castell-nedd Port Talbot
Neath Port Talbot Council

Report of the Head of Legal and Democratic Services

Name and date of Meeting

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 13 - Demolition of the properties at 96 – 81 Cyfyng Road, Panteg and associated agreement with landowners
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):	13 and 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) 13, 14 of Part 4 of Schedule 12A
of the Local Government Act 1972.

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