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

AGENDA

ENVIRONMENT AND HIGHWAYS CABINET BOARD

10.35am (OR LATER), TUESDAY, 9TH SEPTEMBER 2014

COMMITTEE ROOMS A/B - NEATH CIVIC CENTRE

PART 1

1. Appointment of Chairman

2. To receive any declarations of interest from Members.

3. Minutes of the Environment and Highways Cabinet Board held on 11th July, 2014 *(Pages 1 - 6)*

To receive the report of The Director of Environment

4. Corporate Comments, Compliments and Complaints Policy and Procedure *(Pages 9 - 18)*

5. Environment and Highways Performance Indicators, Quarter 1 of 2014/2015 *(Pages 19 - 24)*

To receive the report of the Head of Legal Services

6. Land at Lower Brynamman - Order of Exchange (Common Land) *(Pages 27 - 40)*

To receive the report of The Head of Engineering and Transport

7. Proposed Prohibition of Waiting at Any Time Order at Ffordd Amazon, Crymlyn Burrows *(Pages 43 - 46)*

8. Proposed Prohibition of Waiting, Loading and Unloading at Any Time Order Commercial Road, Resolven *(Pages 47 - 52)*

9. Individual Disabled Parking Place at 6 Hafod Street, Port Talbot

10. Renewal of Vehicle Brake Testing Equipment *(Pages 53 - 56)*

11. Extending Hospital Pilot Scheme and Extending Limited Sunday Services *(Pages 57 - 62)*

12. Bus bay allocation, Victoria Gardens Bus station, Neath *(Pages 63 - 64)*

To receive the Joint Report of The Head of Engineering and Transport and The Head of Legal Services

13. SWWITCH Deed of Termination *(Pages 67 - 100)*

To receive the report of The Head of Planning

14. 2014 Air Quality Progress Report and Detailed Assessment Reports *(Pages 103 - 252)*

15. Contaminated Land Strategy 2014 *(Pages 253 - 286)*

16. Forward Work Programme 2014/15 *(Pages 287 - 292)*

17. Any urgent items (whether public or exempt) at the discretion of the Chairman pursuant to Statutory Instrument 2001 No 2290 (as amended).

S.Phillips
Chief Executive

Civic Centre
Port Talbot **Wednesday, 3rd September, 2014**

Cabinet Board Members:

Councillors: E.V.Latham and Mrs.S.Miller

Notes:

(1) If any Cabinet Board Member is unable to attend, any other Cabinet Member may substitute as a voting Member on the Committee. Members are asked to make these arrangements direct and then to advise the committee Section.

(2) The views of the earlier Scrutiny Committee are to be taken into account in arriving at decisions (pre decision scrutiny process).

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EXECUTIVE DECISION RECORD

CABINET BOARD – 11TH JULY, 2014

ENVIRONMENT AND HIGHWAYS

Cabinet Board Members:

Councillors: E.V.Latham (Chairman) and A.J.Taylor

Officers in Attendance:

D.Griffiths, S.Owen, M.Bateman and Mrs T.Davies

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1. **APPOINTMENT OF CHAIRMAN**

Agreed that Councillor E.V.Latham be appointed Chairman for the meeting.

2. **MINUTES OF THE ENVIRONMENT AND HIGHWAYS CABINET BOARD HELD ON THE 29TH MAY, 2014**

Noted by the Committee.

Report of the Environment and Highways Scrutiny Committee

3. **REVIEW OF REPORTING CUSTOMER SERVICES DATA RELATING TO ENVIRONEMNT AND HIGHWAYS SERVICES**

Decision:

That the report be noted.

Report of the Head of Planning

4. **OFFICER URGENCY ACTION**

Decision:

That the following urgency decision taken by the Head of Planning, in consultation with the requisite Members, be noted:-

Officer Urgency Action No. 0145 dated the 27th May, 2014

Footbridge on Footpath 24, Seven Sisters.

Report of the Head of Streetcare

5. **WINTER MAINTENANCE SERVICE REVIEW**

Decisions:

1. That the revised precautionary gritting network, as detailed in the circulated report, be adopted, and the Council's Winter Maintenance Plan amended accordingly;

2. That Streetcare Officers consult closely with Members who have concerns regarding the final exclusions within the Winter Maintenance Plan 2014/15.

Reason for Decisions:

To achieve the savings laid out in the FFP whilst minimising the impact that the reduction in resource has on the service.

Implementation of Decisions:

The decisions will be implemented after the three day call-in period.

6. **BUSINESS PLAN- HEAD OF STREECTCARE**

Decision:

That the Streetcare Services Business Plan 2014/15, as contained within the circulated report, be approved.

Reason for Decision:

To implement the Business Plan as part of the Council's revised performance management framework.

Implementation of Decision:

The decision will be implemented after the three day call-in period.

7. **WASTE STRATEGY PROGRESS**

Decisions:

1. That the progress being made, including achievement of the current statutory target, be noted;

2. That the release of a further £492,000 from the Strategy Waste Reserve to the Head of Streetcare, in order to support continued implementation of the Council's strategy, specifically actions (i) and (iii) as set out in the circulated report, be approved;

3. That further bids for funding be made to Welsh Government under the Collaborative Change Programme.

Reason for Decisions:

To maintain progress in increasing the Council's recycling and composting performance in line with increasing statutory requirements, and to avoid the imposition of fines on the Council by Welsh Government for any failure to achieve specified targets.

Implementation of Decisions:

The decisions will be implemented after the three day call-in period.

Report of the Head of Engineering and Transport

8. **PROPOSED PROHIBITION OF WAITING, LOADING OR UNLOADING AT ANY TIME, PROHIBITION OF WAITING AT ANY TIME, AND REVOCATION OF EXISTING NO WAITING AT ANY TIME AT: COMMERCIAL ROAD, LANE TO REAR OF COMMERCIAL ROAD AND ACCESS LANE TO SUPERMARKET, TAIBACH, PORT TALBOT**

Decision:

That the objection in relation to proposed prohibition of waiting, loading or unloading at any time, prohibition of waiting at any time, and the revocation of existing no waiting at any time at Commercial Road, lane to rear of Commercial Road and access lane to supermarket, Taibach, Port Talbot be over ruled, the scheme be implemented as advertised and the objector informed accordingly.

Reason for Decision:

To prevent indiscriminate parking, in the interests of road safety.

Implementation of Decision:

The decision will be implemented after the three day call-in period.

Consultation:

This item has been subject to external consultation.

9. **REGIONAL TRANSPORT FORUM – BUS FUNDING UPDATE**

Decision:

That the report be noted.

10. **THE LOCAL TRANSPORT PLAN PROCESS**

Decision:

That the report be noted.

11. **OFFICER URGENCY ACTION**

Decision:

That the following urgency decision taken by the Head of Engineering and Transport, in consultation with the requisite Members, be noted:-

Officer Urgency Action No. 1263 dated the 30th May, 2014

Experimental Traffic Orders, A48 Pentyla Road, Baglan / Ty-Draw Hill, Port Talbot and A4241 Seaway Parade (Rutherglen Roundabout).

12. **OFFICER URGENCY ACTION**

Decision:

That the following urgency decision taken by the Head of Engineering and Transport, in consultation with the requisite Members, be noted:-

Officer Urgency Action No. 1264 dated the 30th May, 2014

Speed Limit Orders on A48 Fabian Way and Brunel Way, Baglan.

13. **ACCESS TO MEETINGS**

Decision:

That pursuant to Regulation 4(3) and (5) of Statutory Instrument 2001 No. 2290, the public be excluded for the following item of business which involved the likely disclosure of exempt information as defined in Paragraph 14 of Part 4 of Schedule 12A to the Local Government Act 1972.

Private Report of the Head of Engineering and Transport

14. **SERVICE X60 NEATH TO MORRISTON HOSPITAL**

Decisions:

1. That the Head of Engineering and Transport be authorised to seek quotations for the provision of the X60 Neath to Morriston Hospital service for a period of six months from 26th August 2014 with an option in favour of the Council to extend the contract up to a maximum period of two years ending in August 2016 or until the service becomes commercially viable.

2. That Rule 2.1 of the Council's Contracts Procedure Rules relating to the invitation of tenders be suspended, and that the Head of Engineering and Transport be authorised to seek quotations in line with Rule 2.2 the Council's Contracts Procedure Rules.

Reason for Decisions:

To ensure that continuity of service may be maintained after the 22nd of August 2014 when the current contract ends.

Implementation of Decisions:

The decisions will be implemented after the three day call-in period.

CHAIRMAN

ENVIRONMENT AND HIGHWAYS
CABINET BOARD

9TH SEPTEMBER 2014

ENVIRONMENT SERVICES

REPORT OF THE HEAD OF PLANNING
– N. PEARCE

DOC CODE: EHB-090914-REP-EN-NP

INDEX OF REPORT ITEMS

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ITEM NO. 1
PART 1 SECTION C

CORPORATE COMMENTS, COMPLIMENTS & COMPLAINTS POLICY AND PROCEDURE MONITORING REPORT

Purpose of Report

The purpose of this report is to advise Members on comments, compliments and complaints which have been received through the Authority's Complaints Policy by the Directorate for the six month period from October 2013 to March 2014.

Background

The following number of comments, compliments and complaints have been received by the Environment Directorate:-

Comments – 0
Compliments – 15
Complaints;
Stage 1 - 10
Stage 2 - 10

Compliments

Case 1

From South Wales Police complementing the hard work and dedication of Parking Enforcement Officers in the Cwmavon area.

Case 2

From a resident of Heol Cae Gurwen, Gwaun Cae Gurwen complimenting the workforce on their quick response on clearing their road of debris.

Case 3

From a resident of Ynysmaerdy Road thanking the Senior Waste Supervisor for resolving their situation regarding recycling bags.

Case 4

From a resident of Neath Port Talbot complimenting staff at Margam Cemetery for their professionalism and helpfulness at a very emotional time for them.

Case 5

From a resident of Crud yr Awel, Neath, thanking the workforce for cutting down a fallen tree which was covering their car.

Cases 6 – 15

From 10 residents of Neath Port Talbot complimenting the Directorate on their new online ordering of refuse and recycling equipment.

Complaints – Stage 1

Case 1

A complaint was received by a company in Skewen regarding refuse being repeatedly left outside the rear lane of their premises. The matter had been reported and dealt with previously however as it was still on-going, the complainant requested the matter to be investigated as part of the Authority's complaints procedure.

Conclusion

The area was inspected and letters were sent to the adjoining residents who were believed to be causing the problem. The complaint was investigated within the ten day guidelines.

Case 2

A complaint was received by a resident of Neath regarding the manner in which his refuse receptacles were being returned to him. The complainant stated that the refuse crews were continually leaving his empty food waste receptacle inside the glass box receptacle. The matter had been reported previously but the practice had continued.

Conclusion

The complaint was investigated and found that as this was the correct manner in which crews had been instructed to leave receptacles, the complaint was not

upheld. The complainant was informed of this. The complaint was investigated within the ten day guidelines.

Case 3

A complaint was received from the resident of Llanquicke Road in Ynysmeudwy regarding the poor condition of the highway. The matter had been reported previously however as the condition of the road remained unchanged the complainant wished for the matter to be investigated further.

Conclusion

As the complaint had been logged for future programming the complaint was not upheld and investigated within the ten day guidelines.

Case 4

A complaint was received from a resident of Neath regarding the unacceptable time in waiting for his recycling receptacles. Previous requests had been made to the Authority but as the complainant had not received any receptacles or had an explanation as to the cause of the delay, he wished to make a complaint regarding the service.

Conclusion

The complaint was investigated and found that whilst some receptacles were on order, others could have been delivered immediately. An apology was made to the complainant with an explanation as to the cause of the delay. The complaint was dealt with within the ten day guidelines

Case 5

A complaint was received by a resident of Cwmavon as his refuse receptacles were frequently not being emptied correctly. In addition, his repeated request for a calendar had not been actioned.

Conclusion

The complaint was investigated and found that whilst it was not possible for his receptacles to be emptied mechanically, refuse crews were instructed to fully empty the receptacles by hand on collection. A calendar was also sent to him as requested. The complaint was investigated within the ten day guidelines.

Case 6

A complaint was received from a resident of Neath regarding the manner in which a Waste Enforcement Officer had spoken to her whilst investigating an incident. The complainant stated that the officer had been rude and intimidating in his manner.

Conclusion

The complaint was investigated by the section manager and found that the officer had acted professionally in undertaking his duties and concluded that officers had to be assertive but courteous in obtaining the information required. The complaint was not upheld however it was considered prudent to continue the investigation by letter only. The complaint was investigated within the ten day guidelines.

Case 7

A complaint was received from a resident of Bryncoch who wished to make a complaint regarding her recycling receptacles being repeatedly missed by collection crews.

Conclusion

The complaint was investigated and found that her collection had been missed on several occasions previously. An apology was issued and the refuse crews were informed of the matter. The complaint was investigated within the ten day guidelines.

Case 8

A complaint was received from a resident outside the County who wished to make a complaint regarding a parking fine she had received and the subsequent enforcement officers' visit which resulted in the incorrect vehicle being clamped.

Conclusion

Due to the complexity of the complaint the matter was referred to a magistrate court hearing. The court found the Authority has acted lawfully and the complaint was not upheld. The complaint was not investigated within the designated ten day guidelines due to court proceedings.

Case 9

A complaint was received from a resident of Abbotts Moor as refuse crews were continually leaving her neighbour's refuse receptacles in her parking space. The matter had been reported previously but as the complaint had not been resolved she wished the matter investigated further.

Conclusion

The complaint was investigated and the refuse crews were informed to cease this practice. The complaint was responded to within the ten day guidelines.

Case 10

A complaint was received from a resident of Cimla as her refuse receptacles were continually being left on the grass verge near her property which made it difficult for her to retrieve them. This practice had previously been reported to the Authority and resolved however it had commenced again.

Conclusion

The complaint was investigated and found the receptacles were being left in a dangerous location by crews. The crews were informed to cease this practice. The complaint was investigated within the ten day guidelines.

Complaints – Stage 2

Case 1

A complaint was received from a resident of Ystradgynlais regarding a parking fine he had received. He states that whilst he acknowledged having received the ticket, he stated no further correspondence had been received by him prior to a debt collection officer calling at his address. He also stated that he had previously contacted the parking section but as he remained dissatisfied with the situation he wished his complaint escalated to a Stage 2 investigation.

Conclusion

The complaint was investigated and a time line of correspondence was produced which confirmed that the correct correspondence had been sent to his address. It was also noted that the complainant had contacted the parking office during this time but had failed to provide the information required by the

parking section to assess his claim. In view of this, as correct procedures had been followed the complaint was not upheld. The complaint was responded to within the twenty day guidelines.

Case 2

A complaint was received from a resident of Briton Ferry regarding the behaviour of a Civil Enforcement Officer who had issued her with a parking ticket. The complainant stated that the officer had been rude in his manner and was not sympathetic to her situation. Her complaint had previously been investigated by the parking manager however, as the complainant remained dissatisfied with the response, she now wished for the matter be escalated to a Stage 2 investigation.

Conclusion

It was noted that the CEO had previously been interviewed by his manager regarding the allegations made against him and he had denied the complainants version of events. All CEO's are issued with a personal recording device which is retained up to 30 days in order to investigate such instances however as the complainant had contacted the Authority after this time period this information was not available. It was considered, however, that as the officer had acted correctly in issuing the ticket, the complaint was not upheld. The complaint was investigated within the twenty day guidelines.

Case 3

A complaint was received from a resident of Glyncorrwg regarding an on-going threat of flooding to his property due to recent pavement repairs in the vicinity. The matter had previously been reported to the Authority but as no action had been taken the resident wished for his complaint to be escalated to a Stage 2 investigation.

Conclusion

The complaint was investigated and found previous remedial works had been undertaken in the highway in front of his property to alleviate flooding however the problem now appeared to be on the footpath leading to his property which was not the responsibility of this Authority. The matter was reported to NPT Homes who carried out additional remedial works to his footpath which resolved the problem. The complaint was investigated within the twenty day guidelines.

Case 4

A complaint was received via the Ombudsman's Office from a resident of Coed Hirwaun stating that his refuse receptacles were continually being missed. The complainant stated that he had reported the problem on several occasions to the Authority however no action had been taken.

Conclusion

The complaint was investigated and found there had been a breakdown in communication between officers and the collection crew and reporting procedures had not been followed. This was acknowledged by the section and an apology was sent to the complainant. The complaint was investigated within the twenty day guidelines.

Case 5

A complaint was received from a resident of Caewern regarding his refuse receptacles along with his neighbour's receptacles not being returned to their correct location by refuse crews. The matter had previously been reported but as the practice remained unresolved, he wished for his complaint to be escalated to a Stage 2 investigation.

Conclusion

The complaint was investigated and found that refuse crews were continuing to leave refuse receptacles in an app hazard manner even though the problem had been brought to their attention previously. The crew were spoken to individually regarding the practice and the situation was monitored over several weeks to ensure the receptacles were returned correctly. An apology was sent to the complainant. The complaint was investigated within the twenty day guidelines.

Case 6

A complaint was received from a resident of Glynneath regarding the condition of the gullies along his road. The complainant stated that his property had been in danger of flooding one evening due to the gullies not being cleaned to a satisfactory standard. In addition he wished to log a secondary complaint regarding the time taken for his call to be answered by the out of hours' staff.

Conclusion

On investigation it was found that whilst the gullies had previously been cleaned, an additional vehicle was sent the following day to clean the gullies in

the vicinity of his property in order to avoid the possibility of flooding in the area. His additional complaint regarding the time taken to answer his call was also investigated and it was found that a surge of calls had been received by the out of hours' team that evening due to the inclement weather which resulted in the delay. The complaint was investigated within the twenty day guidelines.

Case 7

A complaint was received from a resident of Gwaun Cae Gurwen regarding the level of charges levied against her for obtaining a parking ticket. In addition she wished to log a complaint regarding the unacceptable behaviour of the debt collection officer who visited her property. The complainant stated that she had not received any correspondence from the Authority leading up to the visit, and in addition, she did not wish for her complaint to be investigated by the parking section due to a breakdown in communication. Her complaint was therefore investigated as a Stage 2 investigation.

Conclusion

The complaint was investigated and evidence of a time line of correspondence was produced which confirmed correspondence had been sent to her address. It was also noted that the complainant had contacted the parking section during this time which confirmed she was aware of the penalty charges against her. As correct procedures had been followed the complaint was not upheld and was answered within the twenty day guidelines. Her complaint regarding the actions of the debt collection officer was forwarded to the debt collection agency for investigation.

Case 8

A complaint was received from a resident residing outside the County stating his vehicle had been clamped due to the non-payment of a parking ticket. The complainant stated that he had not received any correspondence from the Authority leading up to his vehicle being clamped. He also stated that he had previously addressed his circumstances with the parking section but as the matter remained unresolved he wished to escalate the matter to a Stage 2 investigation.

Conclusion

The complaint was investigated and found the parking section had correctly obtained the complainants address from DVLA records. It was found that the

complainant has since moved from his recorded address nine months previously but he had not informed the DVLA of his change of circumstances which had resulted in him not receiving his penalty charge notices. As officers had followed national guidelines in obtaining his address via DVLA records, it was considered that correct procedures had been followed and the complaint was not upheld. The complaint was investigated within the twenty day guidelines.

Case 9

A complaint was received from a resident of Dyffryn Cellwen via the Ombudsman's Office regarding the time taken for the Authority to install a dog waste bin on a public footpath near his property. The complainant stated that he had contacted the Authority on previous occasions regarding the matter however he remained dissatisfied that his request had not been actioned.

Conclusion

The complaint was investigated and found a delay was caused due to a failure to find a suitable location where the bin could be serviced effectively by the cleansing crew. It was found that whilst the land was in the ownership of the Authority, the footpath did not form part of the public highway nor was it a public right of way. After consultation with all parties concerned a suitable location was agreed upon where a dog waste bin could be installed and serviced effectively. The complaint was investigated within the twenty day guidelines.

Case 10

A complaint was received form a resident of Skewen stating the parking section had amended his parking permit which deemed he was no longer allowed to park outside his property. His complaint had previously been considered by the parking section but was not upheld. He therefore wished to have his complaint escalated to a stage 2 investigation.

Conclusion

The complaint was investigated and found that whilst his previous parking permit had been valid for the road outside his property, this was not in line with the Authority's Parking Permit Policy which states an applicant's address must match their parking permit. His circumstances had previously been considered by the Head of Service and it was confirmed that in order to comply with the policy, officers were within their rights to amend his permit and his complaint

was not upheld. The complaint was investigated within the twenty day guidelines.

Appendices

None

Recommendation

That the comments, compliments and complaints monitoring report be noted.

List of Background Papers

Mail Monitoring system
File Ref. TA8 & TA8/C

Wards Affected

Aberavon, Briton Ferry East, Bryn & Cwmavon, Bryncoch South, Bryncoch North, Cimla, Coedffranc Central, Dyffryn, Glyncorrwg, Glynneath, Gwaun-Cae-Gurwen, Margam, Onllwyn and Pontardawe.

Officer Contact

Carole Thomas, Senior Environment Resources Officer, Property and Regeneration
Tel: 01639 686794
Email: c.g.thomas@npt.gov.uk

ITEM NO. 2
PART 1 SECTION C

ENVIRONMENT AND HIGHWAYS PERFORMANCE INDICATORS FOR QUARTER 1 OF 2014/15

Purpose of Report

The purpose of this report is to advise Members of the 1st Quarter of 2014/15 performance Indicators.

Part 1 of the report will highlight performance levels for the relevant quarter and will demonstrate whether the indicator has improved over the same quarter of the previous year. A key has been produced below.

Performance Summary Key	
↑	Performance has improved
↔	Performance has remained the same
↓	Performance has deteriorated by less than 5%
↓↓	Performance has deteriorated in excess of 5% and has flagged up a further action report

Part 2 will include commentary on performance information in general.

Part 1 Performance Summary

Waste Management						
Indicator No.	**Indicator Name**	**Head of Service**	**Outturn 13/14**	**Q1 (2013/14)**	**Q1 (2014/15)**	**Year on Year Q1 performance comparison**
WMT/004 b	The percentage of municipal waste collected by local authorities sent to landfill	Mike Roberts	14.04%	16.1%	10.70%	↑
WMT/009 b	The percentage of municipal waste collected by local authorities and prepared for reuse, recycled or of source segregated biowaste that is composted or treated biologically in another way.	Mike Roberts	54.04%	54.72%	58.57%	↑
WMT/010 (i)	The percentage of local authority collected municipal waste prepared for reuse	Mike Roberts	0.18%	0.12%	0.24%	↑
WMT/010 (ii)	The percentage of local authority collected municipal waste recycled.	Mike Roberts	38.09%	38.39%	35.07%	↓↓
WMT/010 (iii)	The percentage of local authority collected municipal waste collected as source segregated biowastes and composted or treated biologically in another way.	Mike Roberts	15.76%	16.21%	23.25%	↑
WMT/012	The percentage of local authority collected municipal waste used to recover heat and power	Mike Roberts	29.3%	26.0%	15.10%	↓↓

Transport & Highways Indicators						
Indicator No.	**Indicator Name**	**Head of Service**	**Outturn 13/14**	**Q1 (2013/14)**	**Q1 (2014/15)**	**Year on Year Q1 performance comparison**
CMT/001	The percentage of total length of Rights of Way which are easy to use by members of the public	Nicola Pearce	67.32%	Data collected 2nd & 4th Qtr	Data collected 2nd & 4th Qtr	N/A
THS/007	The percentage of adults aged 60+ who hold a concessionary travel pass	David Griffiths	88.9%	92.2%	89.7%	↓
THS/009	The average number of calendar days taken to repair street lamp failures during the year	Mike Roberts	1.83 days	1.64 days	1.83 days	↓↓
THS/011a	Percentage of Principal (A) roads that are in overall poor condition	Mike Roberts	6.8%	Reported annually	Reported annually	N/A
THS/011b	Percentage of Non-Principal /classified (B) roads that are in overall poor condition	Mike Roberts	5.2%	Reported annually	Reported annually	N/A
THS/011c	Percentage of Non-Principal / classified (C) roads that in overall poor condition	Mike Roberts	8.2%	Reported annually	Reported annually	N/A
THS/012	Percentage of principal (A) roads, non-principal (B) roads and non-principal (C) roads that are in overall poor condition	Mike Roberts	6.7%	Reported annually	Reported annually	N/A

Transport & Highways Indicators						
Indicator No	**Indicator Name**	**Head of Service**	**Outturn 13/14**	**Q1 (2013/14)**	**Q1 (2014/15)**	**Year on Year Q1 performance comparison**
STS/005 a	The Cleanliness Index	Mike Roberts	67.6	Reported annually	Reported annually	N/A
STS/005 b	The percentage of highways inspected of a high or acceptable standard of cleanliness	Mike Roberts	98.51%	Reported annually	Reported annually	N/A
STS/006	The percentage of reported fly tipping incidents cleared within 5 working days	Mike Roberts	81.10%	Reported annually	Reported annually	N/A
L4	Response times to correspondence – percentage of public mail answered in 8 working days	Mike Roberts	75%	77%	79%	↑

Part 2 Performance Commentary

Waste Management

WMT/009 (b) - Since the adoption of the Council's new Waste Strategy there has been an improvement overall in the combined recycling and composting rate which increased by 3.85% on the same quarter last year to 58.57% and is due largely to the contribution made by more householders participating in the kerbside recycling scheme.

This increase in performance has off-set the reduction in performance of WMT/010(iii), WMT/012 which was caused by the third party outlets changing the specification for the fuel produced at the MREC which resulted in less fuel being sent for incineration and as a consequence less bottom ash was recycled.

The increased performance for WMT/010 (ii) was due to the opening of the reuse shop in the Briton Ferry Recycling Centre.

Transport and Highways

CMT/001 - Rights of way that are easy to use by members of the public, are measured biannually, and will be monitored in the 2nd Quarter. During the end of 2014/15, 67.32% of rights of way were deemed easy to use for members of the public.

THS/009 - The average number of calendar days taken to repair street lamp failures during the year. During this quarter, it took 1.83 days on average to repair street light failures which is slightly higher than the 1.64 days of Q1 13/14 but continues to maintain the service below 2 days.

THS/007 The percentage of adults aged 60+ who hold a concessionary travel pass dropped from 92.2% in the first 1st quarter of 2013/14 to 89.7% in 1st quarter of 2014/2015, this will be attributed to an increase in the population and a smaller number of passes issued.

THS/011a,b,c & THS/012 Roads that are considered in overall poor condition are monitored annually and will be discussed during the quarter 4 report at the end of the financial year.

Street Scene

Indicators for the management of streets are monitored annually.

Mail Monitoring

L4 – Public Mail answered in 8 working days. 79% of public mail was answered in quarter 1 of 2014/15, which is an increase on quarter 1 of the previous year.

Recommendation

It is recommended that Members note the performance levels achieved.

List of Background Papers

File Ref. TA14/3

Wards Affected

All

Officer Contact

Diane Leonard
Environment Resources Officer
Tel: 01639 686786
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ENVIRONMENT AND HIGHWAYS
CABINET BOARD

9th SEPTEMBER 2014

FINANCE AND CORPORATE SERVICES

REPORT OF THE HEAD OF LEGAL SERVICES – D. MICHAEL

INDEX OF REPORT ITEM

PART 1 – Doc. Code: EHB-090914-REP-FS-DM

SECTION A – MATTER FOR DECISION		
Report Item	**Page Nos**	**Wards Affected**
1. Land at Lower Brynamman- Commons Registration Act 1965 Section 13 - application to include in the Register of Common Land in respect of Unit CL25A (Gwaun-Cae-Gurwen Common) that parcel of land which it is claimed has become common land in substitution for land which it is claimed has ceased to be common land by virtue of an Order of Exchange		Lower Brynamman, Gwaun-Cae-Gurwen and Cwmllynfell

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PART 1

SECTION A, ITEM 1

LAND AT LOWER BRYNAMAN – COMMONS REGISTRATION ACT 1965 SECTION 13 – APPLICATION TO INCLUDE IN THE REGISTER OF COMMON LAND IN RESPECT OF UNIT CL25A (GWAUN CAE GURWEN COMMON) THAT PARCEL OF LAND WHICH IT IS CLAIMED HAS BECOME COMMON LAND IN SUBSTITUTION OF LAND WHICH IT IS CLAIMED HAS CEASED TO BE COMMON LAND BY VIRTUE OF AN ORDER OF EXCHANGE

Purpose of Report

An application has been received from Celtic Energy Limited to amend the Register of Common Land by adding land to the West of Gorsto Farm, Lower Brynamman to Register Unit CL25A, Gwaun-Cae-Gurwen Common in substitution for land to the east of the filling station on Amman Road, Lower Brynamman.

Background

An Order of Exchange dated 20 October 2009 was issued by the (then) Welsh Assembly Government (Appendix A). This Order had the effect that land to the West of Gorsto Farm, Lower Brynamman (an area of land measuring approximately 9.31 hectares, shown hatched green on the accompanying plan) became common land and land to the east of the filling station on Amman Road, Lower Brynamman (an area of land measuring approximately 1.41 hectares shown hatched red on the accompanying plan) ceased to be common land.

Subsequently an application to formally amend the Register of Common Land dated 5 September 2013 was received from Celtic Energy Limited being owner of the two parcels of land.

Section 13 of the Commons Registration Act 1965 provides for the amendment of the Register of Common Land where any land becomes common land or any land registered under the Act ceases to be common land. The procedure to be followed in determining an application for such an amendment of the Register of Common Land is set out in Regulation 5 of the Commons Registration (New Land) Regulations 1969.

In accordance with this procedure a notice in the prescribed Form 33 was sent to all interested parties and published in the Western Mail dated 11 April 2014 inviting objection. One letter of objection was received (Appendix B).

This Cabinet Board must therefore decide whether the application to amend the Register of Common Land is made out.

Recommendation

It is RECOMENDED that the application to amend the Register of Common Land be approved.

Reason for Proposed Decision

To record correctly the status of the two parcels of land

Wards Affected

Lower Brynamman, Gwaun-Cae-Gurwen and Cwmllynfell

Officer Contact

Mr. P. Williams, Solicitor
Tel. No. 01637 763773
E.Mail: p.williams5@npt.gov.uk

PART 1

SECTION A, ITEM 1

COMPLIANCE STATEMENT

LAND AT LOWER BRYNAMAN – COMMONS REGISTRATION ACT 1965 SECTION 13 – APPLICATION TO INCLUDE IN THE REGISTER OF COMMON LAND IN RESPECT OF UNIT CL25A (GWAUN CAE GURWEN COMMON) THAT PARCEL OF LAND WHICH IT IS CLAIMED HAS BECOME COMMON LAND IN SUBSTITUTION OF LAND WHICH IT IS CLAIMED HAS CEASED TO BE COMMON LAND BY VIRTUE OF AN ORDER OF EXCHANGE

(a) **Implementation of Decision**

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

(b) **Sustainability Appraisal**

Community Plan Impacts

Economic Prosperity	-	No Impact
Education and Lifelong Learning	-	No Impact
Better Health and Well Being	-	No Impact
Environment and Transport	-	Positive Impact
Crime and Disorder	-	No Impact

Other Impacts

Welsh Language	-	No Impact
Sustainable Development	-	No Impact
Equalities	-	No Impact
Social Inclusion	-	No Impact

(c) **Consultation**

There has been no requirement under the Constitution for external consultation on this item.

Appendix A: Order of Exchange

Llywodraeth Cynulliad Cymru
Welsh Assembly Government

THE WELSH ASSEMBLY GOVERNMENT

ORDER OF EXCHANGE

WHEREAS Celtic Energy Limited, being the person interested under the provisions of the Inclosure Acts 1845 to 1882 and the Commons Act 1899 in the lands and hereditaments specified in the First Schedule hereunder written, situate in the Parish of Llangwig, Lower Brynamman, in the Borough of Neath Port Talbot, and being the person interested under the provisions of the said Acts in the lands and hereditaments specified in the Second Schedule hereunder written, also situate in the said Parish of Llangwig, Lower Brynamman, being desirous of effecting an Exchange of the said lands and hereditaments, made due application to the Welsh Ministers to direct inquiries respecting such Exchange and to proceed with the same under the provisions of the said Acts;

AND WHEREAS due notice by advertisement in two successive weeks of the said proposed Exchange has been given, and one calendar month has elapsed from the publication of the last of such advertisements and no notice of dissent from such proposed Exchange has been given, and the Welsh Ministers having duly made inquiries are of opinion that such Exchange would be beneficial to the owners of such respective lands and hereditaments, and that the terms thereof are just and reasonable;

NOW The Welsh Ministers, in pursuance of the said Acts and of all other powers enabling them in that behalf, hereby Order and Declare that the lands and hereditaments specified in the said First Schedule and shown striped red on the plan numbered '1' and hereunto annexed, with the rights, easements and appurtenances thereto belonging, shall be given by the said Celtic Energy Limited and taken by the said Celtic Energy Limited in exchange for the lands and hereditaments specified in the said Second Schedule and shown striped green on the plan numbered '2' and hereunto annexed;

AND that the said lands and hereditaments specified in the said Second Schedule and shown as aforesaid on the plan numbered '2', with the rights, easements and appurtenances thereto belonging, shall be given by the said Celtic Energy Limited and taken by the said Celtic Energy Limited in exchange for the said lands and hereditaments specified in the said First Schedule and shown as aforesaid on the plan numbered '1'; to the intent that the lands taken in the Exchange, being the lands and hereditaments specified in the said Second Schedule as aforesaid, shall be and enure to, for and upon the same Uses, Trusts, Intents and Purposes, and subject to the same Conditions, Charges and Incumbrances as the lands given in Exchange would have stood limited or been subject to if this Order had not been made.

THE FIRST SCHEDULE
(The Common Lands to be exchanged)

Land and hereditaments in which Celtic Energy Limited as aforesaid is the person interested, situate in the Parish of Llangwig, in the County Borough of Neath Port Talbot, and which are to be exchanged for the land and hereditaments specified in the Second Schedule hereto.

COLOUR ON MAP NO.1 ANNEXED scale 1:1250 AND MAP NO.3 ANNEXED scale 1:2500	DESCRIPTION	AREA
Striped red	Land on Gwaun Cae Gurwen and Penllerfedwen Common at the north west corner, to the east of the filling station on Amman Road, Lower Brynamman; all rights attached to the land The mines and minerals are in the same ownership as the surface and are intended to pass with the surface.	approximately 1.41 ha

THE SECOND SCHEDULE
(The Lands proposed to be exchanged for the Common Land)

Land and hereditaments in which Celtic Energy Limited as aforesaid is the person interested, situate in the Parish of Llangwig, Lower Brynamman, in the County Borough of Neath Port Talbot and which are to be exchanged for the land and hereditaments specified in the First Schedule hereto.

COLOUR ON MAP NO.2 ANNEXED scale 1:2500 AND MAP NO.3 ANNEXED scale 1:2500	DESCRIPTION	AREA
Striped green	Land to the south of the area known as Cwm Amman Farm, Lower Brynamman on the northern boundary of Gwanun Cae Gurwen and Penllerfedwen Common; all rights attached to the land The mines and minerals are in the same ownership as the surface and are intended to pass with the surface.	approximately 9.31 ha

Approved by Celtic Energy Limited

Signature: L M Humphreys Date: 31/9/09

Name: LEIGHTON HUMPHREYS

EXECUTED AS A DEED by applying the seal of the Welsh Ministers. The application of the seal of the Welsh Ministers is AUTHENTICATED by

[ELISABETH VELINDA JONES, DEPUTY DIRECTOR OF LEGAL SERVICES]

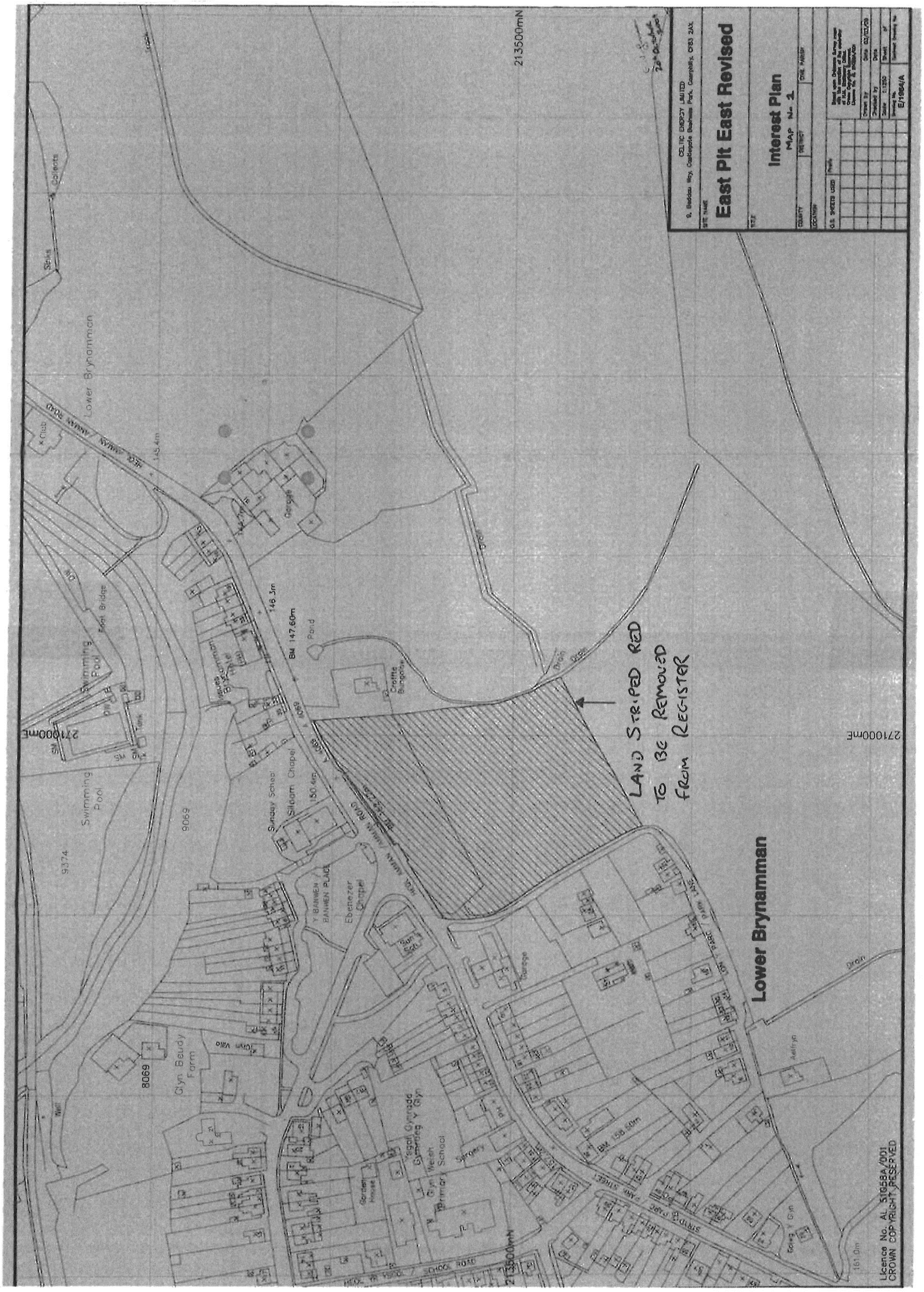
who is duly authorised for that purpose by the Director of Legal Services by authority of the Welsh Ministers under section 90(2) of the Government of Wales Act 2006.

Signature: E. V. Jones

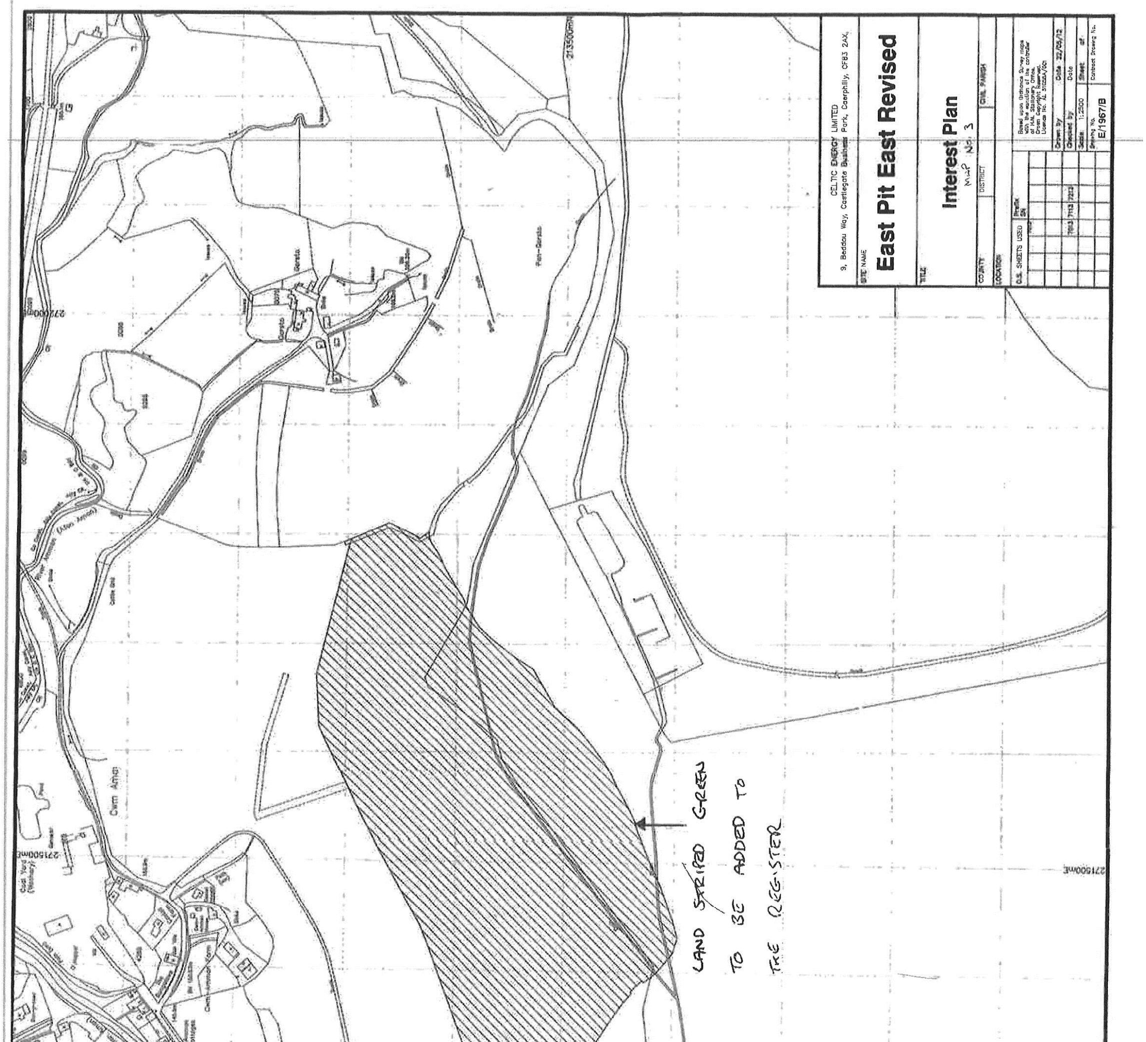
Name: ELISABETH VELINDA JONES

Job Title: DEPUTY DIRECTOR OF LEGAL SERVICES, WELSH ASSEMBLY GOVERNMENT

20th OCTOBER 2009


East Pit East Revised
Interest Plan
LAND STRIPED RED TO BE REMOVED FROM REGISTER
Lower Brynamman
Licence No. AL 51058A/001
CROWN COPYRIGHT RESERVED

East Pit East Revised
Interest Plan
LAND STRIPED GREEN TO BE ADDED TO THE REGISTER


CELTIC ENERGY LIMITED
East Pit East Revised
Interest Plan
LAND STRIPED GREEN TO BE ADDED TO THE REGISTER
LAND STRIPED RED TO BE REMOVED FROM REGISTER
Cwm Aman
Rugby Ground
E/1967/B

Appendix B: Letter of Objection with English Translation

"Castell Newydd"
Heol Aman.
Brynaman.
Rhydaman
SA18 1SN
19 Mai 2014

Eich Cyf: D58/1815

D. Michael
Pennaeth Gwasanaethau Byfeithiol.
Cyngor Bwrdeistref Sirol Castell-nedd
Port Talbot
Y Llanolfan Ddinesig.
Port Talbot

Annwyl Mr Michael

TIR COMIN, HEOL AMAN, BRYNAMAN
COFRESTRI TIR COMIN NEWYDD a DATGOFRESTRI RHAN O DIR COMIN GWAUN CAE GURWEN CL 25A.

Diolch am eich llythyr 11 Ebrill 2014 ac hefyd gopi o'r mapiau a'r hysbysieb yn y wasg.

Wedi ystyried yr hysbysieb teimlaf fod y dyddiad a roddwyd fod y tir ar y map 'B' ddim yn gywir, sef 20 Hydref 2009 - "Land ceased to be common land"

Pan mae cais yn cael ei wneud i'r bynulliad benedlaethol mae'r Iswcinidog yn rhoddi ei gantiatâd i'r tir i gael ei newid, sef hawl i dynnu allan (Map B' a rhoddi caniatâd i'r tir newydd i gael ei gofrestri (Map A).

Dyma'r math o ganiatad sydd i'w sicrhau gan y Iswcinidog sef y cam cyntaf yn y broses o dan Ddeddf Tir Comin 1845 Adran 147.

yr ydych wedi derbyn cais yn awr i dynnu'r tir allan o gofrestriad CL25A ac yna gofrestri y tir a roddwyd i gael ei gofrestri sydd i'w weled ar Map A. Ar ôl ystyried y cais yr ydych wedi gosod hysbysiad yn y wasg ac yn agored i dderbyn sylwadau.

Ar ôl y dyddiad cau fe fydd yn rhaid ail ystyried y cais a mynd a'r materion gerbron y Pwyllgor arbenhiedig ac yna o flaen y bargyfreithiwr i ddod i benderfyniad. Yn dilyn y penderfyniad os yn gadarnhaol y byddwch fel Awdurdod Cofrestri Tir Comin yn symud ymlaen i newid y map cofrestredig ac yna gwneud y newid ar y gofrestr adlen y Tir.

Dyma pan fydd y broses o'r gofrestri yn dod i ben. Fe fydd disiau rhoi gwybodaeth o'r newid yma i'r bargyfreithiwr lleol bymtheg neu yn hytrach y mudiad newydd yn Mangor er mwyn iddynt i newid eu mapiau o dir comin lle mae yna fynediad i dir comin.

Rwyf wedi delio a'ch Adran Lysyllunio ers thai blynyddoedd ar y cais cynllunio i godi 12 bynglo ar y tir. Dechreuodd y gwaith yr haf y llynedd felly nid oed yr hawl cynllunio yn gyfreithlon hyd fod y materion uchod wedi eu cwblhau. Nid oedd eich Adran Lysyllunio yn derbyn hwn felly apeliaf atoch i geisio addysgu yr Adran hon o broblemau sydd yn deillio ynglyn â thir comin

Mae rheolau ynglyn a thir comin yn mynd yn ôl am ganrifoedd felly apeliaf atoch i ystyried paham y dechreuwyd godir tai yma er fod eich cofrestr o dir comin yn dangos y darn tir fel rhan o gomin Gwaun Bae Ceirwen nes eich bod wedi cwblhau y broses uchod.

Gobeithiaf y byddwch yn derbyn y sylwadau uchod ac edrychaf ymlaen i gael gweled y copi o'r gofrestr a'r map gofrestredig yn dangos y newidiadau.

Yr eiddoch yn gywir
J Brian Humphreys.

English Translation

Dear Mr Michael

COMMON LAND, AMMAN ROAD, BRYNAMMAN
REGISTERING NEW COMMON LAND AND DE-REGISTERING PART OF COMMON LAND AT GWAUN CAE GURWEN CL25A

Thank you for your letter of 11April 2014 and also for the copies of the maps and the notice in the press.

Having considered the notice, I feel that the date given that the land on map 'B' is incorrect i.e. 20 October 2009 – 'Land ceased to be common land'.

When an application is made to the National Assembly, the Minister gives consent for a change to be made to the land, that is consent to remove (map B) and give consent for the new land to be registered (map A).

This is the kind of consent that is ensured by the Minister, that is, the first step in the process under section 147 of the Common Land Act 1845.

You have now received an application to remove the land from registration CL25A and to then register the land that is given for registration that is seen on map A. After considering the application, you have placed a notice in the press and you are open to comments.

After the closing date, you will need to re-consider the application and take the matter to the proposed committee and then in front of the Council in order to come to a decision. Following the decision, if agreed, you will, as the Commons Registration Authority, move forward to amend the register map and then amend on the register of the sections of land.

This is when the process of the register comes to an end. You will need to provide details of the amendment to the Countryside Council for Wales or in fact, the new organisation in Bangor so that it can amend its maps of common land where there is access to common land.

I've dealt with your Planning Section for some years on the planning application to erect 12 bungalows on the land. The works started last summer therefore the planning consent was illegal until the matters detailed above were completed. Your Planning Section didn't accept this and so I appeal to you to try to educate this Section of the problems that stem from common land.

The rules on common land go back centuries therefore I appeal to you to consider why the building of these dwellings commenced even though your register of common land shows part of the land as part of the Gwaun Cae Gurwen common, until the above process has been completed.

I hope that you accept my comments and I look forward to seeing a copy of the register and the register map showing the amendments.

Yours sincerely

J. Brian Humphreys

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ENVIRONMENT AND HIGHWAYS
CABINET BOARD

9TH SEPTEMBER 2014

ENVIRONMENT SERVICES

REPORT OF THE HEAD OF ENGINEERING AND TRANSPORT – D.W. GRIFFITHS

INDEX OF REPORT ITEMS

PART 1 – Doc. Code: EHB-090914-REP-EN-DG

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ITEM NO.1
PART 1 SECTION A

PROPOSED PROHIBITION OF WAITING AT ANY TIME ORDER FFORDD AMAZON, CRYMLYN BURROWS

Purpose of Report

To obtain Members approval for advertisement of the proposed Order as indicated in Appendix A.

Background

Following a planning application, it has been conditioned that a prohibition of waiting at any time order is required on the access road off Ffordd Amazon.

Screening Assessment has been undertaken to assist the Council in discharging its Public Sector Equality Duty under the Equality Act 2010. After completing the assessment it has been determined that this function does not require an Equality Impact Assessment.

Financial Implications

The work will be funded by the developer.

Consultation Outcome

Consultation exercise will be carried out when the works are advertised.

Sustainability Appraisal

The proposed order will prevent indiscriminate parking in the interest of road safety.

Recommendation

It is recommended having due regard to the Equalities Impact Assessment screening, that approval be given for the proposed measures to be advertised as indicated on the attached plan (Appendix A) and, subject to there being no objections, for the Order to be implemented.

Reasons For Proposed Decision

To prevent indiscriminate parking in the interests of road safety

Appendices

Appendix A - Plan

List of Background Papers

Equalities Impact Assessment Screening Form

File TR25

Ward Affected

Coedffranc West

Officer Contact

Mr Jason C. Davies – Senior Engineer - Traffic
Tel No. 01639 686479
E-mail: j.davies15@npt.gov.uk

ITEM NO.1, PART 1, SECTION A – COMPLIANCE STATEMENT

PROPOSED PROHIBITION OF WAITING AT ANY TIME ORDER FFORDD AMAZON, CRYMLYN BURROWS

(a) **Implementation of Decision**

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

(b) **Sustainability Appraisal**

Community Plan Impacts

Economic Prosperity	-	Positive
Education and Lifelong Learning	-	No Impact
Better Health and Well Being	-	No Impact
Environment and Transport	-	Positive
Crime and Disorder	-	No Impact

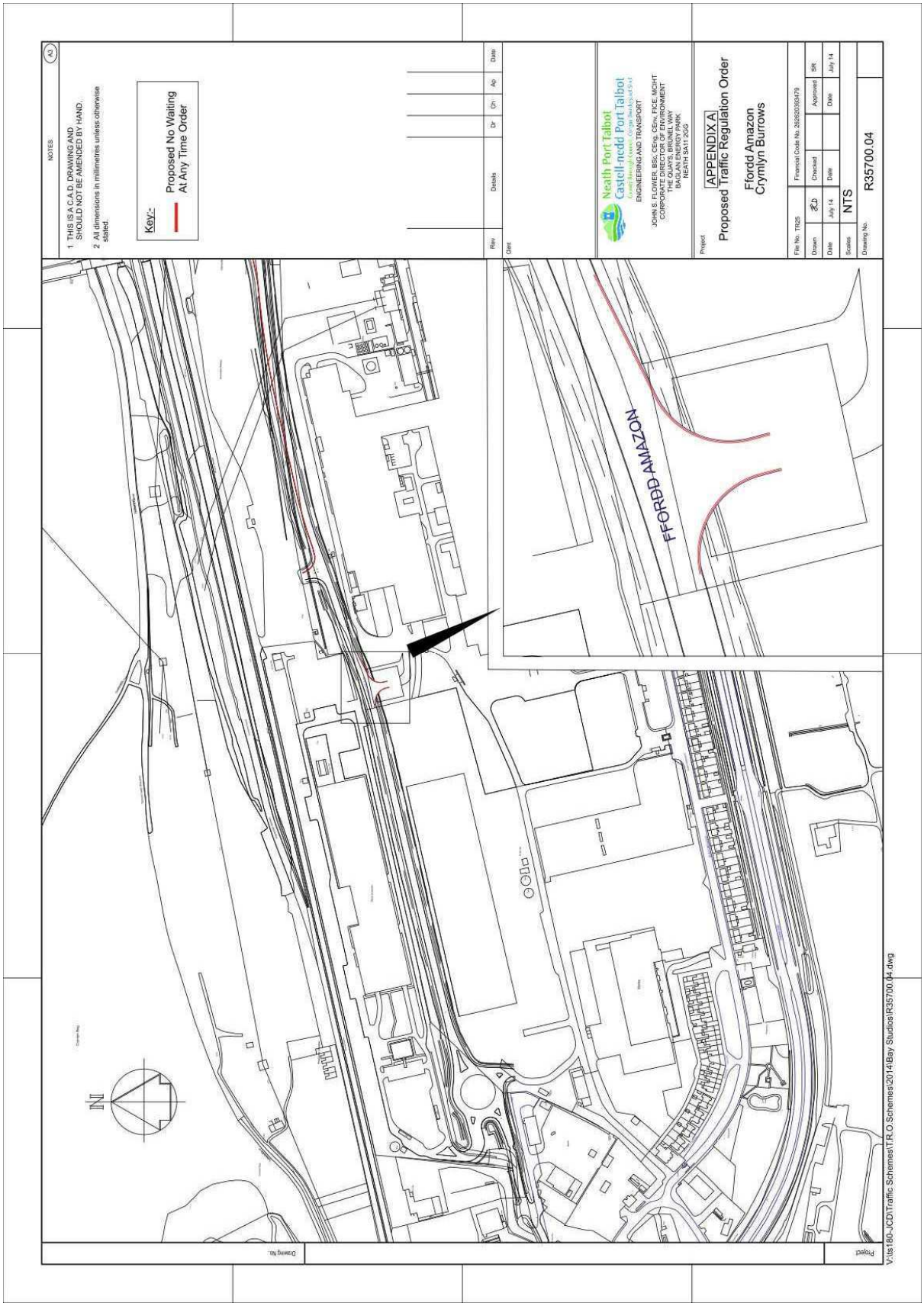
Other Impacts

Welsh Language	-	No Impact
Sustainable Development	-	Positive
Equalities	-	No Impact
Social Inclusion	-	No Impact

(c) **Consultation**

This item has been subject to external consultation.

Appendix A


NOTES:
A3
1 THIS IS A C.A.D. DRAWING AND SHOULD NOT BE AMENDED BY HAND.
2 All dimensions in millimetres unless otherwise stated.
Key:-
Proposed No Waiting At Any Time Order
Rev
Details
Dr
Ch
Ap
Date
Client
Neath Port Talbot
Castell-nedd Port Talbot
ENGINEERING AND TRANSPORT
JOHN E. FLOWER, BSc., CEng., CEnv., FICE, MCIHT
CORPORATE DIRECTOR OF ENVIRONMENT
THE QUAYS, BRUNEL WAY
BAGLAN ENERGY PARK
NEATH SA11 2GG
Project
APPENDIX A
Proposed Traffic Regulation Order
Ffordd Amazon
Crymlyn Burrows
File No. TR25
Financial Code No. 2626203/9479
Drawn
JCD
Checked
Approved
BR
Date
July 14
Date
Date
July 14
Scales
NTS
Drawing No.
R35700.04
FFORDD AMAZON
N
Drawing No.
Project
V:\ts\180-JCD\Traffic Schemes\T.R.O.Schemes\2014\Bay Studios\R35700.04.dwg

ITEM NO.2
PART 1 SECTION A

PROPOSED PROHIBITION OF WAITING LOADING AND UNLOADING AT ANY TIME ORDER
COMMERCIAL ROAD, RESOLVEN

Purpose of Report

To consider the responses received following the advertisement of the proposals indicated in Appendix A.

Background

Following a planning application, it has been conditioned that a prohibition of waiting, loading and unloading at any time order is required on Commercial Road, Resolven at its junction with New Inn Place.

In January 2014 the proposals were advertised and at the same time a consultation exercise was undertaken to all properties directly affected by the scheme Appendix B.

Screening Assessment has been undertaken to assist the Council in discharging its Public Sector Equality Duty under the Equality Act 2010. After completing the assessment it has been determined that this function does not require an Equality Impact Assessment.

Financial Implications

The work will be funded by the developer.

Consultation Outcome

List of Consultees

Councillor D Davies
Residents directly affected by the scheme

As part of the consultation exercise 19 letters were delivered by hand to residents, resulting in 1 letter being received in response to the proposal: -

The resident is concerned that people who park at the top of the street will now park down the bottom near his property and he needs access to his car at all times as he is disabled.

Observations on Objections

The proposed order is on Commercial Road and is only outside 1 property from which no objection was received. It is not envisaged that vehicles would migrate down as far as the residents' property in New Inn Place.

Sustainability Appraisal

It is envisaged that the proposal will prevent indiscriminate parking in the interests of road safety.

Recommendation

It is recommended having due regard to the Equalities Impact Assessment screening, that:

1. The objection be overruled and the objector be informed accordingly;
2. The objector be advised that there is a IDPP disabled scheme available;
3. The scheme be implemented as previously advertised.

Reasons For Proposed Decision

To prevent indiscriminate parking in the interest of road safety

Appendices

Appendix A - Plan

List of Background Papers

Equalities Impact Assessment Screening Form

File TR25

Ward Affected

Resolven

Officer Contact

Mr Jason C. Davies – Senior Engineer - Traffic
Tel No. 01639 686479
E-mail: j.davies15@npt.gov.uk

ITEM NO.2, PART 1, SECTION A – COMPLIANCE STATEMENT

PROPOSED PROHIBITION OF WAITING, LOADING AND UNLOADING AT ANY TIME ORDER COMMERCIAL ROAD, RESOLVEN

(a) **Implementation of Decision**

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

(b) **Sustainability Appraisal**

Community Plan Impacts

Economic Prosperity	-	Positive
Education and Lifelong Learning	-	No Impact
Better Health and Well Being	-	No Impact
Environment and Transport	-	Positive
Crime and Disorder	-	No Impact

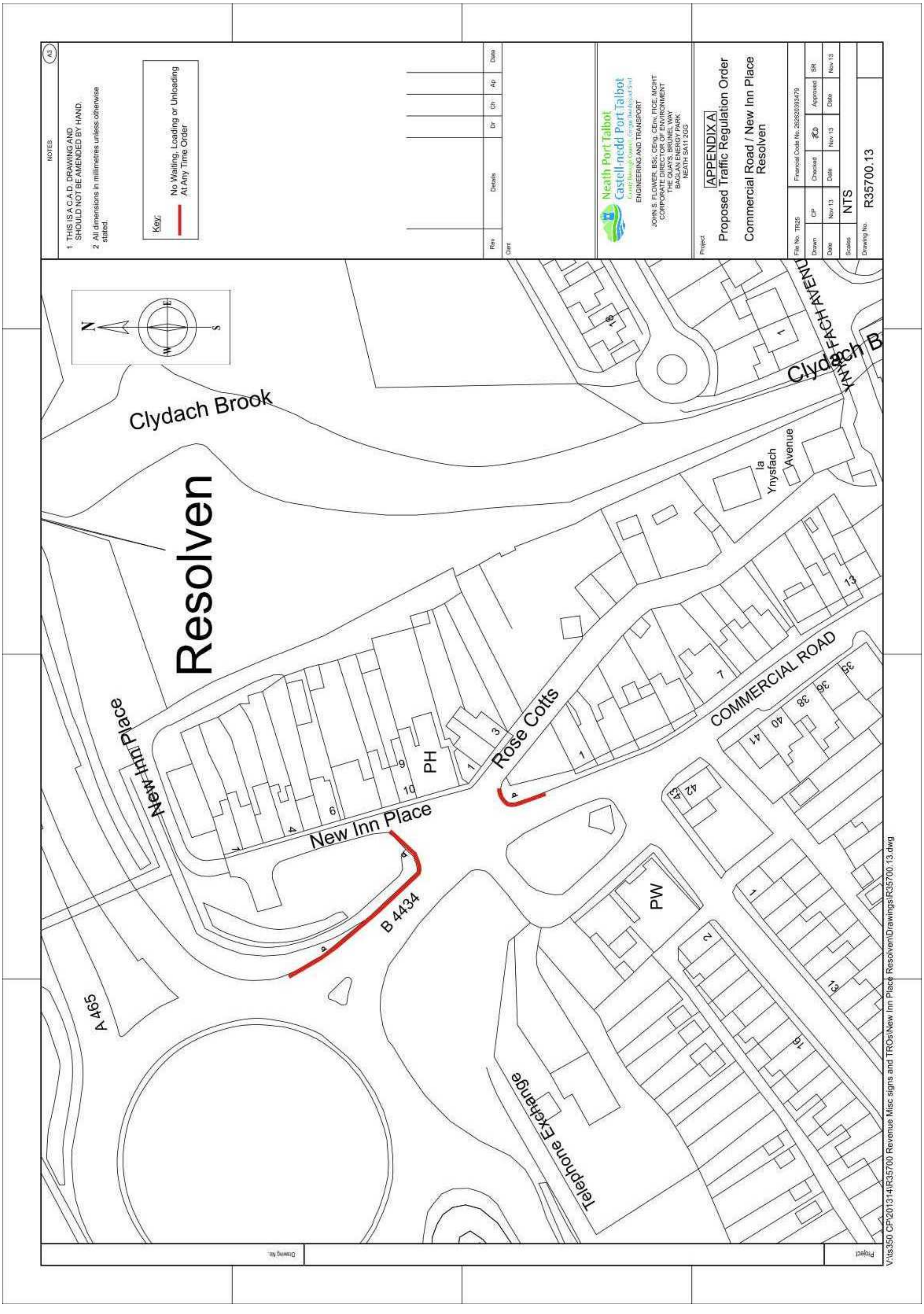
Other Impacts

Welsh Language	-	No Impact
Sustainable Development	-	Positive
Equalities	-	No Impact
Social Inclusion	-	No Impact

(c) **Consultation**

This item has been subject to external consultation.

Appendix A


NOTES
1 THIS IS A C.A.D. DRAWING AND SHOULD NOT BE AMENDED BY HAND.
2 All dimensions in millimetres unless otherwise stated.
Key:
No Waiting, Loading or Unloading At Any Time Order
Neath Port Talbot
Castell-nedd Port Talbot
ENGINEERING AND TRANSPORT
APPENDIX A
Proposed Traffic Regulation Order
Commercial Road / New Inn Place Resolven
NTS
R35700.13
Clydach Brook
Resolven
New Inn Place
Rose Cotts
COMMERCIAL ROAD
B 4434
A 465
Telephone Exchange
PH
PW
Ynysfach Avenue
YNYSFACH AVENUE

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ITEM NO.4
PART 1 SECTION A

RENEWAL OF VEHICLE BRAKE TESTING EQUIPMENT

Purpose of Report

To seek Members Approval to accept a single tender for the purchase and installation of brake testing equipment for the Authority's vehicle workshops at Tregelles Court.

Background

In the context of the Council working towards meeting the Driver and Vehicle Standards Agency (DVSA) vehicle testing requirements, and providing a local Taxi Testing facility it was agreed by this board as part of the vehicle and plant renewals program to replace the aging Brake Testing facilities at Tregelles Court vehicle workshops.

A Single tender has been obtained from VLT (Van Leeuw) Test Systems to supply, install, commission and calibrate the equipment in the sum of £38,865. The benefit of purchasing this particular system from VTL Test Systems is that the same specialist brake testing equipment is used by our local DVSA MOT Test Facility for Large goods Vehicles and is also approved and used at most of their other test stations. This will enable us to conduct brake testing to the same standards as that of the DVSA test facilities and eliminate differences in brake test reading results that we currently experience with our existing brake testing equipment which potentially can lead to MOT failures.

It is imperative that high standards of vehicle brake testing are maintained for the safety of our fleet and that of other road users. The Fleet Technical and compliance Officer has undertaken a review of available systems on the market and has visited Authorised Testing Facilities (AFT) who are operating this particular brake testing system. The VLT System has been tried, tested and approved by the DVSA, Ministry of Defence and other leading transport operators and fully meets our operational requirements and safety standards .

Screening Assessment has been undertaken to assist the Council in discharging its Public Sector Equality Duty under the Equality Act 2010. After completing the assessment it has been determined that this function does not require an Equality Impact Assessment.

Financial Implications

As the brake tester is a replacement to existing equipment a budget is already in place to fund the costs over the equipment's life via the renewals fund consequently there are no financial implications.

Consultation Outcome

There is no requirement for consultation on this item.

Sustainability Appraisal

The new up to date equipment has a positive impact in relation to Road Safety.

Recommendation

It is recommended having due regard to the Equalities Impact Assessment screening, that:

1. VLT Test Systems limited (Buckinghamshire) be approved as the Council's sole supplier and installer of Brake Testing Equipment.

2. That financial regulations and contract procure rules 3(x) be applied in order to accept a single quotation for the supply and installation.

Reasons For Proposed Decision

To continue to set high vehicle maintenance safety standards for the Authority's fleet of vehicles as stipulated by the Authority's operator's licence.

List of Background Papers

Cabinet Report of 6th March 2014 – Vehicle Fleet Procurement Programme 2014/15

Cabinet Report of 6th March 2014 – Summary of Decisions 2014/15
VLT Test Systems quotation

Equality Impact Assessment Screening Form

Wards Affected

All

Officer Contact

Kevin Lewis
Fleet Technical & Compliance Officer
01639 686341

ITEM NO.4, PART 1, SECTION A – COMPLIANCE STATEMENT

RENEWAL OF VEHICLE BRAKE TESTING EQUIPMENT

(a) **Implementation of Decision**

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

(b) **Sustainability Appraisal**

Community Plan Impacts

Economic Prosperity	-	No Impact
Education and Lifelong Learning	-	No Impact
Better Health and Well Being	-	No Impact
Environment and Transport	-	Positive
Crime and Disorder	-	No Impact

Other Impacts

Welsh Language	-	No Impact
Sustainable Development	-	No Impact
Equalities	-	No Impact
Social Inclusion	-	No Impact

(c) **Consultation**

This item has been subject to external consultation.

ITEM NO 5
PART 1 SECTION B

EXTENDING HOSPITAL PILOT SCHEME AND EXTENDING LIMITED SUNDAY SERVICES

Purpose of Report

To inform members of the award of contracts for Sunday and Bank holiday bus services and for the X60 Neath to Morriston Hospital bus service.

Background

Sunday and Bank Holiday Services
On the 29th May the Integrated Transport Unit sought members permission to go out for quotations for the continuation of the Sunday and Bank Holiday services. These services allow people living in outlying areas access to Neath for onward travel to Swansea and Port Talbot on commercial bus services.

First Cymru provided the lowest quote. There will be no interruption in service to the general public, and these services will operate as they did with the previous operator. This contract will initially operate for six months with an option to extend the contract in six month blocks for a period of up to August 2016. This will give the Council the flexibility to terminate the contracts should the commercial services cease to operate, or if the Council Subsidised services become commercially viable.

X60 Neath to Morriston Hospital
On the 11th July members permission was sought to go out for quotations for the continuation of the X60 Neath to Morriston Hospital Monday to Friday daytime service.

In the invitation to quote, operators were requested to submit prices on two separate timetables (Appendix A), as follows:

The first timetable was for the service as it stands now, currently the X60 Neath to Morriston Hospital service operates off the clock face. This makes it difficult for passengers to know what time the bus departs Neath or the Hospital. (timetable1).

The second timetable reflects suggestions from the traveling public and members of staff at Morriston Hospital, that by increasing the frequency and extending the times the service operates, more staff and visitors would be encouraged to use the service.

Although there is a slight increase in cost the second option (timetable 2) offers passengers a regular departure time from Neath and the Hospital along with an increased frequency to hourly. This will increase the number of journey from six round journeys to eleven round journeys per day Monday to Friday.
The new service option will operate from Neath Victoria Gardens at quarter past the hour from 06.15 until 16.15, then from Morriston Hospital at quarter two the hour from 6.45 until 16.45 arriving at Neath 17.15. Time Tables attached (Appendix A).

The contract was accepted on the basis of timetable 2.

Financial Implications

In March SWWITCH had a small amount of money which was distributed to the four L.A's (40k per authority) to be used to support bus services which may be at risk of withdrawal through lack of funding.

The Sunday services will cost £263 per day £7,364 for six months

The X60 will cost £220 per day £27,720 for six months – this is an increase of £3,780

Consultation Outcome

There has been no requirement under the Constitution for external consultation on this item.

Sustainability Appraisal

There are no sustainability issues.

List of Background Papers

None

Appendices

Appendix (A) Time Tables

Ward Affected

All

Officer Contact

Mr P. Jackson – Integrated Transport Unit Manager
Tel No. 01639 686091
E-mail: p.jackson@npt.gov.uk

Appendix A

Timetable 1										
Service X60										
NEATH VICTORIA GARDENS TO MORRISTON HOSPITAL										
via Neath Abbey, Skewen										
Monday to Friday (Service does not operate on Bank Holidays, ChristmasDay, Boxing Day and New Year's Day)										
Neath Victoria Gardens	08.15	09.35	10.55	12.15	14.15	15.35				
Skewen (Cresci's)	08.25	09.45	11.05	12.25	14.25	15.45				
Bowens Arms	08.29	09.49	11.09	12.29	14.29	15.49				
Morriston Hospital (Main Entrance)	08.50	10.00	11.22	12.40	14.40	16.00				
Morriston Hospital (Main Entrance)	09.00	10.15	11.35	12.55	14.55	16.15				
Bowens Arms	09.14	10.26	11.46	13.06	15.06	16.26				
Skewen (Cresci's)	09.18	10.30	11.50	13.10	15.10	16.30				
Neath Victoria Gardens	09.28	10.40	12.00	13.20	15.20	16.40				

Timetable 2													
TG/024													
Service X60													
NEATH VICTORIA GARDENS TO MORRISTON HOSPITAL TIMETABLE B													
via Neath Abbey, Skewen													
Monday to Friday (Service does not operate on Bank Holidays, ChristmasDay, Boxing Day and New Year's Day)													
Neath Victoria Gardens		6.15	7.15	8.15	9.15	10.15	11.15	12.15	13.15	14.15	15.15	16.15	17.30
Skewen (Cresci's)		6.26	7.26	8.26	9.26	10.26	11.26	12.26	13.26	14.26	15.26	16.26	17.40
Bowens Arms		6.30	7.30	8.30	9.30	10.30	11.30	12.30	13.30	14.30	15.30	16.30	
Morriston Hospital (Main Entrance)		6.43	7.43	8.43	9.43	10.43	11.43	12.43	13.43	14.43	15.43	16.43	
Morriston Hospital (Main Entrance)		6.45	7.45	8.45	9.45	10.45	11.45	12.45	13.45	14.45	15.45	16.45	
Bowens Arms		6.58	7.58	8.58	9.58	10.58	11.58	12.58	13.58	14.58	15.58	16.58	
Skewen (Cresci's)	6.00	7.02	8.02	9.02	10.02	11.02	12.02	13.02	14.02	15.02	16.02	17.02	
Neath Victoria Gardens	6.10	7.13	8.13	9.13	10.13	11.13	12.13	13.13	14.13	15.13	16.13	17.13	
Commercially operated													

ITEM NO.6

PART 1 SECTION B

BUS BAY ALLOCATION TO BUS OPERATORS AT NEATH VICTORIA GARDENS BUS STATION

Purpose of Report

To advise members of changes to departure bays at Neath Victoria Gardens Bus Station.

Background

Currently bus companies allocate bus bays at the bus station to themselves and there is little control. Following bus monitoring by transport staff and Bus Quality Partnership meetings with bus operators it transpired that too many different bus companies use the same bus bays at Neath Victoria Gardens.

The implications are: that buses queue to access a bay causing congestion, due to the congestion buses often pull onto another bay causing confusion for passengers, operators refuse to erect competitor time table information and drivers from one operator may not assist passengers with competitor times or destinations. In addition, one operator reported 13 accidents in one year blaming another operator's drivers for reversing off the bay and into their vehicle causing friction between operators.

Rather than allowing bus operators to allocate bus bays to themselves, the transport department are stepping in to allocate bus bays to each operator. The bus bays will be allocated to individual operators. This will ensure that operators can manage their own bus bays and departures efficiently and safely and improving the passenger experience.

There are eleven bays in total, currently eight bays have either two or three different bus operators allocated.
By re-allocating the bays to individual bus operators, 9 of the 11 bays will have only one bus operator alone and only two bays will be shared.

It is proposed that the changes occur on Sunday 26th October for implementation on Monday 27th of October.

Communication is critical and during September and October bus companies will be informing their passengers of the changes via their websites, driver

hand-outs, and posters on buses and at bus stops. Neath Port Talbot County Borough Council will also inform the public via press releases and website.

The revised arrangements will be closely monitored and if successful a review of the arrangements at Port Talbot Bus station will be undertaken to establish similar improvements.

Equalities Impact Assessment

Screening Assessment has been undertaken to assist the Council in discharging its Public sector Duty under the Equality Act 2010. After completing the assessment it has been determined that this function does not require an Equality Impact Assessment

Financial Implications

No financial implications.

Recommendation

That members note the changes.

Reasons For Proposed Decision

To improve the efficiency, safety and overall passenger experience at Neath Victoria Gardens Bus Station

List of Background Papers

None

Ward Affected

All

Officer Contact

Mr P. Jackson – Integrated Transport Unit Manager
Tel No. 01639 686091
E-mail: p.jackson@npt.gov.uk

ENVIRONMENT AND HIGHWAYS
CABINET BOARD

9TH SEPTEMBER 2014

ENVIRONMENT SERVICES

JOINT REPORT OF THE HEAD OF ENGINEERING AND TRANSPORT – D.W. GRIFFITHS & HEAD OF LEGAL SERVICES - D. MICHAEL

INDEX OF REPORT ITEMS

PART 1 – Doc. Code: EHB-090914-REP-EN-DG-J

SECTION A – MATTER FOR DECISION		
Report Item	**Page Nos**	**Wards Affected**
1. SWWITCH Deed of Termination		All

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ITEM NO.1
PART 1 SECTION A

SWWITCH DEED OF TERMINATION

Purpose of Report

To seek Member approval for the formal termination of the legal agreement between the Authorities in the SWWITCH Consortium.

Background

The South West Wales Regional Transport Consortium (SWWITCH), comprising Pembrokeshire, Carmarthenshire, City and County of Swansea, and Neath Port Talbot, was formally constituted by legal agreement in 2005.

The decision by Edwina Hart, Minister for Economy, Science and Transport, in January 2014, to direct funding back to the Local Councils has made the existing SWWITCH agreement (Appendix A) superfluous to requirements.

Consequently, Members at the final SWWITCH Joint Committee on 28th March 2014 determined that the Consortium should be formally 'wound up'.

The final draft of the 'Deed of Termination' to be signed by each of the four Councils involved is attached at (Appendix B).

Screening Assessment has been undertaken to assist the Council in discharging its Public Sector Equality Duty under the Equality Act 2010. After completing the assessment it has been determined that this function does not require an Equality Impact Assessment.

Financial Implications

There are no financial implications.

Consultation Outcome

There has been no requirement under the Constitution for external consultation.

Sustainability Appraisal

There are no sustainability issues.

Recommendation

It is recommended that the Director of Environment be given delegated authority to agree the terms of the Deed of Termination to dissolve the SWWITCH Consortium.

Reasons for Proposed Decision

To complete the dissolution of the SWWITCH Consortium

Appendices

Appendix A – Agreement
Appendix B – Draft Deed of Termination.

List of Background Papers

Equality Impact Assessment Screening Form

Wards Affected

All

Officer Contact

Brian Biscoe, Programme and Commissioning Manager
Tel No. 01639 686915
Email: b.biscoe@npt.gov.uk

ITEM NO.1, PART 1, SECTION A – COMPLIANCE STATEMENT

SWWITCH DEED OF TERMINATION

(a) **Implementation of Decision**

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

(b) **Sustainability Appraisal**

Community Plan Impacts		
Economic Prosperity	-	No Impact
Education and Lifelong Learning	-	No Impact
Better Health and Well Being	-	No Impact
Environment and Transport	-	No Impact
Crime and Disorder	-	No Impact

Other Impacts		
Welsh Language	-	No Impact
Sustainable Development	-	No Impact
Equalities	-	No Impact
Social Inclusion	-	No Impact

(c) **Consultation**

This item has been subject to external consultation.

Appendix A

THIS AGREEMENT is made the 10th day of October 2005

BETWEEN:

(1) THE CITY AND COUNTY OF SWANSEA
(2) NEATH PORT TALBOT COUNTY BOROUGH COUNCIL
(3) CARMARTHENSHIRE COUNTY COUNCIL
(4) PEMBROKESHIRE COUNTY COUNCIL

AGREEMENT

DATED 10th October **2005**

BETWEEN:

PARTIES:

(1) **THE CITY AND COUNTY OF SWANSEA** of County Hall Oystermouth Road Swansea SA1 3SN ("Swansea")

(2) **NEATH PORT TALBOT COUNTY BOROUGH COUNCIL** of Civic Centre Port Talbot SA13 1PJ ("Neath Port Talbot")

(3) **CARMARTHENSHIRE COUNTY COUNCIL** of County Hall Carmarthen SA31 1JP ("Carmarthenshire") and

(4) **PEMBROKESHIRE COUNTY COUNCIL** of County Hall Haverfordwest SA61 1TP ("Pembrokeshire")

(together described as the "Authorities")

WHEREAS

(1) Currently the Authorities have in place an informal arrangement between them in respect of the co-ordination of their respective transportation functions

(2) The Authorities have resolved to replace that informal arrangement with this Agreement

(3) The Authorities have agreed to establish a joint committee for the purpose of carrying out duties and responsibilities more particularly described in this Agreement with the following core aims and objectives;

(i) To achieve a better co-ordinated and more effective transport system in the Region

(ii) To work in partnership with the people and with organisations with a stake in transport in the Region

(iii) To co-ordinate the delivery of an integrated transport strategy for the Region, seeking to influence the development and use of more sustainable forms of accessible public modes of transportation through an appropriate mix of transport projects and supporting policies in the transport and related fields

(iv) To promote the essential role of transport in economic and land use planning, and to influence land development to make the necessary provision for transport and in particular public transport in the Region

(v) To ensure that full account is taken of safety, sustainability and social inclusion in transport plans and schemes in the Region.

(vi) To seek to increase the resources for transport for Wales and to maximise the share available for the Region.

(vii) To pursue appropriate standards for transport across the Region based on best practice; to seek cost-effective use of resources; and to identify and monitor targets to judge the success of its Strategy

(viii) To drive the policy debate as a champion for transport, and in particular public transport; and to raise awareness of the role of local government in transport in the Region.

NOW IT IS HEREBY AGREED as follows:-

1. **Definitions and Interpretation**

1.1. For the purpose of this Agreement the following definitions apply:

"The Authorities" shall mean the Councils who from time to time are parties to this Agreement and any reference to Authority shall mean reference to one of the Councils who are from time to time parties to this Agreement;

"Approved Strategies" shall mean such plans including policies within the remit of this Agreement as approved in accordance with Clause 3.2.

"Budget" shall mean an itemised summary of intended revenue and capital expenditure for the Financial Year as approved in accordance with Clause 3.2.

"Chair" shall mean a Member acting as chair of meetings of the Committee in accordance with this Agreement

"Committee" shall mean such joint committee as is established in accordance with this Agreement

"Constitution" shall mean a document produced, approved and maintained by an Authority setting out that Authority's arrangements including any procedural rules relating to contracts, finance and land and such other information as required by Section 37 of the Local Government Act 2000

"Funding" means funding provided to the Committee otherwise than from the Authorities

"Financial Year" shall mean a year beginning on 1st April

"Host Authority" shall mean Swansea or such other Authority appointed pursuant to this Agreement

"Member" shall mean a person elected to hold the office of member of an Authority in accordance with Section 79 of the Local Government Act 1972

"The Region" shall mean the areas of South West Wales for which the Authorities shall have responsibility

"Treasurer" shall mean such officer who shall have responsibility for maintaining the financial accounts of the Committee in relation to this Agreement

"Vice Chair" shall mean such Member serving in the place of the Chair in accordance with this Agreement

1.2. In this Agreement:-

1.2.1. any references to a specific statute include any statutory extension or modification amendment or re-enactment of such statute and any regulations or orders made under such statute

1.2.2. references to any clause, sub-clause, schedule or paragraph without further designation shall be construed as a reference to the clause, sub-clause schedule or paragraph to this Agreement so numbered

1.2.3. the clause, paragraph and schedule headings do not form part of this Agreement and shall not be taken into account in its construction or interpretation

1.2.4. person shall mean corporation, partnership, firm, unincorporated association and natural person

1.2.5. the singular includes the plural and vice versa

1.2.6. the Schedules form part of the Agreement and have the same force and effect as if expressly set out in the body of the Agreement and any reference to this Agreement shall include the Schedules

2. Authority for Agreement

This Agreement is made under the powers conferred by Sections 101, 102 and 113 of the Local Government Act 1972 and Sections 2 and 20 of the Local Government Act 2000

3. The Committee

3.1. The Authorities agree to establish a Committee in accordance with the provisions of the First Schedule presently to be called SWWITCH (the South West Wales Integrated Transport Consortium) to undertake the duties and responsibilities set out in Clause 4 of this Agreement

3.2. Subject to Clause 4 the Committee shall recommend such matters relating to the Budget and Approved Strategies within the ambit of this Agreement to the Authorities for consideration and decision in accordance with each Authority's Constitution

4. The Duties and Responsibilities of the Committee

The Committee shall:

4.1. prepare regional strategies including transportation policies, proposals and programmes

4.2. approve bids for Funding in pursuit of Approved Strategies and refer such to the Host Authority to apply for funding in accordance with Clause 5.1.3.

4.3. to the extent only that a project is the subject of Funding facilitate the implementation of Approved Strategies

4.4. obtain appropriate advice assistance and services together with the approval of the staffing structure and procurement of consultants and advisers

4.5. respond to consultations which have regional transportation implications

4.6. provide advice to the Authorities on strategic regional and local policy and operational transportation issues in the Region

4.7. approve such contractual arrangements as are proposed to be entered into on behalf of all the Authorities by the Host Authority and for avoidance of doubt this shall exclude contracts entered into by individual Authorities

4.8. do such other things in accordance with the terms of this Agreement as may be agreed from time to time by the Authorities

5. Host Authority

5.1. The Host Authority shall mean Swansea or such other Authority as may be agreed by all the Authorities and the Host Authority shall carry out the administrative functions of the Committee which shall include the following:

5.1.1. Subject to Clause 4 employ sufficient people to enable the Committee to operate in an effective manner within the approved Budget

5.1.2. enter into and use its reasonable endeavours to perform all contracts approved by the Committee

5.1.3. apply for Funding as directed by the Committee

5.1.4. receive and make payments out of all monies dedicated to the Committee (and the other parties expressly agree that Funding shall be paid to the Host Authority who shall hold the same in accordance with its financial regulations)

5.1.5. act as clerk and host the general committee support services and other requisite support services

5.1.6. comply with the provisions of this Agreement and do all such things as authorised from time to time by the Committee

5.2. The Host Authority shall also:

5.2.1. subject to the statutory role of each Authority's monitoring officer in accordance with Section 5(A)(1) of the Local Government and Housing Act 1989 and the Local Authorities (Executive and Alternative Arrangements) (Modification of Enactments and Other Provisions) (Wales) Order 2002 SL 2002 2002/808 in relation to their Authority, provide for the purposes of the Committee the services of its monitoring officer; and

5.2.2. subject to the statutory role of each Authority's Chief Financial Officer in accordance with section 151 of the Local Government Act 1972 in relation to their Authority, provide the services of it's Chief Financial Officer as Treasurer to the Committee

5.2.3. from time to time the Host Authority shall be entitled to recover from the Budget dedicated to the Committee an amount equal to the costs and outgoings which it has properly incurred in undertaking the responsibilities allocated to it under this Agreement

5.2.4 make available for inspection the accounts of the Committee at all reasonable times free of charge by any Member of the Authorities or

any officer of any of the Authorities duly authorised for the purpose and such accounts shall be subject to audit as accounts to which Section 2 of the Audit Commission Act 1998 applies

5.2.5. as soon as may be after the conclusion of every Financial Year send to each of the Authorities a copy of the final accounts of the Committee for such Financial Year this provision being in addition to and not in substitution for any obligation to furnish to each of the Authorities copies of the auditor's report on such accounts and of the financial statement thereof

6. Financial Records

6.1. At the first meeting of the Committee after the date of this Agreement, the Committee shall take over the existing Budget which has already been adopted by the Authorities under the previous informal arrangements

6.2. Thereafter the Host Authority will prepare a Budget each year which Budget shall include the cost of the provision of services by the Host Authority in accordance with this Agreement for the approval of the Committee and the Authorities where appropriate

6.3. Subject to Clause 6.2. the Committee shall be informed of the Budget at the first of its meetings to take place in each Financial Year

6.4. In respect of Funding, the Host Authority shall notify the Authorities in writing of the sums which have been granted to the Host Authority as and when the Host Authority becomes aware of such grants

6.5. The Committee shall only operate within its Budget as supplemented by any additional Funding unless otherwise agreed by all of the Authorities

6.6. Each of the Authorities shall contribute an equal amount of the net costs of operating the Committee in accordance with this Agreement such contribution shall be made in such manner and at such times as may be from time to time directed by the Host Authority

6.7. If any of the Authorities fail to pay their share of the net costs within 31 working days of the delivery of an invoice in respect of the same then the Host Authority shall be entitled to interest on the outstanding amount until payment is made. Interest shall be calculated at the rate of one per centum per annum in excess of the base lending rate of the Bank of England applicable for the relevant period

7. Ownership of Assets

7.1. The Host Authority shall hold all the assets belonging to the Committee on trust for the four Authorities in equal shares

7.2. Upon termination of this Agreement the Host Authority shall distribute any assets belonging to the Committe as directed by the Authorities and in the event of dispute shall comply with the provisions of paragraph 12 of the Second Schedule of this Agreement relating to dispute resolution

8. Indemnities

8.1. Each of the other Authorities shall indemnity and keep indemnified the Host Authority against a due proportion of all liabilities, actions, claims, demands, proceedings, damages, costs, charges, losses and expenses whatsoever and howsoever arising in respect of or in any way arising whether in contract, tort of otherwise, directly or indirectly, out of or in consequence of or in connection with its role as Host Authority pursuant to this Agreement except where the liability arises from any fraud, dishonesty, negligence, unlawful expenditure, libel or

slander on the part of the Host Authority and/or where the Host Authority has acted outside the scope of its authority

8.2. The Host Authority shall indemnify and keep indemnified the other Authorities against all liabilities, actions, claims, demands, proceedings, damages, costs, charges, losses and expenses whatsoever and howsoever arising in respect of or in any way arising whether in contract, tort or otherwise, directly or indirectly, out of or in consequence of or in connection with the Host Authority's fraud, dishonesty, negligence, unlawful expenditure, libel or slander and/or where the Host Authority has acted outside the scope of its authority

8.3. If an Authority other than the Host Authority undertakes a specific role as directed by the Committee e.g. managing a particular project it shall indemnify the other Authorities in accordance with clause 8.2. and be indemnified by the other Authority in accordance with clause 8.1. on the same basis as the Host Authority

9. Termination

9.1. Any of the Authorities may terminate its involvement in this Agreement by giving to the other Authorities notice in writing to expire 12 months from the end of the Financial Year in which the notice is given and that notice shall have the effect of terminating the entire Agreement unless the other Authorities resolve otherwise within 6 months of the end of the Financial Year in which the notice is given

9.2. In the event that this Agreement is terminated in accordance with Clause 9.1. the Authorities shall remain equally liable for the following costs:-

9.2.1. the operational costs referred to in Clause 6 calculated to the date of termination

9.2.2. costs arising as a consequence of the indemnities referred to in Clause 8

9.2.3. the cost of any redundancies consequent upon the termination

9.2.4. any other costs properly incurred in connection with this Agreement or its termination

9.3. In the event that this Agreement continues notwithstanding the withdrawal of one of the Authorities the Authority so withdrawing shall remain liable for its share of the costs referred to in Clause 9.2. calculated to the date upon which its notice expires provided that it specifically shall remain liable for the costs of any redundancy as follows:-

a redundancy in respect of which notice has been given within	% of equal share
1st year after withdrawal	100
2nd year after withdrawal	80
3rd year after withdrawal	60
4th year after withdrawal	40
5th year after withdrawal	20

9.4. In the event that the Agreement continues notwithstanding the withdrawal of one of the Authorities subject to the liability of the withdrawing Authority with regard to the costs as provided in Sub Clause 9.3. the remaining Authorities shall be liable for the balance of costs of any redundancy in equal shares after deducting the costs of the withdrawing Authority

10. **Supplemental Provisions**

The provisions of the Second Schedule shall apply to this Agreement

11. **Governing Law**

This Agreement shall be governed by and construed in accordance with the laws of England and Wales

IN WITNESS whereof the Commons Seals of the respective Authorities were hereunto affixed the day and year first before written

9489.

THE COMMON SEAL of the)
COUNCIL OF THE CITY AND)
COUNTY OF SWANSEA was)
affixed in the presence of:)

HEAD OF LEGAL SERVICES

A duly authorised officer

THE COMMON SEAL of)
NEATH PORT TALBOT)
COUNTY BOROUGH COUNCIL)
was affixed in the presence of:)

Proper Officer

THE COMMON SEAL of)
CARMARTHENSHIRE)
COUNTY COUNCIL was)
affixed in the presence of:)

A duly authorised officer

THE COMMON SEAL of)
PEMBROKESHIRE)
COUNTY COUNCIL)
Was affixed in the)
presence of:

A duly authorised officer

FIRST SCHEDULE

CONSTITUTION AND OPERATION OF THE COMMITTEE

1. Establishment and Constitution

(a) There shall be constituted a Committee:-

(i) consisting of one voting member and up to two non-voting members to be appointed by each of the Authorities

(ii) having the functions, powers and duties described in this Agreement and

(iii) upon and subject to the terms and conditions described in this Agreement

(b) The Committee may adopt or authorise the use of a brand name, logo or similar method to describe itself or its activities

2. Nomination of Deputy to attend Meetings

Each Authority shall from time to time evidenced in writing by their chief executive officer or other authorised officer as the case may be nominate a deputy for any Member appointed by them to attend and, subject to paragraph 11(a), to vote at any meeting of the Committee or of a sub-committee in place of the Member so appointed who for any reason is unable to attend that meeting

3. Appointment of Representative Members and Period of Office

Each of the Authorities shall appoint Members as mentioned in paragraph 1 and a Member so appointed shall hold office until

(a) the Member dies;

(b) the Member resigns;

(c) the Member becomes disqualified in accordance with Section 80 of the Local Government Act 1972;

(d) the Member ceases to be a Member of the Authority he represents

(e) the Authority which the Member represents has decided that another Member should act in his place, or;

(f) the Member is suspended

4. Failure to Attend Meetings/Filling of Casual Vacancies

(a) The Host Authority shall notify an Authority if one of their Members fails to attend three consecutive meetings of the Committee

(b) If for any reason there shall be a vacancy in the representation of any of the Authorities on the Committee allowed under the terms of this Agreement for the time being the Authority in whose representation the vacancy occurs may forthwith fill such vacancy by appointment evidenced in writing by their chief executive officer or other authorised officer as the case may be

5. Election of Chairperson and Vice-Chairperson

(a) The first Chair of the Committee after signing this Agreement shall be a Member representing Pembrokeshire who shall hold office until the first meeting of the Committee after 1st May 2005 or as otherwise agreed between the Authorities

(b) Subsequently at the first meeting held after 1st May in each year a new Chair shall be appointed to hold office for the following year

(c) Following the appointment of the first Chair of the Committee the right to appoint the Chair shall rotate annually as follows:-

Carmarthenshire
Swansea
Neath Port Talbot
Pembrokeshire

(d) The first Vice Chair of the Committee after signing this Agreement shall be a Member representing Carmarthenshire who shall hold office until the first meeting of the Committee after 1st May 2005 or as otherwise agreed between the Authorities

(e) Subsequently at the first meeting held after 1st May in each year a new Vice Chair shall be appointed from amongst the voting Members to hold office for the following year

(f) Following the appointment of the first Vice Chair, the Vice Chair of the Committee shall rotate annually as follows:

Swansea
Neath Port Talbot
Pembrokeshire
Carmarthenshire

(g) In the absence of the Chair at a meeting, the Vice Chair shall take the Chair and in the absence of the Chair and the Vice Chair, a Chair for that meeting shall be appointed by the Committee from amongst the voting Members

(h) The Chair at any meeting shall not have a casting vote

6. Co-opted persons

(a) The Committee may appoint to the Committee or any of its sub-committees such number of co-opted persons as it shall determine;

(b) Such persons may be individuals or representatives of such organisations as the Committee shall determine;

(c) Such co-opted persons may not vote at meetings of the Committee or its sub-committees

7. Meetings of the Committee

The Committee may hold such meetings at such intervals as they shall find necessary or convenient

8. Sub-Committees

The Committee shall have the power to appoint sub-committees for any purpose which in their opinion could better be managed or considered by means of a sub-committee. The constitution and the terms of the reference of the sub-committee(s) shall be determined by the Committee

9. Convening of Meetings

The meetings of the Committee and any sub-committees shall be convened by the Host Authority or by the Chair and every meeting shall be convened by notice in writing by the Host Authority and delivered to each Member of the Committee and co-opted person or sent by post to or delivered to the Member's or co-opted person's residence or place of business at least three clear working days before the day of the meeting.

10. Quorum of Meetings

To constitute a meeting of the Committee not less than four voting Members shall be present

11. Voting

(a) Whilst the Committee shall endeavour to work by consensus, each Authority shall be entitled to one vote at meetings of the Committee. Prior to any formal vote taking place each Authority shall indicate to the Chair which of their Members will exercise that Authority's vote at that meeting;

(b) If the Committee reaches a decision where fewer than four of the Authorities voted in support of the decision, the Committee shall not implement the decision.

12. Minutes of Meetings

(a) The minutes of the proceedings of every meeting of the Committee or sub – committee thereof shall be made by the Host Authority.

(b) Copies of the draft minutes of the proceedings of every meeting of the Committee shall after each meeting be sent by the Host Authority to the chief executive officers of the Authorities for circulation to the Members and co-opted persons.

13. Special Meetings

The Chair of the Committee shall call a special meeting of the Committee within ten working days of the receipt of a requisition signed on behalf of two or more Authorities. That requisition must set out in detail the matter to be discussed at such meeting and that requisition must be sent to all the Authorities with the notice summoning that special meeting and that meeting shall be convened in accordance with paragraph 9 of this First Schedule

14. Standing Orders etc

For the avoidance of doubt the Committee shall, where relevant and subject to the provisions of this Agreement, operate in accordance with the Host Authority's Constitution including without limitation, contract procedure rules and financial procedure rules

SECOND SCHEDULE
SUPPLEMENTARY PROVISIONS

1. Confidentiality/Transparency

1.1. The provisions of Sections 100 100A - 100I and 100K of the Local Government Act 1972 shall apply to proceedings of the Committee

1.2. Without limiting the generality of the above paragraph 1.1. the Authorities shall comply with the Data Protection Act 1998 and Freedom of Information Act 2000 as applicable and appropriate

1.3. With the exception of the matters referred to in paragraph 1.2. above the Authorities shall jointly agree a protocol for the disclosure of information relating to this Agreement

1.4. None of the Authorities shall make any communication otherwise than in accordance with a jointly agreed protocol for disclosure of information relating to this Agreement

2. Force Majeure

2.1. Notwithstanding anything else contained in this Agreement, no Authority hereto shall be liable for any breach of its obligations hereunder resulting from causes beyond its reasonable control including but not by way of limitation national emergency, war, flood, earthquake, strike, or lockout other than a strike or lockout induced by the Authority so incapacitated, imposition of governmental regulations or law which renders performance of the Agreement impossible.

2.2. Each of the Authorities hereto agrees to give written notice forthwith to the other upon becoming aware of the reasons likely to result in a delay and of the likely duration of the delay. Subject to the giving of such

notice, the performance of such notifying Authority's obligations shall be suspended during the period such circumstances persist and such notifying Authority's obligations shall be granted an extension of time for performance equal to the period of the delay. Any costs arising from such delay shall be borne by the Authority incurring the same.

2.3. The other Authorities may if the delay continues for more than 10 (ten) working days terminate the Agreement forthwith on giving written notice to the notifying Authority signed by all the other Authorities

2.4. The notifying Authority may if the delay continues for more than twenty (20) working days terminate its participation in the Agreement forthwith on giving written notice to the other Authorities

3. Variation

At any time the Committee or one or more of the Authorities may recommend changes to this Agreement by giving notice in writing to the Authorities or other Authorities as the case may be. The Authorities in receipt of the notice shall use all reasonable endeavours to consider within six weeks of such receipt whether to accept the recommendation. If all the Authorities agree to the recommended changes a memorandum of variation shall be prepared by the Host Authority for execution on behalf of all the Authorities and appended to this Agreement.

4. No Partnership

Nothing in this Agreement shall be construed as establishing or implying any partnership between the Authorities and except as stated in this Agreement nothing in this Agreement shall be deemed to constitute any of the Authorities hereto as the agent of the other Authorities or authorise any Authority (i) to incur any expenses on behalf of any other Authority (ii) to enter into any engagement or make

any representation or warranty on behalf of any other Authority (iii) to pledge the credit of or otherwise bind or oblige any other Authority or (iv) to commit any other Authority in any way whatsoever without in each case obtaining that other Authority's prior written consent

5. **Successors**

This Agreement shall be binding upon and enure to the benefit of the Authorities and their respective successors in title

6. **Notices**

6.1. Any demand notice or other communication given or made under or in connection with this Agreement will be in writing.

6.2. Any such demand notice or other communication will if given or made in accordance with this clause be deemed to have been duly given or made as follows:-

6.2.1. if sent by prepaid first class post on the second working day after the date of posting; or

6.2.2. if delivered by hand upon delivery at the address provided for in this Agreement; or

6.2.3. if sent by facsimile on the day of transmission provided that a confirmatory copy is sent by pre-paid first class post on the same working day that the facsimile is transmitted

provided however that if it is delivered by hand or sent by facsimile on a day which is not a working day or after 4.00 p.m. on a working day it will instead be deemed to have been given or made on the next working day

6.3. Any such demand notice or other communication will in the case of the service by post or delivery by hand be addressed to the recipient's

address stated in this Agreement or at such other address as may from time to time be notified in writing by the Authorities as being the address for service

6.4. Any such demand notice or other communication will in the case of service by facsimile be sent to the recipient using a facsimile number then used by the recipient at an address which in accordance with this clause could have been used for service by post

7. **Severability**

If any of the provisions of this Agreement is found by a Court or other competent authority to be void or unenforceable such provisions shall be deemed to be deleted from this Agreement and the remaining provisions of this Agreement shall continue in full force and effect. Notwithstanding the foregoing the Authorities shall thereupon negotiate in good faith in order to agree the terms of a mutually satisfactory provision to be substituted for the provision so found to be void or unenforceable

8. **Entire Agreement**

8.1. This Agreement constitutes the entire agreement and understanding of the Authorities and supersedes any previous agreement between the Authorities relating to the subject matter of this Agreement

8.2. Each of the Authorities acknowledges and agrees that in entering into this Agreement it does not rely on and shall have no remedy in respect of any statement representation warranty or understanding whether negligently or innocently made of any person whether party to this Agreement or not other than as expressly set out in this Agreement

9. **The Contracts (Rights of Third Parties) Act 1999**

The parties to this Agreement agree that the provisions of the said Act are hereby excluded

10. **Co-operation**

The Authorities agree at their own cost to co-operate fully with each other and provide such information and assistance as the other may reasonably require in connection with any actual or potential legal proceedings arbitration hearings inquiries ombudsman enquiries inspections internal investigations and disciplinary hearing arising out of or in connection with the provisions of this Agreement provided that such obligation shall not extend to any such proceedings between the Authorities

11. **Litigation**

The Authorities agree to promptly notify the others by written notice upon becoming aware of or in receipt of any process or other notice of the commencement of proceedings in which any Authority is named in connection with this Agreement. No litigation will be commenced in connection with anything arising out of this Agreement without the other Authorities prior written consent such consent not to be unreasonably withheld or delayed. The Authorities shall fully and effectively co-operate with each other in the prosecution, defence and settlement negotiations of any proceeding. No settlement of any claim made against any Authority in connection with or arising from this Agreement, will be made by any Authority without the others consent not to be unreasonably withheld or delayed.

12. **Dispute Resolution**

12.1. Prior to any dispute difference or disagreement being referred to mediation pursuant to the remaining provisions of this paragraph 12 the Authorities shall seek to resolve the matter as follows:-

12.1.1 in the first instance the issue shall be considered by chief officers with delegated responsibility for transportation matters

12.1.2 if the aforementioned chief officers are unable to resolve the matter within 30 working days then the issue shall be referred to the chief executive officers of each of the Authorities

12.1.3 if the chief executive officers are not able to resolve the matter within a further thirty (30) working days the provisions of paragraph(s) 12.2 and 12.3 shall take effect

12.2

12.2.1 For the purpose of this paragraph 12.2. a dispute shall be deemed to arise when one Authority serves on the other a notice in writing stating the nature of the dispute

12.2.2 Every dispute notified under this paragraph 12.2. shall first be referred to mediation in accordance with the mediation procedures of the Alternative Dispute Resolution Group London

12.2.3 The mediator shall be agreed upon by the Authorities and failing such agreement within fifteen (15) working days of one Authority requesting the appointment of a mediator and providing their suggestion thereof then the mediator shall be appointed by the President or the Vice -President for the time being of the Law Society

12.2.4 Unless agreed otherwise the Authorities shall share equally the costs of mediation

12.2.5 The use of mediation will not be construed under the doctrines of laches waiver or estoppel to affect adversely the rights of any Authority and in particular any Authority may seek a preliminary injunction or other judicial relief at any time if in its judgment such action is necessary to avoid irreparable damage

12.3.

12.3.1 In the event of the Authorities failing to reach agreement on their dispute or difference following mediation pursuant to paragraph 12.2 one Authority may serve on the other a notice in writing stating the nature of the matters still in dispute

12.3.2 the dispute or difference shall then be referred to the arbitration of a sole arbitrator to be appointed in accordance with Section 16(3) of the Arbitration Act 1996 ("the Arbitration Act") the seat of such arbitration being hereby designated as Wales

12.3.3 In the event of failure of the Authorities to make the appointment pursuant to Section 16(3) of the Arbitration Act the appointment shall be made by the President or if the President be unwilling, unable or unavailable the Vice President for the time being of the Law Society

12.3.4 The arbitration will be regarded as commenced for the purposes set out in Section 14(1) of the Arbitration Act when one Authority sends to the other written notice in accordance with the Arbitration Act

12.3.5 The arbitration shall be conducted in accordance with the Rules of the Chartered Institute of Arbitrators / The Rules of the London Court of International Arbitration for the Chartered

Institute of Arbitrators or any amendment or modification thereof being in force at the date of commencement of the arbitration.

Appendix B

THIS DEED is dated 2014

PARTIES

THE COUNCIL OF THE CITY AND COUNTY OF SWANSEA of the Civic Centre Oystermouth Road Swansea SA1 3SN (**Swansea**).

NEATH PORT TALBOT COUNTY BOROUGH COUNCIL of the Civic Centre Neath Port Talbot SA13 1PJ (**Neath Port Talbot**).

CARMARTHENSHIRE COUNTY COUNCIL of County Hall Carmarthen SA31 1JP (**Carmarthen**).

PEMBROKESHIRE COUNTY COUNCIL of County Hall Haverfordwest SA61 1TP (**Pembrokeshire**).

BACKGROUND

The parties entered into an agreement dated 10 October 2005 under which they agreed to establish a joint committee for the purpose of carrying out duties and responsibilities more particularly described in that Agreement (**Agreement**).

The parties agree to terminate the Agreement with effect from 1 April 2014 (**Termination Date**) on the terms set out in this Deed of Termination (**Deed**).

AGREED TERMS

DEFINITIONS

1.1 Agreement means the agreement dated 10 October 2005 under which the Authorities agreed to establish a joint committee for the purpose of carrying out duties and responsibilities more particularly described in that Agreement attached at Schedule 2

Deed means this Deed of Termination

Termination Date means 1 April 2014

1.2 In this Deed, expressions defined in the Agreement and used in this Deed shall have the meaning set out in the Agreement. The rules of interpretation set out in the Agreement apply to this Deed.

1.3 The Schedules form part of this Deed and shall have effect as if set out in full in the body of this Deed. Any reference to this Deed includes the Schedules.

TERMINATION OF THE AGREEMENT

The Agreement is, subject to clause 2.2 of this Deed, terminated with effect from the Termination Date.

On termination of the Agreement, the following clauses from the Agreement shall continue in force between the parties:

7.2

8.1

8.2

8.3

Second Schedule Supplementary Provisions:

1.1-1.4 Confidentiality/ Transparency

10 Co-operation

11 Litigation

12 Dispute Resolution

Following termination of the Agreement in accordance with clause 2.1 of this Deed the Authorities shall remain equally liable for the following costs arising after termination and incurred in connection with the Agreement:

(a) the operational costs referred to in clause 6 of the Agreement arising or remaining outstanding after the Date of Termination

(b) costs arising as a consequence of the indemnities referred to in clause 8 of the Agreement

(c) the cost of any redundancies consequent upon the termination

(d) any other costs properly incurred in connection with the Agreement or its termination

GOVERNING LAW

This Deed and any dispute or claim arising out of or in connection with it or its subject matter or formation (including non-contractual disputes or claims) shall be governed by and construed in accordance with the law of England and Wales.

JURISDICTION

Each party irrevocably agrees that the courts of England and Wales shall have exclusive jurisdiction to settle any dispute or claim arising out of or in connection with this deed or its subject matter or formation (including non-contractual disputes or claims).

This document has been executed as a deed and is delivered and takes effect on the date stated at the beginning of it.

IN WITNESS whereof the parties have executed this agreement as a deed the day and year first before written

EXECUTED as a Deed (but not delivered until the date appearing at the head of this Agreement) by **SWANSEA** affixing its Common Seal in the presence of:

Head of Legal, Democratic Services & Procurement/Authorised Signatory
……

EXECUTED as a Deed (but not delivered until the date appearing at the head of this Agreement) by **NEATH PORT TALBOT** affixing its Common Seal in the presence of:

Head of Legal, Democratic Services & Procurement/Authorised Signatory
……

EXECUTED as a Deed (but not delivered until the date appearing at the head of this Agreement) by **CARMARTHENSHIRE** affixing its Common Seal in the presence of:

Head of Legal, Democratic Services & Procurement/Authorised Signatory
……

EXECUTED as a Deed (but not delivered until the date appearing at the head of this Agreement) by **PEMBROKESHIRE** affixing its Common Seal in the presence of:

Head of Legal, Democratic Services & Procurement/Authorised Signatory
……..

ENVIRONMENT AND HIGHWAYS
CABINET BOARD

9TH SEPTEMBER 2014

ENVIRONMENT SERVICES

REPORT OF THE HEAD OF PLANNING
– N. PEARCE

DOC CODE: EHB-090914-REP-EN-NP

INDEX OF REPORT ITEMS

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ITEM NO.1
PART 1 SECTION A

2014 AIR QUALITY PROGRESS REPORT AND DETAILED ASSESSMENT REPORT

Purpose of the Report

To inform members of the results of pollution monitoring carried out during the calendar year of 2013, and obtain approval to place a copy of each of two reports on the Council's website and send copies to the Welsh Assembly Government.

Background:

Two air quality reports are covered by this Board Report (see Appendices 1 and 2).

1. The 2014 Air Quality Progress Report for Neath Port Talbot County Borough Council
2. 2014 Detailed Assessment of Nitrogen Dioxide

These reports fulfil the requirements of the Local Air Quality Management (LAQM) process as set out in Part IV of the Environment Act (1995), the Air Quality Strategy for England, Scotland, Wales and Northern Ireland 2007 and relevant Policy and Technical Guidance documents. The LAQM process places an obligation on all local authorities to regularly review and assess air quality in their areas and to determine whether or not the air quality objectives are likely to be achieved.

Three yearly Updating and Screening Assessment (USA) reports are produced by the Council. The most recent was produced in 2012. Progress Reports are required in the intervening years. Their purpose is to maintain continuity in the Local Air Quality Management process. They are not intended to be as detailed as USA Reports, or to require as much effort. However, if the Progress Report identifies the risk of exceedence of an Air Quality Objective, the Local Authority (LA) should undertake a Detailed Assessment immediately, and not wait until the next round of Review and Assessment. The second report is a Detailed Assessment Report for nitrogen dioxide.

Annual pollution reports have been produced since 1997. LAQM Progress Reports provide information on compliance with LAQM pollutants, the list of which is more limited than the complete range monitored by the Council.

LAQM Progress reports are required to be provided to WAG as the devolved administration has responsibility for compliance with national air quality objectives.

The reports present the results of pollution monitoring data collected during the calendar year 2013. The data includes results from continuous and non-continuous equipment, some of which is supplied to national pollution monitoring networks. Conclusions are drawn about air quality based upon this information.

These reports follow the format stipulated by the Welsh Government and are 121 and 24 pages long respectively. The reports will be available on the Council's website along with all previous air quality management reports. Each report is summarised below.

Screening Assessment has been undertaken to assist Council in discharging its Public Sector Equality Duty under the Equality Act 2010. After completing the assessment it has been determined that this function does not require an Equality Impact Assessment.

Summary of 2014 Air Quality Progress Report

Measurements of PM_{10} in Port Talbot revealed a breach of the short term air quality objective (24 hour mean of 50μg/m^3 not to be exceeded more than 35 times a year) at the Prince Street monitoring site, which is operated by Natural Resources Wales. This mobile monitoring station was due to be moved elsewhere within Wales in 2013. Consequently, the Council deployed a new dual PM_{10} and $PM_{2.5}$ FDMS monitor at this location in March 2014 and added it to their array of continuous monitors in the AQMA. There was no similar breach of the short term air quality objective at any other sites in Port Talbot.

$PM_{2.5}$ concentrations easily comply with the EU Target and Limit values which are to be met by 2015.

Once again, there were no problems with levels of lead, arsenic or cadmium anywhere in the County Borough.

Nickel levels were compliant with the EU Target (annual mean concentration not to exceed 20ng/m^3) at three out of four locations, the exception being Tawe Terrace, Pontardawe. This site is close to the Wall Colmonoy works, which makes extensive use of the metal in the manufacturing process. A great deal of work is being undertaken with the company to attempt to further reduce nickel levels at this site.

Levels of sulphur dioxide and carbon monoxide complied with air quality objectives.

Ozone concentrations exceeded the UK recommended air quality objective again during 2013, but this is a common occurrence across the country.

Polyaromatic hydrocarbons (PAH) at Port Talbot exceeded the UK air quality objective but easily complied with the EU Target value. PAH levels are not currently improving.

Nitrogen dioxide complied with air quality objectives at all locations although locations at Pontardawe and Victoria Gardens in Neath remain close to exceeding the annual averaged Air Quality Objective.

Nuisance dust measurements once again show that the highest fallout rates are encountered in Port Talbot, with four sites having monthly measurements greater than the "limit" of 200 $mg/m^2/day$. Prince Street was the highest of these, with an annual average of 199 $mg/m^2/day$. 2013 was also a poor year for the Cwmllynfell site, which is close to an opencast site.

The next course of action will be to submit the 2015 Updating and Screening Assessment and conduct a Detailed Assessment of the 24hr air quality objective for PM_{10} at Prince Street, Port Talbot.

Summary of 2014 Detailed Assessment of Nitrogen Dioxide

The Government and Devolved Administrations have adopted two Air Quality Objectives for nitrogen dioxide. An annual mean concentration of 40 $\mu g/m^3$ and a 1-hour mean concentration of 200 $\mu g/m^3$ not to be exceeded more than 18 times per year.

In addition, the first Air Quality Daughter Directive also sets limit values for nitrogen dioxide, which have been translated into UK legislation. A 1-hour limit of 200 $\mu g/m^3$ applies, not to be exceeded more than 18 times per year. An annual mean limit value of 40 $\mu g/m^3$ also applies.

This document has been produced in response to the requirements of the Welsh Government for review and assessment of air quality. The 2012 interim Detailed Assessment of air quality concluded that a further Detailed Assessment was necessary at Victoria Gardens, Neath.

The detailed assessment shows that the neither the annual averaged Air Quality Objective (40 μg/m^3) nor the hourly averaged AQO (200μg/m^3) for nitrogen dioxide were exceeded at sites near Victoria Gardens, Neath. Although, a property at 1, Victoria Gardens (39.8 μg/m^3) was close to, but did not exceed the annual averaged AQO when NO_2 levels were calculated with the "distance from roads spreadsheet".

Consultation Outcome:

No consultation is required, but the neighbouring local authorities and Environment Agency will be informed where to find the report on the Council's website.

Financial Appraisal:

There are no financial implications arising as a consequence of the report.

Sustainability Appraisal:

Monitoring and assessing air quality helps promote the health and well being of people, helps develop sustainable communities and a more sustainable environment.

Recommendation:

1) The contents of the 2014 Air Quality Progress Report and 2014 Detailed Assessment Report should be noted.
2) Both reports should be made available to the public and other stakeholders via the Council website and a copy sent to the Welsh Assembly Government for information.

Reason for Proposed Decision:

To provide information about air quality in accordance with legislative requirements.

Background Papers:

2014 LAQM Air Quality Progress Report
2014 Detailed Assessment Report for Nitrogen Dioxide.

Wards Affected:

All Wards

Officer Contact:

Geoff Marquis, Environmental Policy Manager
Tel: 01639 686555
Email: g.marquis@npt.gov.uk

ITEM NO.1, PART 1, SECTION A - COMPLIANCE STATEMENT

2014 AIR QUALITY PROGRESS REPORT AND DETAILED ASSESSMENT REPORT

Implementation of Decision

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

Sustainability Appraisal

Community Plan Impacts

Economic Prosperity	-	Positive
Education and Lifelong Learning	-	No Impact
Better Health and Well Being	-	Positive
Environment and Transport	-	Positive
Crime and Disorder	-	No Impact

Other Impacts

Welsh Language	-	No Impact
Sustainable Development	-	Positive
Equalities	-	Positive
Social Inclusion	-	Positive

(c) **Consultation**

There has been no requirement under the Constitution for external consultation on this item.

Appendix 1

2014 Air Quality Progress Report for Neath Port Talbot County Borough Council

In fulfillment of Part IV of the
Environment Act 1995
Local Air Quality Management

Date (August, 2014)

Local Authority Officer	Martin Hooper
Department	Environment
Address	Quays Brunel Way Baglan Energy Park Neath SA11 2GG
Telephone	01639 686517
e-mail	m.hooper@npt.gov.uk
Report Reference number	E2/16/9f
Date	August 2014

Executive Summary

Measurements of PM_{10} in Port Talbot revealed a breach of the short term air quality objective at the Prince Street monitoring site, which is operated by Natural Resources Wales. Consequently, the Council is to deploy a new dual PM_{10} and $PM_{2.5}$ FDMS monitor at this location as soon as possible in 2014. There was no similar breach of the short term air quality objective at any other sites in Port Talbot.

$PM_{2.5}$ concentrations easily comply with the EU Target and Limit values which are to be met by 2015.

Once again, there were no problems with levels of lead, arsenic or cadmium. Nickel levels were compliant with the EU Target at three out of four locations, the exception being Tawe Terrace. This site is close to the Wall Colmonoy works, which makes extensive use of the metal in the manufacturing process. A great deal of work is being undertaken to attempt to further reduce nickel levels at this site.

Levels of sulphur dioxide and carbon monoxide complied with air quality objectives.

Ozone concentrations exceeded the UK recommended air quality objective again during 2013, but this is a common occurrence across the country.

Polyaromatic hydrocarbons (PAH) at Port Talbot exceeded the UK air quality objective but easily complied with the EU Limit value. PAH levels are not currently improving.

Nitrogen dioxide complied with air quality objectives at all locations although locations at Pontardawe and Victoria Gardens in Neath remain close to exceeding the annual averaged Air Quality Objective.

Nuisance dust measurements once again show that the highest fallout rates are encountered in Port Talbot, with four sites having monthly measurements greater than the “limit” of 200 $mg/m^2/day$. Prince Street was the highest of these, with an annual average of 199 $mg/m^2/day$. 2013 was also a poor year for the Cwmllynfell site, which is close to an opencast site.

The next course of action will be to submit the 2015 Updating and Screening Assessment and conduct a Detailed Assessment of the 24hr air quality objective for PM_{10} at Prince Street, Port Talbot.

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1 Introduction

1.1 Description of Local Authority Area

The County Borough of Neath Port Talbot covers an area of 44,126 hectares. Rising from sea level in the west to 600 metres at Craig Y Llyn, above Glynneath, Neath Port Talbot is predominantly an upland area dissected by the valleys of the Afan, Neath, Dulais and Tawe rivers which all flow to the sea in Swansea Bay. These valleys are separated from each other by ridges of high forest or moorland. A narrow coastal strip extends around Swansea Bay where the main centres of population are found. The surrounding valleys are rural in aspect with scattered communities. The County Borough has a population of 139,800 (2011 Census) and contains 63,978 dwellings (2011 Census). While over recent decades the overall population trend has been of gradual decline, population figures since the 2001 Census indicate population increases which have been predominantly fuelled by internal migration from other areas of the UK and neighbouring local authorities. The main demographic challenges to the County Borough are an aging population where it is projected that the population aged over 65 years old will increase by 35% by 2023, long term ill health, low levels of economic activity and access to private transport.

The County Borough is served by the M4 motorway with the A465 “Heads of the Valleys” road providing links to the M50 and the midlands. The Intercity Rail service includes mainline stations in Neath and Port Talbot. The area has a strong manufacturing base with more than twice the UK average employed in the manufacturing sector.

The steel industry remains by far the largest industrial employer in the County Borough with around 3,000 employed directly at the Port Talbot works although contraction in the labour force has affected employment, contractors and suppliers.

Coal mining is still important in the valley communities where small mines, opencast sites and coal processing/washeries provide valuable local jobs.

1.2 Purpose of Progress Report

This report fulfils the requirements of the Local Air Quality Management (LAQM) process as set out in Part IV of the Environment Act (1995), the Air Quality Strategy for England, Scotland, Wales and Northern Ireland 2007 and the relevant Policy and Technical Guidance documents. The LAQM process places an obligation on all local authorities to regularly review and assess air quality in their areas, and to determine whether or not the air quality objectives are likely to be achieved. Where exceedences are considered likely, the local authority must then declare an Air Quality Management Area (AQMA) and prepare an Air Quality Action Plan (AQAP) setting out the measures it intends to put in place in pursuit of the objectives.

Progress Reports are required in the intervening years between the three-yearly Updating and Screening Assessment reports. Their purpose is to maintain continuity in the Local Air Quality Management process.

They are not intended to be as detailed as Updating and Screening Assessment Reports, or to require as much effort. However, if the Progress Report identifies the risk of exceedence of an Air Quality Objective, the Local Authority (LA) should undertake a Detailed Assessment immediately, and not wait until the next round of Review and Assessment.

1.3 Air Quality Objectives

The air quality objectives applicable to LAQM **in Wales** are set out in the Air Quality (Wales) Regulations 2000, No. 1940 (Wales 138), Air Quality (Amendment) (Wales) Regulations 2002, No 3182 (Wales 298), and are shown in Table 1.1. This table shows the objectives in units of micrograms per cubic metre $\mu g/m^3$ (milligrammes per cubic metre, mg/m^3 for carbon monoxide) with the number of exceedences in each year that are permitted (where applicable). The date for compliance is also provided.

Table 1.1 Air Quality Objectives included in Regulations for the purpose of LAQM in Wales

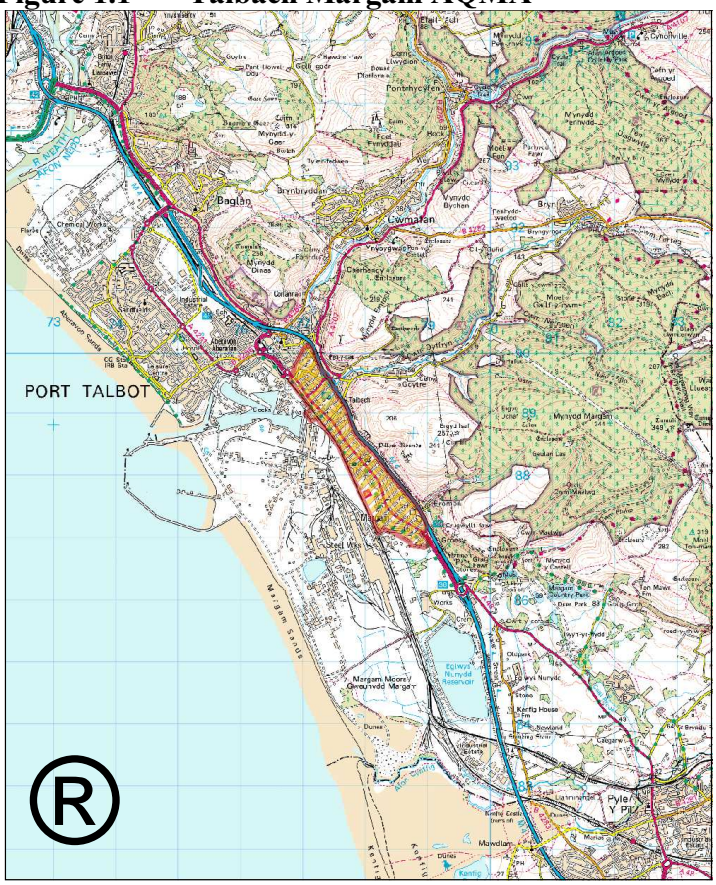
Pollutant	Air Quality Objective		Date to be achieved by
	Concentration	Measured as	
Benzene	16.25 μg/m^3	Running annual mean	31.12.2003
	5.00 μg/m^3	Annual mean	31.12.2010
1,3-Butadiene	2.25 μg/m^3	Running annual mean	31.12.2003
Carbon monoxide	10 mg/m^3	Running 8-hour mean	31.12.2003
Lead	0.50 μg/m^3	Annual mean	31.12.2004
	0.25 μg/m^3	Annual mean	31.12.2008
Nitrogen dioxide	200 μg/m^3 not to be exceeded more than 18 times a year	1-hour mean	31.12.2005
	40 μg/m^3	Annual mean	31.12.2005
Particulate Matter (PM_{10}) (gravimetric)	50 μg/m^3, not to be exceeded more than 35 times a year	24-hour mean	31.12.2004
	40 μg/m^3	Annual mean	31.12.2004
Sulphur dioxide	350 μg/m^3, not to be exceeded more than 24 times a year	1-hour mean	31.12.2004
	125 μg/m^3, not to be exceeded more than 3 times a year	24-hour mean	31.12.2004
	266 μg/m^3, not to be exceeded more than 35 times a year	15-minute mean	31.12.2005

1.4 Summary of Previous Review and Assessments

The 2000 review and assessment of air quality concluded that it would be necessary to declare an Air Quality Management Area for PM_{10} in Port Talbot. This was due the predicted failure to achieve the Government's Air Quality Objective for PM_{10} by the deadline of 31st December 2004 without intervention.

As a consequence the Taibach Margam AQMA was declared by the Council on 11th May 2000 and was in force effective from 1st July 2000. The AQMA is shown shaded in Figure 1.1 below.

Figure 1.1 Taibach Margam AQMA



The 2003 Updating and Screening Assessment (USA) showed that there was no need to proceed to a detailed assessment in respect of all but two pollutants, nitrogen dioxide and PM_{10}. Nitrogen dioxide measurements at Victoria Gardens, Neath had shown some increases that merited further investigation. PM_{10} measurements at Port Talbot had continued to require further measurement, especially as improvements to a blast furnace might have been expected to abate emissions somewhat.

The subsequent 2004 Detailed Assessment of nitrogen dioxide and PM_{10} showed that it would not be necessary to declare an AQMA in the vicinity of Victoria Gardens. PM_{10} concentrations were found to increase following re-commissioning of Blast furnace number 5 at the

steelworks. However, the numbers of exceedances were not as numerous as those recorded prior to the re-build of the furnace and the incorporation of cast house fume arrestment.

The 2006 USA showed that it would be necessary to proceed to a detailed assessment in respect of nitrogen dioxide. Several busy roads were identified for which accurate speed information was not available. Therefore it would necessary to deploy diffusion tubes in order to assess nitrogen dioxide levels at these locations. Measurements of PM10 would continue as before.

In 2007 the Detailed Assessment of nitrogen dioxide showed that none of the 19 roadside sites identified in the 2006 USA breached the annual average Air Quality Objective. However, two sites were close to the Objective and one site, Water Street, Port Talbot was at risk of exceeding. Diffusion tube monitoring continued at these locations.

The 2008 air quality report revealed compliance with PM_{10} Air Quality Objectives, both at Port Talbot Fire Station and the new site at Dyffryn School, Port Talbot. There were no breaches of Air Quality Objectives for the other LAQM pollutants, although one site at Victoria Gardens, Neath came close to doing so.

An Updating and Screening Assessment was reported in May 2009, which identified the need to proceed to a Detailed Assessment of nitrogen dioxide in respect of Water Street, Port Talbot. Further sites were also identified for deployment of nitrogen dioxide diffusion tubes. The daily averaged Air Quality Objective for PM_{10} was not exceeded in Port Talbot.

A Detailed Assessment of nitrogen dioxide was reported in 2010. This showed that Air Quality Objectives were not breached at Water Street, but recommended that a further detailed assessment should be conducted at this location.

An Air Quality Progress Report was produced in 2010, which identified the need to proceed to a Detailed Assessment of nitrogen dioxide in respect of sites at: Swansea Road, Pontardawe; Victoria Gardens, Neath and Water Street, Port Talbot.

A Detailed Assessment of nitrogen dioxide was reported in 2011. This showed that following improved traffic management and reducing volumes of traffic meant that there were no further problems at Water Street, but confirmed raised levels at Swansea Road, Pontardawe and Victoria Gardens, Neath. The Council committed to deploy continuous NO_2 analysers at these locations.

An Updating and Screening Assessment was reported in August 2012. This identified the need to proceed to a Detailed Assessment of nitrogen dioxide at Swansea Road, Pontardawe and Victoria Gardens, Neath. The report also identified the need to proceed to a Detailed Assessment for PM_{10} at respect of Prince Street, Margam.

An Air Quality Progress Report was reported in July 2013. This identified the need to proceed to a Detailed Assessment for NO_2 at Victoria Gardens in Neath.

Table 1.2 Summary of previous air quality reports

Report	Date produced	Outcomes
Annual air quality report	1998	Summary of routine measurements.
Annual air quality report	1999	Summary of routine measurements.
Annual air quality report	2000	Summary of routine measurements.
2000 Review and assessment of air quality	February 2000	AQMA for PM_{10} required for Port Talbot.
Annual air quality report	2001	Summary of routine measurements.
Annual air quality report	2002	Summary of routine measurements.
Updating and Screening Assessment of Air Quality	July 2003	Detailed assessment required for NO_2 and PM_{10}.
Annual air quality report	2003	Summary of routine measurements.
Annual air quality report	2004	Summary of routine measurements.
Detailed Assessment of air quality	November 2004	No AQMA required in respect of NO_2 at Victoria Gardens. PM_{10} problems at Port Talbot improved, but not enough to warrant revocation of AQMA.
Annual air quality report	2005	Summary of routine measurements.
Updating and Screening Assessment	April 2006	Detailed Assessment required in respect of NO_2 at several busy roads.
Annual air quality report	2006	Summary of routine measurements.
Detailed Assessment	April 2007	No AQMAs required for NO_2, but monitoring to continue at sites "at risk" of exceedance.
Annual air quality report	2007	Summary of routine measurements.
Annual air quality report	2008	Summary of routine measurements.
Updating and Screening Assessment	May 2009	Detailed Assessment required in respect of NO_2 at Water Street, Port Talbot.
Detailed Assessment of air quality	2010	No AQMA required but another Detailed Assessment recommended for Water Street.
Progress report	2010	Detailed Assessment recommended for 2 sites in Pontardawe and Neath.
Detailed Assessment of air quality	2011	Water Street issue now resolved, but continuous analysers to be

		deployed at 2 sites in Pontardawe and Neath.
Updating and screening assessment	2012	Detailed Assessment for NO_2 recommended for 2 sites in Pontardawe & Neath. Detailed Assessment for PM_{10} recommended for Prince Street in Port Talbot.
Progress report	2013	Detailed Assessment recommended for Victoria Gardens in Neath.

New Monitoring Data

1.5 Summary of Monitoring Undertaken

1.5.1 Automatic Monitoring Sites

Measurements of CO, PM_{10}, SO_2 and NO_2 are made continuously at Port Talbot Fire Station as part of the Automatic Urban and Rural Network (AURN). The site location is shown in Figure 2.1. Measurements are made either every 15 minutes or every hour depending on the pollutant concerned. The National Environmental Technology Centre (NETCEN) and their contractors (Bureau Veritas) collect the data from the Fire Station site and this is then subjected to a rigorous quality assurance procedure, prior to dissemination via the Internet. The site is initially contacted via modem and the data collected at regular intervals. Data is automatically scaled in accordance with the latest calibrations (where appropriate) and subjected to an initial inspection prior to dissemination within one hour of receipt. Subsequently, data remains in this format until a final ratification is carried out, by NETCEN, normally in three-month blocks. Some care should therefore be exercised when relying upon statistics not yet subject to final ratification. All data for 2013 has now been fully ratified and can therefore be reported with confidence.

Nitrogen dioxide is continuously measured at the junction of Victoria Gardens and Cimla Road in Neath and near to Pontardawe Post Office. The analysers are MCERTS certified and are subject to qa/qc audits and data ratification by Ricardo-AEA under a contract that also ensures that data is disseminated via the Welsh Air Quality Forum website. The instruments are covered by service contracts.

There are a total of seven PM_{10} analysers deployed in or near to the AQMA by the Council. All are Rupprecht & Patashnick TEOM FDMS units with type CB driers. Analysers owned by Neath Port Talbot Council are all covered by service contracts and qa/qc contracts with Richardo-AEA. Calibrations of gas analysers are carried out on an approximately fortnightly basis by the Council and Ricardo-AEA carry out bi-annual site audits at all locations.

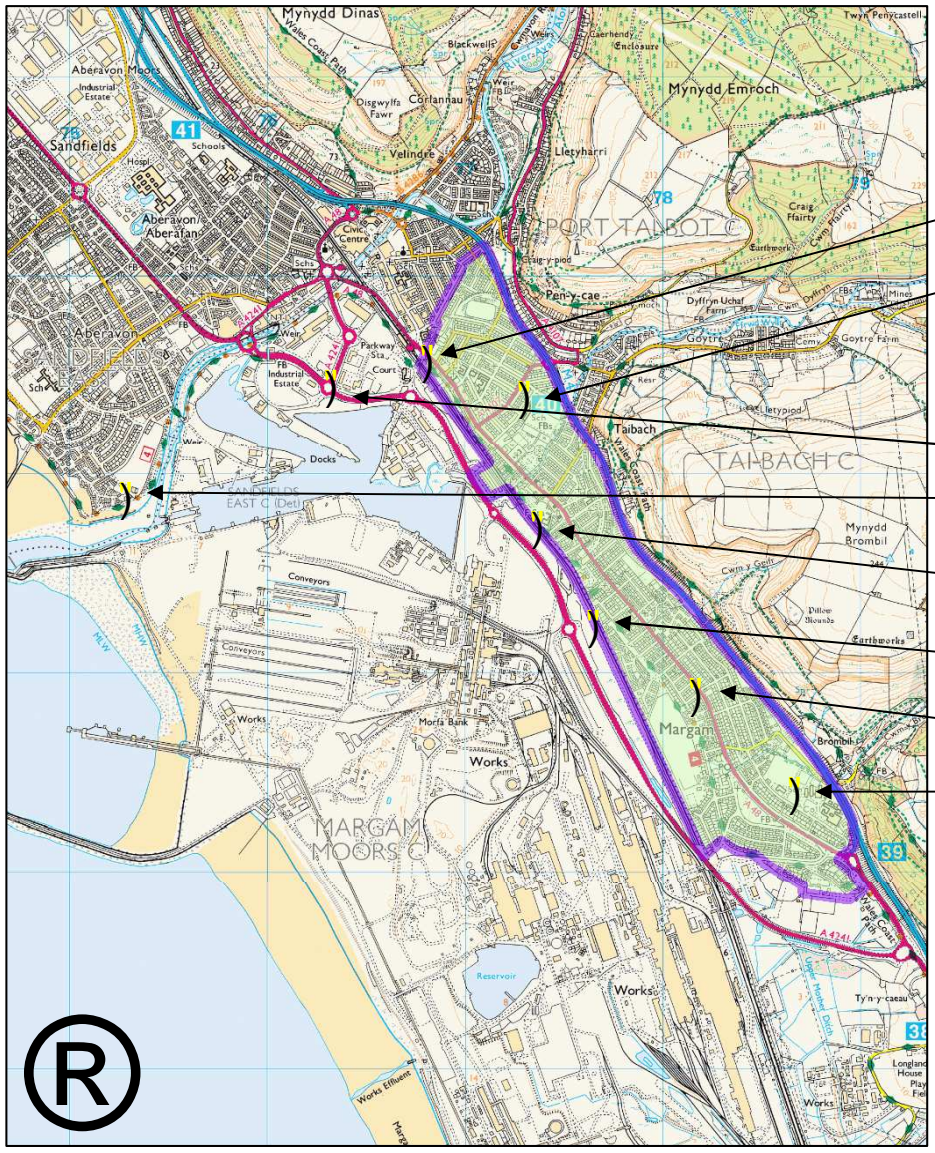
Data polled by Ricardo-AEA can be found on the Welsh Air Quality Forum website.

http://www.welshairquality.co.uk/

There is also a TEOM deployed by Natural Resources Wales at Prince Street in Port Talbot.

Figures 2.1 to 2.4 show the locations of the monitors.

Figure 2.1 Map of Automatic PM_{10} Monitoring Sites



Note: the purple line denotes the border of the AQMA.

Figure 2.2 Map of Automatic NO_2 Monitoring Sites

Figure 2.3 NO_2 analyser at Cimla Road/Victoria Gardens in Neath

Figure 2.4 NO_2 analyser at Pontardawe Post Office

Table 2.1 Details of Automatic Monitoring Sites

Site ID	Site Name	Site Type	X OS Grid Reference	Y OS Grid Reference	Inlet Height (m)	Pollutants Monitored	In AQMA?	Monitoring Technique	Relevant Exposure? (Y/N with distance (m) from monitoring site to relevant exposure)	Distance to Kerb of Nearest Road (m) (N/A if not applicable)	Does this Location Represent Worst-Case Exposure?
PT2	Port Talbot Fire Station	Industrial	277388	188733	2.0	PM_{10}, SO_2, CO, O_3, NO_2	Y	FDMS, UV fluorescence, IR absorption, UV absorbtion, chemiluminescence	Y (16)	8	Y
DS1	Dyffryn School	Industrial	278700	187387	2.0	PM_{10}	Y	FDMS	Y (88)	75	N
TW1	Twll-yn-y Wal Park	Industrial	278196	187891	2.0	PM_{10}	Y	FDMS	Y (14)	2	N
TH1	Theodore Road	Industrial	277328	189385	2.0	PM_{10}	Y	FDMS	Y (5)	6	N
TR1	Talbot Road	Roadside	276833	189567	2.0	PM_{10}	Y	FDMS	N	2	N
LW1	Port Talbot Little Warren	Industrial	275313	188879	3.0	PM_{10}	N	FDMS	N	160	N
DK1	Port Talbot Docks	Industrial	276346	189446	2.5	PM_{10}	Y	FDMS	N	2	N
PS1	Prince St.	Industrial	277689	188235	2.5	PM_{10}	Y	TEOM (VCM)	Y (40)	47	Y
VG2	Victoria Gardens	Roadside	275471	197183	1.4	NO_2	N	Chemiluminescence	Y (21)	1	Y

Site ID	Site Name	Site Type	X OS Grid Reference	Y OS Grid Reference	Inlet Height (m)	Pollutants Monitored	In AQMA?	Monitoring Technique	Relevant Exposure? (Y/N with distance (m) from monitoring site to relevant exposure)	Distance to Kerb of Nearest Road (m) (N/A if not applicable)	Does this Location Represent Worst-Case Exposure?
PD1	Pontardawe Post Office	Roadside	272031	203950	1.4	NO_2	N	Chemiluminescence	Y (3)	2.5	Y

1.5.2 Non-Automatic Monitoring Sites

Lead is measured at Port Talbot Fire Station and at Pontardawe Leisure Centre. Pumps sample the ambient air and filters are exposed for a fixed period of time. The filters are despatched to the laboratory together with information about the exposure time, flow rate etc. This information, combined with an analysis of the filters allows a concentration to be calculated for lead over the exposure period for the filters.

Measurements at Port Talbot Fire Station are carried out as part of the UK Metals Network and are subject to the quality assurance procedures of this network. The Council employs Ricardo-AEA to analyse and report results for filters exposed at Pontardawe Leisure Centre. The sampler is subject to a service contract to ensure it is correctly maintained.

PM_{10} is also measured at Port Talbot Fire Station using a Partisol, which is quality assured by Environmental Scientifics Group (ESG).

Nitrogen dioxide is also measured at a variety of locations using passive diffusion tubes (Figs. 2.5 – 2.9). The tubes are exposed for one month and are provided and analysed by ESG Didcot. The tubes are prepared using acetone:triethanolamine (50:50) and are subject to intercomparison quality assurance tests as part of the Workplace Analysis Scheme for Proficiency (WASP).

Figure 2.5 Locations of NO_2 diffusion tubes in Neath Port Talbot

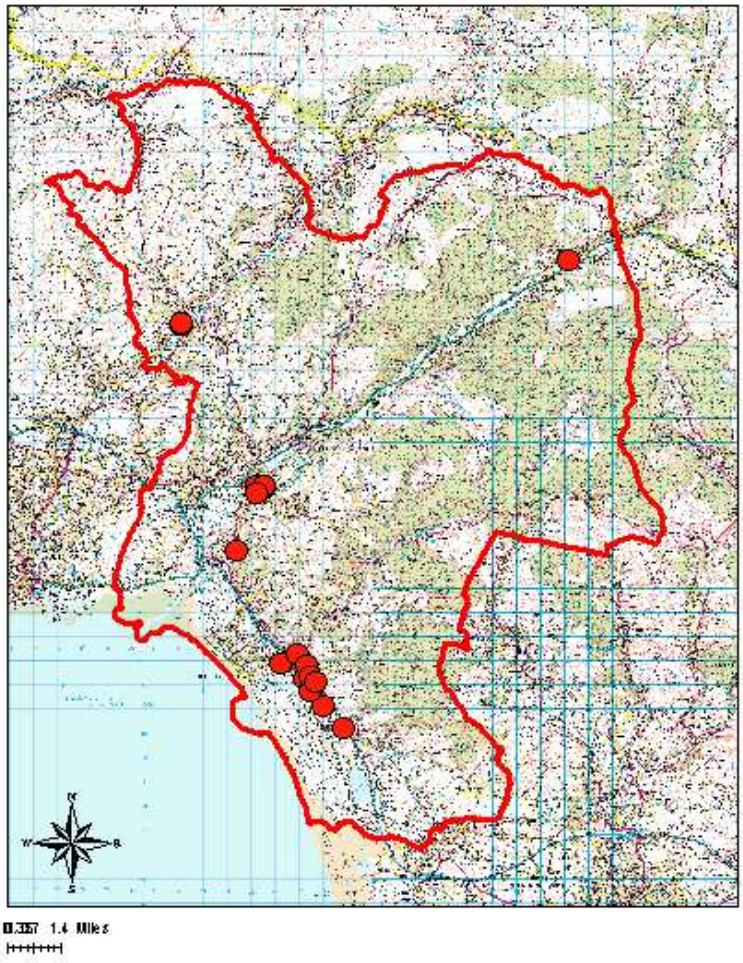
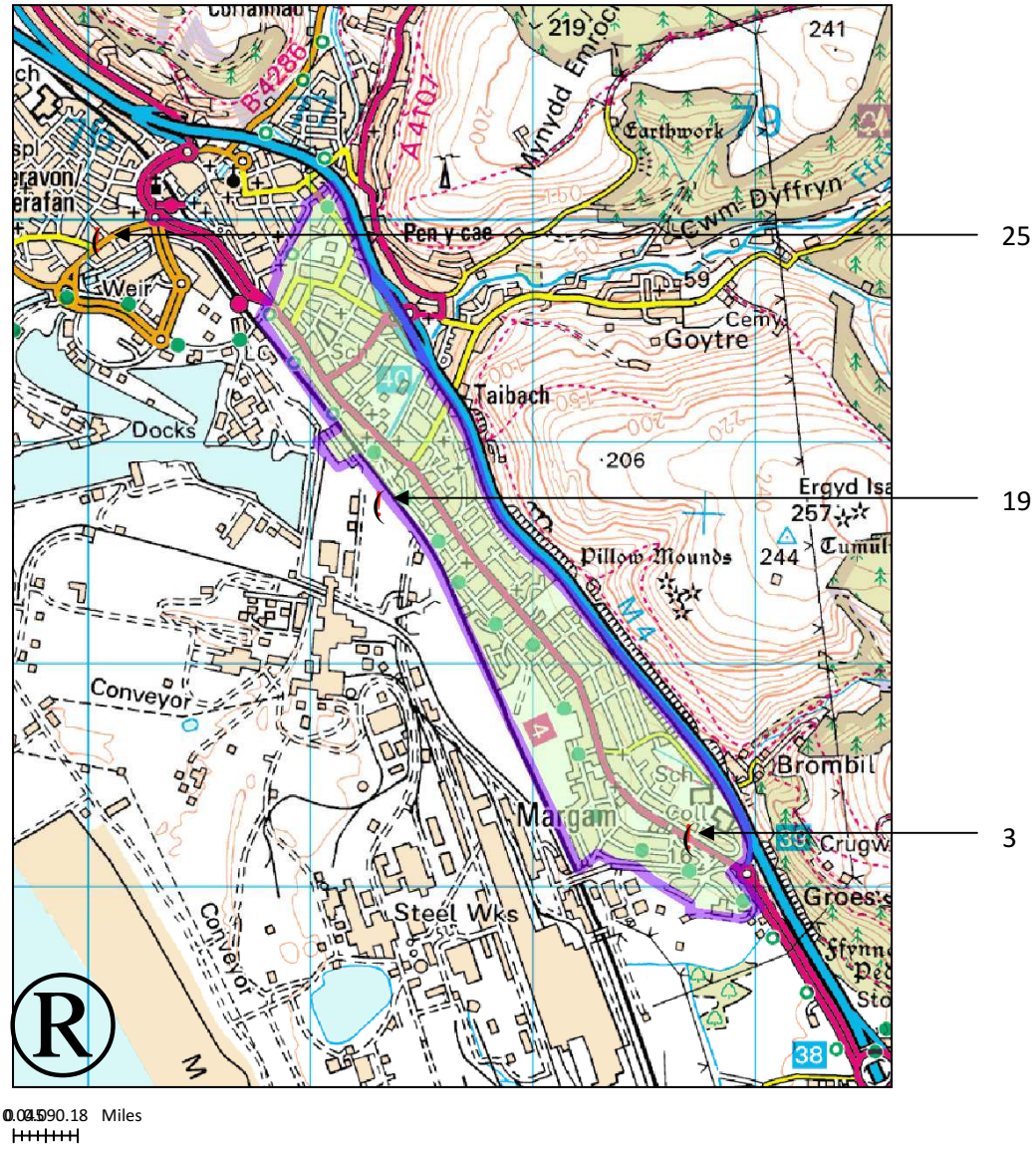


Figure 2.6 Location of NO_2 diffusion tubes near Port Talbot



The Port Talbot AQMA is shaded green.

Figure 2.7 Location of NO_2 diffusion tubes in Briton Ferry

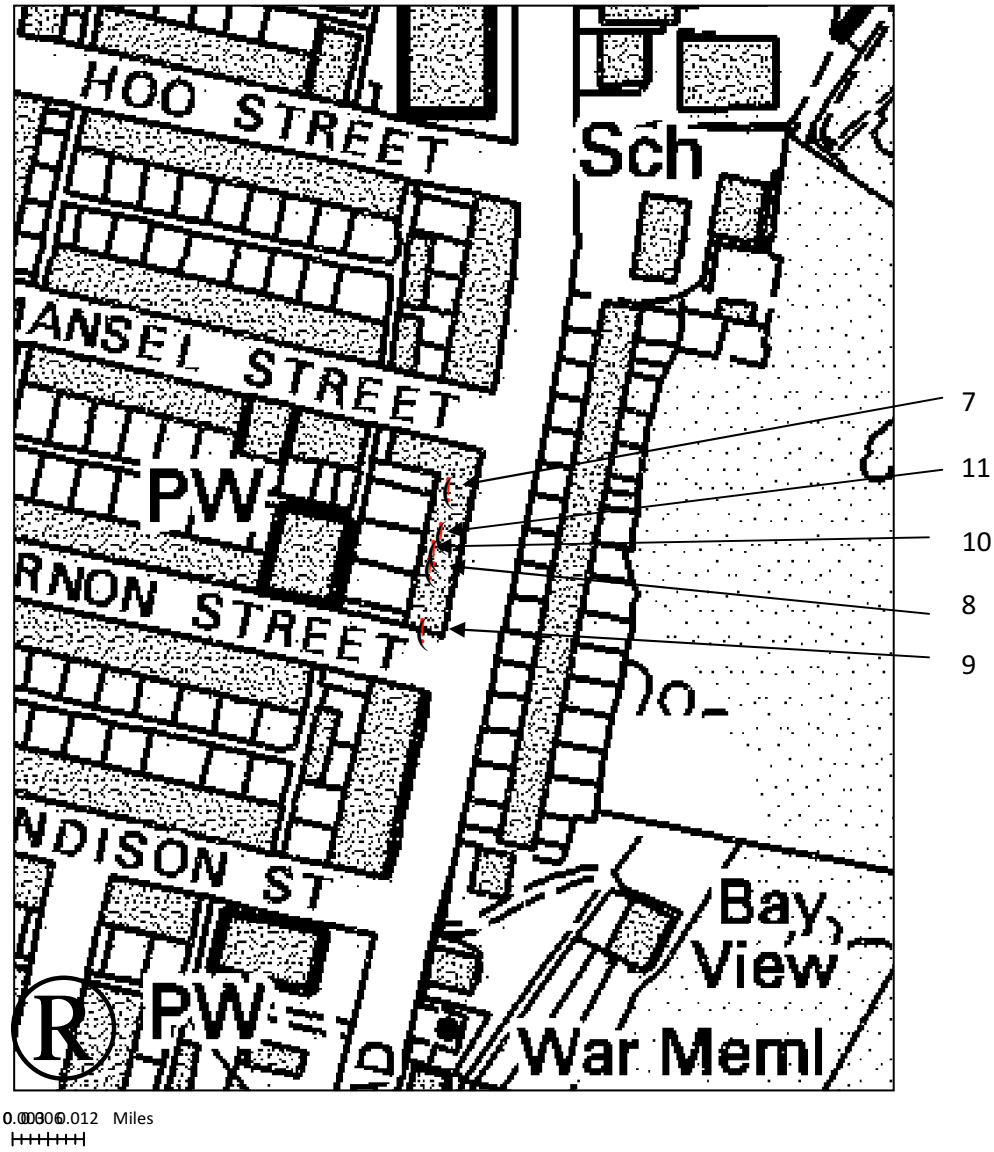


Figure 2.8 Location of NO_2 diffusion tubes in Neath

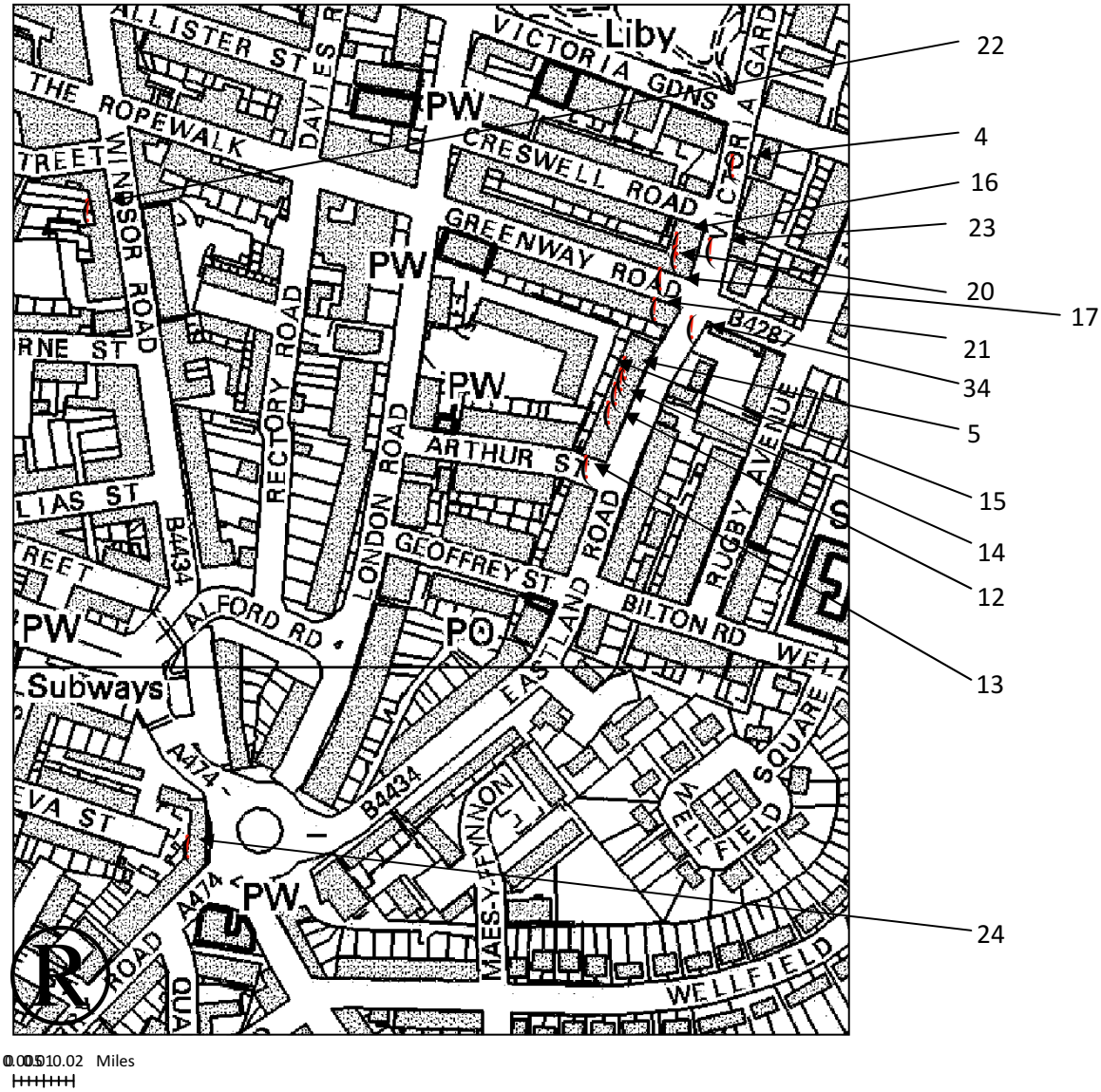


Figure 2.9 Location of NO_2 diffusion tubes in Pontardawe

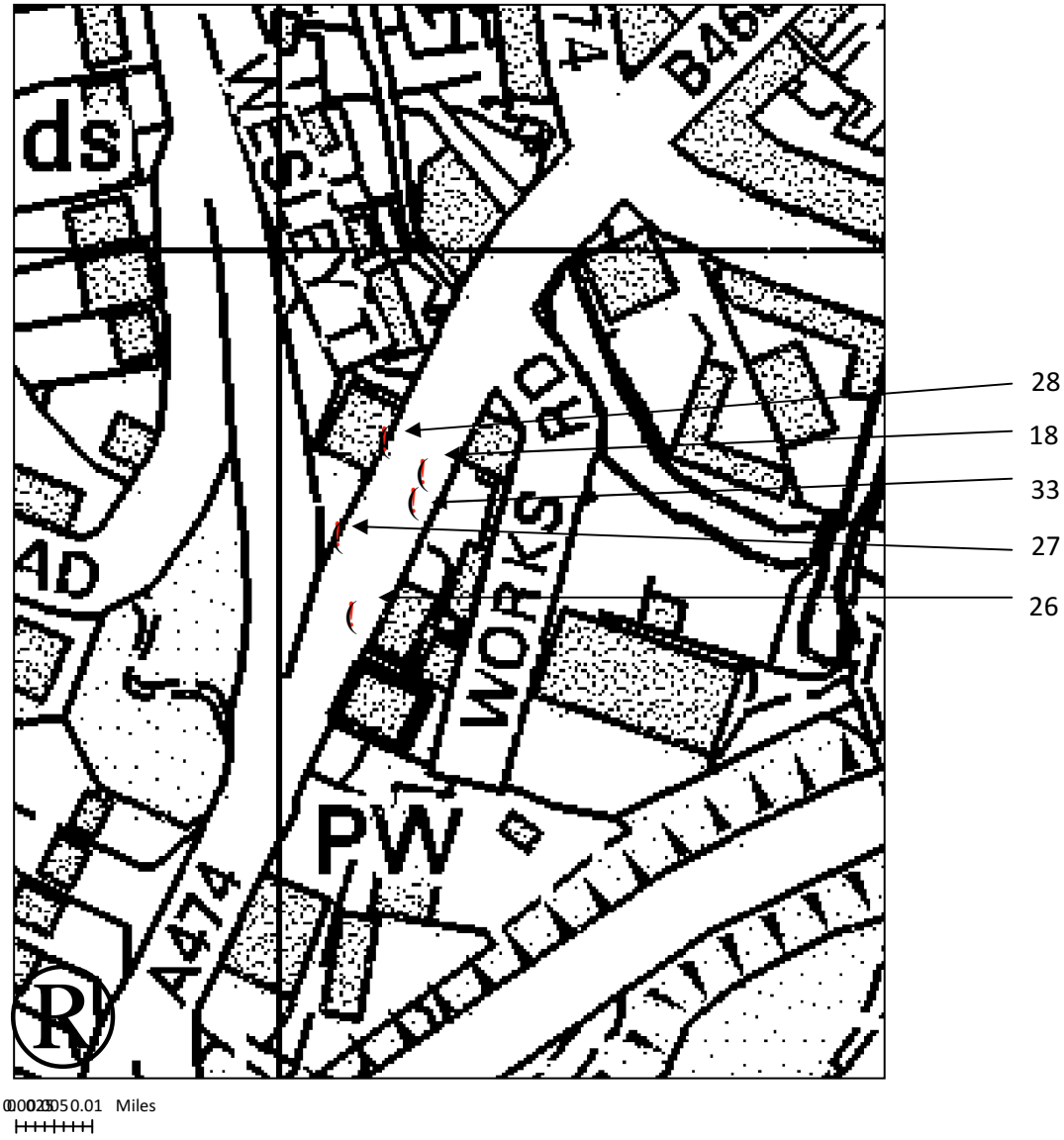


Table 2.2 Details of Non- Automatic Monitoring Sites

Site ID	Site Name	Site Type	X OS Grid Reference	Y OS Grid Reference	Site Height (m)	Pollutants Monitored	In AQMA?	Is Monitoring Co-located with a Continuous Analyser (Y/N)	Relevant Exposure? (Y/N with distance (m) from monitoring site to relevant exposure)	Distance to Kerb of Nearest Road (m) (N/A if not applicable)	Does this Location Represent Worst-Case Exposure?
3	11 College Green, Margam, Port Talbot	Urban background	278794	187237	2.0	NO_2	Y	N	Y (2m)	1m	N
4	8 Victoria Gardens, Neath	Roadside	275494	197272	2.5	NO_2	N	N	Y (2m)	4.5 m	N
5	28 Eastland Road, Neath	Roadside	275420	197161	2.5	NO_2	N	N	Y (0m)	4 m	N
7	Moby's, Neath Road, Briton Ferry	Roadside	274312	194601	2.5	NO_2	N	N	Y (2m)	1.5 m	Y

Site ID	Site Name	Site Type	X OS Grid Reference	Y OS Grid Reference	Site Height (m)	Pollutants Monitored	In AQMA?	Is Monitoring Co-located with a Continuous Analyser (Y/N)	Relevant Exposure? (Y/N with distance (m) from monitoring site to relevant exposure)	Distance to Kerb of Nearest Road (m) (N/A if not applicable)	Does this Location Represent Worst-Case Exposure?
8	185 Neath Road, Briton Ferry	Roadside	274307	194580	2.5	NO_2	N	N	Y (0m)	1.5 m	Y
9	179 Neath Road, Briton Ferry	Roadside	274305	194563	2.5	NO_2	N	N	Y (0m)	1.5 m	Y
10	187 Neath Road, Briton Ferry	Roadside	274308	194584	2.5	NO_2	N	N	Y (0m)	1.5 m	Y
11	189 Neath Road, Briton Ferry	Roadside	274310	194589	2.5	NO_2	N	N	Y (0m)	1.5 m	Y
12	34 Eastland Road, Neath	Roadside	275427	197139	2.5	NO_2	N	N	Y (0m)	4 m	N

Site ID	Site Name	Site Type	X OS Grid Reference	Y OS Grid Reference	Site Height (m)	Pollutants Monitored	In AQMA?	Is Monitoring Co-located with a Continuous Analyser (Y/N)	Relevant Exposure? (Y/N with distance (m) from monitoring site to relevant exposure)	Distance to Kerb of Nearest Road (m) (N/A if not applicable)	Does this Location Represent Worst-Case Exposure?
13	40 Eastland Road, Neath	Roadside	275415	197110	2.5	NO_2	N	N	Y (0m)	4 m	N
14	32 Eastland Road, Neath	Roadside	275431	197149	2.5	NO_2	N	N	Y (0m)	4 m	N
15	30 Eastland Road, Neath	Roadside	275434	197157	2	NO_2	N	N	Y (0m)	4 m	N
16	5 Victoria Gardens, Neath	Roadside	275464	197230	2.5	NO_2	N	N	Y (0m)	3.5 m	Y
17	1 Greenway Road, Neath	Roadside	275455	197211	2.5	NO_2	N	N	Y (0m)	1 m	Y

Site ID	Site Name	Site Type	X OS Grid Reference	Y OS Grid Reference	Site Height (m)	Pollutants Monitored	In AQMA?	Is Monitoring Co-located with a Continuous Analyser (Y/N)	Relevant Exposure? (Y/N with distance (m) from monitoring site to relevant exposure)	Distance to Kerb of Nearest Road (m) (N/A if not applicable)	Does this Location Represent Worst-Case Exposure?
18	Pontardawe Post Office	Roadside	272034	203954	2.5	NO_2	N	N	Y (0m)	1m	Y
19	Port Talbot Fire Station	Industrial	277399	188734	2.5	NO_2	Y	Y	Y (16m)	8 m	N
20	3 Victoria Gardens, Neath	Roadside	275463	197223	2	NO_2	N	N	Y (0m)	3.5 m	Y
21	50 Greenway Road, Neath	Roadside	275452	197195	2.5	NO_2	N	N	Y (0m)	1 m	Y
22	54 Windsor Road, Neath	Roadside	275146	197248	2.5	NO_2	N	N	Y (0m)	1.5 m	Y

Site ID	Site Name	Site Type	X OS Grid Reference	Y OS Grid Reference	Site Height (m)	Pollutants Monitored	In AQMA?	Is Monitoring Co-located with a Continuous Analyser (Y/N)	Relevant Exposure? (Y/N with distance (m) from monitoring site to relevant exposure)	Distance to Kerb of Nearest Road (m) (N/A if not applicable)	Does this Location Represent Worst-Case Exposure?
23	4 Victoria Gardens, Neath	Roadside	275482	197227	2.5	NO_2	N	N	Y (0m)	3.5 m	Y
24	Stockham's Corner Flats	Roadside	275200	196905	2.5	NO_2	N	N	Y (0m)	3 m	Y
25	Old Fire Station, Water Street, Port Talbot	Roadside	276131	189926	2.5	NO_2	N	N	Y (3m)	1 m	Y
26	10 Swansea Road, Pontardawe	Roadside	272019	203924	2.5	NO_2	N	N	Y (0m)	1 m	Y

Site ID	Site Name	Site Type	X OS Grid Reference	Y OS Grid Reference	Site Height (m)	Pollutants Monitored	In AQMA?	Is Monitoring Co-located with a Continuous Analyser (Y/N)	Relevant Exposure? (Y/N with distance (m) from monitoring site to relevant exposure)	Distance to Kerb of Nearest Road (m) (N/A if not applicable)	Does this Location Represent Worst-Case Exposure?
27	11a Swansea Road, Pontardawe	Roadside	272016	203941	2.5	NO_2	N	N	Y (0m)	1 m	Y
28	8 Swansea Road, Pontardawe	Roadside	272026	203961	2.5	NO_2	N	N	Y (0m)	1 m	Y
33	Bus Stop near Pontardawe Post Office	Roadside	272032	203948	1.4	NO_2	N	Y	Y (3m)	2.5 m	N
34	Lights at Cimla Junction	Roadside	275472	197185	1.4	NO_2	N	Y	Y (20m)	1.5 m	N

1.6 Comparison of Monitoring Results with Air Quality Objectives

1.6.1 Nitrogen Dioxide (NO_2)

Automatic Monitoring Data

Table 2.3 summarises the results from automatic monitors compared to the annual mean objective. Only the site at Victoria Gardens (42 μg/m^3) exceeded the annual air quality objective of 40 μg/m^3. However, this site is not representative of relevant exposure and it was not possible to locate the monitor at properties where concentrations are highest. Therefore, diffusion tubes were co-located at the three continuous analysers in order to provide a local bias adjustment factor for diffusion tubes in the County Borough.

It was also not possible to place the monitor at the frontage of Pontardawe Post Office due to the shortage of space and health & safety concerns. Diffusion tubes were co-located with the monitor.

Table 2.3 Results of Automatic Monitoring for NO_2: Comparison with Annual Mean Objective

Site ID	Site Type	Within AQMA?	Valid Data Capture for Monitoring Period % [a]	Valid Data Capture 2013 % [b]	Annual Mean Concentration (µg/m^3)				
					2009* [c]	2010* [c]	2011* [c]	2012* [c]	2013 [c]
PT2	Industrial	Y	98	98	17	19	18	18	17
VG2	Roadside	N	99	99	-	-	-	**51**	**42**
PD1	Roadside	N	92	92	-	-	-	28	23

In bold, exceedence of the NO_2 annual mean AQS objective of 40µg/m^3

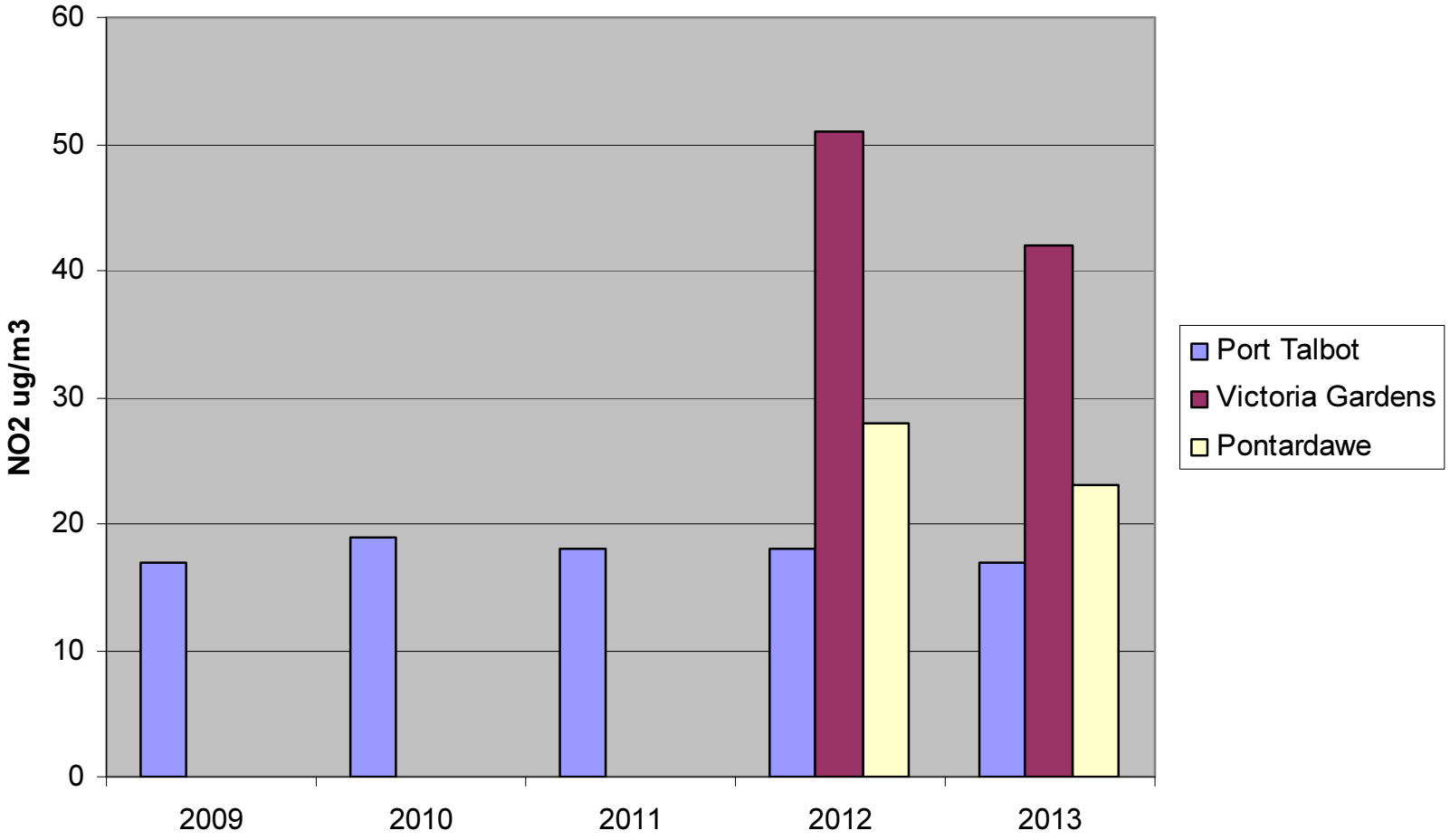
[a] i.e. data capture for the monitoring period, in cases where monitoring was only carried out for part of the year

[b] i.e. data capture for the full calendar year (e.g. if monitoring was carried out for six months the maximum data capture for the full calendar year would be 50%)

[c] Means should be "annualised" as in Box 3.2 of TG(09) (http://laqm.defra.gov.uk/technical-guidance/index.html?d=page=38), if valid data capture is less than 75%

* Annual mean concentrations for previous years are optional

Figure 2.10 Trends in Annual Mean NO_2 Concentrations Measured at Automatic Monitoring Sites



Nitrogen dioxide levels have not changed significantly at Margam Fire Station over the last five years. There has never been a problem with compliance with the air quality objectives at this location. 2013 was the first complete year in which continuous monitoring was carried out at either Victoria Gardens or Pontardawe Post Office.

Table 2.4 shows that none of the continuous sites breached the 1 hour air quality objective.

Table 2.4 Results of Automatic Monitoring for NO_2: Comparison with 1-hour Mean Objective

Site ID	Site Type	Within AQMA?	Valid Data Capture for Monitoring Period % [a]	Valid Data Capture 2013 % [b]	Number of Hourly Means > 200µg/m^3				
					2009* [c]	2010* [c]	2011* [c]	2012* [c]	2013 [c]
PT2	Industrial	Y	98	98	0	0	0	0	0
VG2	Roadside	N	99	99	-	-	-	0 (142)	0
PD1	Roadside	N	92	92	-	-	-	0 (55)	0

In bold, exceedence of the NO_2 hourly mean AQS objective (200µg/m^3 – not to be exceeded more than 18 times per year)

[a] i.e. data capture for the monitoring period, in cases where monitoring was only carried out for part of the year

[b] i.e. data capture for the full calendar year (e.g. if monitoring was carried out for six months the maximum data capture for the full calendar year would be 50%)

[c] If the data capture for full calendar year is less than 90%, include the 99.8th percentile of hourly means in brackets

* Number of exceedences for previous years is optional

Diffusion Tube Monitoring Data

Results are shown in table 2.5 below. A local bias adjustment factor of 0.75 was derived from diffusion tubes co-located with the three continuous analysers at Port Talbot Fire Station, Victoria Gardens and Pontardawe Post Office.

Table 2.5 Results of NO_2 Diffusion Tubes 2013

Site ID	Location	Site Type	Within AQMA?	Triplicate or Co-located Tube	Full Calendar Year Data Capture 2013 (Number of Months or %) [a]	2013 Annual Mean Concentration (µg/m^3)
3	11 College Green, Margam, Port Talbot	Urban background	Y	N	12	15.7
4	8 Victoria Gardens, Neath	Roadside	N	N	12	28.9
5	28 Eastland Road, Neath	Roadside	N	N	12	30.0
7	Moby's, Neath Road, Briton Ferry	Roadside	N	Triplicate	12	29.1
8	185 Neath Road, Briton Ferry	Roadside	N	N	12	30.1
9	179 Neath Road, Briton Ferry	Roadside	N	N	12	29.4

Site ID	Location	Site Type	Within AQMA?	Triplicate or Co-located Tube	Full Calendar Year Data Capture 2013 (Number of Months or %) [a]	2013 Annual Mean Concentration (µg/m^3)
10	187 Neath Road, Briton Ferry	Roadside	N	N	12	29.1
11	189 Neath Road, Briton Ferry	Roadside	N	N	12	28.7
12	34 Eastland Road, Neath	Roadside	N	N	12	31.0
13	40 Eastland Road, Neath	Roadside	N	N	11	29.7
14	32 Eastland Road, Neath	Roadside	N	N	12	31.3
15	30 Eastland Road, Neath	Roadside	N	N	12	30.6
16	5 Victoria Gardens, Neath	Roadside	N	N	11	33.7
17	1 Greenway Road, Neath	Roadside	N	N	12	32.9

Site ID	Location	Site Type	Within AQMA?	Triplicate or Co-located Tube	Full Calendar Year Data Capture 2013 (Number of Months or %) [a]	2013 Annual Mean Concentration (µg/m^3)
18	Pontardawe Post Office	Roadside	N	Triplicate	12	37.3
19	Port Talbot Fire Station	Industrial	Y	Triplicate and Co-located	See Appendix A	
20	3 Victoria Gardens, Neath	Roadside	N	Triplicate	12	34.4
21	50 Greenway Road, Neath	Roadside	N	N	12	30.8
22	54 Windsor Road, Neath	Roadside	N	N	12	25.3
23	4 Victoria Gardens, Neath	Roadside	N	N	12	30.6
24	Stockham's Corner Flats	Roadside	N	triplicate	12	31.0
25	Old Fire Station, Water Street, Port Talbot	Roadside	N	N	12	26.0

Site ID	Location	Site Type	Within AQMA?	Triplicate or Co-located Tube	Full Calendar Year Data Capture 2013 (Number of Months or %) [a]	2013 Annual Mean Concentration (µg/m^3)
26	10 Swansea Road, Pontardawe	Roadside	N	N	12	32.0
27	11a Swansea Road, Pontardawe	Roadside	N	N	12	38.6
28	8 Swansea Road, Pontardawe	Roadside	N	N	12	28.9
33	Bus Stop near Pontardawe Post Office	Roadside	N	Triplicate and Co-located	See Appendix A	
34	Lights at Cimla Junction	Roadside	N	Triplicate and Co-located	See Appendix A	

In bold, exceedence of the NO_2 annual mean AQS objective of 40µg/m^3

Underlined, annual mean > 60µg/m^3, indicating a potential exceedence of the NO_2 hourly mean AQS objective

[a] Means should be "annualised" as in Box 3.2 of TG(09)(http://laqm.defra.gov.uk/technical-guidance/index.html?d=page=38), if full calendar year data capture is less than 75%

[b] If an exceedence is measured at a monitoring site not representative of public exposure, NO_2 concentration at the nearest relevant exposure should be estimated based on the "NO_2 fall-off with distance" calculator (http://laqm.defra.gov.uk/tools-monitoring-data/no2-falloff.html), and results should be discussed in a specific section. The procedure is also explained in Box 2.3 of Technical Guidance LAQM.TG(09) (http://laqm.defra.gov.uk/technical-guidance/index.html?d=page=30).

[c] These sites were used to create local bias adjustment factors for other nearby sites.

The only site which exceeded the annual mean air quality objective was the one which was co-located with the continuous analyser at Cimla Road/Victoria Gardens. This site is not representative of public exposure.

Nitrogen dioxide diffusion for the last five years are shown in Table 2.6 below:

Table 2.6 Results of NO_2 Diffusion Tubes (2009 to 2013)

Site ID	Site Type	Within AQMA?	Annual Mean Concentration (µg/m^3) - Adjusted for Bias [a]				
			2009 (Bias Adjustment Factor = 0.82)	2010 (Bias Adjustment Factor = 0.85)	2011 (Bias Adjustment Factor = 0.83)	2012 (Bias Adjustment Factor as per previous table)	2013 (Bias Adjustment Factor = 0.75)
3	Urban background	Y	18.2	19.3	17.0	16.9	15.7
4	Roadside	N	33.3	-	32	28.0	28.9
5	Roadside	N	34.1	36.2	34	31.9	30.0
7	Roadside	N	35.7	35.6	36	30.9	29.1
8	Roadside	N	33.8	35.3	34	30.2	30.1
9	Roadside	N	34.1	35.6	34	30.5	29.4

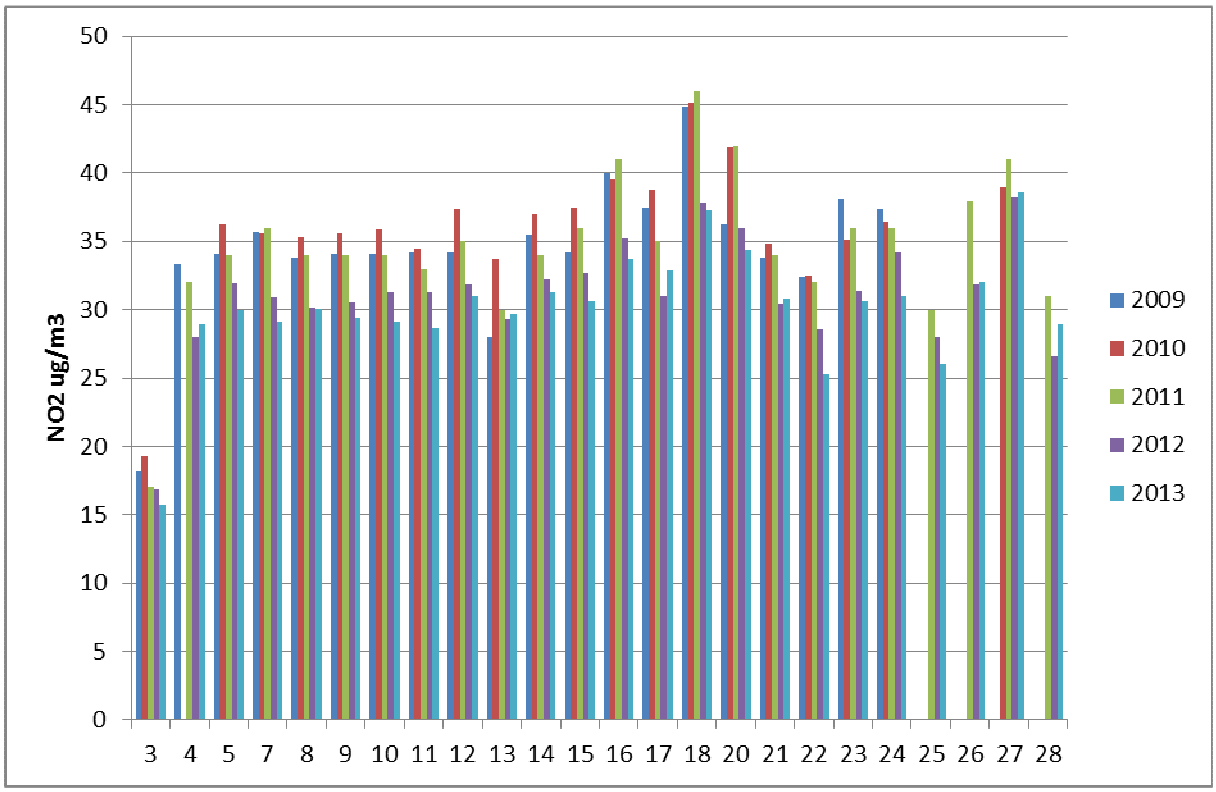
Site ID	Site Type	Within AQMA?	Annual Mean Concentration (µg/m^3) - Adjusted for Bias [a]				
			2009 (Bias Adjustment Factor = 0.82)	2010 (Bias Adjustment Factor = 0.85)	2011 (Bias Adjustment Factor = 0.83)	2012 (Bias Adjustment Factor as per previous table)	2013 (Bias Adjustment Factor = 0.75)
10	Roadside	N	34.1	35.9	34	31.3	29.1
11	Roadside	N	34.2	34.5	33	31.3	28.7
12	Roadside	N	34.2	37.4	35	31.8	31.0
13	Roadside	N	28.0	33.7	30	29.3	29.7
14	Roadside	N	35.5	37.0	34	32.2	31.3
15	Roadside	N	34.2	37.5	36	32.7	30.6
16	Roadside	N	40.0	39.5	**41**	35.2	33.7
17	Roadside	N	37.5	38.8	35	31.0	32.9
18	Roadside	N	**44.9**	**45.1**	**46**	37.8	37.3
20	Roadside	N	36.2	**41.9**	**42**	36.0	34.4
21	Roadside	N	33.8	34.8	34	30.4	30.8
22	Roadside	N	32.4	32.5	32	28.6	25.3
23	Roadside	N	38.1	35.1	36	31.4	30.6
24	Roadside	N	37.4	36.4	36	34.2	31.0
25	Roadside	N	No data	No data	30	28.0	26.0
26	Roadside	N	No data	No data	37.9	31.8	32.0
27	Roadside	N	No data	39.0	**41**	38.2	38.6
28	Roadside	N	No data	-	31	26.6	28.9

In bold, exceedence of the NO_2 annual mean AQS objective of 40µg/m^3

Underlined, annual mean > 60µg/m^3, indicating a potential exceedence of the NO_2 hourly mean AQS objective

[a] Means should be "annualised" as in Box 3.2 of TG(09) (http://laqm.defra.gov.uk/technical-guidance/index.html?d=page=38), if full calendar year data capture is less than 75%

Figure 2.11 Trends in Annual Mean Nitrogen Dioxide Concentrations Measured at Diffusion Tube Monitoring Sites



The sites that have failed to meet the annual averaged air quality objective during the last five years have been some of those located at Victoria Gardens or Pontardawe Post Office.

Monitoring at 1 Victoria Gardens had to cease on account of health & safety concerns since the pavement was very low and narrow and it was considered to be dangerous to use the ladder to exchange the tubes. The property next door at 3, Victoria Gardens continues to be measured and is used to estimate NO_2 levels at No.1 Victoria Gardens.

1.6.2 Particulate Matter (PM_{10})

Table 2.7 Results of Automatic Monitoring for PM_{10}: Comparison with Annual Mean Objective

Site ID	Site Type	Within AQMA?	Valid Data Capture for Monitoring Period % [a]	Valid Data Capture 2013 % [b]	Confirm Gravimetric Equivalent (Y or N/A)	Annual Mean Concentration (µg/m^3)				
						2009* [c]	2010* [c]	2011* [c]	2012* [c]	2013 [c]
PT2	Industrial	Y	94.5	94.5	Y	25	N/A	29	23	19
DS1	Industrial	Y	80.0	80.0	Y	20	19	17	16	18
TW1	Industrial	Y	87.9	87.9	Y	24	24	30	23	20
TH1	Industrial	Y	88.4	88.4	Y	18	18	23	19	17
TR1	Roadside	Y	86.7	86.7	Y	22	22	25	22	21
LW1	Industrial	N	94.1	94.1	Y	-	-	-	19	19
DK1	Industrial	N	98.2	98.2	Y	22	19	23	18	17
PS1[d]	Industrial	Y	93.7	93.7	Y	-	25	33	22	31

In bold, exceedence of the PM_{10} annual mean AQS objective of 40µg/m^3

[a] i.e. data capture for the monitoring period, in cases where monitoring was only carried out for part of the year

[b] i.e. data capture for the full calendar year (e.g. if monitoring was carried out for six months the maximum data capture for the full calendar year would be 50%)

[c] Means should be "annualised" as in Box 3.2 of TG(09) (http://laqm.defra.gov.uk/technical-guidance/index.html?d=page=38), if valid data capture is less than 75%

* Annual mean concentrations for previous years are optional

[d] Monitoring at Prince Street was carried out by Natural Resources Wales using a TEOM using VCM correction.

All sites have always easily complied with the annual mean air quality objective.

Table 2.8 Results of Automatic Monitoring for PM_{10}: Comparison with 24-hour Mean Objective

Site ID	Site Type	Within AQMA?	Valid Data Capture for Monitoring Period % [a]	Valid Data Capture 2013 % [b]	Confirm Gravimetric Equivalent (Y or N/A)	Number of Daily Means > 50µg/m^3				
						2009* [c]	2010* [c]	2011* [c]	2012* [c]	2013 [c]
PT2	Industrial	Y	94.5	94.5	Y	15	13	29	11	17
DS1	Industrial	Y	80.0	80.0	Y	4	6	2 (28)	3	2
TW1	Industrial	Y	87.9	87.9	Y	9	14	21	8	9
TH1	Industrial	Y	88.4	88.4	Y	3 (29)	2	12	3	4
TR1	Roadside	Y	86.7	86.7	Y	6	1	14	8	15
LW1	Industrial	N	94.1	94.1	Y	-	-	-	2	21
DK1	Industrial	N	98.2	98.2	Y	7	2	11	5	10
PS1	Industrial	Y	93.7	93.7	Y	-	19	**50**	11	**46**

In bold, exceedence of the PM_{10} daily mean AQS objective (50µg/m^3 – not to be exceeded more than 35 times per year)

[a] i.e. data capture for the monitoring period, in cases where monitoring was only carried out for part of the year

[b] i.e. data capture for the full calendar year (e.g. if monitoring was carried out for six months the maximum data capture for the full calendar year would be 50%)

[c] if data capture for full calendar year is less than 90%, include the 90.4th percentile of 24-hour means in brackets

[d] Monitoring at Prince Street was carried out by Natural Resources Wales using a TEOM using VCM correction.

* Number of exceedences for previous years is optional

All sites complied with the daily averaged air quality objective during 2013. The exceedance at Prince Street measured during 2011 was probably due to construction work on the new peripheral distributor road, which is now complete at that location.

Table 2.8 Results of Non-Automatic Monitoring for PM_{10}: Comparison with Annual Mean Objective

Site ID	Site Type	Within AQMA?	Valid Data Capture for Monitoring Period % [a]	Valid Data Capture 2013 % [b]	Confirm Gravimetric Equivalent (Y or N/A)	Annual Mean Concentration (µg/m^3)
						2013 [c]
PT2P[d]	Industrial	Y	96.2	96.2	Y	25.4

In bold, exceedence of the PM_{10} annual mean AQS objective of 40µg/m^3

[a] i.e. data capture for the monitoring period, in cases where monitoring was only carried out for part of the year

[b] i.e. data capture for the full calendar year (e.g. if monitoring was carried out for six months the maximum data capture for the full calendar year would be 50%)

[c] Means should be "annualised" as in Box 3.2 of TG(09) (http://laqm.defra.gov.uk/technical-guidance/index.html?d=page=38), if valid data capture is less than 75%

* Annual mean concentrations for previous years are optional

[d] Measurements carried out with a Partisol.

All sites have always easily complied with the annual mean air quality objective.

Table 2.9 Results of Non-Automatic Monitoring for PM_{10}: Comparison with Annual Mean Objective

Site ID	Site Type	Within AQMA?	Valid Data Capture for Monitoring Period % [a]	Valid Data Capture 2013 % [b]	Confirm Gravimetric Equivalent (Y or N/A)	Number of Daily Means > 50µg/m^3
						2013 [c]
PT2P[d]	Industrial	Y	96.2	96.2	Y	34

In bold, exceedence of the PM_{10} daily mean AQS objective (50µg/m^3 – not to be exceeded more than 35 times per year)

[a] i.e. data capture for the monitoring period, in cases where monitoring was only carried out for part of the year

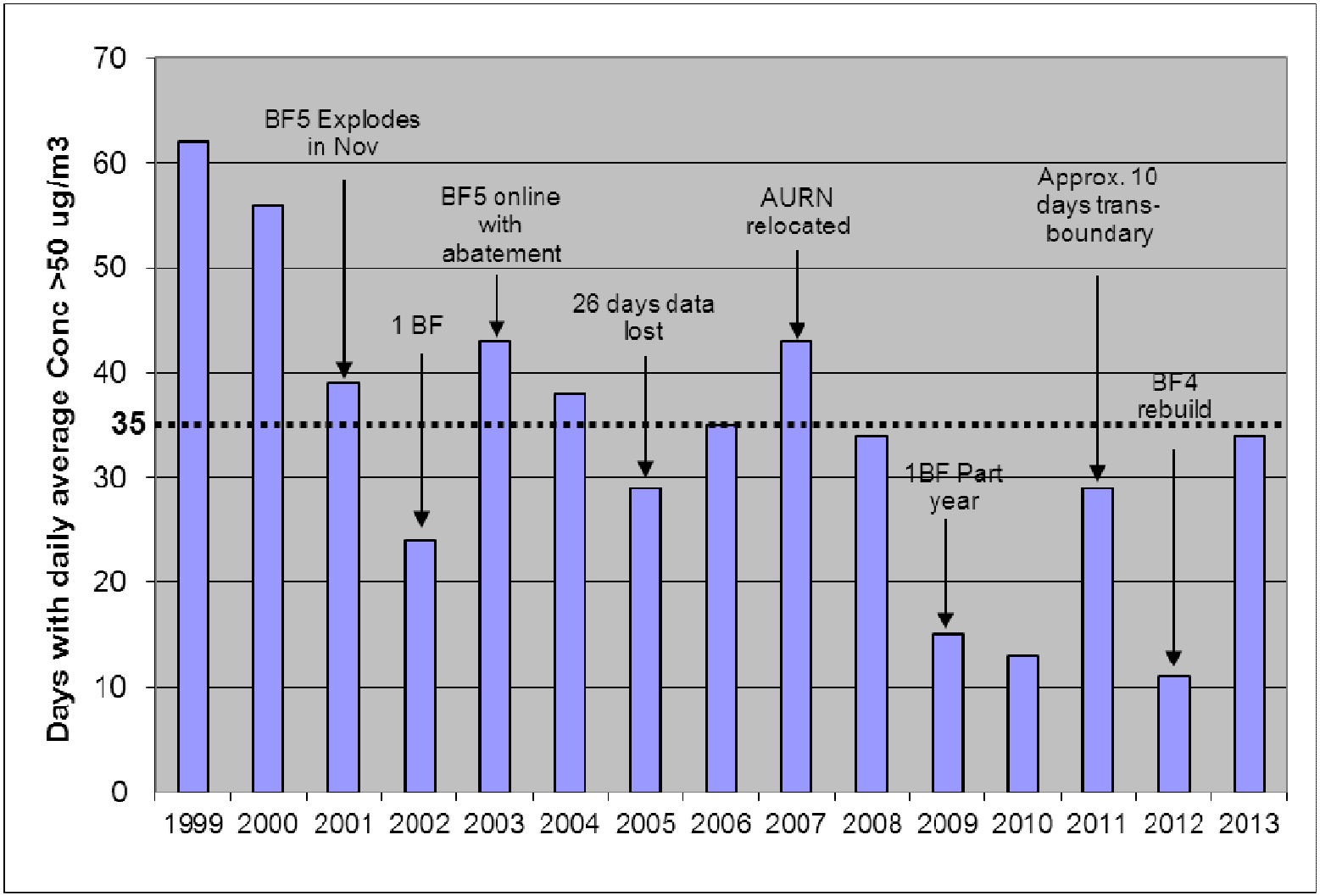
[b] i.e. data capture for the full calendar year (e.g. if monitoring was carried out for six months the maximum data capture for the full calendar year would be 50%)

[c] if data capture for full calendar year is less than 90%, include the 90.4th percentile of 24-hour means in brackets

[d] Measurements were carried out using a Partisol.

* Number of exceedences for previous years is optional

Figure 2.12 Exceedances or PM10 24-hour mean AQO at Port Talbot AURN site.



Note: 2013 data is quoted from Partisol

It is possible that PM_{10} levels may have already been decreasing a little before Blast Furnace number 5 exploded in November 2001. However, the steel works was operating on one blast furnace and reduced throughput for the remainder of that year and for the whole of the next, which probably explains some of the significant reduction in 2002. The rebuilt blast furnace came back online in January 2003 with improved abatement. PM_{10} exceedances increased, but not to the same levels as was previously the case with two blast furnaces. PM_{10} exceedances continued to reduce up to 2005, although there were 26 days of data lost during that year. 2006 did not exceed the short term air quality objective, but only by the narrowest of margins. However, there was an exceedance during 2007 the results of which were a combination of data from Groeswen Hospital and Port Talbot Fire Station which was where the AURN was relocated to. In 2008 there was compliance with the air quality objective, but again by a narrow margin. In 2009 there was partial one blast furnace operation, but normal operation was restored for 2010, which was a particularly good year in respect of PM_{10} exceedances. There were very few transboundary PM_{10} exceedance days during 2010, but by contrast there were ten or eleven such days during 2011. 2012 was the best ever year for PM_{10} compliance although Blast Furnace 4 was being re-built for a significant proportion of the year.

2013 produced a greater number of PM_{10} exceedances than 2012. According to the FDMS analyser at Port Talbot Fire Station, there were 17 exceedances. However the Partisol produced twice as many (34). The reason for the divergence between both monitors was investigated by Ricardo-AEA as part of their Quality Circle of 19th – 20th March 2014. This showed an apparent under-read for the FDMS at higher concentrations. However, both instruments had been maintained and qa/qc checks had not revealed any problems. No similar problems were observed at other sites and the reason for the difference could not be established. As both data sets are considered to be valid by the network. The Council is reporting the higher of the two as the official result on this occasion.

All PM_{10} monitoring locations are representative of public exposure, with the exception of the Docks site, which is located where it is in order to aid triangulation of PM_{10} sources and to establish background levels in an area of potential development.

In 2011 the increased number of exceedances of the short term air quality objective at Prince Street is likely to have been due to the impact of construction of the bypass road nearby.

However, the reason for the raised number of exceedances (46) at Prince Street in 2013 is not clear. The instrument used for these measurements was a TEOM, which was subject to correction via the Volatile Correction Model (VCM). The Council will install an FDMS instrument in 2014 as part of a Detailed Assessment of air quality.

1.6.3 Sulphur Dioxide (SO_2)

There were no exceedances of SO_2 air quality objectives during 2013.

Table 2.9 Results of Automatic Monitoring for SO_2: Comparison with Objectives

Site ID	Site Type	Within AQMA?	Valid Data Capture for Monitoring Period % [a]	Valid Data Capture 2013 % [b]	Number of: [c]		
					15-minute Means > 266µg/m^3	1-hour Means > 350µg/m^3	24-hour Means > 125µg/m^3
PT2	Industrial	Y	99.0	99.0	0	0	0

In bold, exceedence of the relevant AQS objective (15-min mean = 35 allowed/year; 1-hour mean = 24 allowed/year; 24-hour mean = 3 allowed/year)

[a] i.e. data capture for the monitoring period, in cases where monitoring was only carried out for part of the year

[b] i.e. data capture for the full calendar year (e.g. if monitoring was carried out for six months the maximum data capture for the full calendar year would be 50%)

[c] if data capture for full calendar year is less than 90%, include the relevant percentile in bracket (in µg/m^3): 15-min mean = 99.9th ; 1-hour mean = 99.7th ; 24-hour mean = 99.2th percentile

1.6.4 Benzene

Benzene is no longer monitored. It was previously continuously monitored at Baglan Primary School, using a Perkin Elmer Ozone Precursor system. Monitoring was discontinued in December 2005 as the concentration of pollutants of concern had reduced to background levels. The same applies in respect of 1,3-butadiene, which was monitored using the same equipment. There are no new significant local sources of these pollutants which merit more measurements.

1.6.5 Other Pollutants Monitored

1.6.5.1 Lead

Lead is monitored at Pontardawe Leisure Centre as part of a study of 13 metals that has continued since 1972. A Thermo Partisol® 2025 gravimetric sampling system is used to collect daily samples using Pall Gelman GN4-Metricel filters. For the purpose of metals analysis, filters are bulked and analysed on a weekly basis using inductively coupled atomic emission spectrometry (ICP-AES). The results for 2013 show that the annual average concentration of lead was 7.2 ng/m^3. This is well within the Air Quality Objective of 0.25 µg/m^3 (250 ng/m^3) to be achieved by 31st December 2008. The analysis and reporting is currently contracted to Ricardo-AEA.

There are a further three metals national network monitoring stations at Port Talbot Fire Station, Brecon Road and Tawe Terrace in Pontardawe. The concentrations of lead at these sites were 13.3, 7.1 and 7.4 ng/m^3 respectively, all of which easily comply with the Air Quality Objective.

1.6.5.2 Carbon monoxide

There were no exceedances of the 8-hour average of 10 mg/m^3 (maximum 2.4 mg/m^3) during 2011. The monitoring station site is representative of relevant public exposure as previously described.

Measurements are carried out using a Thermo 48i analyser under the QA/QC arrangements of the AURN.

Table 2.10 Results of Automatic Monitoring of carbon monoxide

Site ID	Site Type	Within AQMA?	Valid Data Capture for monitoring Period %[a]	Valid Data Capture 2013 %[b]	Number of Exceedances (percentile in bracket µg/m^3)[c]
					8 hour running mean > 10 mg/m^3
PT2	Urban industrial	Y	99.0	99.0	0

[a] i.e. data capture for the monitoring period, in cases where monitoring was only carried out for part of the year.
[b] i.e. data capture for the full calendar year (e.g. if monitoring was carried out for six months the maximum data capture for the full calendar year would be 50%.)

[c] if data capture is less than 90%, include the relevant percentile in brackets

1.6.5.3 $PM_{2.5}$

$PM_{2.5}$ describes the fraction of airborne particulate matter that is less than 2.5 microns in size.

The EU Clean Air for Europe (I) programme has introduced a framework for managing $PM_{2.5}$. A target of 20 μg/m^3 and a limit of 25 μg/m^3 are to be met by 2015. Exposure reduction is to be used to bring about a 20% reduction in background $PM_{2.5}$ levels by 2020 as based upon baseline (2010) values.

Data is drawn from the AURN monitoring station at Port Talbot Fire Station.

The annual average concentration of $PM_{2.5}$ during 2013 at 14 μg/m^3 is well below both the target and limit values. Contractors on behalf of central government will work to establish the baseline concentration for the 20% exposure reduction.

There were no breaches of the EU Air Quality target or limit values for $PM_{2.5}$ to be achieved by 2015.

1.6.5.4 Ozone

Ozone is a highly reactive chemical which, when present in the lower atmosphere at high concentrations, can irritate the eyes and air passages, causing breathing difficulties. Ozone is a so-called secondary pollutant since it is produced indirectly by the reaction between hydrocarbons, NO_2 and sunlight. Ozone tends to be lower in urban areas because high levels of NO are produced by vehicles and this helps to break down ozone to oxygen and NO_2. The highest ozone therefore tends to occur in rural areas and during the summer months when the sun shines the longest. The ozone forming reactions are complex and have a time lag associated with them which can mean that ozone levels are greatest downwind of the location where the pollution is produced. It is recognised that low level ozone formation is an international problem and that exceedances of the National Air Quality Standard would still occur, even if all sources of hydrocarbons were eliminated in this country.

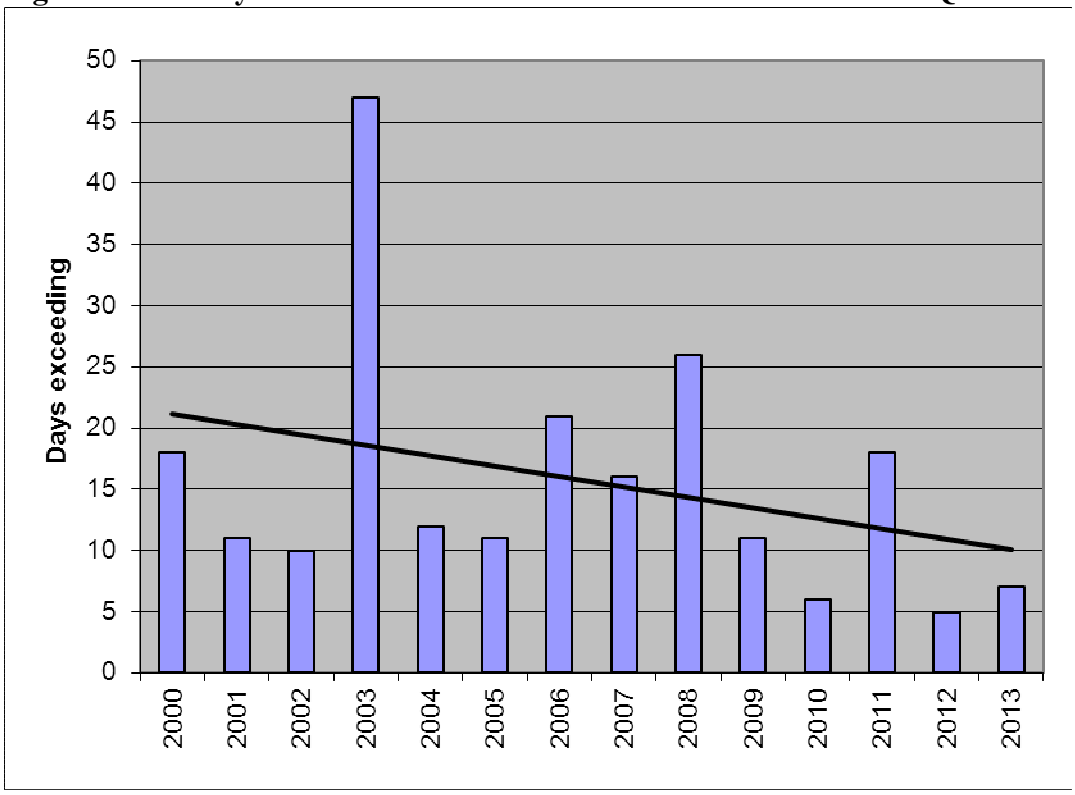
No statutory Air Quality Objective level for Ozone has been set, owing to the potential for trans-boundary sources. However, there is a recommended Air Quality objective for ozone of 100 μg/m^3, measured as a rolling 8hour average. This was breached on a total of 45 occasions on a total of 7 days at the Fire Station.

The long term trend for ozone exceedances shows a slight improvement over time as shown in Table 2.11 and Figure 2.13 below.

Table 2.11 Annual ozone exceedances 2000 – 2013

Year	Exceedances of Air Quality Standard 8hr running mean > 100 µg/m^3	No. of Days of Exceedance
2000	133	18
2001	81	11
2002	66	10
2003	403	47
2004	83	12
2005	56	11
2006	189	21
2007	108	16
2008	257	26
2009	71	11
2010	30	6
2011	147	18
2012	57	5
2013	45	7

Figure 2.13 Days of ozone exceedances of the UK recommended AQO since 2000



1.6.5.5 **Polyaromatic hydrocarbons (PAH)**

Polycyclic aromatic hydrocarbons (PAHs) are a group of persistent organic compounds, some of which are toxic and/or possible or proven human carcinogens; they are produced through industrial and incomplete combustion of carbon containing fuels.

Air quality standards have been set by UK and EU and are based upon measurements of benzo[a]pyrene which is also known as B[a]P.

The UK Air Quality Objective for PAHs is based on the recommendations of the Expert Panel on Air Quality Standards (EPAQS). It specifies an annual air quality standard of 0.25 ng/m^3 benzo[a]pyrene to be achieved by 2010.

The EU Air Quality Daughter Directive (2005/107/EC) specifies a target value of 1 ng/m^3 for the annual mean concentration of benzo[a]pyrene to be achieved by 2012.

Monitoring of benzo[a]pyrene first commenced at Groeswen Hospital in 1999 using an Anderson sampler. This equipment was replaced by a Digitel sampler in the last quarter of 2007. Monitoring now takes place at Port Talbot Fire Station following the redevelopment of Groeswen Hospital site.

Data is published on the UK-Air website and the latest data available is for the year of 2013.

Table 2.12. Benzo[a]pyrene annual averages 1999-2013

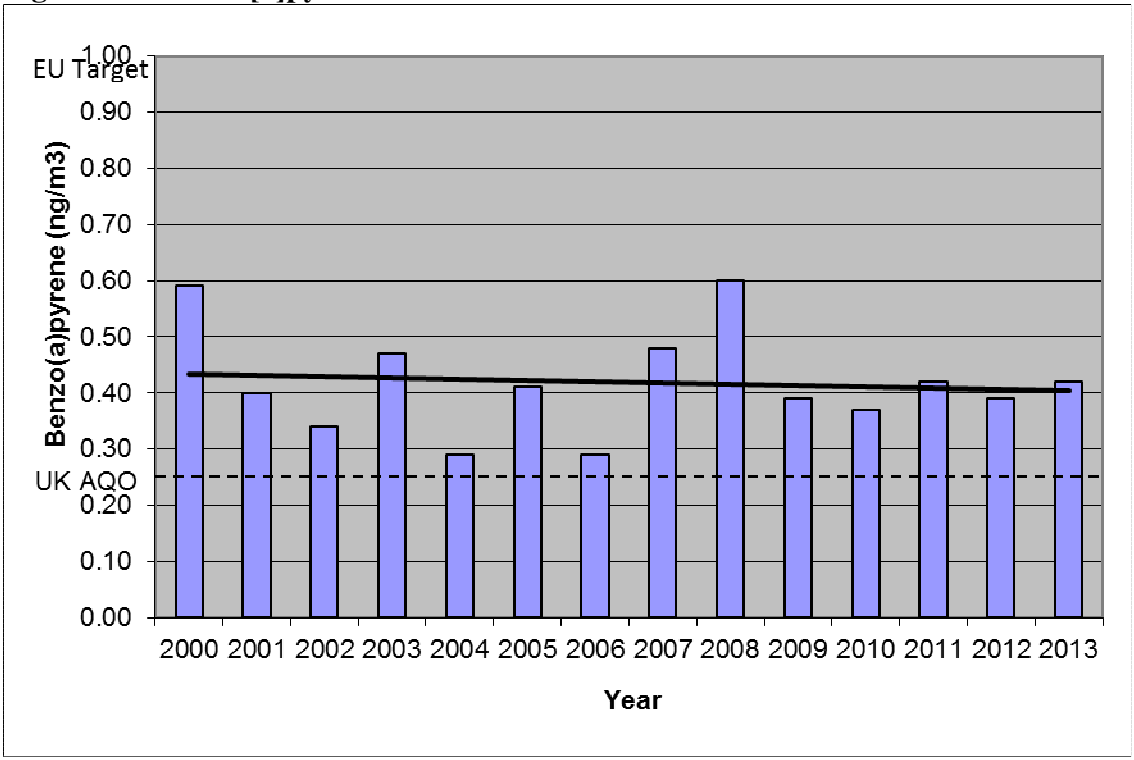
B[a]P ng/m^3	Year
0.24	1999
0.59	2000
0.40	2001
0.34	2002
0.47	2003
0.29	2004
0.41	2005
0.29	2006
0.48	2007
0.60	2008
0.39	2009
0.37	2010
0.42	2011
0.39	2012
0.42	2013

The results are shown graphically in figure 2.14 below. The B[a]P concentration at Port Talbot frequently exceeds the Air Quality Objective of 0.25 ng/m^3, but is less than the EU target value of 1 ng/m^3. The trend line shows that B[a]P levels are increasing over time.

A report by Ricardo-AEA in 2004 identified four sites on the network where there were compliance problems with the UK Air Quality Objective. Sites in Northern Ireland and

Scotland were probably related to use of solid fuel in domestic heating. Whereas Scunthorpe and Port Talbot were due to the steel works (probably coke production).

Figure 2.14 Benzo[a]pyrene 1999-2013



1.6.5.6 Metals monitoring

Monitoring of the concentrations of 13 airborne metals has been carried out continuously in the Pontardawe area since 1972. Pumps continuously sample ambient air and particles are collected on filters that are analysed by Ricardo-AEA. Until 1997, this work was carried out at Trebanos Sewage Works. Following a programme of construction at the site, monitoring was re-located to Pontardawe Leisure Centre. The objectives are to establish whether local industry has any significant impact upon airborne metal concentrations in the area. The Pontardawe site is approximately 4km downwind of the Nickel works at Clydach, as compared to the Trebanos site, which was about 2km from the works. The Pontardawe site is also approximately 1km upwind of Wall Colmonoy, a manufacturer of metal alloys which is subject to an Environmental Permit issued by this Authority.

Monitoring was carried out in respect of the following metals:

- Lead (Pb)
- Nickel (Ni)
- Zinc (Zn)
- Arsenic (As)
- Cadmium (Cd)
- Chromium (Cr)
- Copper (Cu)
- Iron (Fe)

- Cobalt (Co)
- Selenium (Se)
- Antimony (Sb)
- Cerium (Ce)
- Scandium (Sc)

In December 2004 the European Union published a Directive relating to arsenic, cadmium, mercury, nickel and polycyclic aromatic hydrocarbons (PAH), (2004/107/EC). This "4th Daughter Directive" set target values for arsenic, cadmium, nickel and benzo[a]pyrene (a PAH) for the total content in the PM_{10} fraction averaged over a calendar year. No limits or targets were set for mercury. The Directive target values for metals are shown below and were to be achieved by 31st December 2012:

Nickel 20 ng/m^3
Arsenic 6 ng/m^3
Cadmium 5 ng/m^3

The Directive requires measurement of air concentrations to be made using valid PM_{10} monitoring methods. The polypropylene ducts previously used to hold the filters did not conform exactly to a PM_{10} inlet specification and monitoring using a compliant method commenced during 2006. This necessitated the purchase of a Partisol 2025 sampler manufactured by Rupprecht & Patashnick Inc. The new and existing samplers were run concurrently for a period in order to assess the comparability of the results. The existing sampler was discontinued at the end of 2006 following completion of the comparability test.

Results

1.6.5.6.1 Pontardawe Leisure Centre

The annual mean nickel concentration found in 2013 was 14 ng/m^3, which is 70% of the Target Value to be met by the end of 2012.

The annual mean concentrations of arsenic and cadmium have been found to be 0.71 ng/m^3 and 0.18 ng/m^3 respectively. These concentrations represent approximately 11% and 3.6% of their proposed EU target values of 6 and 5 ng/m^3 respectively.

Lead results have been discussed in section 2.2.5.1 above.

From assessment of the measured concentrations at the Pontardawe sites between 1997 and 2013 it is clear that the majority of the metals show a reduction in concentration. The metals that show concentration reductions are shown below (percentage reductions/year are show in brackets):

- Antimony (average decrease of 3%/year)
- Arsenic (average decrease of 6%/year)
- Cobalt (average decrease of 5%/year)
- Copper (average decrease of 1%/year)
- Iron (average decrease of 5%/year)
- Lead (average decrease of 9%/year)

- Nickel (average decrease of 6%/year)
- Zinc (average decrease 9%/year)

The metals showing an increase are (percentage increases/year are shown in brackets):

- Cadmium (average increase of 1.3%/year)
- Cerium (average increase of 1%/year)
- Chromium (average increase of 2%/year)
- Scandium (average increase of 16%/year)
- Selenium (average increase of 5%/year)

1.6.5.6.2 Port Talbot

Metals have also been measured as part of the UK Metals Network at Port Talbot Fire Station since February 2008. Some of the metals monitored in the network are different to those measured at Pontardawe Leisure Centre e.g. platinum (Pt), vanadium (V) and mercury (Hg). The annual average of monthly results are shown in Table 2.13, where they are also compared to the corresponding figures for Pontardawe.

The nickel concentration at Port Talbot (1.7 ng/m^3) is only 8.5% the EU Target of 20 ng/m^3.

The annual mean concentrations of arsenic and cadmium have been found to be 0.61 ng/m^3 and 0.93 ng/m^3 respectively. These concentrations represent approximately 10.2% and 18.6% of their EU target values of 6 and 5 ng/m^3 respectively.

Lead results have been discussed in section 2.2.5.1 above.

The level of iron in the atmosphere at Pontardawe (166 ng/m^3) is only 0.2% of the corresponding concentration at Port Talbot (3460 ng/m^3). Whilst this concentration does not represent a concern in respect of health, it represents approximately 15% of the PM_{10} measured in Port Talbot and highlights the influence of the Port Talbot steelworks.

1.6.5.6.3 Pontardawe Tawe Terrace

A new monitoring station was set up in September 2009, which is approximately 270 metres from Wall Colmonoy's Part B permitted site in Pontardawe. This monitoring station was set up in order to further investigate the potential for nickel emissions from this site, which uses approximately 500 tonnes of the metal each year to manufacture a variety of hard-wearing products. The monitoring station uses a Partisol 2000 sampler with filters provided and analysed by the National Physical Laboratory (NPL) in accordance with BS EN 14902.
The average concentration of nickel in 2013 was 36.6 ng/m^3 which is 183% of the Air Quality Objective.

The annual mean concentrations of arsenic and cadmium have been found to be 0.59 ng/m^3 and 0.24 ng/m^3 respectively. These concentrations represent approximately 9.8% and 4.8% of their EU target values of 6 and 5 ng/m^3 respectively.

1.6.5.6.4 Brecon Road, Pontardawe

The monitoring station was set up in August 2011 and is approximately 500m north east of the Wall Colmonoy site. The monitoring station was set up to be as close as possible to the area predicted to have the highest modelled nickel downwind concentrations in a residential location. The monitoring station uses a Partisol 2000 sampler with filters provided and analysed by the National Physical Laboratory (NPL) in accordance with BS EN 14902.

The average concentration of nickel in 2013 was 5.4 ng/m^3 which is 27% of the Air Quality Objective. The following chart shows the nickel results from all sites in the Swansea Valley since monitoring first began in 1972. Some data is from monitoring sites operated by Swansea City Council.

The annual mean concentrations of arsenic and cadmium have been found to be 0.88 ng/m^3 and 0.20 ng/m^3 respectively. These concentrations represent approximately 14.7% and 4.0% of their EU target values of 6 and 5 ng/m^3 respectively.

Table 2.13 Annual average metal concentrations during 2013

Element	2013 annual mean concentration (ng/m^3)			
	Port Talbot	**Pontardawe Brecon Road**	**Pontardawe Leisure Centre**	**Tawe Terrace**
As	0.61	0.88	0.3	0.59
Cd	0.93	0.2	0.3	0.24
Ce	-	-	0.6	-
Co	0.16	5.2	0.4	1.30
Cr	2.1	2.2	5.8	8.29
Cu	7.89	5.2	5.0	5.63
Fe	3460	210	166	215
Hg*	0.018	0.020	-	0.100
Mn	45.9	3.9	-	5.0
Ni	1.70	5.4	12.5	**36.6**
Pb	13.3	7.1	7.2	7.4
Sb	-	-	0.9	-
Sc	-	-	0.017	-
Se	-	-	0.6	-
Zn	105	15.8	14.2	17.2
V	2.55	0.84	-	0.86

Figure 2.15 Nickel levels in Swansea Valley 1972 - 2013

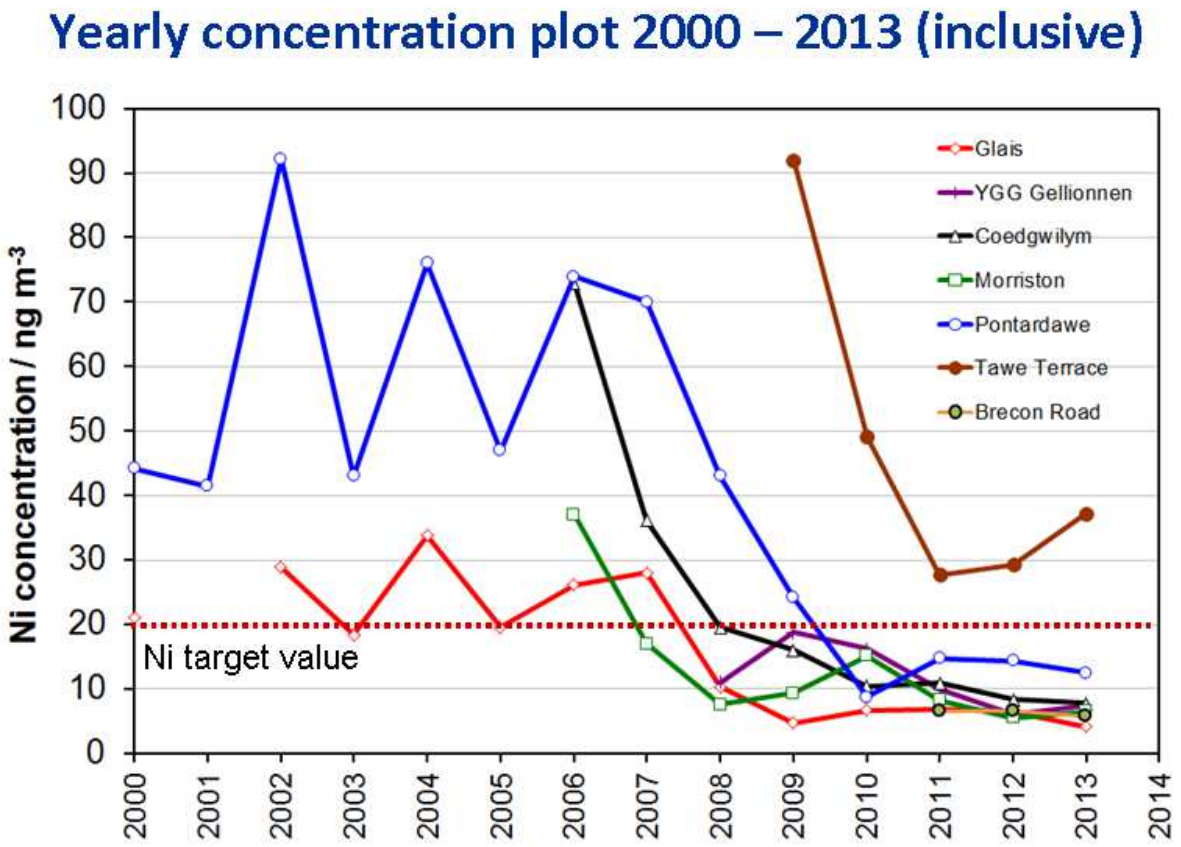
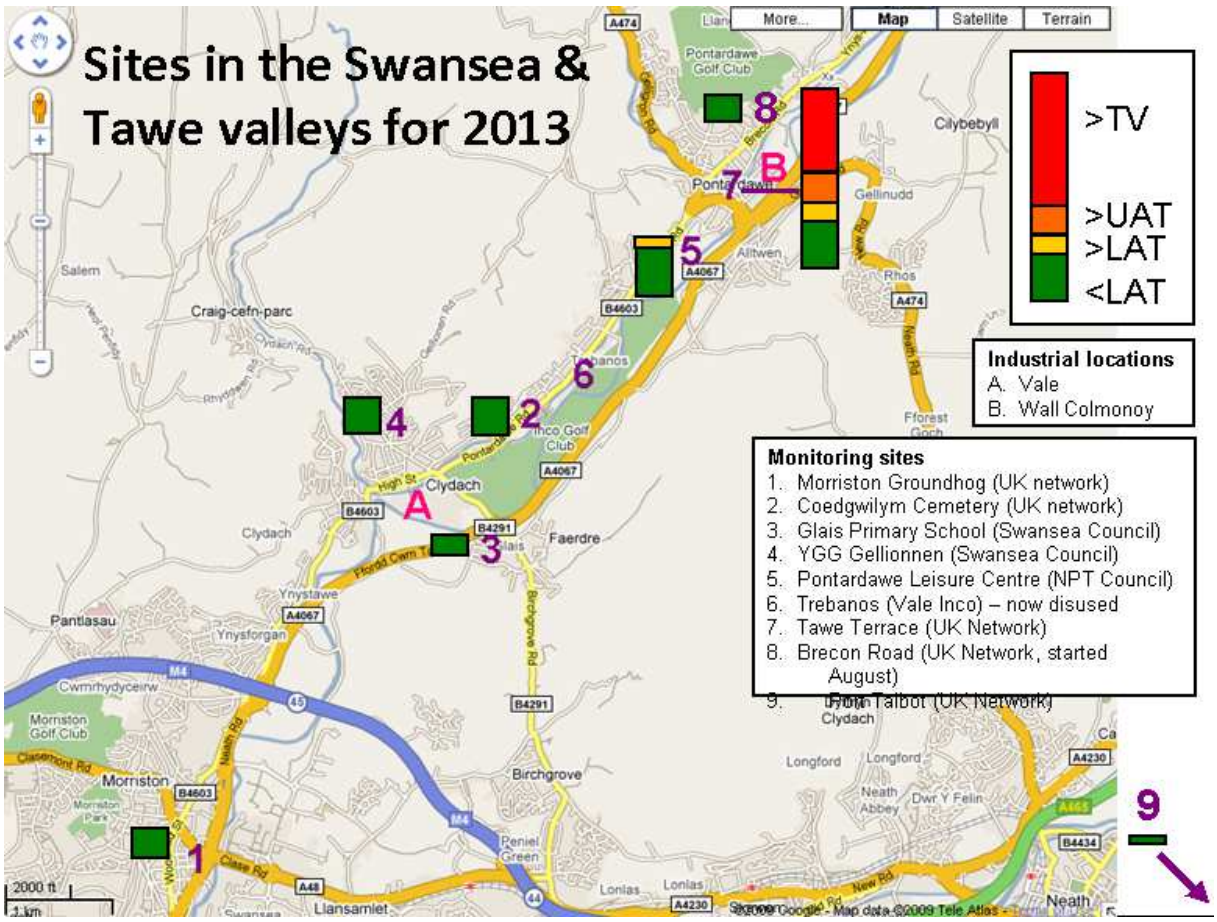


Figure 2.16 shows the location of all of these monitoring sites and their compliance relative to the Target value (TV = 20 ng/m^3). The Lower Assessment Threshold (LAT = 10 ng/m^3) and the Upper Assessment Threshold (14 ng/m^3) are included for completeness, but do not have any implications if they are exceeded.

Note: Graph produced by Richard Brown of NPL.

Figure 2.16 Location of nickel monitoring stations in the Swansea Valley



Note: Graph produced by Richard Brown of NPL.

Tawe Terrace is the only site which currently exceeds the E.U. Target. Levels of nickel at Tawe Terrace (36.6 ng/m^3).increased somewhat compared to 2012. There are further improvements yet to be made at the Wall Colmonoy plant which may result in further reductions in nickel levels.

Levels of arsenic and cadmium easily comply with EU Target values at all sites.

Lead results have been discussed in section 2.2.5.1 above.

1.6.5.7 Grit and dust monitoring

Previous reports have described how deposit gauges have been used to collect atmospheric fallout from a number of locations. The analysis of the collected grit and dust also includes a sophisticated characterisation of the deposit, using Scanning Electron Microscopy (SEM) and Energy Dispersive X-ray Analysis (EDXA). During 2013, sampling of this kind took place at 12 sites in the County Borough.

The report includes results from the following locations:

- Prince Street, Margam, Port Talbot
- Port Talbot Fire Station
- Wembley Avenue, Onllwyn
- Eglwys Nunydd Reservoir, Margam, Port Talbot
- Little Warren, Port Talbot.
- Tairgwaith, Amman Valley
- Llygad yr Haul, Glynneath
- Gwaun Cae Gurwen, Amman Valley
- Cil Carne Farm, Bryn, Port Talbot
- Parish Road, Cwmgwrach
- Dyffryn School, Bertha Road, Port Talbot.
- Ochwr y Waun, Cwmllynfell

Pie charts and time series graphs are presented for each site for 2013 and the preceding year as a comparison. The pie charts show the average percentage composition of the samples collected during the year, with the average fallout rates of each component in mg/m^2/day underneath. The time series show how the fallout rate has changed over the course of the year. The pie charts define the composition of the collected deposit into the following categories:

- Coal – unburned coal.
- Carbonised – partly burnt carbon based material that may be derived from combustion of coal, oil, wood etc.
- Sand – sand and silica based minerals.
- Dirt – aluminium, sodium, potassium, silicon, iron and calcium, usually combined with oxygen. e.g. silicates, clay, building materials and other mineral material typically found in soil and earth.
- Fly Ash – spherical mineral particles having arisen from combustion.
- Plant/Animal – miscellaneous fragments of insects, plant material etc.
- Calcium Rich – particles with an unusually high calcium content e.g. chalk, cement etc.
- Iron Rich – particles consisting of, or rich in iron.
- Others – anything not falling into the categories above.

Additional information is provided to indicate the annual average and maximum fallout levels, the data capture rate, and the number of days exceeding[1] (or within 10% of) the

[1] The average fallout rate is calculated by taking the total fallout during a sampling period of about 4 weeks and dividing that figure by the number of days. If the average for that sampling period is greater than 200 mg/m2/day then the result is reported as "number of days exceeding" equal to the number of days in the sampling period. The total number of days exceeding for the year is the sum of each of these periods where the average was greater than 200 mg/m2/day.

"nuisance limit" (200 mg/m^2/day), which some recognise as relevant for this method of monitoring. However it should be noted that this "limit" is not a statutory limit and the public perception of what constitutes a nuisance might now suggest that a lower "limit" would be appropriate. The Minerals Technical Advice note from Welsh Government suggests a limit of 80 mg/m^2/day for coal working. The advice note can be found at this location:

http://wales.gov.uk/docs/cabinetstatements/2009/090120coaltanen.pdf

A map showing the locations of each of the monitoring sites is also shown in Figure 2.17. Figures 2.18 to 2.43 comprise pairs of time series and pie charts for each site. The time series charts show how the fallout rate has varied over the period(s) concerned, whilst the pie charts show the average composition. The tables that accompany the charts highlight any differences that may have occurred over the period. Figure 2.44 shows the average fallout rate for each site during 2013 in a bar chart, and Table 2.15 holds the data for this chart. The sites are ranked in a table and graphically according to the average fallout rate. Figure 2.45 and Table 2.16 show how fallout rates have varied in the long term.

Fallout levels have been categorised as "low", "moderate", "high", or "very high" in order to aid comprehension. These categories are defined by this Authority and are not official categories.

Table 2.14 Fallout categories as defined by NPT

Fallout rate mg/m^2/day	Category
< 40	Low
40 to 79	Moderate
80 to 159	High
> 159	Very high

Each site description includes a coloured bar to show it's categorisation as well as an indication of the percentage change in fallout rates over the last year alongside.

Results by site

1.6.5.7.1 Cil Carne Farm, Bryn, Port Talbot (Figs. 2.18 & 2.19) Low +55%

The "nuisance limit" was not exceeded in 2013 and no samples reached within 10% of 200 mg/m^2/day. The maximum fallout rate was 75 mg/m^2/day and the average 34 mg/m2/day, the corresponding values for 2012 were 36 and 22 mg/m^2/day respectively. There was 55% increase in fallout rates compared to the previous year, which was mainly due to increases in sand and dirt.

1.6.5.7.2 Prince Street, Port Talbot (Figs. 2.20 & 2.21) Very high +101%

The "nuisance limit" (200 mg/m^2/day) was exceeded on 123 days in 2013 but there were no days were within 10% of the "nuisance limit". During the previous year there were exceedances on 29 days. In 2013, the maximum fallout rate was 636 mg/m^2/day and the average 199 mg/m^2/day, the corresponding values for 2012 were 297 and 99 mg/m^2/day respectively. The average fallout increased by 101%, which was mainly due to increases in iron, coal and plant/animal fragments.

1.6.5.7.3 Port Talbot Fire Station (Figs. 2.22 & 2.23) Very high +77%

The "nuisance limit" was exceeded on 95 days during 2013 and there were 34 days within 10% of the "nuisance limit". The corresponding figures for 2012 were no days exceeding the "nuisance limit" and 35 days within 10%. The maximum fallout rate was 524 mg/m^2/day and the average 188 mg/m^2/day, and the corresponding values for 2012 were 184 and 106 mg/m^2/day respectively. There was a 77% increase in fallout rates compared to the previous year, which was mainly due to more iron, coal and dirt.

1.6.5.7.4 Eglwys Nunydd Reservoir, Port Talbot (Figs. 2.24 & 2.25) Moderate +45%

The "nuisance limit" was not exceeded during 2013 and there were no days within 10% of the "nuisance limit". This was also the case in 2012. The maximum fallout rate was 151 mg/m^2/day and the average 64 mg/m^2/day, and the corresponding values for 2012 were 122 and 44 mg/m^2/day respectively. There was a 45% increase in fallout rates compared to the previous year.

1.6.5.7.5 Gwaun Cae Gurwen (Figs. 2.26 & 2.27) Low +8%

The "nuisance limit" was not exceeded during 2013 and no samples reached within 10% of 200 mg/m^2/day. The maximum fallout rate was 144 mg/m^2/day and the average 28 mg/m^2/day, and the corresponding values for 2012 were 44 and 23 mg/m^2/day respectively. There was an 8% increase in fallout rates compared to the previous year.

1.6.5.7.6 Tairgwaith (Figs. 2.28 & 2.29) Low +25%

The "nuisance limit" was not exceeded and no samples reached within 10% of 200 mg/m^2/day. The maximum fallout rate was 56 mg/m^2/day and the average 30 mg/m^2/day, the

corresponding values for 2012 were 58 and 24 mg/m2/day respectively. There was a 25% increase in fallout rates compared to the previous year.

1.6.5.7.7 Parish Road, Cwmgwrach (Figs. 2.30 & 2.31) Low +6%

The "nuisance limit" was not exceeded and no samples reached within 10% of 200 mg/m^2/day. The maximum fallout rate was 94 mg/m^2/day and the average 37 mg/m^2/day, the corresponding values for 2012 were 69 and 35 mg/m^2/day respectively. There was a 6% increase in fallout rates compared to the previous year.

1.6.5.7.8 Llygad yr Haul, Glynneath (Figs. 2.32 & 2.33) Low +9%

The "nuisance limit" was not exceeded and no samples reached within 10% of 200 mg/m2/day. The maximum fallout rate was 51 mg/m2/day and the average only 25 mg/m2/day, the corresponding values for 2012 were 64 and 23 mg/m2/day respectively. There was a 9% increase in fallout rates compared to the previous year.

1.6.5.7.9 Wembley Avenue, Onllwyn (Figs. 2.34 & 2.35) Moderate +25%

The "nuisance limit" was not exceeded and no samples reached within 10% of 200 mg/m^2/day. The maximum fallout rate was 84 mg/m^2/day and the average 45 mg/m^2/day, the corresponding values for 2012 were 72 and 36 mg/m^2/day respectively. This represented an increase of 25%, which was mainly due to more coal fallout.

1.6.5.7.10 Little Warren, Port Talbot (Figs. 2.36 & 2.37) Moderate No change

The "nuisance limit" was not exceeded in 2013 and no samples reached within 10% of 200 mg/m^2/day. The maximum fallout rate was 178 mg/m^2/day and the average 65 mg/m^2/day, the corresponding values for 2012 were 142 and 65 mg/m^2/day respectively. There was no change in fallout rates compared to the previous year.

1.6.5.7.11 Dyffryn School, Port Talbot (Figs. 2.38 & 2.39) High +66%

The "nuisance limit" was exceeded on 28 days during 2013 and there were no days within 10% of the "nuisance limit". There were no corresponding days exceeding the nuisance limit during 2012. The maximum fallout rate was 307 mg/m^2/day and the average 106 mg/m^2/day, and the corresponding values for 2012 were 117 and 64 mg/m^2/day respectively. There was a 66% increase in fallout rates compared to the previous year.

1.6.5.7.12 Cwmllynfell (Figs. 2.40 & 2.41) High +163%

The "nuisance limit" was exceeded on 58 days during 2013 and there were 21 days within 10% of the "nuisance limit". The maximum fallout rate was 259 mg/m^2/day and the average 126 mg/m^2/day, and the corresponding values for 2012 were 81 and 48 mg/m^2/day respectively. There was an 163% increase in fallout rates compared to the previous year, which was mainly due to more dirt.

1.6.5.7.13Summary

The sites at Prince Street and Port Talbot Fire Station remain as top ranked in terms of average fallout rate. In fact 2013 was a particularly poor year for both sites with fallout rates exceeding 600 and 500 mg/m^2/day respectively at times. Prince Street fallout rates were typically very near to the "nuisance limit" of 200 mg/m^2/day. Natural Resources Wales is the regulator for the steelworks and has been informed of these results.

A number of high results at the Cwmllynfell site have propelled it to 3rd place in the rankings. 2013 was the worst year to date at this rural site, which is located near to East Pit Opencast site which is regulated by the Council. These high fallout rates are not mirrored by PM_{10} measurements made by the operator. Provisions have been made for improved dust mitigation measures by Celtic Energy.

Figure 2.17 Deposit gauge locations

Key

Id	Address
1	Cil Carne Farm, Bryn, Port Talbot
2	41, Parish Road, Cwmgwrach
3	Primary School, Gwaun Cae Gurwen
4	2, Llygad Yr Haul, Glynneath
5	Port Talbot Fire Station, Margam, Port Talbot
6	24, Prince Street, Margam, Port Talbot
7	Eglwys Nunydd Resevoir, Margam, Port Talbot
8	11, Wembley Avenue, Onllwyn
9	Cardonnel Road, Skewen
10	Workingmen's Club, Tairgwaith
11	Little Warren, Aberafan, Port Talbot
12	Dyffryn School, Margam, Port Talbot
13	Ochwr y Waun, Cwmllynfell

Figure 2.18 Cil Carne Farm pie charts

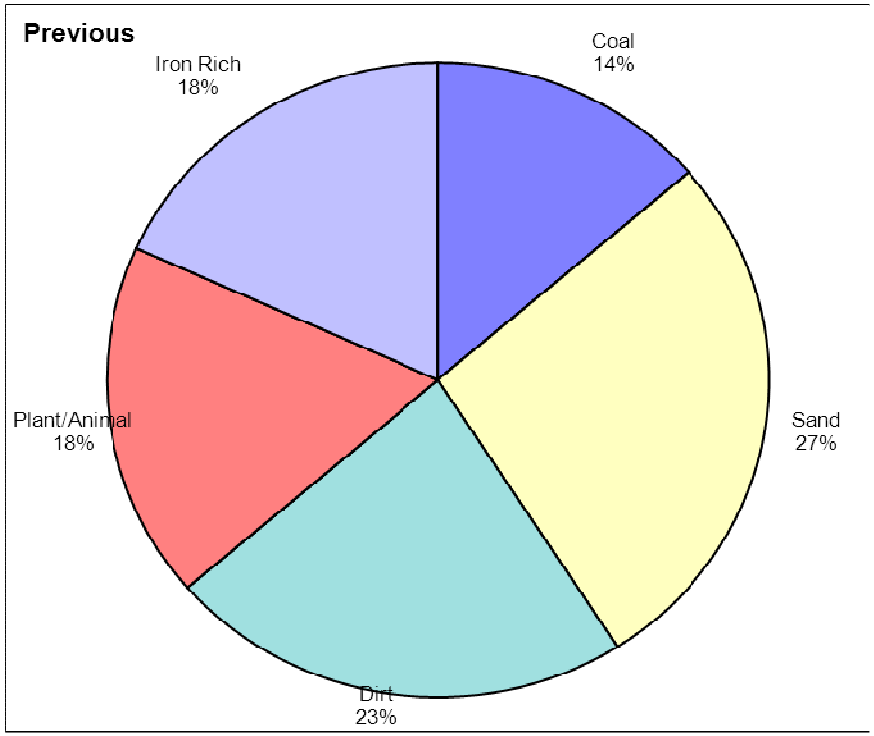
Deposit Gauge Analysis Report

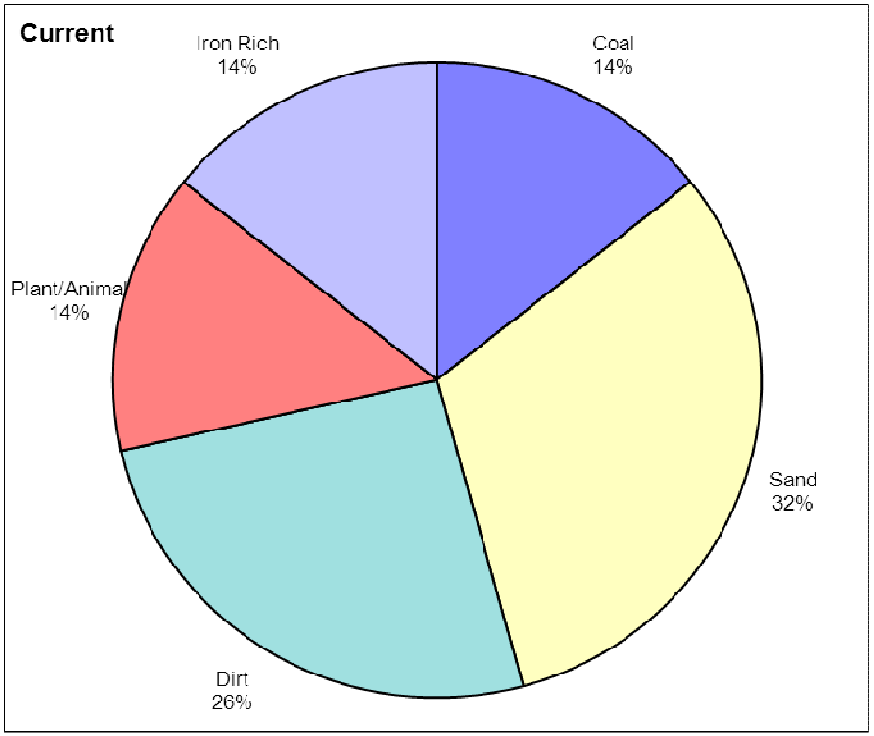
Cil Carne Farm, Port Talbot

Comparison of Fallout Composition

Current Period = 01-Jan-13 to 31-Dec-13

Previous Period = 01-Jan-12 to 31-Dec-12





Measurement Type	Period	Coal	Carbonised	Sand	Dirt	Fly Ash	Plant/Animal	Calcium Rich	Iron Rich	Others
Av. Deposition Rate (mg/m2/day)	Current	5	0	11	9	0	5	0	5	0
	Previous	3	0	6	5	0	4	0	4	0

Figure 2.19 Cil Carne Farm fallout rates

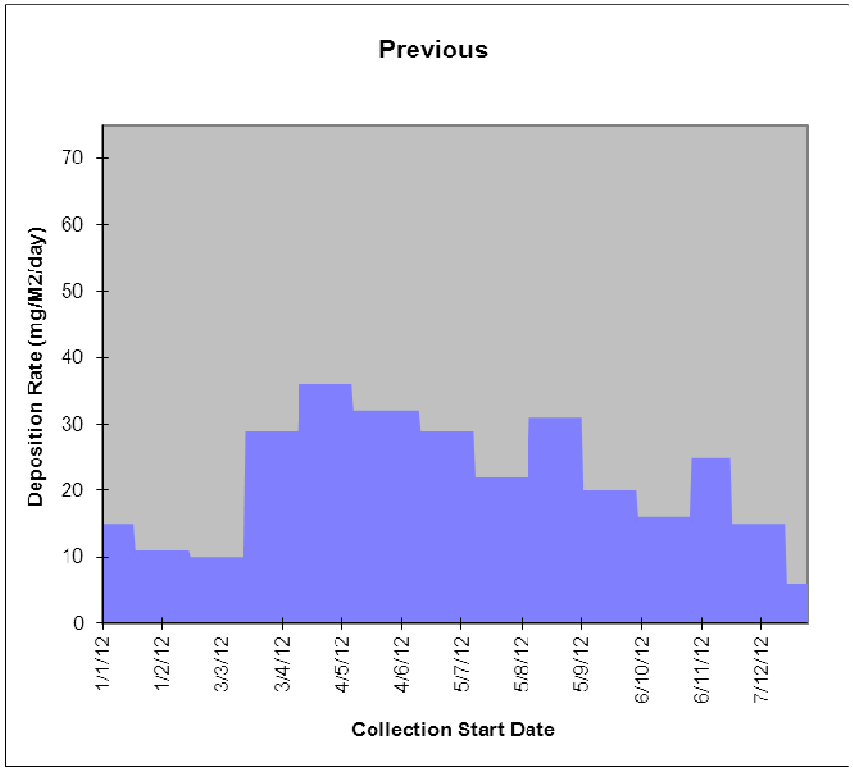
Deposit Gauge Analysis Report

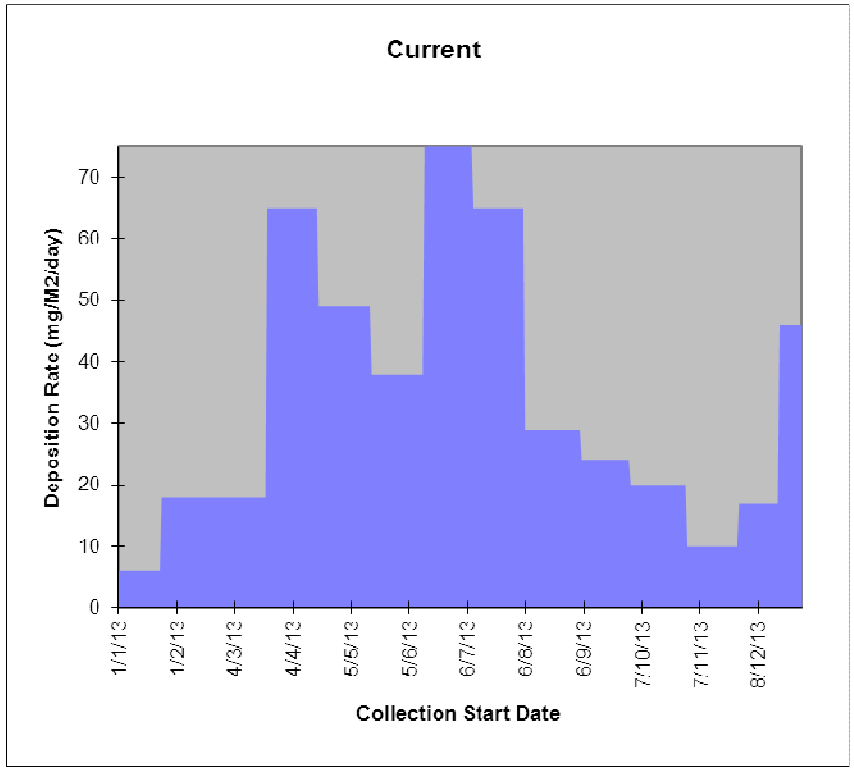
Cil Carne Farm, Port Talbot

Comparison of Fallout Rate with Time

Current Period = 01-Jan-13 to 31-Dec-13

Previous Period = 01-Jan-12 to 31-Dec-12





Period	Fallout Level (mg/m2/day)		No. Samples	% Data Capture	200 mg/m2/day 'Nuisance Limit'	
	Average	Maximum			Days within 10% of	Days Exceeding
Current	34	75	13	100.0	0	0
Previous	22	36	13	100.0	0	0
Change	12	Increase 55%				

Figure 2.20 Prince Street pie charts

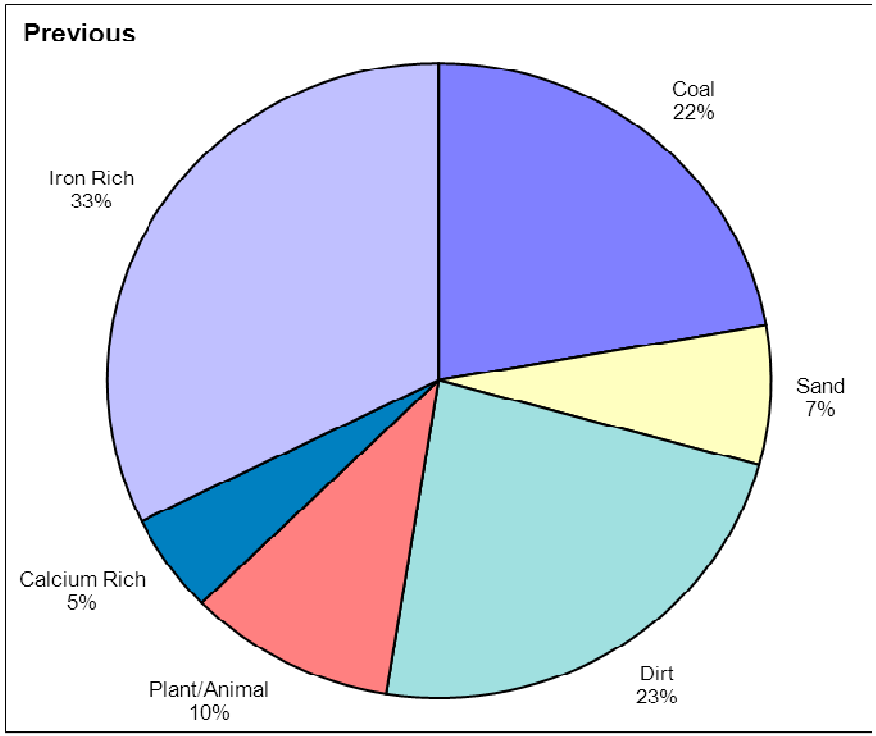
Deposit Gauge Analysis Report

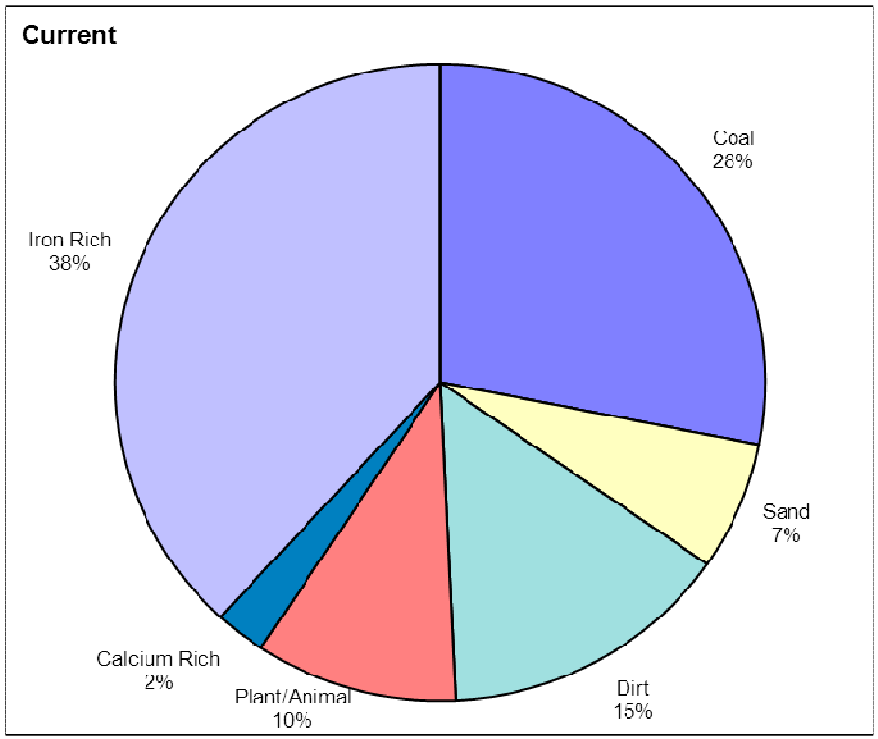
24, Prince Street, Port Talbot

Comparison of Fallout Composition

Current Period = 01-Jan-13 to 31-Dec-13

Previous Period = 01-Jan-12 to 31-Dec-12





Measurement Type	Period	Coal	Carbonised	Sand	Dirt	Fly Ash	Plant/Animal	Calcium Rich	Iron Rich	Others
Av. Deposition Rate (mg/m2/day)	**Current**	56	0	13	29	0	20	5	76	0
	Previous	22	0	7	23	0	10	5	32	0

Figure 2.21 Prince Street fallout rates

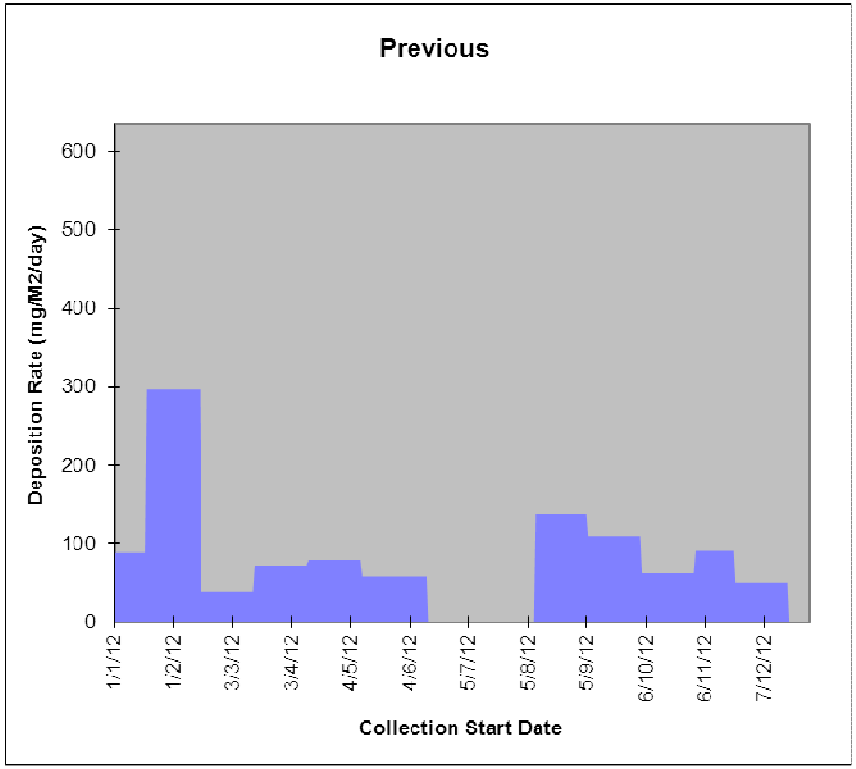
Deposit Gauge Analysis Report

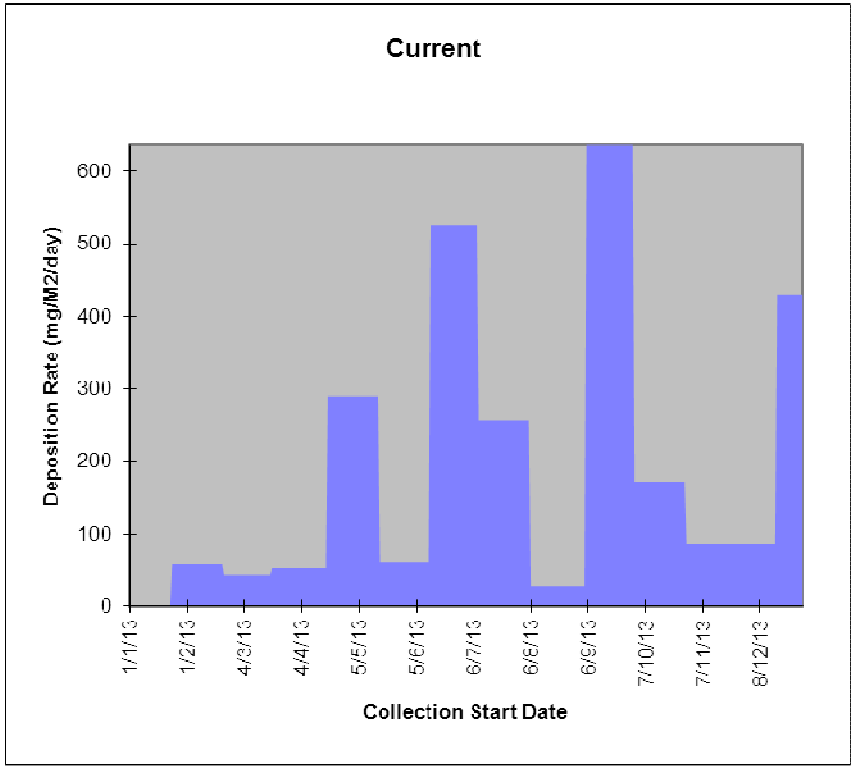
24, Prince Street, Port Talbot

Comparison of Fallout Rate with Time

Current Period = 01-Jan-13 to 31-Dec-13

Previous Period = 01-Jan-12 to 31-Dec-12





Period	Fallout Level (mg/m2/day)		No. Samples	% Data Capture	200 mg/m2/day 'Nuisance Limit'	
	Average	Maximum			Days within 10% of	Days Exceeding
Current	199	636	13	93.7	0	123
Previous	99	297	10	81.0	0	29
Change	100	Increase 101%				

Figure 2.22 Port Talbot Fire Station pie charts

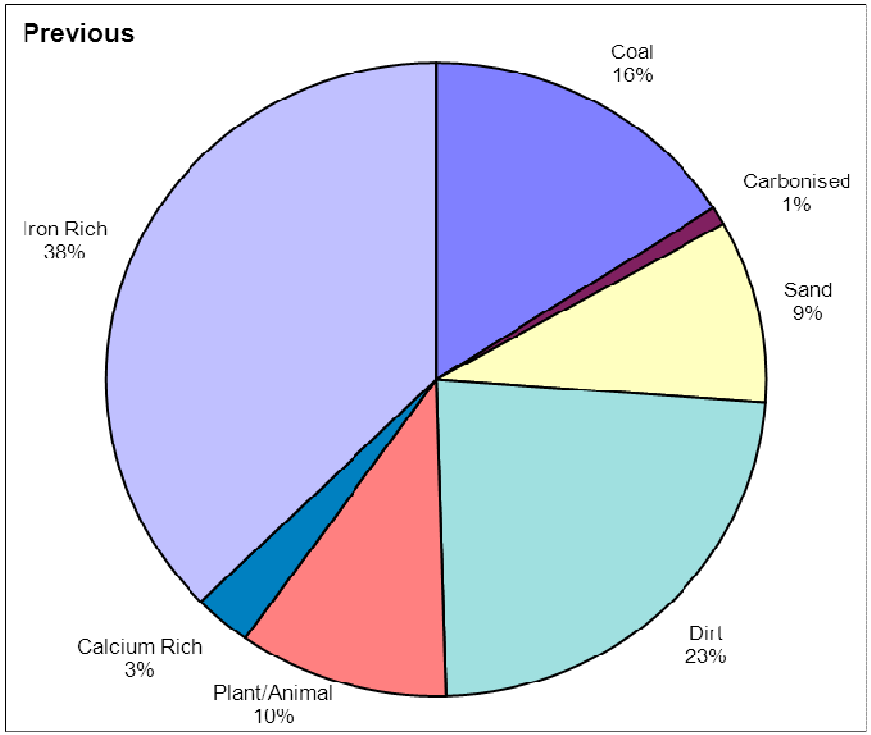
Deposit Gauge Analysis Report

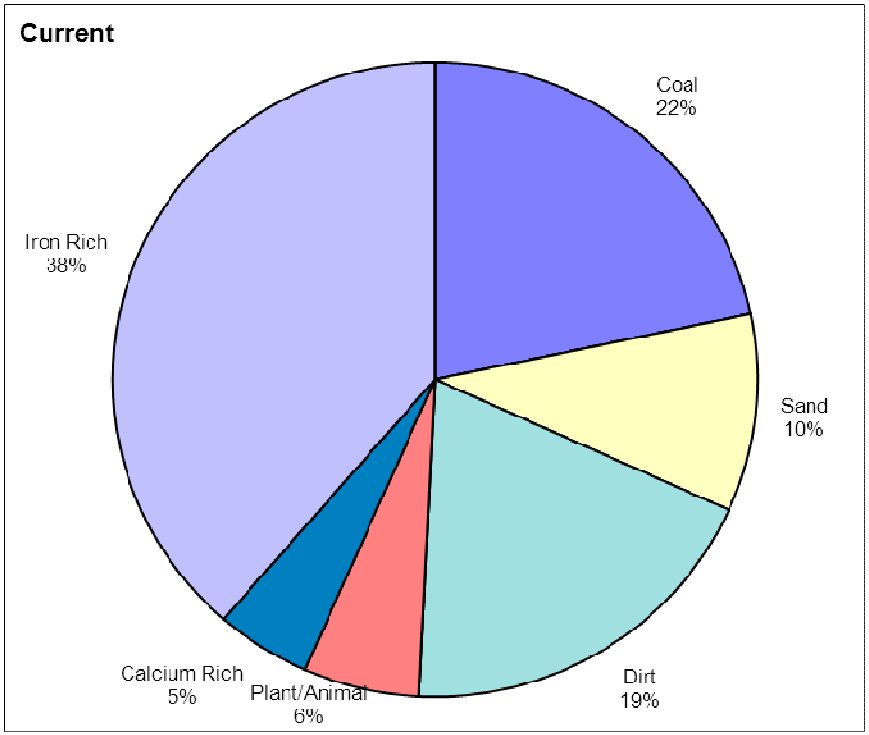
Port Talbot Fire Station

Comparison of Fallout Composition

Current Period = 01-Jan-13 to 31-Dec-13

Previous Period = 01-Jan-12 to 31-Dec-12





Measurement Type	Period	Coal	Carbonised	Sand	Dirt	Fly Ash	Plant/Animal	Calcium Rich	Iron Rich	Others
Av. Deposition Rate (mg/m2/day)	Current	41	0	19	36	0	11	9	73	0
	Previous	17	1	10	25	0	11	3	40	0

Figure 2.23 Port Talbot Fire Station fallout rates

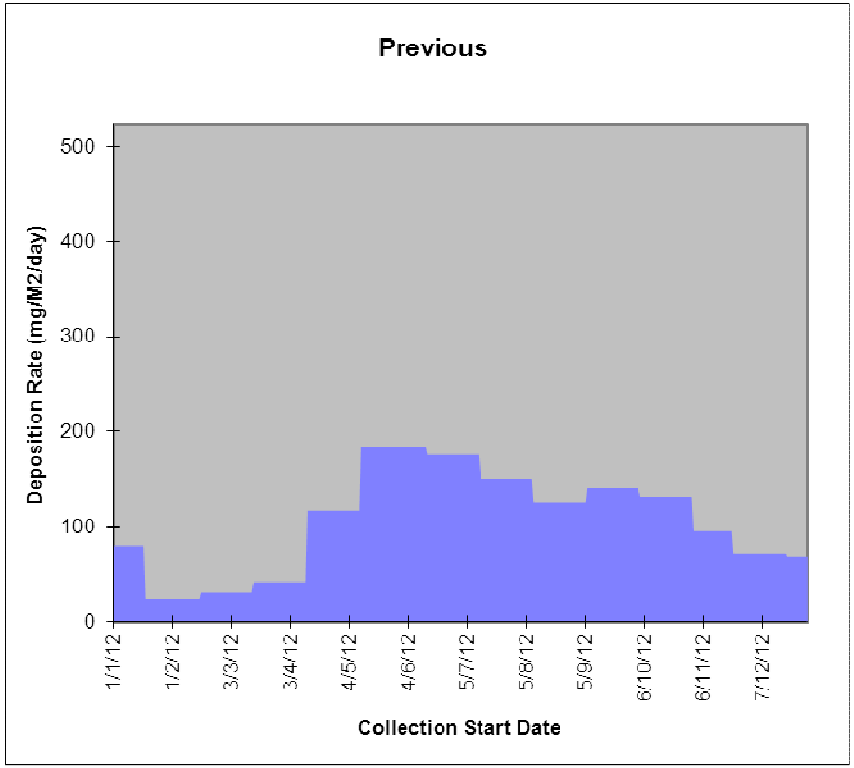
Deposit Gauge Analysis Report

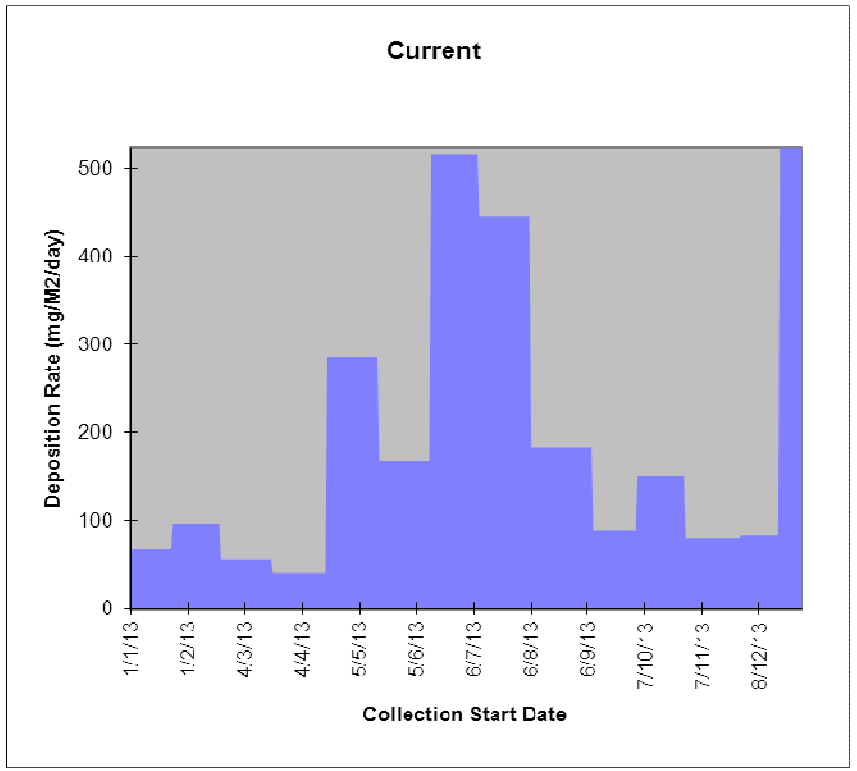
Port Talbot Fire Station

Comparison of Fallout Rate with Time

Current Period = 01-Jan-13 to 31-Dec-13

Previous Period = 01-Jan-12 to 31-Dec-12





Period	Fallout Level (mg/m2/day)		No. Samples	% Data Capture	200 mg/m2/day 'Nuisance Limit'	
	Average	Maximum			Days within 10% of	Days Exceeding
Current	188	524	13	100.0	34	95
Previous	106	184	13	100.0	35	0
Change	82	Increase 77%				

Figure 2.24 Eglwys Nunydd Reservoir pie charts

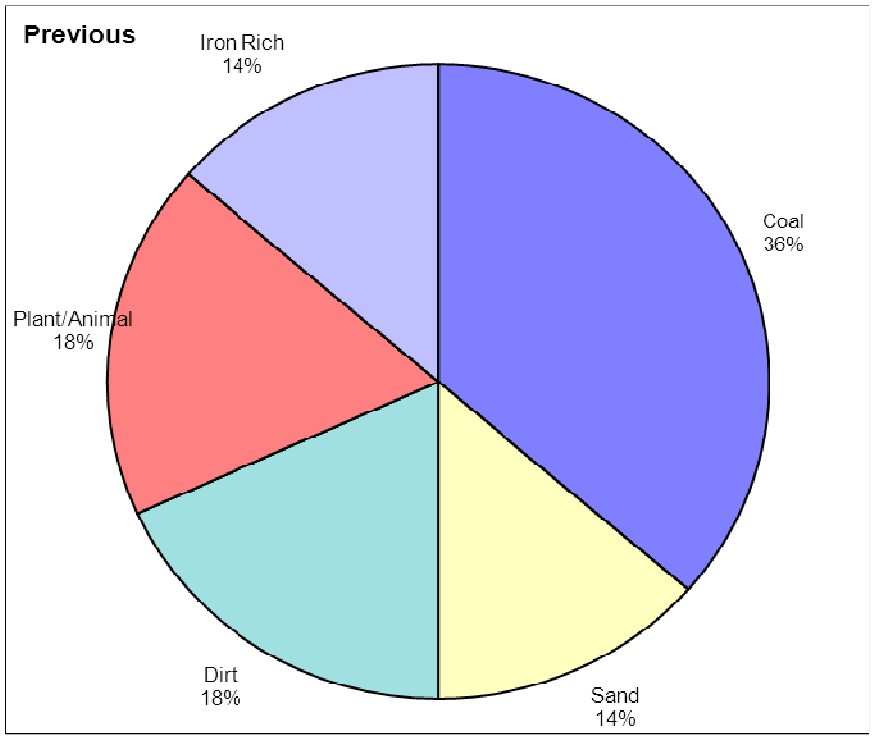
Deposit Gauge Analysis Report

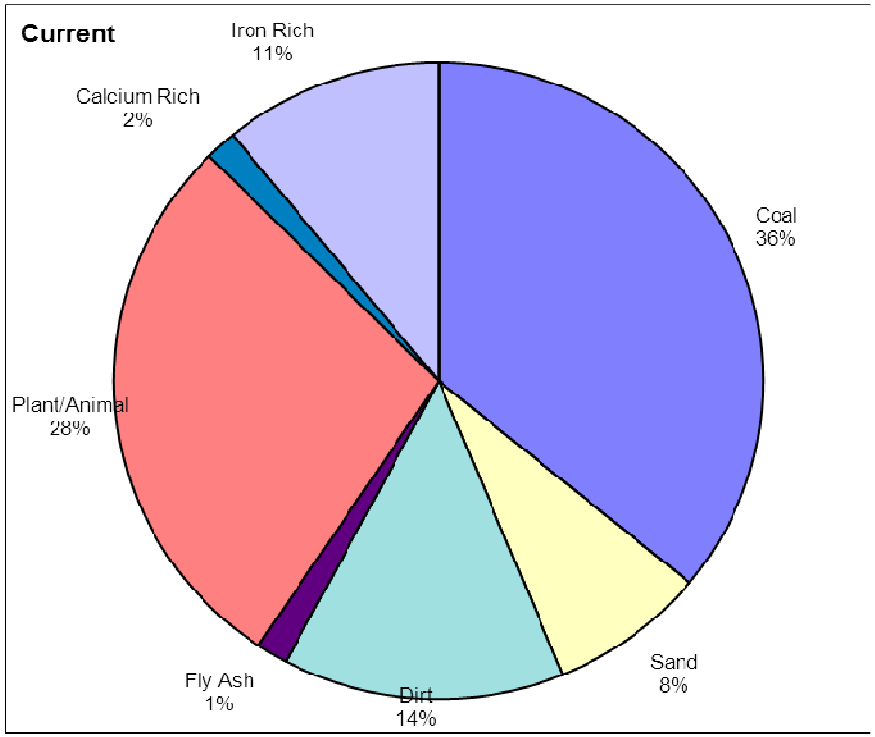
Eglwys Nunydd Reservoir, Port Talbot

Comparison of Fallout Composition

Current Period = 01-Jan-13 to 31-Dec-13

Previous Period = 01-Jan-12 to 31-Dec-12





Measurement Type	Period	Coal	Carbonised	Sand	Dirt	Fly Ash	Plant/Animal	Calcium Rich	Iron Rich	Others
Av. Deposition Rate (mg/m2/day)	Current	23	0	5	9	1	18	1	7	0
	Previous	16	0	6	8	0	8	0	6	0

Figure 2.25 Eglwys Nunydd fallout rates

Neath Port Talbot County Borough Council

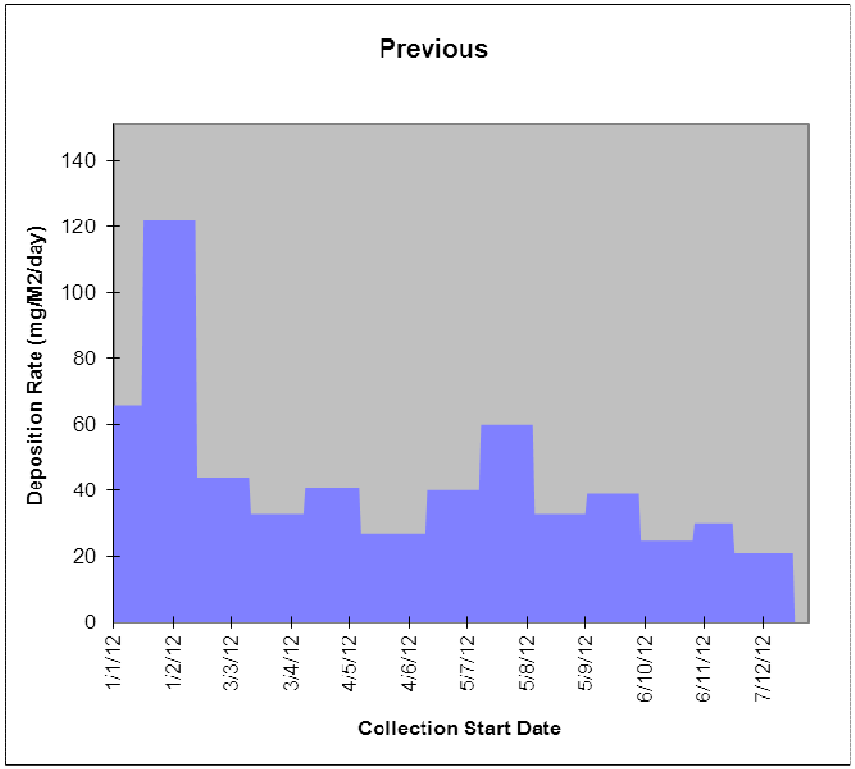
Deposit Gauge Analysis Report

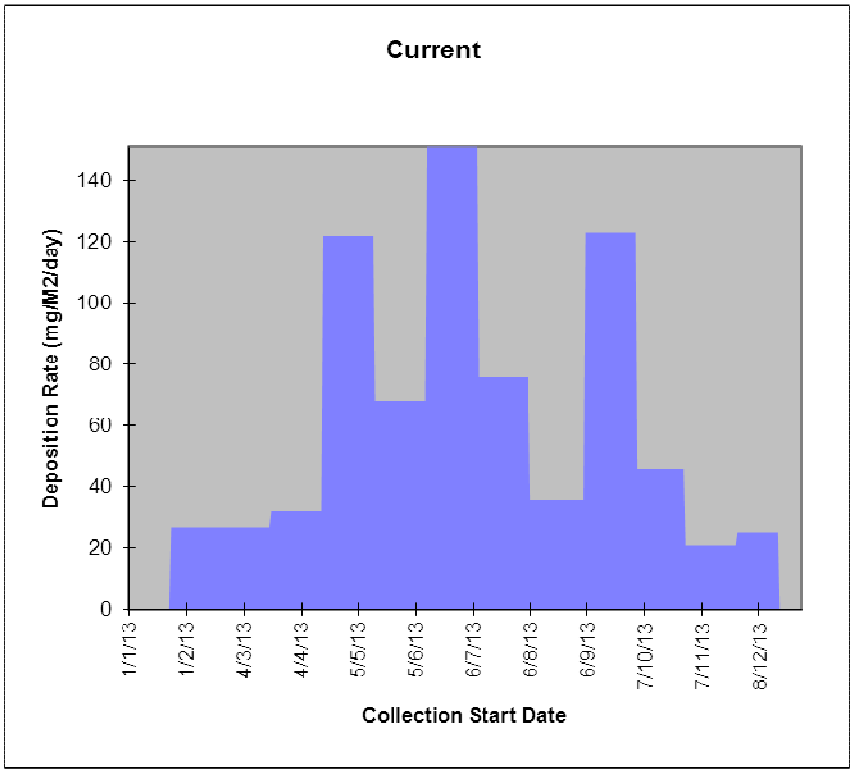
Eglwys Nunydd Resevoir, Port Talbot

Comparison of Fallout Rate with Time

Current Period = 01-Jan-13 to 31-Dec-13

Previous Period = 01-Jan-12 to 31-Dec-12





Period	Fallout Level (mg/m2/day)		No. Samples	% Data Capture	200 mg/m2/day 'Nuisance Limit'	
	Average	Maximum			Days within 10% of	Days Exceeding
Current	64	151	12	90.1	0	0
Previous	44	122	12	97.8	0	0
Change	20	Increase 45%				

Figure 2.26 Gwaen Cae Gurwen pie charts

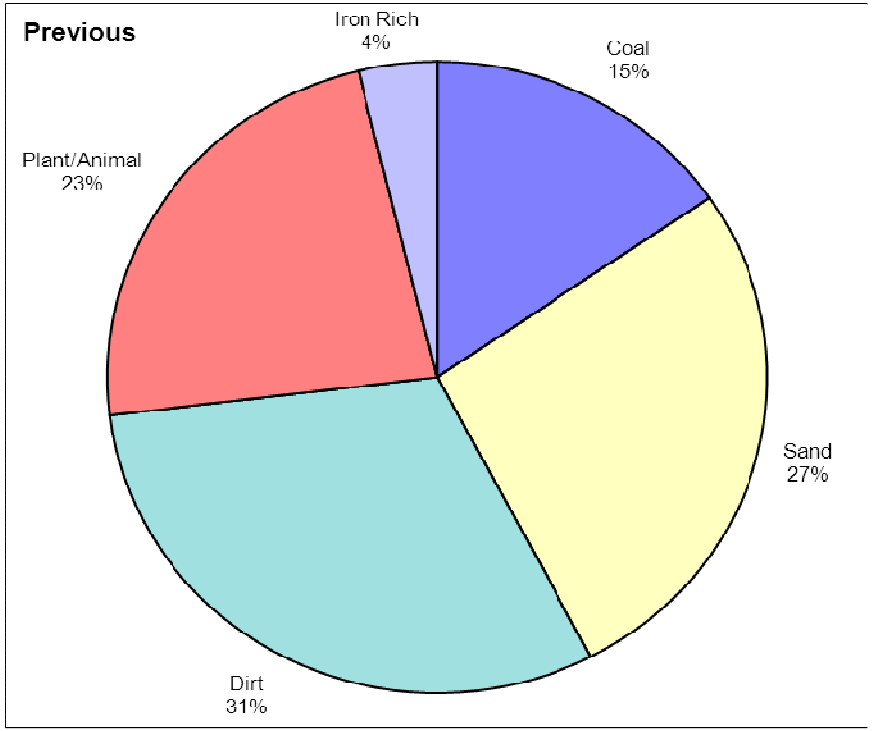
Deposit Gauge Analysis Report

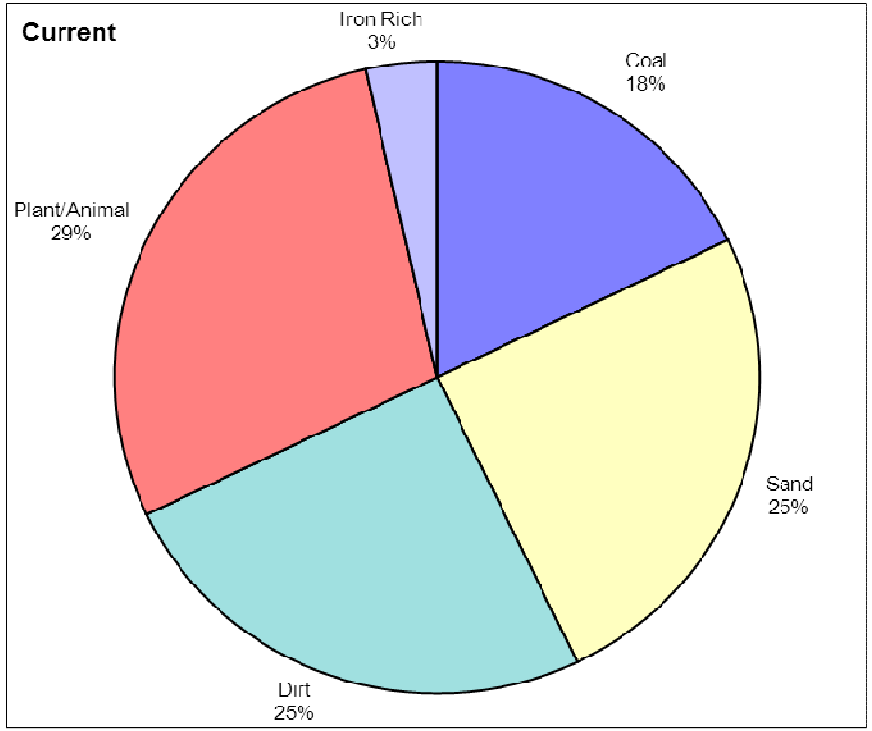
Primary School, Gwaen Cae Gurwen

Comparison of Fallout Composition

Current Period = 01-Jan-13 to 31-Dec-13

Previous Period = 01-Jan-12 to 31-Dec-12





Measurement Type	Period	Coal	Carbonised	Sand	Dirt	Fly Ash	Plant/Animal	Calcium Rich	Iron Rich	Others
Av. Deposition Rate (mg/m2/day)	Current	5	0	7	7	0	8	0	1	0
	Previous	4	0	7	8	0	6	0	1	0

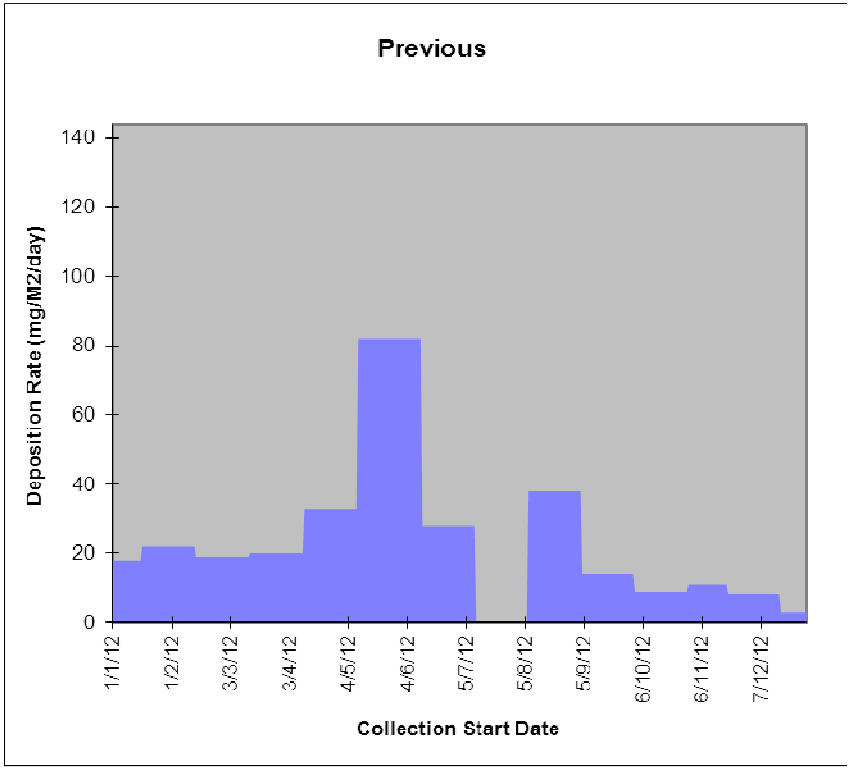
Deposit Gauge Analysis Report

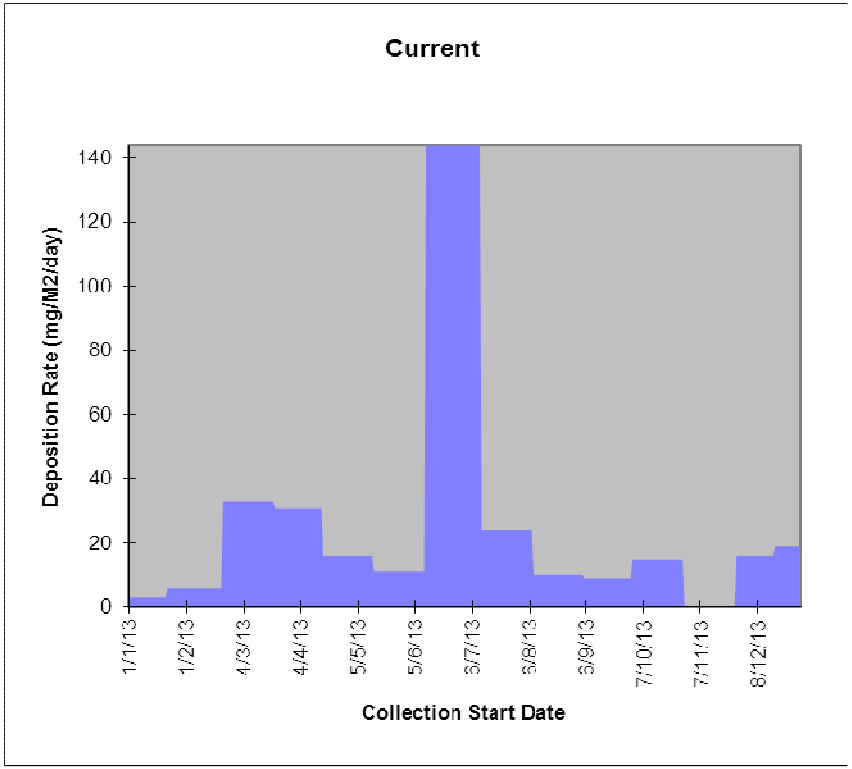
Primary School, Gwaen Cae Gurwen

Comparison of Fallout Rate with Time

Current Period = 01-Jan-13 to 31-Dec-13

Previous Period = 01-Jan-12 to 31-Dec-12





Period	Fallout Level (mg/m2/day)		No. Samples	% Data Capture	200 mg/m2/day 'Nuisance Limit'	
	Average	Maximum			Days within 10% of	Days Exceeding
Current	28	144	12	92.3	0	0
Previous	26	82	12	92.1	0	0
Change	2	Increase 8%				

Figure 2.28 Tairgwaith pie charts

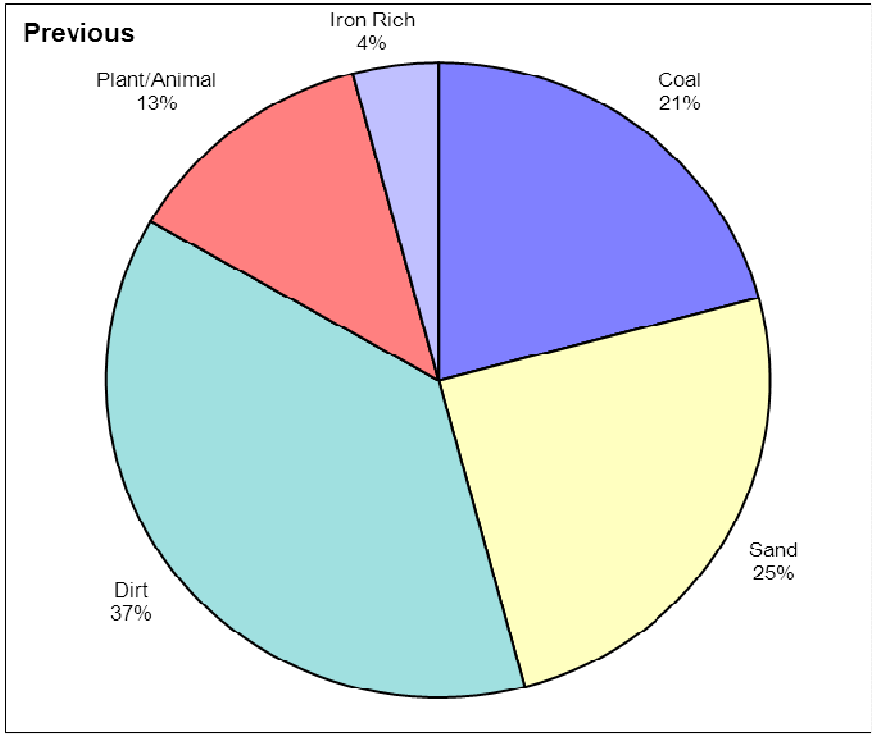
Deposit Gauge Analysis Report

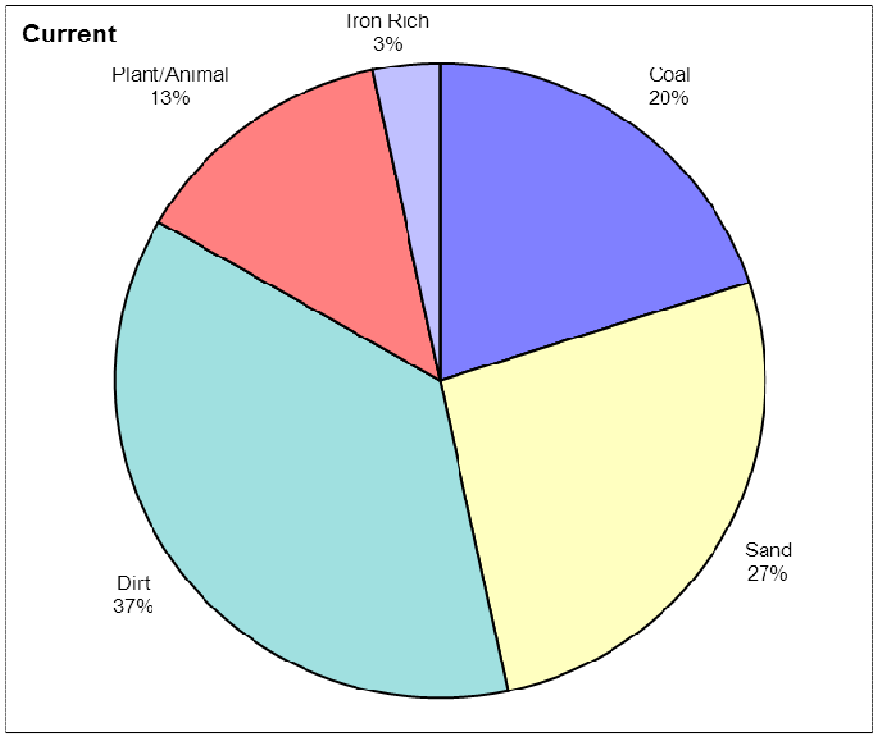
Workingmens Club, Tairgwaith

Comparison of Fallout Composition

Current Period = 01-Jan-13 to 31-Dec-13

Previous Period = 01-Jan-12 to 31-Dec-12





Measurement Type	Period	Coal	Carbonised	Sand	Dirt	Fly Ash	Plant/Animal	Calcium Rich	Iron Rich	Others
Av. Deposition Rate (mg/m2/day)	Current	6	0	8	11	0	4	0	1	0
	Previous	5	0	6	9	0	3	0	1	0

Figure 2.29 Tairgwaith fallout rates

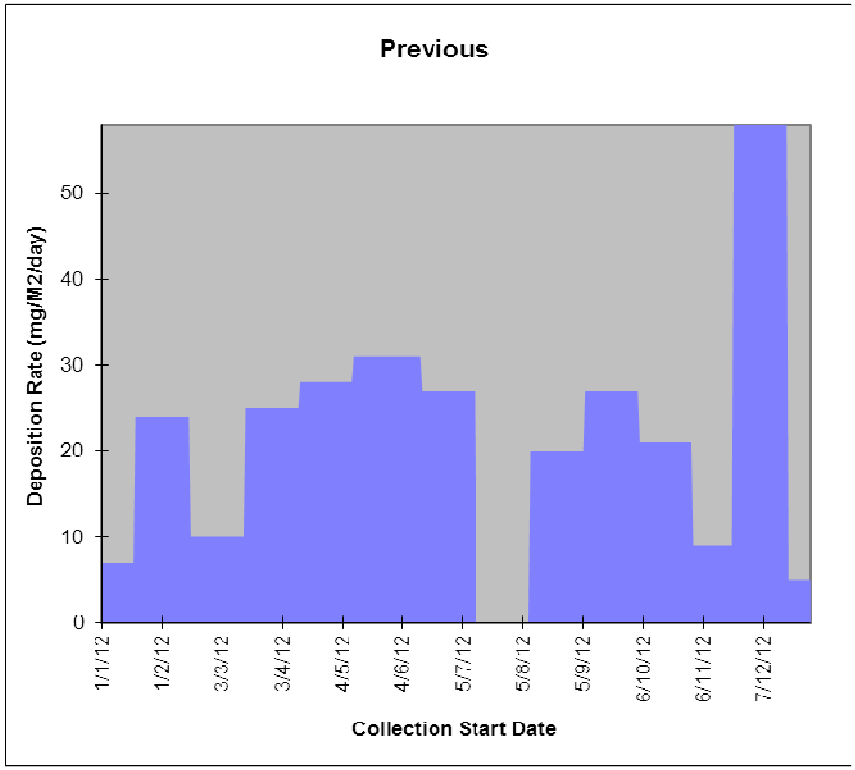
Deposit Gauge Analysis Report

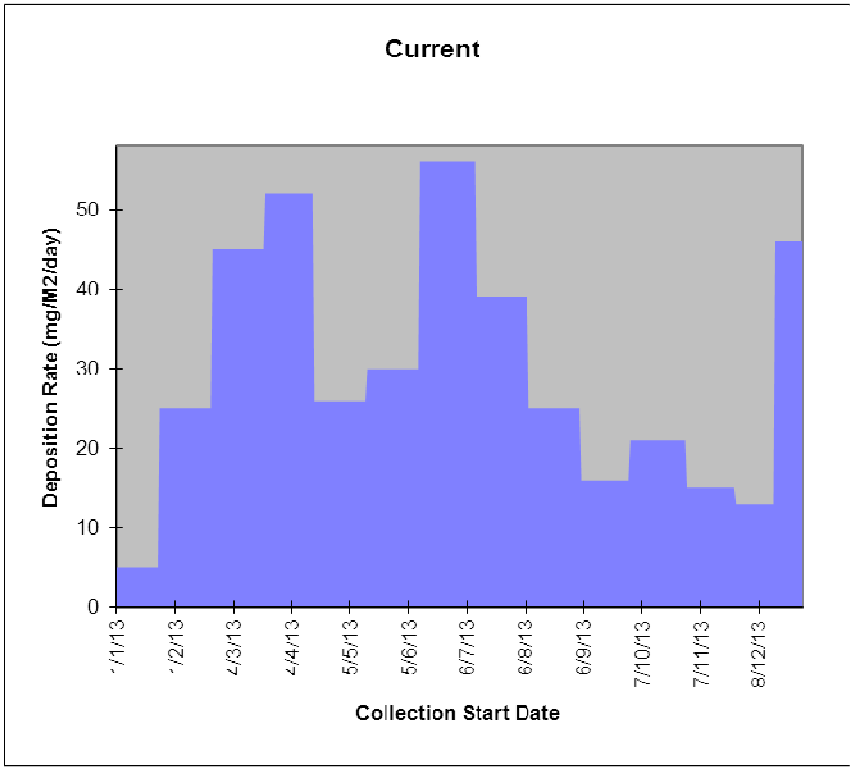
Workingmens Club, Tairgwaith

Comparison of Fallout Rate with Time

Current Period = 01-Jan-13 to 31-Dec-13

Previous Period = 01-Jan-12 to 31-Dec-12





Period	Fallout Level (mg/m2/day)		No. Samples	% Data Capture	200 mg/m2/day 'Nuisance Limit'	
	Average	Maximum			Days within 10% of	Days Exceeding
Current	30	56	13	100.0	0	0
Previous	24	58	12	92.1	0	0
Change	6	Increase 25%				

Figure 2.30 Cwmgwrach pie charts

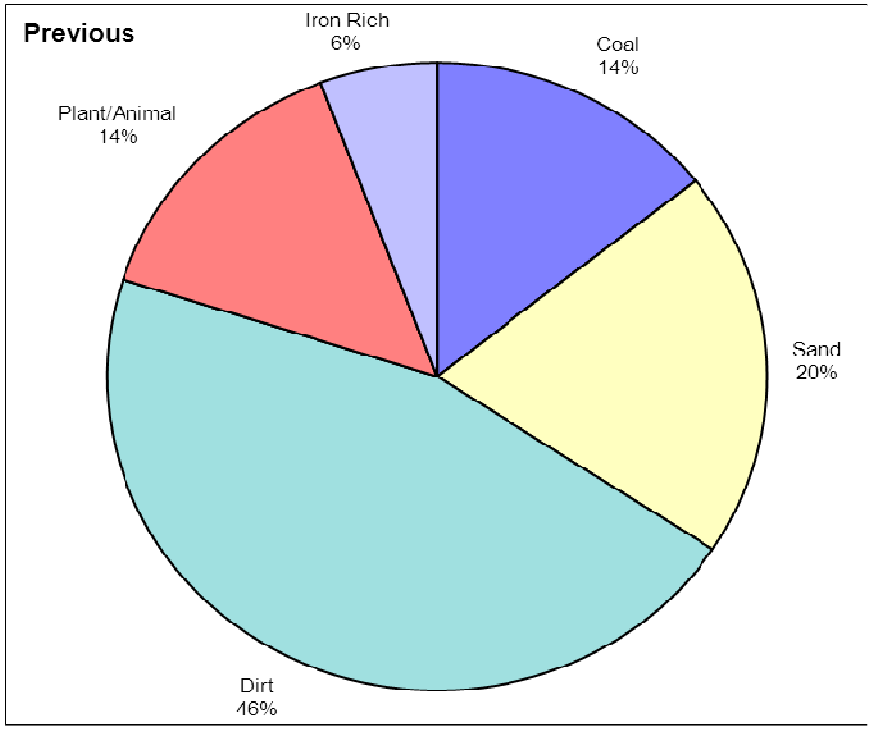
Deposit Gauge Analysis Report

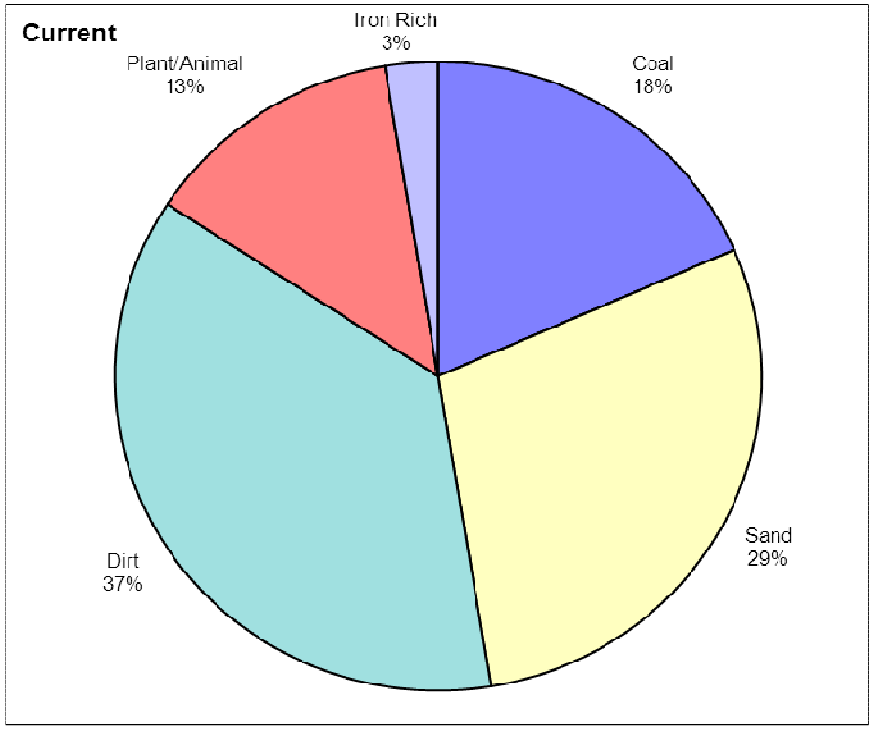
41, Parish Road, Cwmgwrach

Comparison of Fallout Composition

Current Period = 01-Jan-13 to 31-Dec-13

Previous Period = 01-Jan-12 to 31-Dec-12





Measurement Type	Period	Coal	Carbonised	Sand	Dirt	Fly Ash	Plant/Animal	Calcium Rich	Iron Rich	Others
Av. Deposition Rate (mg/m2/day)	Current	7	0	11	14	0	5	0	1	0
	Previous	5	0	7	16	0	5	0	2	0

Figure 2.31 Cwmgwrach fallout rates

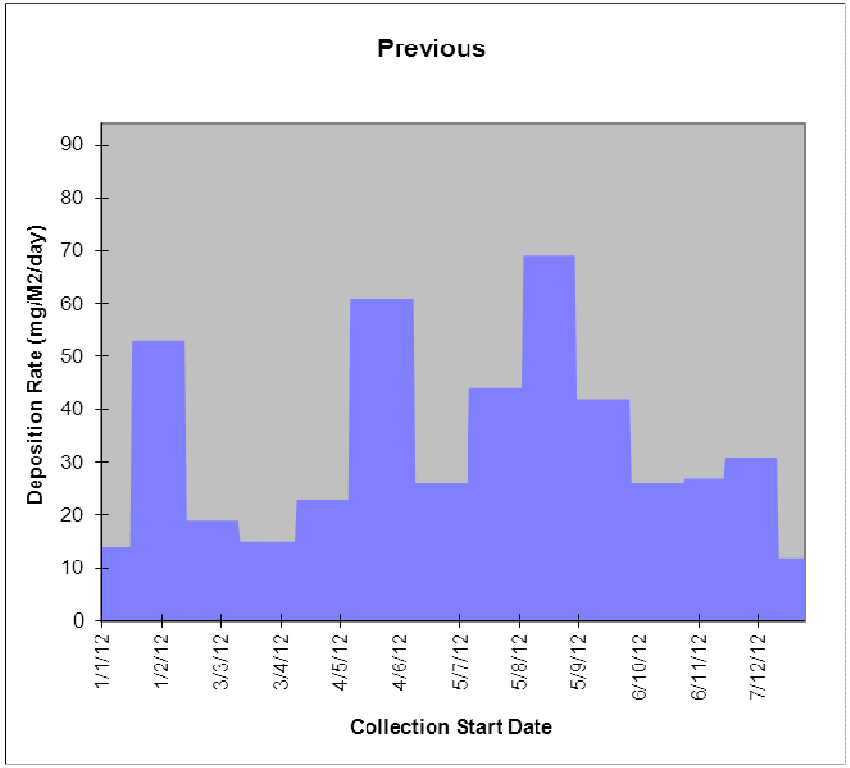
Deposit Gauge Analysis Report

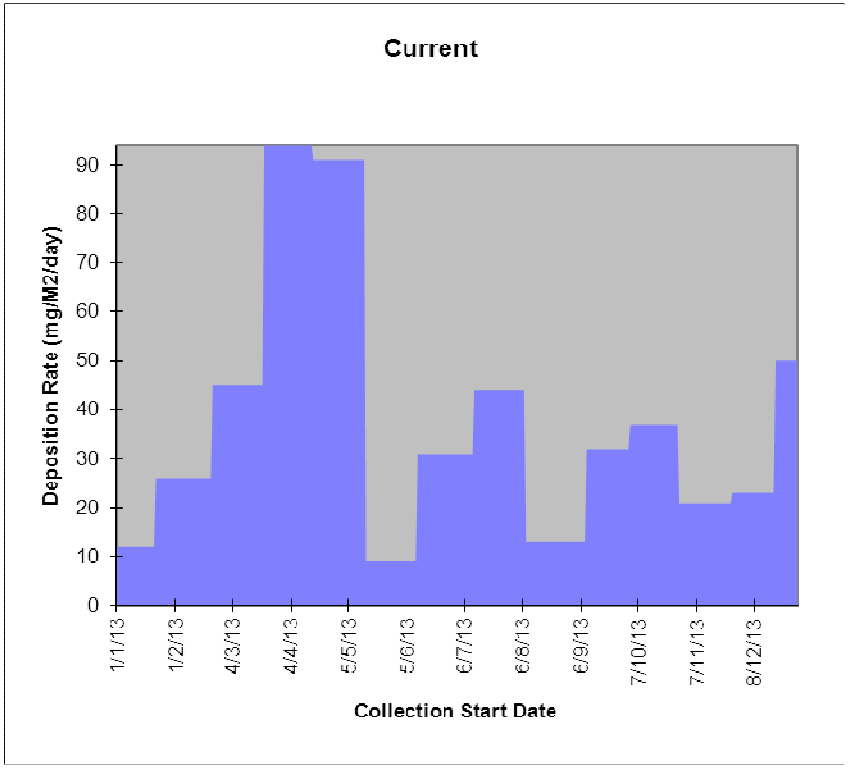
41, Parish Road, Cwmgwrach

Comparison of Fallout Rate with Time

Current Period = 01-Jan-13 to 31-Dec-13

Previous Period = 01-Jan-12 to 31-Dec-12





Period	Fallout Level (mg/m2/day)		No. Samples	% Data Capture	200 mg/m2/day 'Nuisance Limit'	
	Average	Maximum			Days within 10% of	Days Exceeding
Current	37	94	13	100.0	0	0
Previous	35	69	13	100.0	0	0
Change	2	Increase 6%				

Figure 2.32 Glynneath pie charts

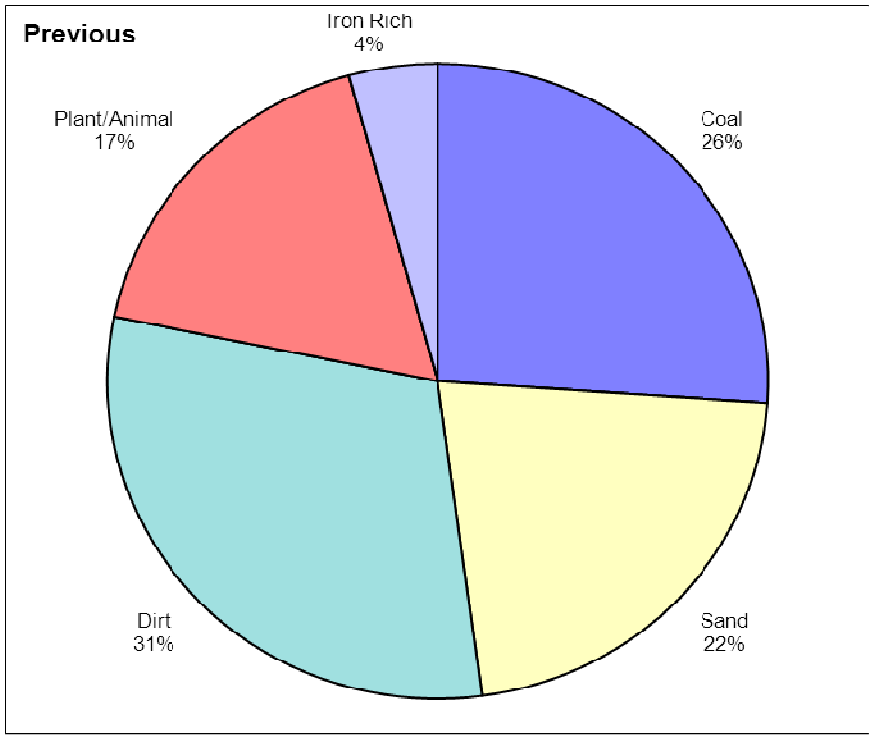
Deposit Gauge Analysis Report

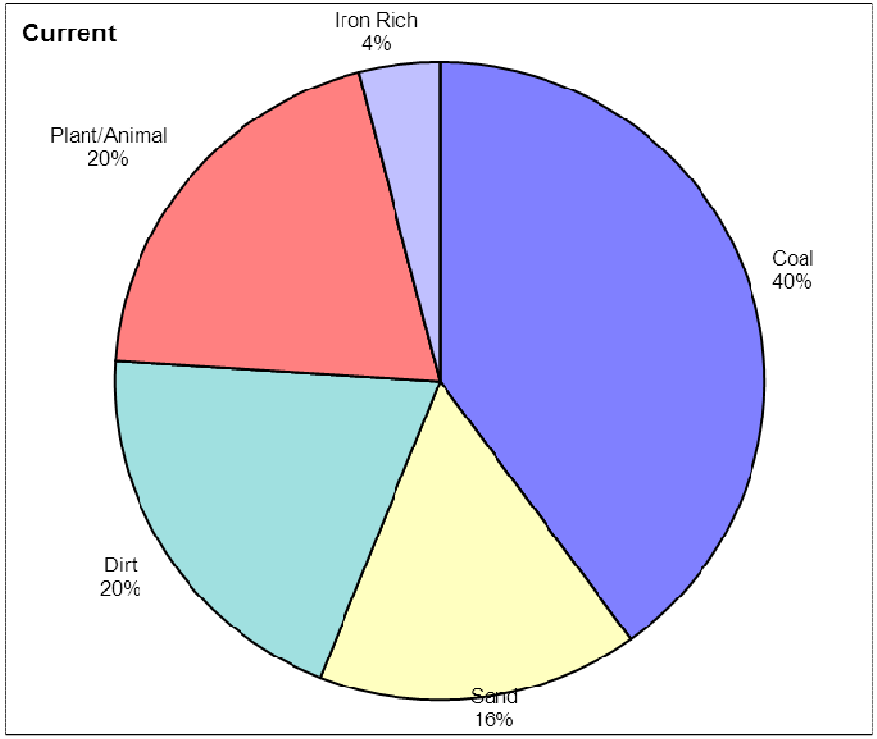
2, Llygad Yr Haul, Glynneath

Comparison of Fallout Composition

Current Period = 01-Jan-13 to 31-Dec-13

Previous Period = 01-Jan-12 to 31-Dec-12





Measurement Type	Period	Coal	Carbonised	Sand	Dirt	Fly Ash	Plant/Animal	Calcium Rich	Iron Rich	Others
Av. Deposition Rate (mg/m2/day)	**Current**	10	0	4	5	0	5	0	1	0
	Previous	6	0	5	7	0	4	0	1	0

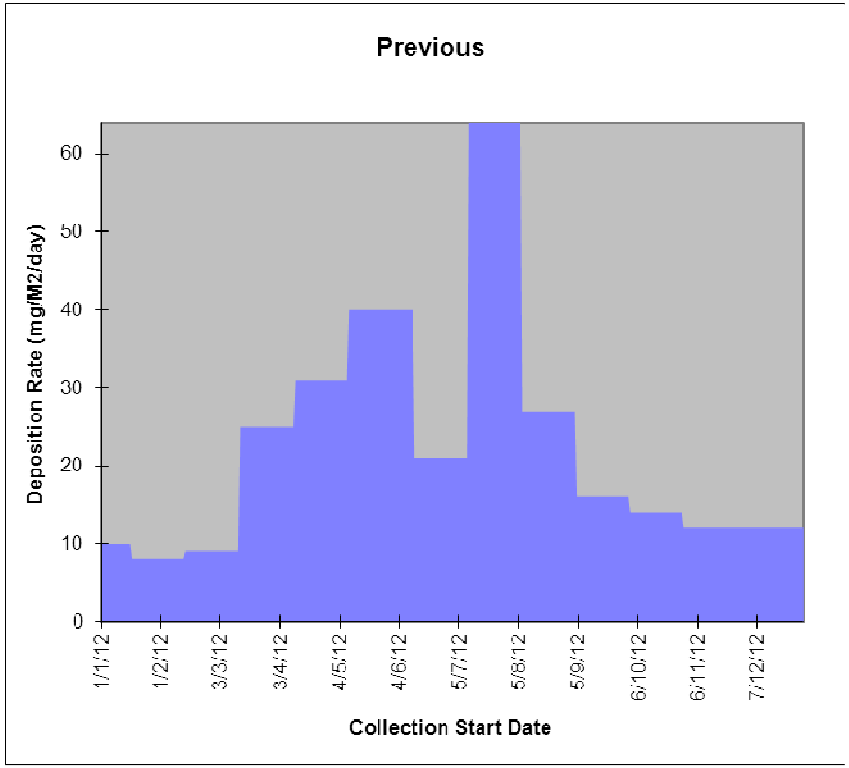
Deposit Gauge Analysis Report

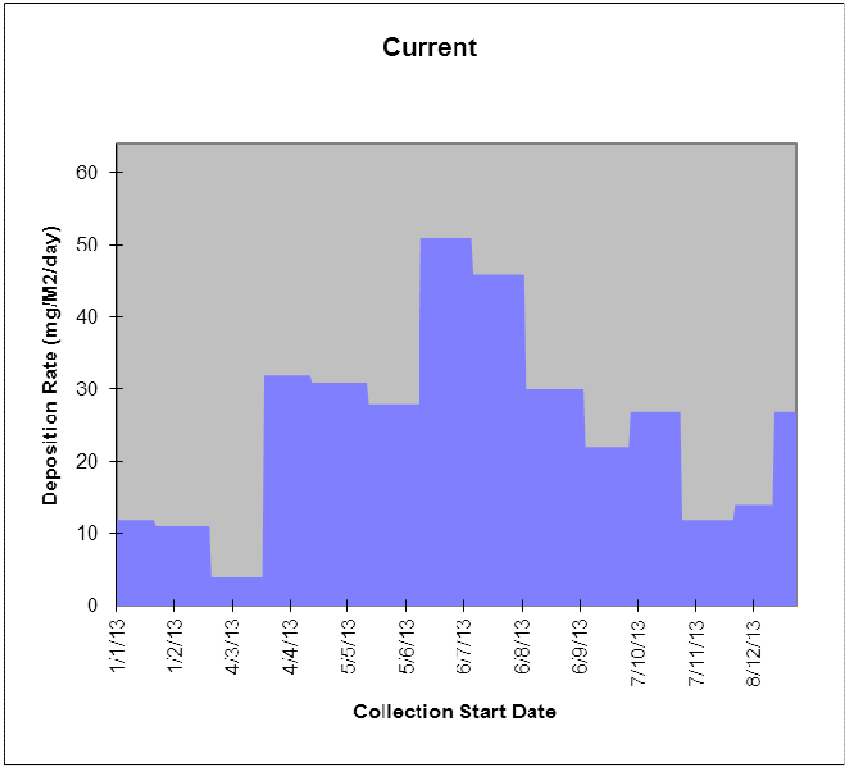
2, Llygad Yr Haul, Glynneath

Comparison of Fallout Rate with Time

Current Period = 01-Jan-13 to 31-Dec-13

Previous Period = 01-Jan-12 to 31-Dec-12





Period	Fallout Level (mg/m2/day)		No. Samples	% Data Capture	200 mg/m2/day 'Nuisance Limit'	
	Average	Maximum			Days within 10% of	Days Exceeding
Current	25	51	13	100.0	0	0
Previous	23	64	13	100.0	0	0
Change	2	Increase 9%				

Figure 2.34 Onllwyn pie charts

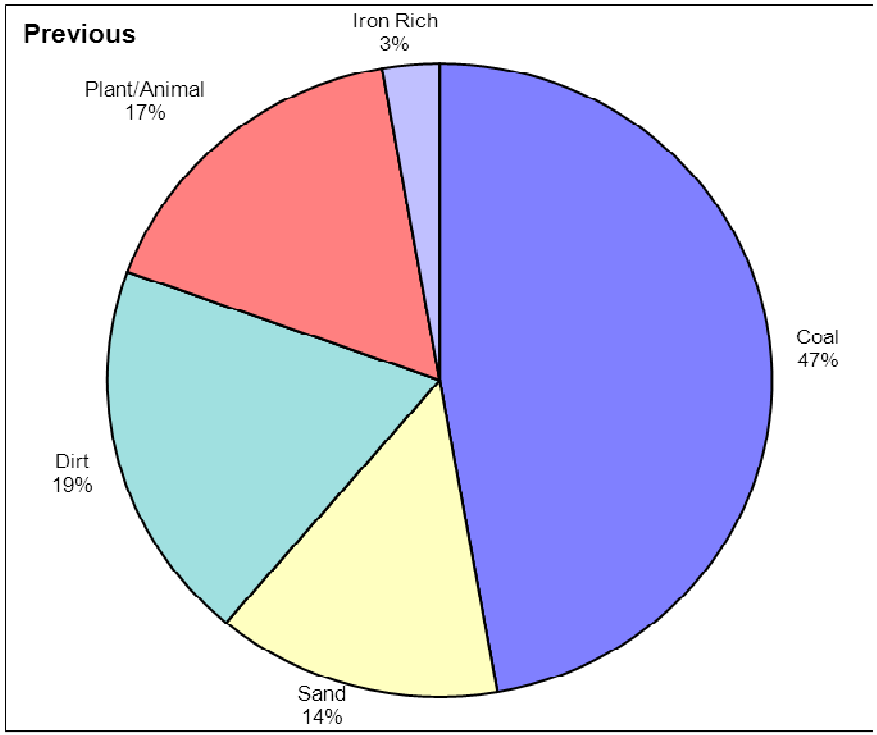
Deposit Gauge Analysis Report

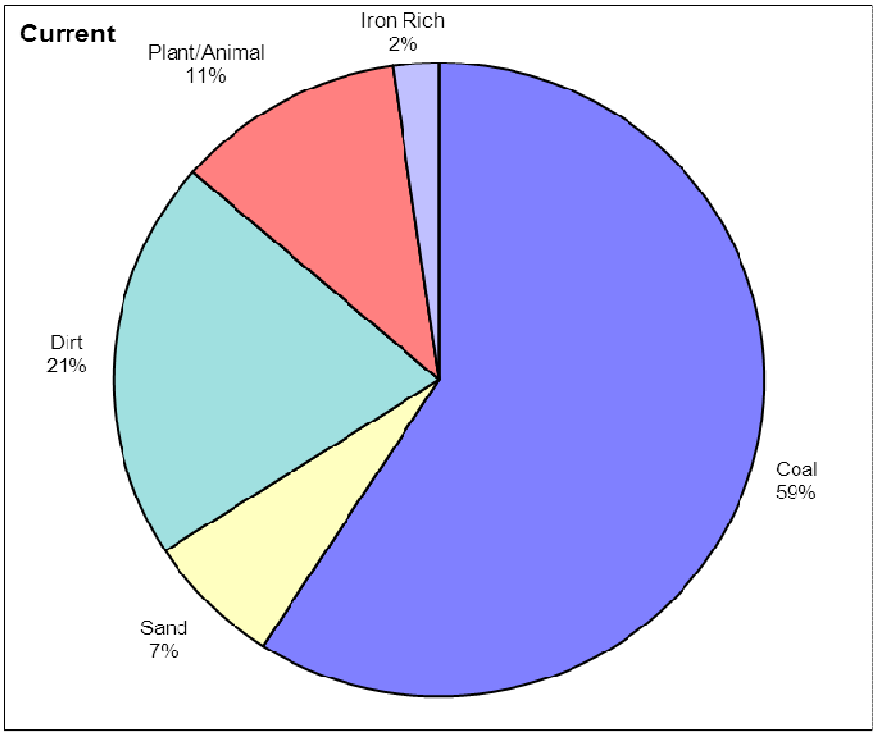
11, Wembley Avenue, Onllwyn

Comparison of Fallout Composition

Current Period = 01-Jan-13 to 31-Dec-13

Previous Period = 01-Jan-12 to 31-Dec-12





Measurement Type	Period	Coal	Carbonised	Sand	Dirt	Fly Ash	Plant/Animal	Calcium Rich	Iron Rich	Others
Av. Deposition Rate (mg/m2/day)	Current	26	0	3	9	0	5	0	1	0
	Previous	17	0	5	7	0	6	0	1	0

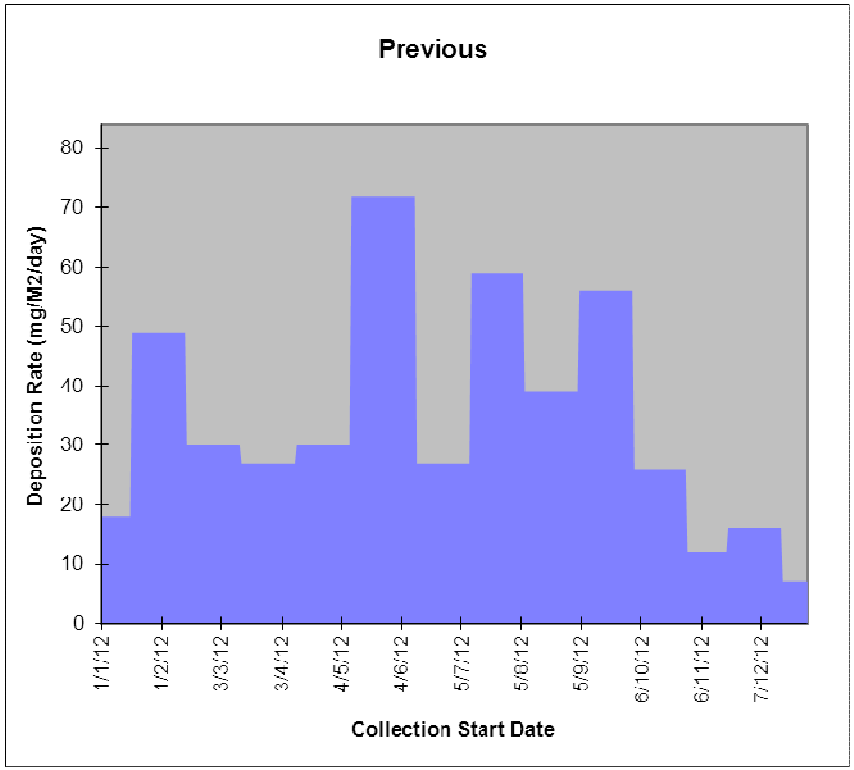
Deposit Gauge Analysis Report

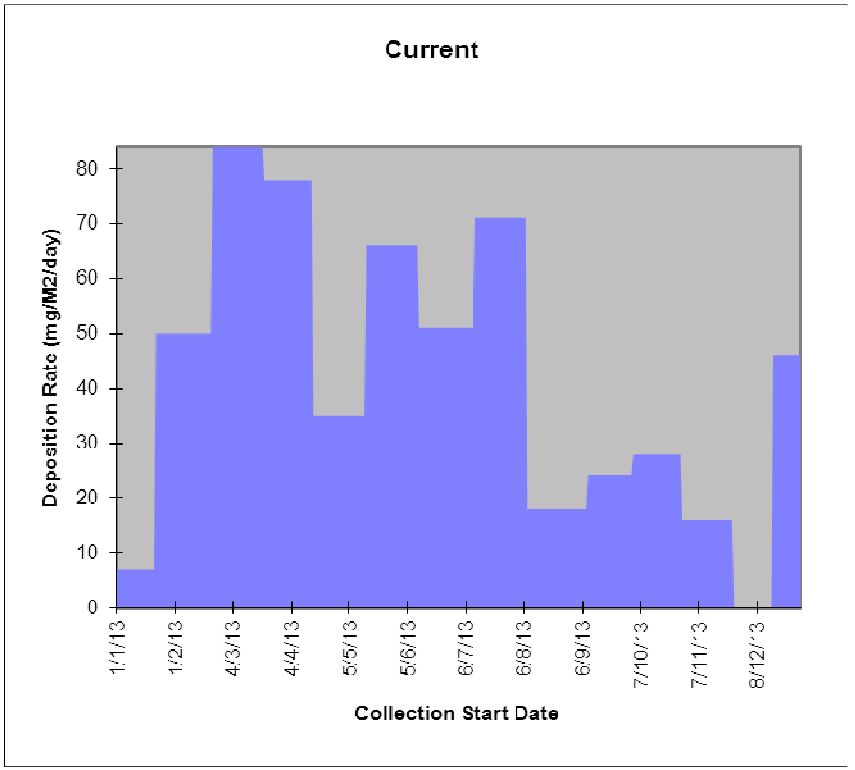
11, Wembley Avenue, Onllwyn

Comparison of Fallout Rate with Time

Current Period = 01-Jan-13 to 31-Dec-13

Previous Period = 01-Jan-12 to 31-Dec-12





Period	Fallout Level (mg/m2/day)		No. Samples	% Data Capture	200 mg/m2/day 'Nuisance Limit'	
	Average	Maximum			Days within 10% of	Days Exceeding
Current	45	84	12	94.2	0	0
Previous	36	72	13	100.0	0	0
Change	9	Increase 25%				

Figure 2.36 Little Warren pie charts

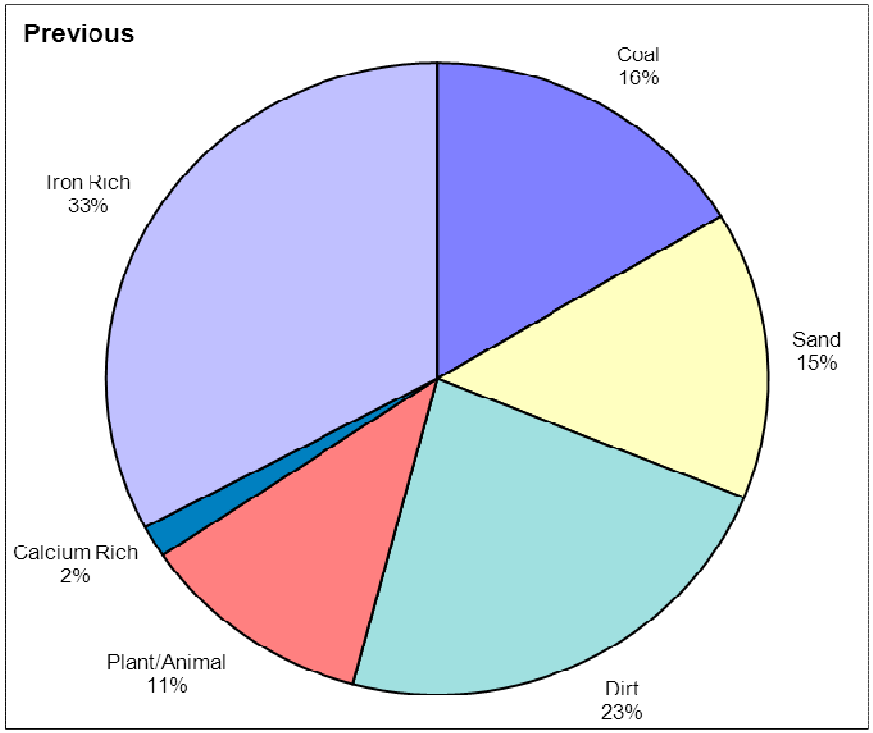
Deposit Gauge Analysis Report

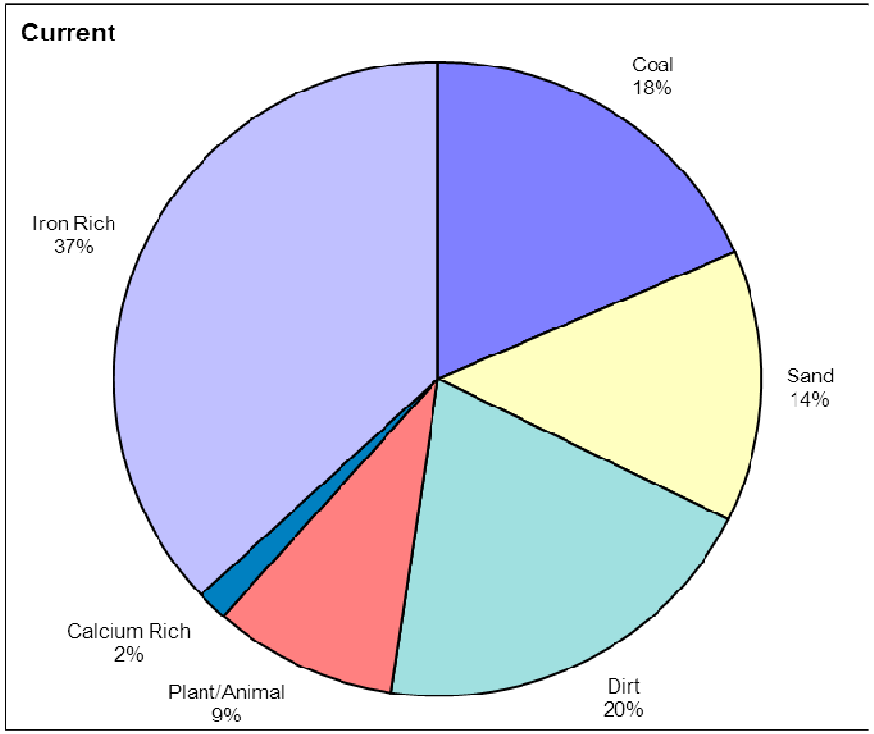
Little Warren, Port Talbot

Comparison of Fallout Composition

Current Period = 01-Jan-13 to 31-Dec-13

Previous Period = 01-Jan-12 to 31-Dec-12





Measurement Type	Period	Coal	Carbonised	Sand	Dirt	Fly Ash	Plant/Animal	Calcium Rich	Iron Rich	Others
Av. Deposition Rate (mg/m2/day)	Current	12	0	9	13	0	6	1	24	0
	Previous	10	0	9	14	0	7	1	20	0

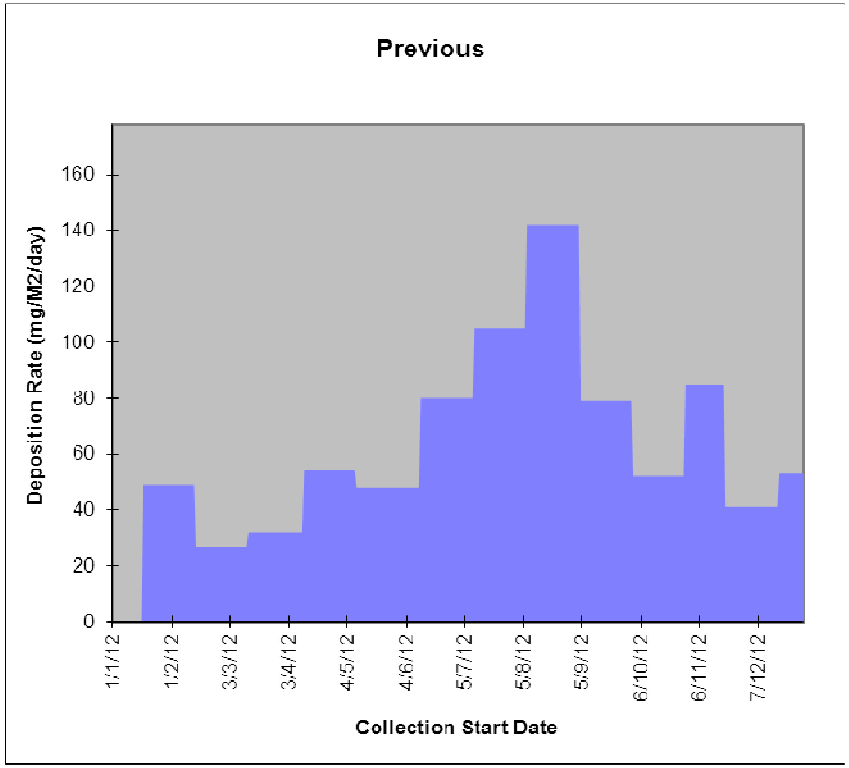
Deposit Gauge Analysis Report

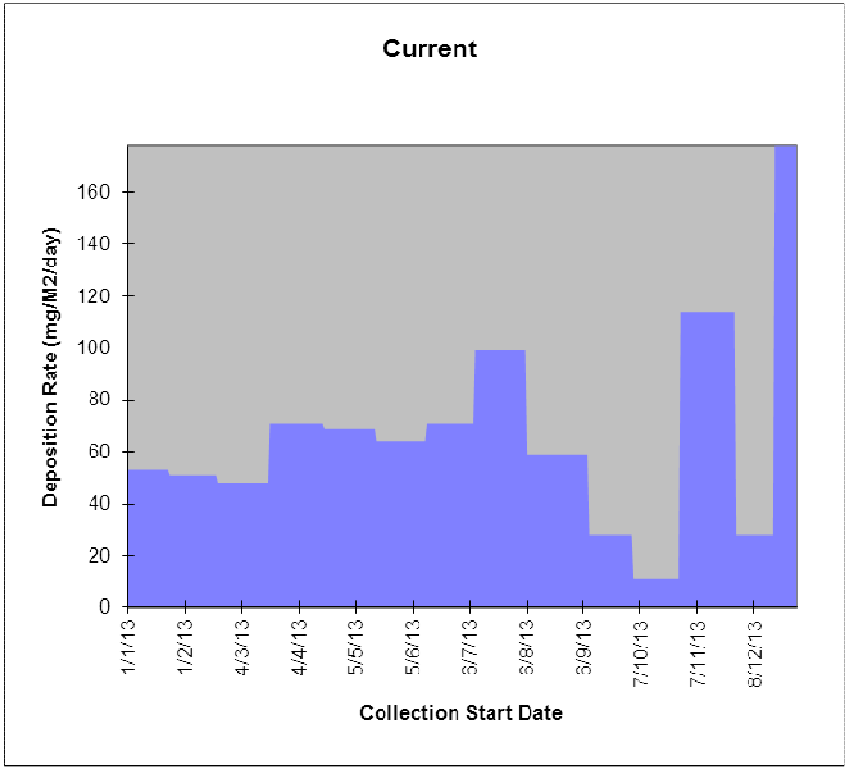
Little Warren, Port Talbot

Comparison of Fallout Rate with Time

Current Period = 01-Jan-13 to 31-Dec-13

Previous Period = 01-Jan-12 to 31-Dec-12





Period	Fallout Level (mg/m2/day)		No. Samples	% Data Capture	200 mg/m2/day 'Nuisance Limit'	
	Average	Maximum			Days within 10% of	Days Exceeding
Current	65	178	13	100.0	0	0
Previous	65	142	13	98.3	0	0
Change	0					

Figure 2.38 Dyffryn School pie charts

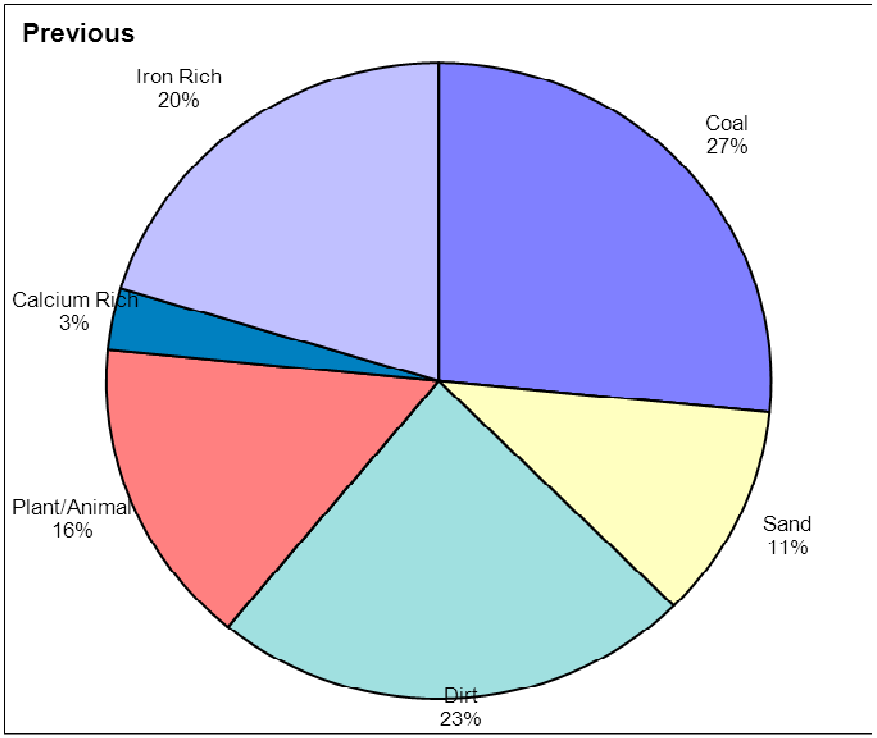
Deposit Gauge Analysis Report

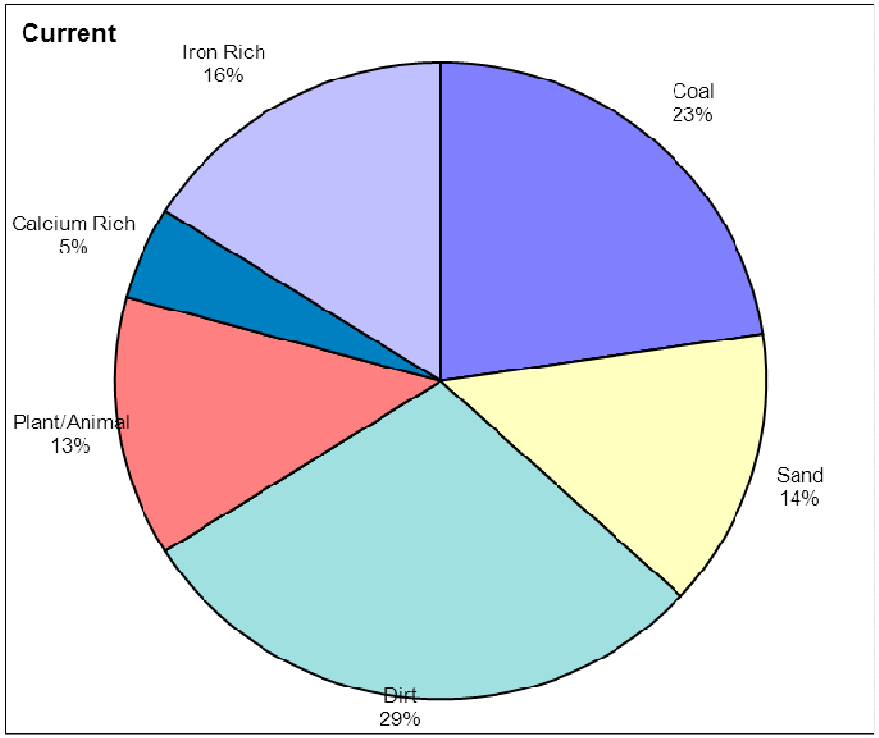
Dyffryn School, Bertha Road, Port Talbot

Comparison of Fallout Rate with Time

Current Period = 01-Jan-13 to 31-Dec-13

Previous Period = 01-Jan-12 to 31-Dec-12





Measurement Type	Period	Coal	Carbonised	Sand	Dirt	Fly Ash	Plant/Animal	Calcium Rich	Iron Rich	Others
Av. Deposition Rate (mg/m2/day)	Current	24	0	15	31	0	14	5	17	0
	Previous	17	0	7	15	0	10	2	13	0

Figure 2.39 Dyffryn School fallout rates

Neath Port Talbot County Borough Council

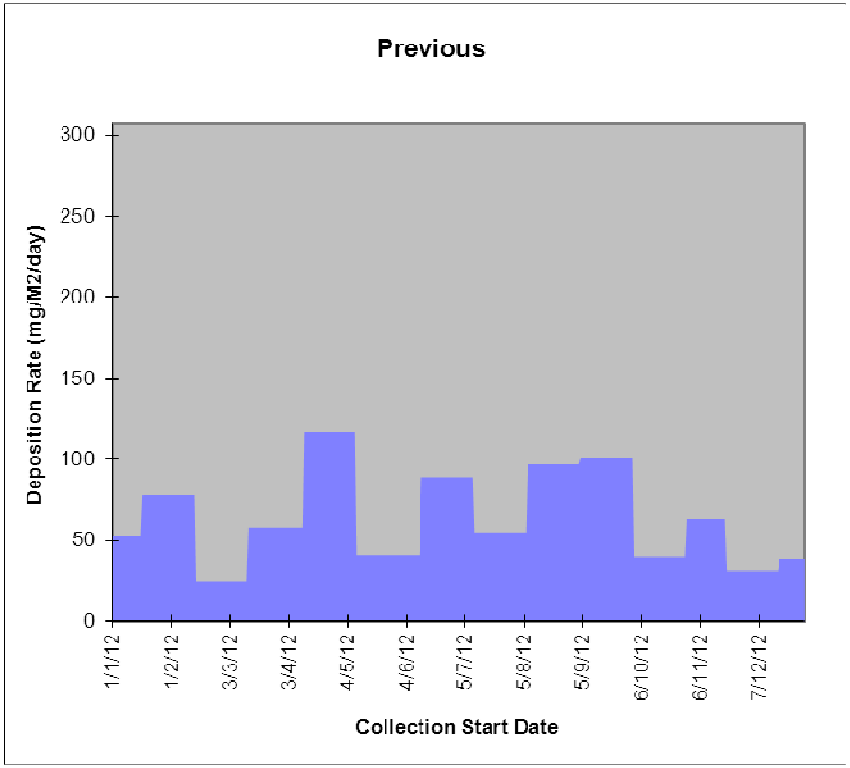
Deposit Gauge Analysis Report

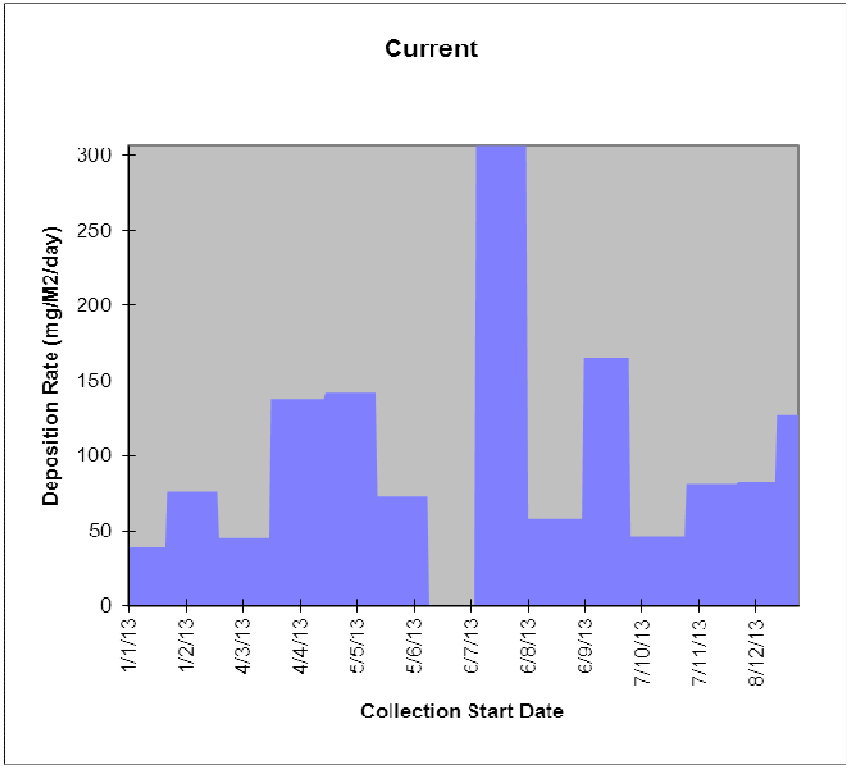
Dyffryn School, Bertha Road, Port Talbot

Comparison of Fallout Rate with Time

Current Period = 01-Jan-13 to 31-Dec-13

Previous Period = 01-Jan-12 to 31-Dec-12





Period	Fallout Level (mg/m2/day)		No. Samples	% Data Capture	200 mg/m2/day 'Nuisance Limit'	
	Average	Maximum			Days within 10% of	Days Exceeding
Current	106	307	12	92.9	0	28
Previous	64	117	13	100.0	0	0
Change	42	Increase 66%				

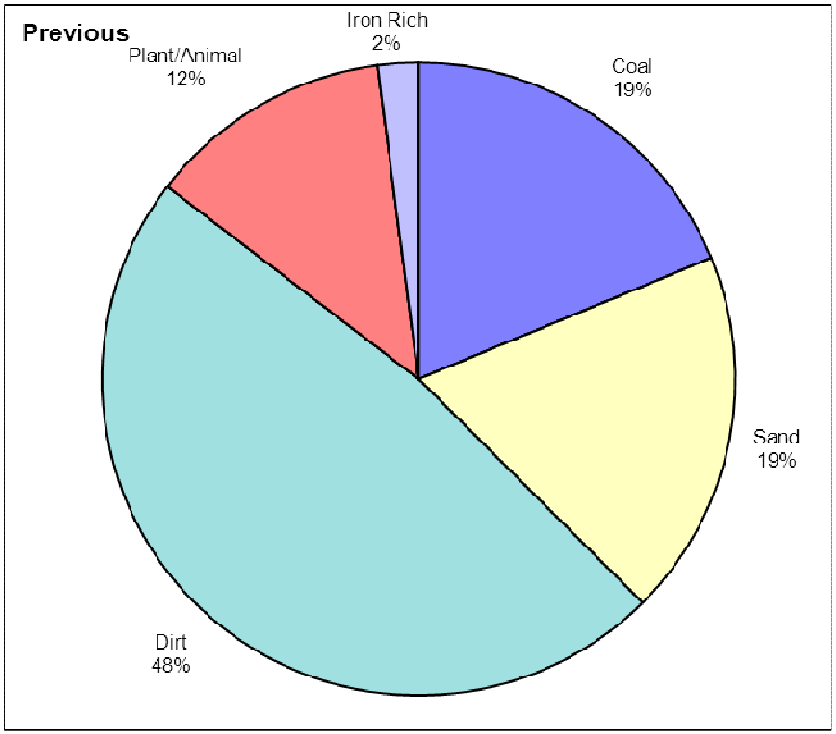
Deposit Gauge Analysis Report

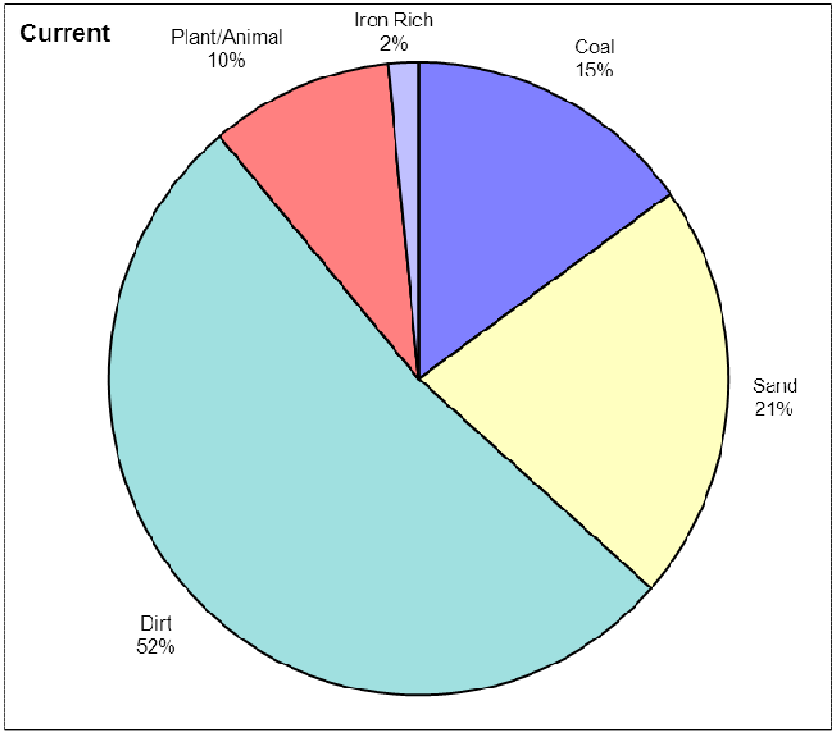
Cwmllynfell

Comparison of Fallout Rate with Time

Current Period = 01-Jan-13 to 31-Dec-13

Previous Period = 01-Jan-12 to 31-Dec-12





Measurement Type	Period	Coal	Carbonised	Sand	Dirt	Fly Ash	Plant/Animal	Calcium Rich	Iron Rich	Others
Av. Deposition Rate (mg/m2/day)	Current	19	0	27	66	0	12	0	2	0
	Previous	9	0	9	23	0	6	0	1	0

Figure 2.41 Cwmllynfell fallout rates

Neath Port Talbot County Borough Council

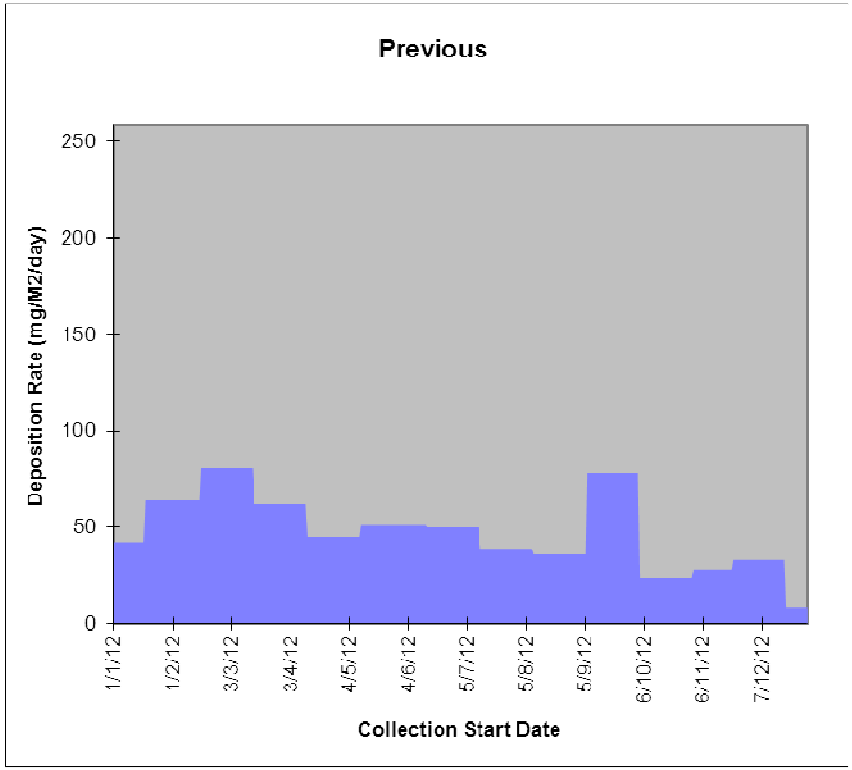
Deposit Gauge Analysis Report

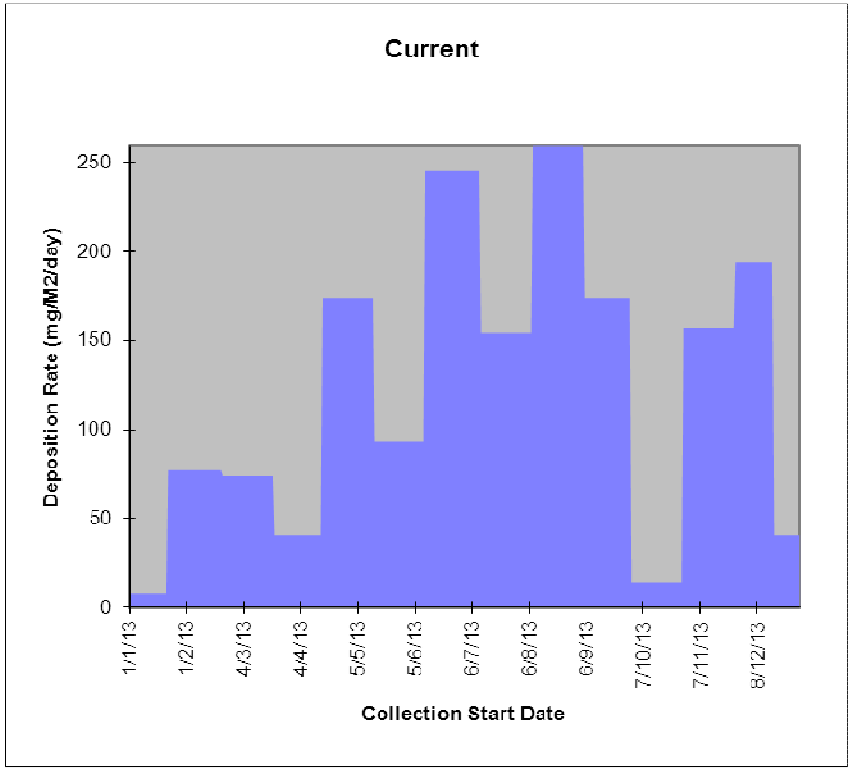
Cwmllynfell

Comparison of Fallout Rate with Time

Current Period = 01-Jan-13 to 31-Dec-13

Previous Period = 01-Jan-12 to 31-Dec-12





Period	Fallout Level (mg/m2/day)		No. Samples	% Data Capture	200 mg/m2/day 'Nuisance Limit'	
	Average	Maximum			Days within 10% of	Days Exceeding
Current	126	259	13	100.0	21	58
Previous	48	81	13	100.0	0	0
Change	78	Increase 163%				

Figure 2.42 Comparison of average fallout rates, 2013

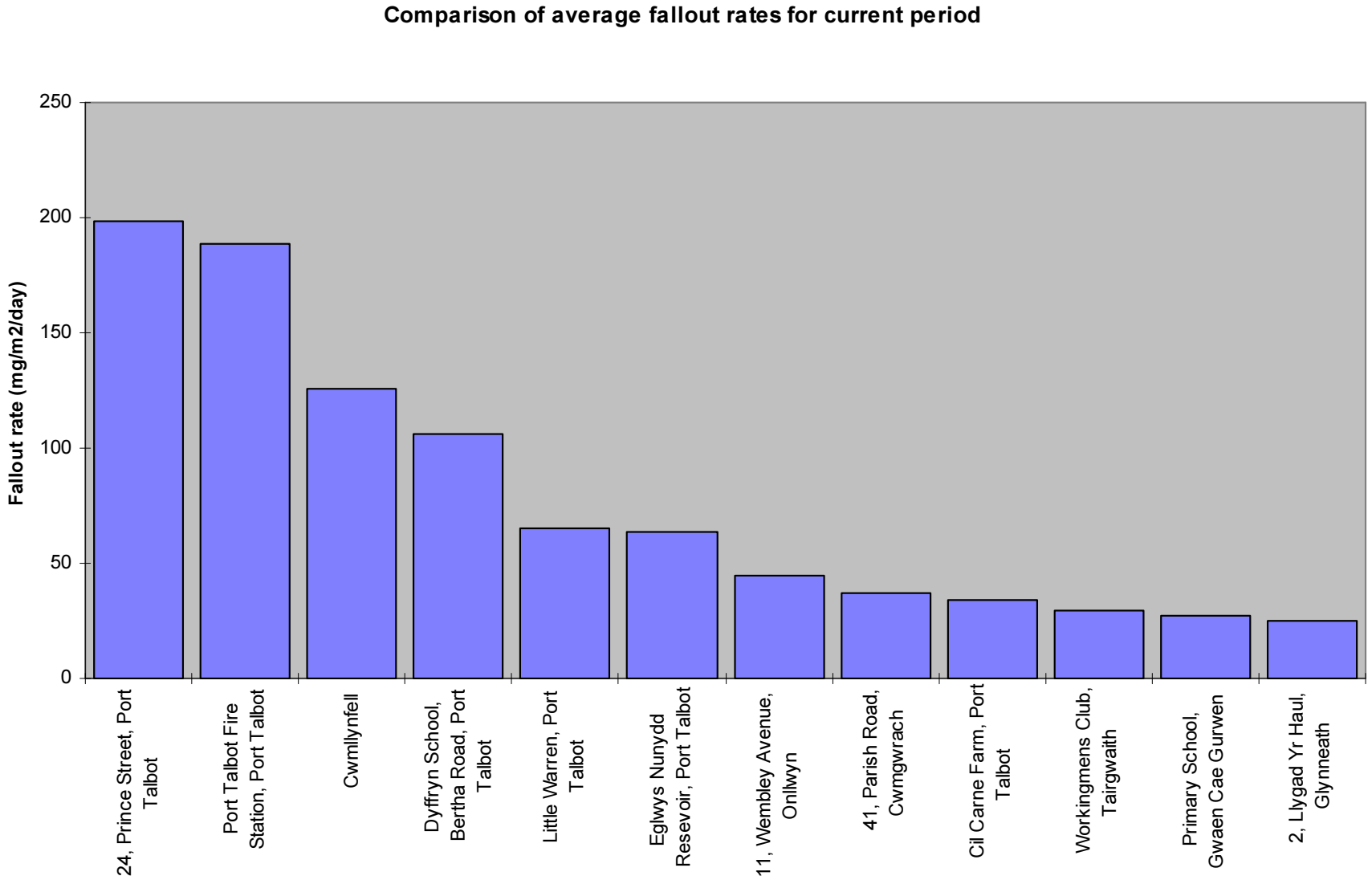


Table 2.15 Sites ranked by average fallout level (mg/m2/day), 2013

Site Name	Fallout Level (mg/m2/day)		200 mg/m2/day 'Nuisance Limit'	
	Average	Maximum	Days within 10% of	Days Exceeding
24, Prince Street, Port Talbot	199	636	0	123
Port Talbot Fire Station, Port Talbot	188	524	34	95
Cwmllynfell	126	259	21	58
Dyffryn School, Bertha Road, Port Talbot	106	307	0	28
Little Warren, Port Talbot	65	178	0	0
Eglwys Nunydd Resevoir, Port Talbot	64	151	0	0
11, Wembley Avenue, Onllwyn	45	84	0	0
41, Parish Road, Cwmgwrach	37	94	0	0
Cil Carne Farm, Port Talbot	34	75	0	0
Workingmens Club, Tairgwaith	30	56	0	0
Primary School, Gwaen Cae Gurwen	28	144	0	0
2, Llygad Yr Haul, Glynneath	25	51	0	0

Figure 2.43 Long term deposition rates

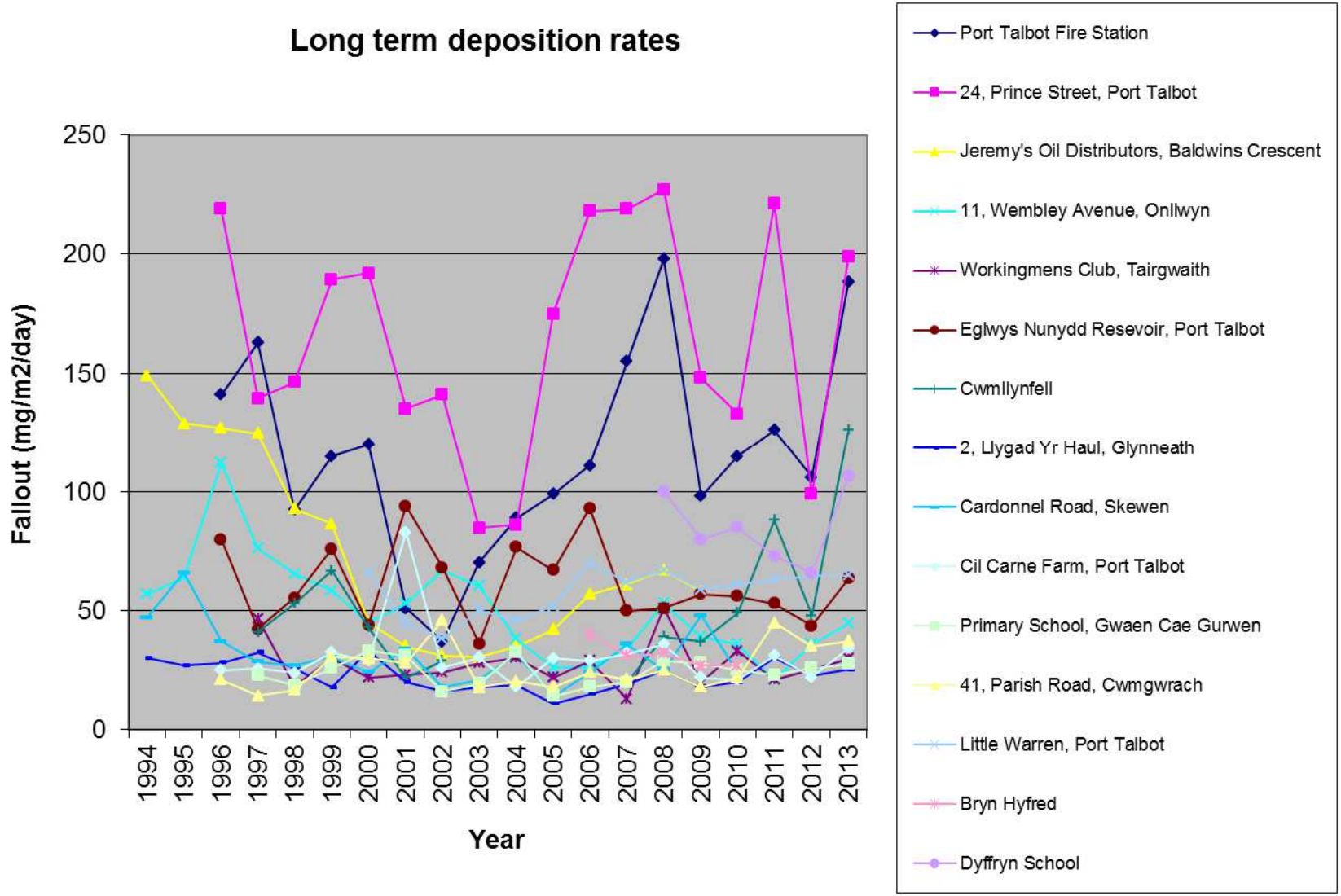


Table 2.16 Long term deposition rates

Site Name	Fallout rate (mg/m2/day)																			
	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013
Port Talbot Fire Station			141	163	92	115	120	51	37	70	89	99	111	155	198	98	115	126	106	188
24, Prince Street, Port Talbot			219	139	146	189	192	135	141	85	86	175	218	219	227	148	133	221	99	199
11, Wembley Avenue, Onllwyn	57	64	112	76	66	58	45	53	67	60	38	26	26	34	53	39	36	21	36	45
Workingmens Club, Tairgwaith				47	18	30	22	23	24	28	30	22	29	13	51	20	33	21	25	30
Eglwys Nunydd, Port Talbot			80	42	55	76	44	94	68	36	77	67	93	50	51	57	56	53	44	64
Cwmllynfell				41	53	67	43	22	29					20	39	37	49	88	48	126
2, Llygad Yr Haul, Glynneath	30	27	28	32	26	18	33	20	16	18	19	11	15	19	25	18	20	30	23	25
Cardonnel Road, Skewen	47	66	37	28	27	30	24	34	18	21	32	14	24	36	25	48	24		24	
Cil Carne Farm, Port Talbot			25	26	24	32	29	83	26	30	18	30	29	32	36	22	21	31	22	34
Primary School, GCG				23	19	26	33	31	16	19	33	14	18	20	29	28	25	23	26	28
41, Parish Road, Cwmgwrach			21	14	17	31	30	28	46	18	20	18	24	21	25	18	22	45	35	37
Little Warren, Port Talbot							66	45	38	50	46	52	70	62	67	59	61	63	65	65
Bryn Hyfred													40	31	32	27	27			
Dyffryn School															100	80	85	73	66	106

1.6.6 Summary of Compliance with AQS Objectives

Neath Port Talbot County Borough Council has examined the results from monitoring PM_{10} at Prince Street, within the AQMA, where the 24-hour mean objective was exceeded. Consequently, the Council **will need to proceed to a Detailed Assessment**, for Prince Street in Port Talbot.

2 New Local Developments

2.1 Road Traffic Sources

There were no new traffic sources of the following types:

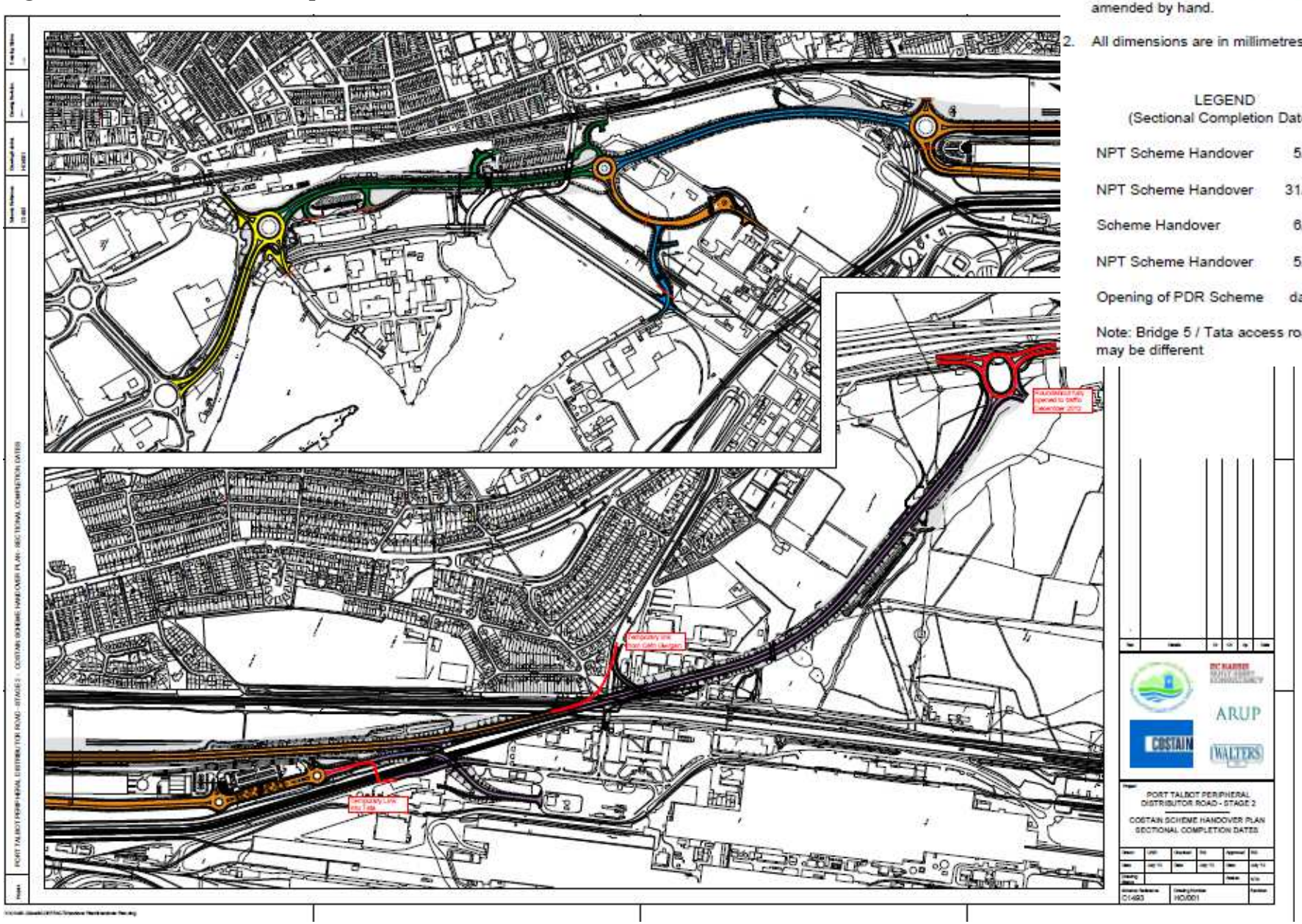
- Narrow congested streets with residential properties close to the kerb.
- Busy streets where people may spend one hour or more close to traffic.
- Roads with a high flow of buses and/or HGVs.
- Junctions.
- Roads with significantly changed traffic flows.
- Bus or coach stations.

There was one instance of the following type of development:

- New roads constructed or proposed since the last Updating and Screening Assessment.

The final sections of the Peripheral Distributor Road (PDR) were opened during 2013.

Figure 3.1 Port Talbot Peripheral Distributor Road



2.2 Other Transport Sources

There were no new sources of pollution of the following types during 2013:

- Airports
- Locations where diesel or steam trains are stationary for more than 15 minutes with nearby relevant exposure.
- Locations with large numbers of diesel movements with relevant exposure within 30m.
- Ports for shipping.

2.3 Industrial Sources

One Part B permit was surrendered during 2013, but no permits were revoked or issued during the year.

Table 3.1 Part B permits surrendered during 2013

Reference	Operator	Process address	Activity permitted
E3/1/112	Energybuild Limited	Nant y Mynydd OCCS Glynneath	Opencast coal site

There were no new Part B permits issued by Swansea Port Health Authority and no new A1 permits were issued by Environment Agency Wales.

There were no new instances of the following types of development:

- **Industrial installations:** new or proposed installations for which an air quality assessment has been carried out.
- **Industrial installations:** existing installations where emissions have increased substantially or new relevant exposure has been introduced.
- **Industrial installations:** new or significantly changed installations with no previous air quality assessment.
- Major fuel storage depots storing petrol.
- Poultry farms.

2.4 Commercial and Domestic Sources

There were no new instances of the following types of development during 2013:

- Biomass combustion plant – individual installations.
- Areas where the combined impact of several biomass combustion sources may be relevant.

- Areas where domestic solid fuel burning may be relevant.

2.5 New Developments with Fugitive or Uncontrolled Sources

There were no new developments with fugitive or uncontrolled sources of the following types:

- Landfill sites.
- Quarries.
- Unmade haulage roads on industrial sites.
- Waste transfer stations, etc.
- Other potential sources of fugitive particulate matter emissions.

Neath Port Talbot County Borough Council has identified the following new or previously unidentified local developments which may impact on air quality in the Local Authority area.

- Sections of the Peripheral Distributor Road in Port Talbot.

These will be taken into consideration in the next Updating and Screening Assessment.

3 Local / Regional Air Quality Strategy

The Council's air quality strategy (AirWise) was first drawn up in 2000 and was subsequently revised in 2006 and 2013. The latest version can be found here:

http://www.npt.gov.uk/default.aspx?page=4045

Progress being taken towards implementation of the strategy is contained within the strategy document.

4 Planning Applications

29 planning applications were referred for comments on grounds of air quality. The majority were considered to have negligible impact. Details regarding other sites are shown below.

Application number P2013/0965 - Hirwaun Power. This application related to the development of a 299 MW gas fired power generation on land at Hirwaun industrial estate. Dispersion modelling was carried out which showed that no air quality objectives were predicted to be breached.

Application number P2013/0212 – Ward Brothers Mining Limited. This application related to the development of an opencast coal site at Fforch Egel near Pen-y-Rhiw. The development will require a Part B permit in order to proceed. None has been received yet.

5 Air Quality Planning Policies

The Council's Local Development Plan (LDP) is still in draft and has not yet been formally adopted.

Therefore the relevant sections from the currently adopted Unitary Development Plan (UDP) are attached.

ENV15 – AIR QUALITY

Proposals which would be likely to have an unacceptable adverse effect on air quality, or would expose people to an unacceptable level of air pollution will not be permitted.

8.19.1 Through its control over where different types of development can be located, the UDP can play an important role in helping improve air quality. This is part of a co-ordinated approach including the Authority's and Environment Agency's various roles with regard to regulation under Pollution Prevention and Control.

8.19.2 While concerned to ensure that the area makes its contribution to addressing global air pollution problems, current assessments of air quality, as part of the statutory air quality management process against objectives set for the seven air pollutants allocated for local air pollution control by the Welsh Assembly Government, have confirmed a local problem with particulates (PM_{10}) The Authority declared the Taibach - Margam area as a Local Air Quality Management Area (AQMA) under the 1995 Environment Act. As a result the sources of PM_{10} in this area, including sources of PM_{10} in the surrounding Air Quality Plan Area potentially affecting the AQMA are important concerns in the preparation of the plan and when taking decisions which affect the AQMA.

8.19.3 A significant contribution to the problem (which is defined as the number of occasions when the Assembly Government's Air Quality Objective for PM_{10} is exceeded) has been attributed to processes within the Corus Steel works. It had been anticipated that the rebuilding and upgrading of Blast Furnace No. 5 following an explosion in 2001 would have substantially addressed the problem. Following recommissioning, however, PM_{10} levels have risen above the objective although not to levels as high as previously. As a result the AQMA is likely to remain in force until the objectives are met.

8.19.4 Proposals for new or expanded activities or developments will be resisted on air quality grounds in the following circumstances:

a) Within the Taibach/Margam AQMA or Air Quality Action Plan Area where the activity or development will create significant additional PM_{10} within the AQMA and give rise to significant risk of additional breaches of the Air Quality Objective;
b) Where the development or activity will cause a significant risk that any of the local Air Quality Objectives or Limits Values set by the Assembly Government or established Environmental Bench Marks for other air pollutants will be breached. Any such proposals will be assessed in accordance with the methodology in the Environment Agency HORIZONTAL GUIDANCE NOTE IPPC H1: "Environmental Assessment and Appraisal of BAT" MODULE 3 Quantify Impacts – ISBN 011 3101082.

8.19.5 Where existing businesses or organisations put forward a proposal which would result in a net improvement in emissions, and this would not prejudice the likelihood of emissions in the whole of the AQMA area breaching the national targets, the proposal would be likely to be considered favourably in terms of air pollution considerations.

8.19.6 Where there is the potential for a proposal to have an unacceptable impact on air quality, the developer is likely to be required to prepare a specialist assessment of the impacts of the proposal. This should take into account any relevant proposals to reduce polluting emissions and any planning permissions and commitments for proposals which would create emissions which would affect the area concerned.

8.19.7 The Authority will assess proposals for new sensitive uses (such as housing) within the area on air quality grounds (see policy ENV 27).

8.19.8 Policies throughout the plan are designed to tackle air quality problems and they include the location and design of developments and new roads, measures to reduce traffic, to increase the recycling of waste, energy efficiency measures and the encouragement of renewable energy.

8.19.9 While improvements in technology will help reduce emissions from industry and road and rail traffic, it is likely that the Assembly Government will introduce more stringent air quality targets. The Authority will carefully monitor the situation and address any need to amend its policies when the UDP is reviewed.

6 Local Transport Plans and Strategies

7.1 Local Transport Plan

Local authorities no longer produce Local Transport Plans, rather they are required to work with neighbouring authorities to produce Regional Transport Plans. Until the end of the 2013/14 financial year, Neath Port Talbot County Borough Council was part of the South West Wales Regional Transport Consortium (SWWITCH), together with Swansea, Carmarthenshire and Pembrokeshire Unitary Authorities. However, this work is now handled by the Swansea Bay City Region Board.

www.swanseabaycityregion.com

7 Implementation of Action Plans

The Air Quality Action Plan was reviewed and updated in 2012. The updated document can be found here http://www.npt.gov.uk/pdf/aqap2012.pdf.

Progress made with the action plan measures during 2013 is shown in the following table.

Table 9.1 Action Plan Progress

No.	Measure	Progress in Last 12 Months
A1	Multi agency interaction	The Data Team has continued to make progress with the items listed in the work programme. Tata has produced investigation reports in response to PM_{10} breach days at the AURN site. Both NPT and NRW have contributed to Short Term Action Plan (STAP) investigations for the AURN site as directed by Welsh Government. In addition, NPT has also contributed to a STAP investigation for the Little Warren site. The AirAware LSB project is continuing with evaluation expected in 2014. The industrial alerts system continues to provide useful and timely warnings of poor air quality for operators and regulators alike. A further public air quality public event was being planned for April 2014.

No.	Measure	Progress in Last 12 Months
A2	Dust reduction programme at Tata site	NRW Served an enforcement notice on Tata in 2013 and this brought forward some of the previously planned dust controls. These changes are described in a table at the end of this section. Other improvements at Tata PT in 2013 include: Yard resurfacing work at the stockyards and blending plant Completion of the enclosure work for the 'reverts' (recycled materials) storage bays Procedural/monitoring or 'soft' improvements have also been made elsewhere. Tata Steel's contractor Harsco Metals has also made the following improvements in 2013: Relocation of materials storage areas closer together to reduce vehicle movements Procedural changes at lancing booths to reduce their emptying frequency and minimise fugitive emissions New pressurised water tank systems to assist with dust suppression
A3	Planning Policies	LDP consultation carried out. Comments currently being considered prior to finalisation.
A4	Tree Planting	Urban Trees Project completed in 2013. Tata site greening proceeding.
A5	Transport infrastructure (PDR)	Project completed and opened to traffic on the 18th October 2013.
A6	Train haulage emissions	There were no complaints about dusty trains in Port Talbot during 2013.
A7	NPT permitting in vicinity of steel works	NPT continues to regulate Civil & Marine Slag Cement in accordance with the permit and BAT.

No.	Measure	Progress in Last 12 Months
A8	Travel Plans	• National Resources Wales (formerly the Environment agency) retained Platinum Status. • The Coed Darcy Business Travel Plan Forum is now set up. • Sandvik Osprey in Neath now has a Travel plan and is at Bronze level. • NPT Homes now has a Travel Plan and is at Bronze level. • Neath Port Talbot Council now has a Travel Plan and is at Bronze level. Work continues with the Neath Port Talbot Hospital site as part of the LHB Travel Plan. Jobcentre Plus and the other Housing associations continue to encourage sustainable travel.
A9	School Travel Plans	A total of 55 schools in the County Borough have travel plans, although this figure did not increase in 2013.
A10	Domestic Bonfires	No change to the information provided by Mid and West Wales Fire Brigade.
A11	Industrial Fires	Natural Resources Wales keeps a list of permitted sites with combustible wastes, which are risk categorised. NRW also investigates illegal sites.
A12	Hill Fires	There is no change to the information provided by Mid and West Wales Fire Brigade during 2013. Talks are made at schools in areas at high risk from arson and information on controlled burning is provided for farmers.
A13	Increased street sweeping	The service is still available, but there has been no cause to call upon it in 2013.
A14	Public and industrial air alerts	The industrial air alerts system is used by approximately 130 subscribers. The public system is being trialled and is in use at present with 190 recipients.

Natural Resources Wales – Steelworks Enforcement Notice Activity Plan

ENFORCEMENT NOTICE ACTIVITY PLAN - (January 2014 Update)

FOCUS AREA	Focus Task	Term	Reason	Update
RAW MATERIALS	1.1. Check compliance with Procedures	Short	Established procedures that have worked in the past.	Compliance checked
	1.2. Audit compliance	Short	Check compliance - identify gaps and improvement.	Report issued - now ongoing process
SINTER PLANT	2.1 Reduce chlorides in reverts	Medium	Improve ESP efficiency - reduce visibility - reduce dioxins	Investigating washing of BF4 flue dust - Hydrocyclone trial undertaking. Success on small scale - investigating full size process
	2.2. Check Stack dust monitor calibration	Short	Raise confidence in dynamic measuring system	Calibrated
	2.3. Check ESP Kpi's	Short	Efficient ESP	Checked
	2.4. Reduce Wind Main Leakage	Long	Efficient ESP	Overhauled in 10day outage
	2.5. Improve cooling bed heat exchange	Long	Temperature transportation compliance - effective use of dust suppression foam	Currently within specification - small engineering team set up to increase cooling bed capability. Engineering plan in place
SINTER TRANSPORTATION	3.1. Review online temperature measuring system	Short	Ensure dust suppression system will be effective	System checked with direct contact probe
	3.2. Nalco to ensure application of foam suppression is correct	Short	Effective dust suppression	Temperatures within range
	3.3. Routine shift inspection of suppression system	Short	Ditto	Twice a shift put in place
STOCK HOUSES	4.1. Improve Dust suppression system	Short	Reduce dust emissions	Completed-improved dosing pumps
	4.2. (a) Install new dust suppression systems & resurface- In Haul Road	Short	Reduce dust emissions	Completed-Yard 6 wheel wash
	4.2. (b) Install new mist suppression system - Screens	Long	Reduce dust emissions	Work ongoing
	4.3. Resolve Cable issue 716	Short	Maintain bunker levels - reduce dropping from height	Completed
	4.4. Review option of mist suppression bunker level	Medium	Reduce High level dust emission	Pilot system trialled - positive results. Feasibility to review
	4.5. Miscellaneous improvements	Medium	Reduce High level dust emission	Vacuum v brushing; use of jetters
BLAST FURNACE 4	5.1. Reduce dust at cyclone discharge	Short & Medium	Reduce dust emissions	Permanent enclosure in place & jog mill water application improved
	5.2. Improve furnace stability	Long	Reduce safety bleeder openings	Ongoing improvement process
	5.3. Audit cyclone discharge	Short	Identify improvement	Report issued - feedback suggests much improved situation
BLAST FURNACE 5	6.1. Reduce dust at dust catcher discharge	Long	Reduce dust emissions	Audit suggests work to be done
	6.2. Improve furnace stability	Long	Reduce safety bleeder openings	Ongoing improvement process
	6.3. Audit dust catcher discharge	Short	Identify improvement	Report issued - feedback suggests opportunities
	6.4. Review Fume extraction process	Long	Identify improvement	Team to be set up. Original design being reviewed. Extraction checked and working at full capacity
PLATING	7.1. Review procedure against Ijmuiden	Medium	Reduce emissions during plating	Reviewed against IJ knowledge and practices being adopted
	7.2. Audit process	Short	Identify improvement & check compliance	Informally done - need to undertake audit when improvements completed
	7.3. Communicate with HARSCO senior management	Short	Stakeholder engagement	Positive response
ROADS & VEHICLES	8.1. Engage with road sweepers & review focus area	Short	Ensure resources maximises dust reduction	Complete - review periodically
	8.2. Review water bowser capability	Short	Ensure optimum bowser capability to minimise road & slab yard dust levels	Trial of larger bowser in raw materials - increased filling capability at slab yards - successful trial - to be adopted
	8.3. Check site compliance of road haulage procedures	Short	Reduce Speed , improve load sheeting , reduce spillage	Increased focus & communication to lorry drivers to hauliers - Management discussions with Harsco & Tarmac
	8.4. Review Betsi transportation	Medium	Low sensitivity - but visible dust levels when dumper leaving Tarmac	To be reviewed

Natural Resources Wales – Steelworks Enforcement Notice Activity Plan contd.

SAMPLE TESTING	9.1 Analysis of dust	Short	Identify Source	Initial results being validated
	9.2. Improve sample analysis process	Long	Slicker process required for the future	BTC / Llithercumde & ourselves in discussion. Capability improved at Harbourside
COMMUNICATION	10.1. Community meeting	Short	Engagement	Complete
	10.2. SA13	Short	Engagement	Complete
	10.3. Civic Centre presence	Short	Engagement	Wednesday & Thursdays. Complete
	10.4. Media	Medium	Engagement	Monitor
	10.5. NPTC	Short	Engagement	Ongoing liaison
	10.6. Community letter	Short	Engagement	Built into 10.2. Complete
	10.7. Community Call line	Short	Engagement	In and operational
	10.8. NRW	Short	Engagement	Ongoing process
General Management	11.1. Create focused Task Team & lead	Short	Immediate action	In and working
	11.2 Review and update Air Quality Policy	Medium	Include organisational changes	Complete August & PDCA process started
	11.3. Create lead indicators for future monitoring	Long	Sustainable process	Work in progress

8 Conclusions and Proposed Actions

8.1 Conclusions from New Monitoring Data

Continuous monitoring of NO_2 at Port Talbot Fire Station continues to show that results easily comply with air quality objectives, as has always been the case.

Continuous monitoring of NO_2 at Pontardawe Post Office does not show a breach of the air quality objectives. However, results at the frontage as measured by diffusion tubes are significantly higher. But application of a local bias adjustment factor shows that the air quality objective is not breached either at the frontage or at other properties in the vicinity.

Continuous monitoring at the junction of Cimla Road and Victoria Gardens shows that neither the annual averaged Air Quality Objective (40 µg/m3) nor the hourly averaged AQO (200µg/m3) for nitrogen dioxide were exceeded at sites near Victoria Gardens, Neath. Although, a property at 1, Victoria Gardens (39.8 µg/m3) was close to, but did not exceed the annual averaged AQO when NO_2 levels were calculated with the "distance from roads spreadsheet".

Continuous monitoring of PM_{10} continues to show compliance with the averaged air quality objective. The daily averaged air quality objective was complied with at all sites except Prince Street, which is operated by Natural Resources Wales. The instrument used for these measurements was a TEOM, which was subject to correction via the Volatile Correction Model (VCM). The Council will deploy a new FDMS monitor in 2014 as part of a Detailed Assessment of air quality for PM_{10}.

Measurement of sulphur dioxide and carbon monoxide at Port Talbot Fire station continue to show compliance with air quality objectives.

Levels of $PM_{2.5}$ easily met both the Target and Limit values, which are to be achieved by 2015.

Ozone concentrations breached the recommended air quality objective on 45 occasions over seven days.

Once again, levels of polyaromatic hydrocarbons (PAH) exceeded the air quality objective, but complied with the EU limit value. Levels of PAH appear to be increasing slightly over time.

Lead levels were found to easily comply with the air quality objective as measured at three locations in Pontardawe and one in Port Talbot.

Levels of arsenic and cadmium continue to comply with the EU Target. Levels of nickel comply with EU Target at all sites except Tawe Terrace.

Sites at Port Talbot continue to rank the highest for nuisance dust fallout rates. The Prince Street sampler was ranked highest again and this was one of four sites which recorded results exceeding the 200 mg/m^2/day "nuisance limit". The Prince Street site averaged just under the "nuisance limit" for the year as a whole. 2013 was also a poor year for fallout at the Cwmllynfell site, which is close to an opencast site.

8.2 Conclusions relating to New Local Developments

There is only one new local development that is considered to require consideration in the next Updating and Screening Assessment i.e.

- Sections of the Peripheral Distributor Road in Port Talbot.

However, this is not considered likely to require a Detailed Assessment.

8.3 Other Conclusions

The steelworks Dust Improvement Plan and recent enforcement notice have continued to act as drivers for improvement. However, the breach of the short term air quality objective at Prince Street was surprising and a Detailed Assessment will follow.

The Data Team work programme, breach day investigations and other multi-agency work continues with the aim of identification of pollution sources and potential improvements.

The local air quality strategy ("airWise") was re-issued in November 2013 following consultation. Progress towards implementation is contained within the strategy document.

There were no planning applications received which appear to pose a threat to air quality objectives.

The Local Development Plan is still in draft, but the Unitary Development Plan still contains relevant provisions for the protection of air quality.

8.4 Proposed Actions

Monitoring data at Prince Street carried out by Natural Resources Wales has identified the need for a Detailed Assessment for PM_{10}. This is because of an exceedance of the short term air quality objective.

This Mobile Monitoring Facility (MMF) is located at Prince Street on a temporary basis and will be re-located at some point. The Council has therefore resolved to install a TEOM/FDMS with a facility to monitor both PM_{10} and $PM_{2.5}$.

The Detailed Assessment of nitrogen dioxide at Victoria Gardens shall be submitted at the same time as this report.

The next course of action will be to submit the 2015 Updating and Screening Assessment and conduct a Detailed Assessment of the short term air quality objective for PM_{10} at Prince Street, Port Talbot.

Appendices

Appendix A: QA:QC Data

Diffusion Tube Bias Adjustment Factors

NO_2 diffusion tubes are sourced from Environmental Scientifics Group and are prepared using 50% TEA in acetone. The bias adjustment factor of 0.75 was used for 2013 as derived from the average of three sites where diffusion tubes were co-located with continuous analysers.

Factor from Local Co-location Studies

Diffusion tubes were co-located with continuous analysers at the following locations:

Month	Pontardawe Post Office			Victoria Gardens			Port Talbot Fire Station		
	Cm	Dm	A (Cm/Dm)	Cm	Dm	A (Cm/Dm)	Cm	Dm	A (Cm/Dm)
Jan	33.1	31.1	1.064	47.8	68.2	0.701	23.5	34.8	0.675
Feb	29.6	33	0.897	46.4	61.6	0.753	22.1	31.7	0.697
Mar	30.3	34.8	0.871	43.1	57.4	0.751	16.9	27.5	0.615
Apr	20.9	24.6	0.850	41.5	62.2	0.667	14.4	25.3	0.569
May	16.8	21.1	0.796	33.1	61.2	0.541	12.1	17.9	0.676
Jun	16.4	21.5	0.763	32.7	61.2	0.534	11.3	18.2	0.621
Jul	17.4	19	0.916	38.1	63.4	0.601	14.6	16.3	0.896
Aug	17.8	18.6	0.957	34.7	59.9	0.579	13	18.6	0.699
Sep	21.4	22.8	0.939	36.5	60.9	0.599	15.2	19.4	0.784
Oct	18.9	24.6	0.768	43.7	62	0.705	16.5	26.3	0.627
Nov	27.9	26.1	1.069	52.6	63.6	0.827	24.3	28.4	0.856
Dec	26	27.8	0.935	49.8	65.9	0.756	19.2	32.8	0.585
Year	23	25.4	0.9	41.6	62.3	0.668	16.9	24.8	0.682

PM Monitoring Adjustment

No PM adjustment was required for PM_{10} analysers operated by Neath Port Talbot County Borough Council as FDMS TEOMs were used in all cases. However, data from the TEOM operated by Natural Resources Wales at Prince Street was subject to VCM correction. This correction was carried out by Natural Resources Wales. The data was downloaded from the Welsh Air Quality Forum Website.

Short-term to Long-term Data adjustment

No adjustment was required in respect of continuous analysers or diffusion tubes.

QA/QC of Automatic Monitoring

The AURN site is subject to the quality control procedures of the network. Neath Port Talbot County Borough Council staff act as Local Site Operators, carrying out calibrations on an approximately fortnightly basis. There are regular site audits and validation and ratification are carried out by AURN staff prior to dissemination of the data via www.airquality.co.uk.

All PM_{10} analysers are FDMS/TEOMs with C/B driers. No factors are applied to this data during the collection process. All equipment is covered by service and maintenance contracts with suppliers. These contracts provide for 6 monthly servicing and emergency callouts.

Monitoring stations are covered by a QA/QC contract by Ricardo-AEA which provides for two site audits per year and QA/QC of the data which is polled by R-AEA and disseminated on the Welsh Air Quality Forum website. Data is subject to a similar QA/QC standard as the AURN.

QA/QC of diffusion tube monitoring

Environmental Scientifics Group have been shown to have good performance in respect of recent Wasp scheme analyses. Details of the most recent Wasp results can be viewed at the following Internet location:

http://laqm.defra.gov.uk/documents/LAQM-WASP-Rounds-115-122-(October-2011--September-2013)-NO2-report.pdf

Appendix 2

Part IV Environment Act 1995

Detailed Assessment of nitrogen dioxide – (August 2014)

In fulfillment of Part IV of the
Environment Act 1995
Local Air Quality Management

Date (August 2014)

Local Authority Officer	Martin Hooper
Department	Environment
Address	Quays Brunel Way Baglan Energy Park Neath SA11 2GG
Telephone	01639 686517
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Report Reference number	E2/16/9/2014
Date	August 2014

Air Quality

DETAILED ASSESSMENT OF NITROGEN DIOXIDE – (July 2014)

CONTENTS

SUMMARY

This document has been produced in response to the requirements of the Welsh Government for review and assessment of air quality. The 2012 interim Detailed Assessment of air quality concluded that a further Detailed Assessment was necessary at Victoria Gardens, Neath.

The detailed assessment shows that the neither the annual averaged Air Quality Objective (40 µg/m^3) nor the hourly averaged AQO (200µg/m^3) for nitrogen dioxide were exceeded at sites near Victoria Gardens, Neath. Although, a property at 1, Victoria Gardens (39.8 µg/m^3) was close to, but did not exceed the annual averaged AQO when NO_2 levels were calculated with the “distance from roads spreadsheet”.

Introduction

The Government and Devolved Administrations have adopted two Air Quality Objectives for nitrogen dioxide. An annual mean concentration of 40 µg/m^3 and a 1-hour mean concentration of 200 µg/m^3 not to be exceeded more than 18 times per year. Both objectives are to be achieved by the end of 2005.

In addition, the first Air Quality Daughter Directive also sets limit values for nitrogen dioxide, which have been translated into UK legislation. A 1-hour limit of 200 µg/m^3 applies, not to be exceeded by more than 18 times per year. An annual mean limit value of 40 µg/m^3 also applies, both to be achieved by the 1st January 2010.

Summary of recent investigations and developments

The 2010 Air Quality Progress Report identified that a detailed assessment was required for nitrogen dioxide (NO_2) at Pontardawe Post Office and at Victoria Gardens, Neath.

The 2011 detailed assessment was carried out using more diffusion tubes and this confirmed a potential problem at both locations. As a consequence of these findings it was decided that continuous analysers would be deployed to provide more reliable data for a decision on whether a declaration of AQMAs needed to be made. Both analysers were deployed in July 2012.

It was not possible to site the continuous analyser at the frontage of the Post Office due to a lack of space and health & safety considerations. The nearest location where this could be located was the nearby old bus stop, which is less than 5 metres from the diffusion tube on the frontage of the Post Office. It became clear that results at the continuous monitor were significantly lower than those at the frontage of the Post Office. Consequently, diffusion tubes were deployed in triplicate on the monitor.

It was impossible to locate the analyser at the frontage of 1, Victoria Gardens, given the very narrow pavement. An attempt was therefore made to set up the instrument in the front garden of No. 3 next door. However the owner of the property withdrew permission for use of the garden shortly after the equipment was deployed, so another site had to be found. The location on the pavement near the lights had sufficient room and had no safety issues.

In order to try to avoid the need for declaration of an AQMA at Pontardawe, steps were taken to try to reduce pollution levels at the Post Office. The bus stop was relocated approximately 55 metres further up the hill beyond the houses at 10 & 12 Swansea Road. Pollution from buses can be considerable and there were also reports of buses idling so relocation of the bus stop was aimed at reducing pollution levels at the Post Office.

At the same time, double yellow lines were extended outside the Post Office. The aim was to discourage parking outside, which tends to cause tailbacks and congestion as the road is not wide enough for vehicles to pass parked cars if there is queuing a the lights.

An extra two parking spaces were provided off road at the new bus stop with the further goal of reducing congestion. All of these works were completed in March 2013.

In addition, the sequencing of the traffic lights was reviewed in October 2011 in order to try to reduce queuing up Swansea Road past the Post Office.

The Council has not use modelling to determine pollution levels as it is less accurate than monitoring. Instead diffusion tubes have been deployed at relevant locations and a local bias adjustment factor has been employed based upon three continuous analysers co-located with diffusion tubes.

The interim 2012 detailed assessment showed that the neither the annual averaged Air Quality Objective (40 μg/m^3) nor the hourly averaged AQO (200μg/m^3) for nitrogen dioxide were exceeded at sites near Pontardawe Post Office.

Continuous measurements of NO_2 at Victoria Gardens, Neath showed that the hourly averaged AQO was complied with. The annual averaged AQO was also complied with at all sites where diffusion tubes were deployed. However, a property at 1, Victoria Gardens (41.7 μg/m^3) was predicted to exceed the annual averaged AQO when NO_2 levels were calculated with the "distance from roads spreadsheet". However, the exceedance was quite marginal and was based upon less than a year's worth of data. It was considered that bias adjustment factors would have been less reliable than would have been the case for a full year of data. Consequently an AQMA was not declared at that stage. Rather, a detailed assessment would be repeated with a full year's worth of data.

Monitoring sites

Automatic monitoring sites

Nitrogen dioxide is continuously measured at Pontardawe Post Office, at Victoria Gardens in Neath and at Margam Fire Station (AURN).

Figure 1. Nitrogen dioxide monitoring locations

However, this detailed assessment deals only with data from Neath as NO_2 levels at the other locations have not necessitated a detailed assessment.

Table 1. NO_2 monitoring station details

Site ID	Site Name	Site Type	X OS Grid Reference	Y OS Grid Reference	Inlet Height (m)	Pollutants Monitored	In AQMA?	Monitoring Technique	Relevant Exposure? (Y/N with distance (m) from monitoring site to relevant exposure)	Distance to Kerb of Nearest Road (m) (N/A if not applicable)	Does this Location Represent Worst-Case Exposure?
VG2	Victoria Gardens	Roadside	275471	197183	1.4	NO_2	N	Chemiluminescence	Y (21)	1	N

Figure 2 - NOx analyser on Cimla Road

Figure 3 – View across junction to Victoria Gardens

Diffusion tube monitoring sites

Nitrogen dioxide is measured at a variety of locations using passive diffusion tubes. The tubes are exposed for one month and are provided and analysed by ESG at Didcot. The tubes are prepared using acetone:triethanolamine (50:50) and are subject to intercomparison quality assurance tests as part of the Workplace Analysis Scheme for Proficiency (WASP).

This report deals only the sites in the vicinity of Victoria Gardens, Neath.

Figure 4 Location of NO_2 diffusion tubes in Neath

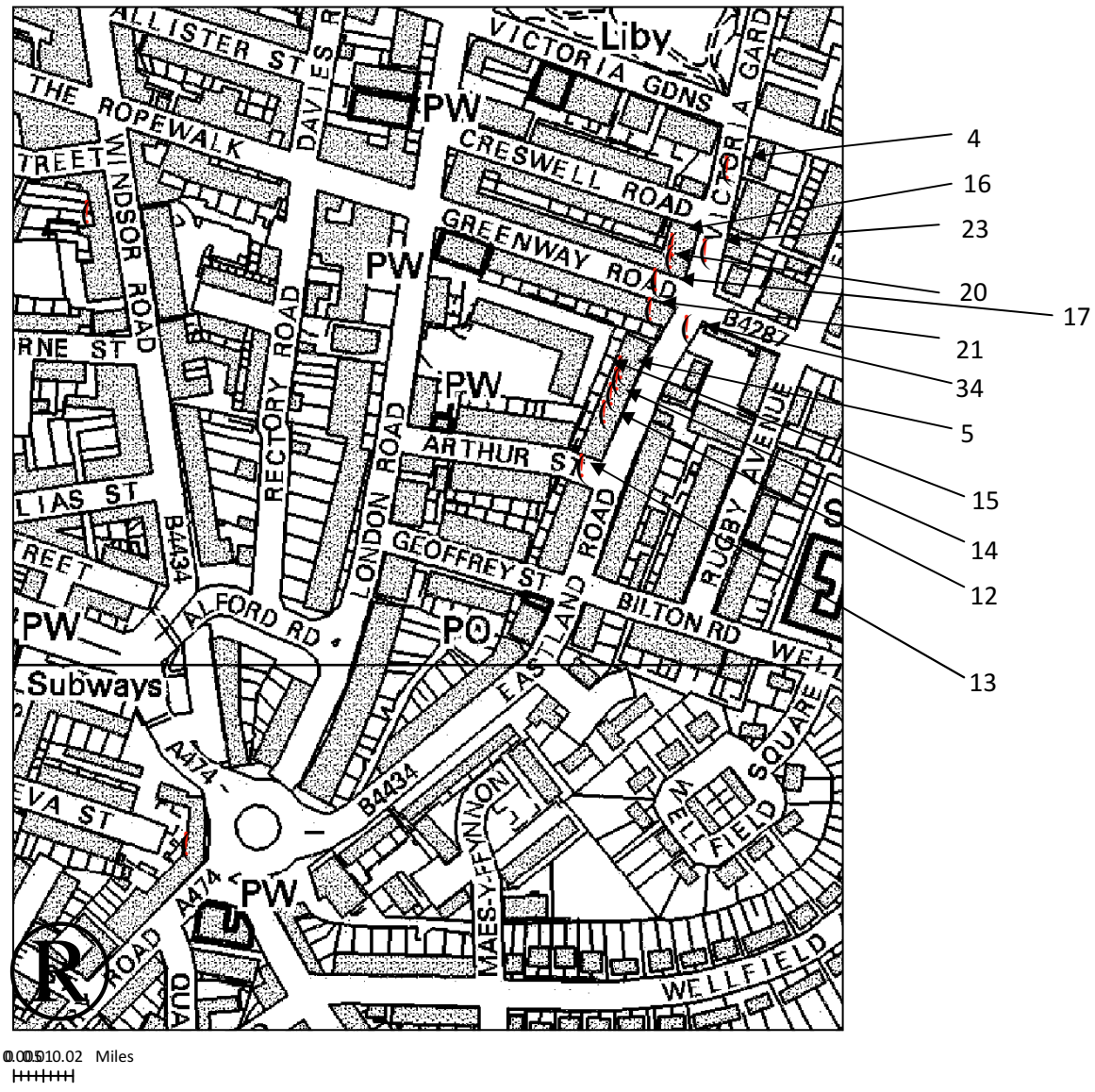

Table 2. Details of Non- Automatic Monitoring Sites

Site ID	Site Name	Site Type	X OS Grid Reference	Y OS Grid Reference	Site Height (m)	Pollutants Monitored	In AQMA?	Is Monitoring Co-located with a Continuous Analyser (Y/N)	Relevant Exposure? (Y/N with distance (m) from monitoring site to relevant exposure)	Distance to Kerb of Nearest Road (m) (N/A if not applicable)	Does this Location Represent Worst-Case Exposure?
4	8 Victoria Gardens, Neath	Roadside	275494	197272	2.5	NO_2	N	N	Y (2m)	4.5 m	N
5	28 Eastland Road, Neath	Roadside	275420	197161	2.5	NO_2	N	N	Y (0m)	4 m	N
12	34 Eastland Road, Neath	Roadside	275427	197139	2.5	NO_2	N	N	Y (0m)	4 m	N
13	40 Eastland Road, Neath	Roadside	275415	197110	2.5	NO_2	N	N	Y (0m)	4 m	N

Site ID	Site Name	Site Type	X OS Grid Reference	Y OS Grid Reference	Site Height (m)	Pollutants Monitored	In AQMA?	Is Monitoring Co-located with a Continuous Analyser (Y/N)	Relevant Exposure? (Y/N with distance (m) from monitoring site to relevant exposure)	Distance to Kerb of Nearest Road (m) (N/A if not applicable)	Does this Location Represent Worst-Case Exposure?
14	32 Eastland Road, Neath	Roadside	275431	197149	2.5	NO_2	N	N	Y (0m)	4 m	N
15	30 Eastland Road, Neath	Roadside	275434	197157	2	NO_2	N	N	Y (0m)	4 m	N
16	5 Victoria Gardens, Neath	Roadside	275464	197230	2.5	NO_2	N	N	Y (0m)	3.5 m	Y
17	1 Greenway Road, Neath	Roadside	275455	197211	2.5	NO_2	N	N	Y (0m)	1 m	Y

Site ID	Site Name	Site Type	X OS Grid Reference	Y OS Grid Reference	Site Height (m)	Pollutants Monitored	In AQMA?	Is Monitoring Co-located with a Continuous Analyser (Y/N)	Relevant Exposure? (Y/N with distance (m) from monitoring site to relevant exposure)	Distance to Kerb of Nearest Road (m) (N/A if not applicable)	Does this Location Represent Worst-Case Exposure?
20	3 Victoria Gardens, Neath	Roadside	275463	197223	2	NO_2	N	N	Y (0m)	3.5 m	Y
21	50 Greenway Road, Neath	Roadside	275452	197195	2.5	NO_2	N	N	Y (0m)	1 m	Y
23	4 Victoria Gardens, Neath	Roadside	275482	197227	2.5	NO_2	N	N	Y (0m)	3.5 m	Y
34	Lights at Cimla Junction	Roadside	275472	197185	1.4	NO_2	N	Y	Y (20m)	1.5 m	N

Comparison of Monitoring Results with Air Quality Objectives

The following table shows the annualised annual mean concentrations at both continuous monitoring stations. The short to long term calculations are shown in Appendix A.

Table 3 Results of Automatic Monitoring for NO_2: Comparison with Annual Mean Objective

Site ID	Site Type	Within AQMA?	Valid Data Capture for Monitoring Period % [a]	Valid Data Capture 2012 % [b]	Annual Mean Concentration (µg/m^3)
					2013 [c]
VG2	Roadside	N	99	99	**42**

In bold, exceedence of the NO_2 annual mean AQS objective of 40µg/m^3

[a] i.e. data capture for the monitoring period, in cases where monitoring was only carried out for part of the year

[b] i.e. data capture for the full calendar year (e.g. if monitoring was carried out for six months the maximum data capture for the full calendar year would be 50%)

[c] Means should be "annualised" as in Box 3.2 of TG(09) (http://laqm.defra.gov.uk/technical-guidance/index.html?d=page=38), if valid data capture is less than 75%

* Annual mean concentrations for previous years are optional

Table 4 Results of Automatic Monitoring for NO_2: Comparison with 1-hour Mean Objective

Site ID	Site Type	Within AQMA?	Valid Data Capture for Monitoring Period % [a]	Valid Data Capture 2012 % [b]	Number of Hourly Means > 200µg/m^3
					2013 [c]
VG2	Roadside	N	99	99	0

In bold, exceedence of the NO_2 hourly mean AQS objective (200µg/m^3 – not to be exceeded more than 18 times per year)

[a] i.e. data capture for the monitoring period, in cases where monitoring was only carried out for part of the year

[b] i.e. data capture for the full calendar year (e.g. if monitoring was carried out for six months the maximum data capture for the full calendar year would be 50%)

[c] If the data capture for full calendar year is less than 90%, include the 99.8th percentile of hourly means in brackets

* Number of exceedences for previous years is optional

Note:

The maximum hourly average concentrations of NO_2 at the Victoria Gardens site was 159 µg/m^3.

Table 5 Results of NO_2 Diffusion Tubes 2013

Site ID	Location	Site Type	Within AQMA?	Triplicate or Co-located Tube	Full Calendar Year Data Capture 2013 (Number of Months or %) [a]	2013 Annual Mean Concentration (µg/m^3)
3	11 College Green, Margam, Port Talbot	Urban background	Y	N	12	15.7
4	8 Victoria Gardens, Neath	Roadside	N	N	12	28.9
5	28 Eastland Road, Neath	Roadside	N	N	12	30.0
12	34 Eastland Road, Neath	Roadside	N	N	12	31.0
13	40 Eastland Road, Neath	Roadside	N	N	11	29.7
14	32 Eastland Road, Neath	Roadside	N	N	12	31.3
15	30 Eastland Road, Neath	Roadside	N	N	12	30.6

Site ID	Location	Site Type	Within AQMA?	Triplicate or Co-located Tube	Full Calendar Year Data Capture 2013 (Number of Months or %) [a]	2013 Annual Mean Concentration (µg/m^3)
16	5 Victoria Gardens, Neath	Roadside	N	N	11	33.7
17	1 Greenway Road, Neath	Roadside	N	N	12	32.9
19	Port Talbot Fire Station	Industrial	Y	Triplicate and Co-located	12	24.8 [c]
20	3 Victoria Gardens, Neath	Roadside	N	Triplicate	12	34.4
21	50 Greenway Road, Neath	Roadside	N	N	12	30.8
23	4 Victoria Gardens, Neath	Roadside	N	N	12	30.6
34	Lights at Cimla Junction	Roadside	N	Triplicate and Co-located	12	**62.3**[c]

In bold, exceedence of the NO_2 annual mean AQS objective of 40µg/m^3

Underlined, annual mean > 60µg/m^3, indicating a potential exceedence of the NO_2 hourly mean AQS objective

[a] Means should be "annualised" as in Box 3.2 of TG(09)(http://laqm.defra.gov.uk/technical-guidance/index.html?d=page=38), if full calendar year data capture is less than 75%

[b] If an exceedence is measured at a monitoring site not representative of public exposure, NO_2 concentration at the nearest relevant exposure should be estimated based on the "NO_2 fall-off with distance" calculator (http://laqm.defra.gov.uk/tools-monitoring-data/no2-falloff.html), and results should be discussed in a specific section. The procedure is also explained in Box 2.3 of Technical Guidance LAQM.TG(09) (http://laqm.defra.gov.uk/technical-guidance/index.html?d=page=30).

[c] These sites were used to create local bias adjustment factors for other nearby sites.

Table 6 Results of NO_2 Diffusion Tubes (2008 to 2012)

Site ID	Site Type	Within AQMA?	Annual Mean Concentration (µg/m^3) - Adjusted for Bias [a]				
			2009 (Bias Adjustment Factor = 0.82)	2010 (Bias Adjustment Factor = 0.85)	2011 (Bias Adjustment Factor = 0.83)	2012 (Bias Adjustment Factors as per previous table)	2013 (Bias Adjustment Factor = 0.75)
3	Urban background	Y	18.2	19.3	17.0	16.9	15.7
4	Roadside	N	33.3	-	32	28.0	28.9
5	Roadside	N	34.1	36.2	34	31.9	30.0
12	Roadside	N	34.2	37.4	35	31.8	31.0
13	Roadside	N	28.0	33.7	30	29.3	29.7
14	Roadside	N	35.5	37.0	34	32.2	31.3
15	Roadside	N	34.2	37.5	36	32.7	30.6
16	Roadside	N	40.0	39.5	**41**	35.2	33.7
17	Roadside	N	37.5	38.8	35	31.0	32.9
20	Roadside	N	36.2	**41.9**	**42**	36.0	34.4
21	Roadside	N	33.8	34.8	34	30.4	30.8
23	Roadside	N	38.1	35.1	36	31.4	30.6
34	Roadside	N	No data	No data	No data	**46.6**	**62.3**[c]

In bold, exceedence of the NO_2 annual mean AQS objective of 40µg/m^3

Underlined, annual mean > 60µg/m^3, indicating a potential exceedence of the NO_2 hourly mean AQS objective

[a] Means should be "annualised" as in Box 3.2 of TG(09) (http://laqm.defra.gov.uk/technical-guidance/index.html?d=page=38), if full calendar year data capture is less than 75%

[c] These sites were used to create local bias adjustment factors for other nearby sites.

Nitrogen dioxide levels at diffusion tube sites at Victoria Gardens were a little lower than at Pontardawe. It was not possible to monitor using diffusion tubes at No.1 Victoria Gardens due to Health & Safety concerns. Therefore it is necessary to estimate the pollution level at this property using the "NO_2 with distance from roads calculator" spreadsheet.

The results from No.3 Victoria Gardens were used to calculate levels at No.1 next door. No. 3 is set back approximately 3.5 metres from the kerb, whereas the frontage at No. 1 faces directly onto the pavement.

The data entered into the spreadsheet is shown below:

Figure 9. Screenshot of NO_2 with distance calculator spreadsheet

Enter data into the yellow cells

Step 1	How far from the KERB was your measurement made (in metres)?	(Note 1)	3.5	metres
Step 2	How far from the KERB is your receptor (in metres)?	(Note 1)	1	metres
Step 3	What is the local annual mean background NO_2 concentration (in µg/m^3)?	(Note 2)	18.4	µg/m^3
Step 4	What is your measured annual mean NO_2 concentration (in µg/m^3)?	(Note 2)	34.4	µg/m^3
Result	The predicted annual mean NO_2 concentration (in µg/m^3) at your receptor	(Note 3)	39.8	µg/m^3

This shows that the annual averaged air quality objective at 1 Victoria Gardens was just in compliance with the air quality objective i.e. 39.8 µg/m^3.

Monitoring has been carried out at several properties in the vicinity of the junction, therefore dispersion modelling is considered to be unnecessary for purposes of identifying the geographical area of any potential exceedance.

Conclusion

Continuous measurements of NO_2 at Victoria Gardens, Neath showed that the hourly averaged AQO was easily complied with. The annual averaged AQO was also complied with at all sites where diffusion tubes were deployed. A property at 1, Victoria Gardens (39.8 µg/m^3) was close to, but did not exceed the annual averaged AQO when NO_2 levels were calculated with the "distance from roads spreadsheet".

Appendix A: QA:QC Data

Diffusion Tube Bias Adjustment Factors

NO_2 diffusion tubes are sourced from Environmental Scientifics Group and are prepared using 50% TEA in acetone. The bias adjustment factor of 0.75 was used for 2013 as derived from the average of three sites where diffusion tubes were co-located with continuous analysers.

Factor from Local Co-location Studies (if available)

Diffusion tubes were co-located with continuous analysers at the following locations:

Table 7. Diffusion tube local bias adjustment factors.

Month	Pontardawe Post Office			Victoria Gardens			Port Talbot Fire Station		
	Cm	Dm	A (Cm/Dm)	Cm	Dm	A (Cm/Dm)	Cm	Dm	A (Cm/Dm)
Jan	33.1	31.1	1.064	47.8	68.2	0.701	23.5	34.8	0.675
Feb	29.6	33	0.897	46.4	61.6	0.753	22.1	31.7	0.697
Mar	30.3	34.8	0.871	43.1	57.4	0.751	16.9	27.5	0.615
Apr	20.9	24.6	0.850	41.5	62.2	0.667	14.4	25.3	0.569
May	16.8	21.1	0.796	33.1	61.2	0.541	12.1	17.9	0.676
Jun	16.4	21.5	0.763	32.7	61.2	0.534	11.3	18.2	0.621
Jul	17.4	19	0.916	38.1	63.4	0.601	14.6	16.3	0.896
Aug	17.8	18.6	0.957	34.7	59.9	0.579	13	18.6	0.699
Sep	21.4	22.8	0.939	36.5	60.9	0.599	15.2	19.4	0.784
Oct	18.9	24.6	0.768	43.7	62	0.705	16.5	26.3	0.627
Nov	27.9	26.1	1.069	52.6	63.6	0.827	24.3	28.4	0.856
Dec	26	27.8	0.935	49.8	65.9	0.756	19.2	32.8	0.585
Year	23	25.4	0.9	41.6	62.3	0.668	16.9	24.8	0.682

QA/QC of Automatic Monitoring

NOx analysers

The analysers are polled on an hourly basis by Ricardo-AEA. The data acquisition system applies automatic validation flags to the data depending on the status of the instrument. Data is also automatically scaled according to the latest calibration values, prior to dissemination on the Welsh Air Quality Forum website.

The analysers are MCERTS certified and are calibrated on an approximately fortnightly basis using a nitrogen monoxide calibration cylinder. The instruments are audited by Ricardo-AEA twice per year. Ratification of the data is also conducted by Ricardo-AEA. Data is regularly polled by Ricardo-AEA and disseminated on the Welsh Air Quality Forum website.

All equipment is covered by service and maintenance contracts with suppliers. These contracts provide for 6 monthly servicing and emergency callouts.

Data was downloaded from the Welsh Air Quality Forum website:

http://www.welshairquality.co.uk/index.php

QA/QC of diffusion tube monitoring

Diffusion tubes are exposed for one month and are provided and analysed by ESG at Didcot. The tubes are prepared using acetone:triethanolamine (50:50) and are subject to intercomparison quality assurance tests as part of the Workplace Analysis Scheme for Proficiency (WASP).

http://laqm.defra.gov.uk/documents/LAQM-WASP-Rounds-115-122-(October-2011--September-2013)-NO2-report.pdf

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ITEM NO.2
PART 1 SECTION A

CONTAMINATED LAND STRATEGY 2014

Purpose of Report

To obtain Members approval to undertake a public and stakeholder consultation on the Draft Contaminated Land Strategy 2014 and to use the feedback to prepare a revised strategy for contaminated Land in Neath Port Talbot.

Background

Neath Port Talbot's Contaminated Land Strategy (See Appendix 1) sets out the Council's Strategy for identifying and remediating contaminated land across the County Borough with the primary aim of safeguarding public health.

Part IIA of the Environmental Protection Act 1990 requires that each Local Authority prepare, implement and keep under periodic review a Contaminated Land Inspection Strategy. This is the third revision to the Strategy and supersedes the 2005 document.

In April 2012, the Welsh Government published new Contaminated Land Statutory Guidance with the aim of preventing costly remediation schemes being undertaken unnecessarily while offering better public protection against potential health impacts, by concentrating effort and funding on sites where action is actually needed. The Neath Port Talbot Contaminated Land Strategy 2014 has been produced to reflect these recent changes in guidance and presents a more open, clear and informative approach to dealing with contaminated land across the County Borough.

It is important to note that the Part IIA legislation is not the only route available to deal with contamination. This strategy also details the availability of other legislative frameworks and outlines the financial constraints the Council faces which will affect the approach taken. Regulatory effort will be concentrated in circumstances where it will be most effective. This stance is taken in order to bring about environmental improvements where unacceptable or significant impacts from land contamination are present. This revised strategy seeks to do this without entailing excessive financial burdens to taxpayers, landowners and the Council.

The strategy is laid out in 6 sections designed to help provide an introduction to contaminated land and the regulation behind it, the characteristics of the local area that have an influence on the way we deal with contaminated land, the main aims and objectives that set out how we are going to deliver the strategy and the inspection process and procedures involved.

It is proposed that stakeholders are invited to comment on the 'Contaminated Land Strategy 2014' draft document over a 12 week period. The public will also be invited to comment so the document will be made available on the Council's website and notices placed in libraries and other public Council buildings. Hard copies will also be made available.

Screening Assessment has been undertaken to assist Council in discharging its Public Sector Equality Duty under the Equality Act 2010. After completing the assessment it has been determined that this function does not require an Equality Impact Assessment.

Financial Implications

Any financial implications will be dealt with as part of the normal operating budget of the Council

Consultation Outcome

Consultation with the public and potential stakeholders is the basis of this report.

Sustainability Appraisal

Identifying and remediating land affected by contamination protects the health and well-being of people, helps develop sustainable communities and a more sustainable environment.

Recommendation

I RECOMMEND that Council approve the 12 week consultation process for Contaminated Land Strategy 2014 and that the findings are used to produce a revised contaminated land strategy for implementation within the Authority.

Reasons for Proposed Decision

A change in Welsh Government's Contaminated Land Statutory Guidance and recent financial constraints has led to the need to revise the current NPT Contaminated Land Strategy to make it fit for the future.

List of Background Papers

None

Wards Affected

All

Officer Contact

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ITEM NO.2, PART 1, SECTION A - COMPLIANCE STATEMENT

CONTAMINATED LAND STRATEGY 2014

(a) **Implementation of Decision**

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

(b) **Sustainability Appraisal**

Community Plan Impacts		
Economic Prosperity	-	Positive
Education and Lifelong Learning	-	Neutral
Better Health and Well Being	-	Positive
Environment and Transport	-	Positive
Crime and Disorder	-	Neutral

Other Impacts

Welsh Language	-	Neutral
Sustainable Development	-	Positive
Equalities	-	Positive
Social Inclusion	-	Positive

(c) **Consultation**

There has been no requirement under the Constitution for external consultation on this item.

APPENDIX 1

NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

ENVIRONMENT DIRECTORATE

CONTAMINATED LAND STRATEGY

AUGUST 2014

FOREWORD

The industrial history of South Wales means this Council has inherited land that has been affected by industry, mining and its associated waste disposal activities. Whilst this industrial activity has brought wealth and employment to the region over the years, we are now left with the legacy of such operations which were developed at times when environmental considerations, if existent, were minimal.

Neath Port Talbot County Borough Council has produced this Contaminated Land Strategy in accordance with the requirements of Part IIA of the Environmental Protection Act 1990. It sets out our role and responsibilities as a local authority which is to investigate and decide whether land in our area meets the statutory definition of "contaminated land"

Whilst significant progress has been made in the regeneration of Neath Port Talbot including the successful remediation of large brownfield sites such as the Coed Darcy Urban Village and the second Swansea University campus, there are still challenges ahead of us. This Strategy seeks to secure solutions that are acceptable to all without necessarily resorting to enforcement action, thereby remediating land to a level acceptable by modern standards, with commensurate improvements to public health and local communities.

This Council is strongly committed to improving the quality of life of its citizens and protecting the environment, and this strategy provides the platform to drive this vision forward.

Cllr. A. H. Thomas
Leader of the Council

Contents		
Executive Summary		**1**
Chapter 1	**Background and Regulatory Context** Provides an overview of the contaminated land regime, outlines recent changes to statutory guidance, provides a definition of what Contaminated Land is and outlines the different ways in which contaminated land can be assessed and dealt with effectively. This forms the basis of the Inspection Strategy	**2**
Chapter 2	**Characteristics of Local Authority Area** Presents an overview of the Neath Port Talbot characteristics and the key factors which influence the inspection strategy.	**6**
Chapter 3	**Progress of Inspection Strategy To Date** Outlines the Council's progress of inspection and the successful remediation of sites through Part IIA and other legislative routes.	**10**
Chapter 4	**Overall Objectives and Priorities of the Contaminated Land Strategy** Outlines the Council's overall aim of the strategy and the key priorities that will be achieved through its implementation.	**15**
Chapter 5	**Strategic Inspection and Management (The Way Forward)** Outlines the Council's approach to strategic inspection and how the information is assessed to decide whether a site is contaminated land as defined under Part IIA.	**19**
Chapter 6	**Information Management and Procedures** Outlines the procedures involved during inspection and identification of contaminated land such as dealing with information requests, complaints, communications and information management	**22**

Executive Summary

Part IIA of the Environmental Protection Act 1990 requires that each Local Authority prepare, implement and keep under periodic review a Contaminated Land Inspection Strategy.

Neath Port Talbot County Borough Council adopted its first Contaminated Land Inspection Strategy in 2002 and later reviewed this in 2005.

In April 2012, the Welsh Government published new Contaminated Land Statutory Guidance. The new guidance takes a precautionary approach but allows regulators to make quicker decisions about whether or not land is contaminated as defined under Part IIA. The aim is to prevent costly remediation schemes being undertaken unnecessarily, while offering better protection against potential health impacts by concentrating effort and funding on sites where action is actually needed.

The Neath Port Talbot Contaminated Land Strategy 2014 has been produced to reflect these recent changes in guidance and supersedes previous editions. The aim of this document is to present a more open, clear and informative approach to dealing with contaminated land across the Neath Port Talbot County Borough.

It is important to note, that the Part IIA legislation is not the only route available to deal with contamination. This strategy will also detail the availability of other legislation frameworks and outline the financial constraints the Council faces which will affect the approach taken. Regulatory effort will be concentrated in circumstances where it will be most effective. This stance is taken in order to bring about environmental improvements where unacceptable or significant impacts from land contamination are present. This revised strategy seeks to do this without entailing excessive financial burdens to taxpayers, landowners and the Council.

The strategy is laid out in 6 sections designed to help provide an introduction to contaminated land and the regulation behind it, the characteristics of the local area that have an influence on the way we deal with contaminated land, the main aims and objectives that set out how we are going to deliver the strategy and the inspection process and procedures involved.

Chapter 1 Background and Regulatory Context

1.1 The Contaminated Land Regime

In July 2001, Part IIA of the Environmental Protection Act 1990 came into force, introducing a new regime for the regulation of contaminated land in Wales. The main purpose of Part IIA is to provide a legal structure for the identification of land posing unacceptable risks to human health or the environment, and for securing remediation of such land.

1.2 What is contaminated land?

Section 78A(2) defines contaminated land for the purpose of Part IIA as:

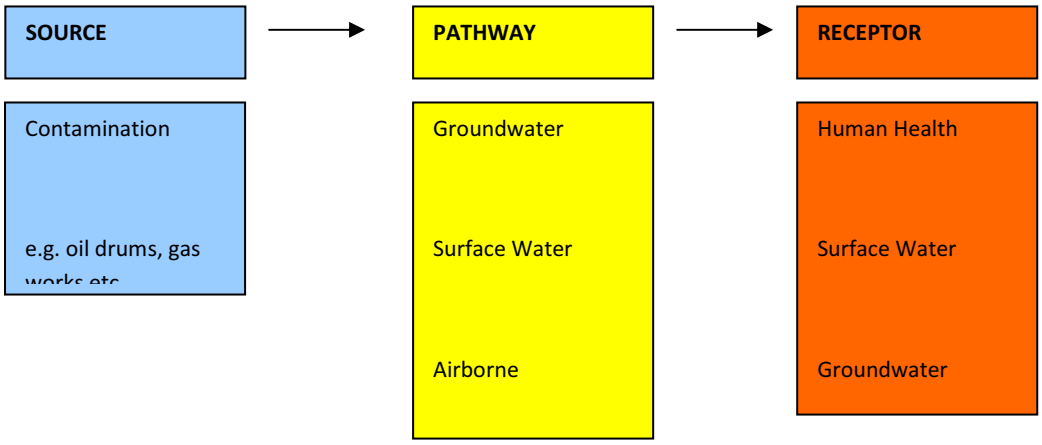
"Any land which appears to the local authority in whose area it is situated to be in such a condition, by reason of substances in, on or under the land, that – Significant harm is being caused or there is a significant possibility of such harm being caused; or pollution of controlled waters is being, or is likely to be caused"

This definition reflects the intended role of the Part IIA regime, which is to enable the identification and remediation of land on which contamination is causing unacceptable risks to human health or the wider environment. Therefore any land may be polluted, but unless it is causing significant harm or has a potential to cause significant harm to a receptor such as people, animals, crops, buildings or controlled waters, it may not be defined as contaminated land.

For a site to meet the definition of contaminated land, a significant pollutant linkage must be established. This is the relationship between the source of contamination, the pathway and the receptor as outlined in Figure 1. Unless all three elements of this linkage are present, the land will not be identified as 'contaminated land'.

This revised strategy takes into account the categorisation of sites in accordance with new statutory guidance.

Figure 1. Diagram showing the Source – Pathway – Receptor relationship



1.3 What are the roles and responsibilities?

The Council is the primary regulator under Part IIA. Our main duties are:

- Preparing and publishing inspection strategies for our area
- Inspecting individual areas of land to determine whether they meet the statutory definition of contaminated land
- To decide after consultation what remediation is required in any individual case and to ensure this takes place
- To establish who should be the appropriate person or persons to bear responsibility for the remediation of such land
- To record information about regulatory activity and make it available to the public

Natural Resources Wales also regulate some aspects, these include:

- Assisting local authorities in identifying contaminated land, particularly where pollution of controlled waters is involved
- Provision of site specific guidance to local authorities
- Acting as the enforcing authority for any site designated as a 'special site'
- Publishing periodic reports on contaminated land
- To carry out technical research and, in conjunction with DEFRA and Welsh Government to publish scientific advice and guidance.

1.4 What is a Special Site?

'Special Sites' are defined in full in the Contaminated Land (Wales) Regulations 2006. These type of sites include certain water pollution cases, particular industrial cases i.e. tar lagoons, oil refining, explosives, certain Integrated Pollution Prevention Control (IPPC) sites, nuclear sites and land owned by the Ministry of Defence.

1.5 What other legislative regimes can deal with contaminated land?

Contaminated Land is a complex issue and whilst the Part IIA legislation is the main driver of this strategy, there are other legislative regimes and development routes that can be used to assess and deal with land contamination issues effectively.

Section 1.5 of the Welsh Government Statutory Guidance states that *'Enforcing authorities should seek to use Part IIA only where no appropriate alternative solution exists'*, the regulator is therefore free and encouraged to use other legal regimes if more appropriate, these regimes are outlined below:-

- Town & Country Planning Act 1990
- Building Regulations 2010
- Water Resources Act 1991
- Pollution Prevention and Control Act 1999
- Environmental Permitting (England and Wales) Regulations 2010
- Waste Management Licensing (Part II of the Environmental Protection Act 1990)
- Radioactive Substances Act 1993
- Statutory Nuisance (Part III of the Environmental Protection Act 1990)
- Environmental Damage (Prevention and Remediation) Regulations 2009

1.6 What is the most common route for dealing with contaminated land within Neath Port Talbot?

This Council has recruited appropriately qualified officers and gathered and collated a wealth of information over the years in order to assess the potential risk associated with contaminated sites. This information initially was collected for the purpose of the Part IIA regime, but as expertise and knowledge expanded within the Council we were better able as the regulator to deal more effectively with any situation involving contamination and assist other departments within the Council dealing with contaminated land.

Currently, most contamination within the NPT County Borough is dealt with through the planning process and through voluntary remediation schemes closely monitored by the Council. Due to the extent of former industrial development within the borough this activity can be quite onerous.

Figure 2. Remediation at Briton Ferry

1.7 What are the other constraints for Local Authorities dealing with Contaminated Land?

Historically the Welsh Government provided a Contaminated Land Capital Grant Fund for the investigation and remediation of sites formerly determined as 'contaminated land' under the Part IIA legislation. In 2011, this funding opportunity was withdrawn and Welsh councils were left to fund investigation of sites out of their own limited budgets. This has had a negative impact on Part IIA work across Wales, as councils are hesitant to take a proactive approach to investigation if there is no funding available to rectify/remediate the problem. This had led to councils looking for alternative ways to progress their Part IIA strategies through planning, regeneration schemes, new or redevelopment and working closely with land owners to encourage voluntary remediation etc. This is the main approach Neath Port Talbot has taken and is detailed further within the aims and objectives of this Strategy.

Chapter 2 – Characteristics of Local Authority Area

2.1 Introduction to the Neath Port Talbot Area

The local authority area stretches from the coast to the borders of the Brecon Beacons National Park. It covers a total area of 44,217 hectares. The majority of land is upland or semi-upland in character, and 43% is covered by forestry upland areas. Most of the lower lying flat land is near the coast around Port Talbot. An extensive dune system stretches along much of the coast, broken by

river mouths and areas of development. The upland areas are cut by five valleys: Vale of Neath, Dulais Valley, Afan Valley, Swansea Valley and Upper Amman Valley.

Modern settlement patterns reflect the industrial history of the area, with urban development along the flatter areas of the valleys and some parts of the coast.

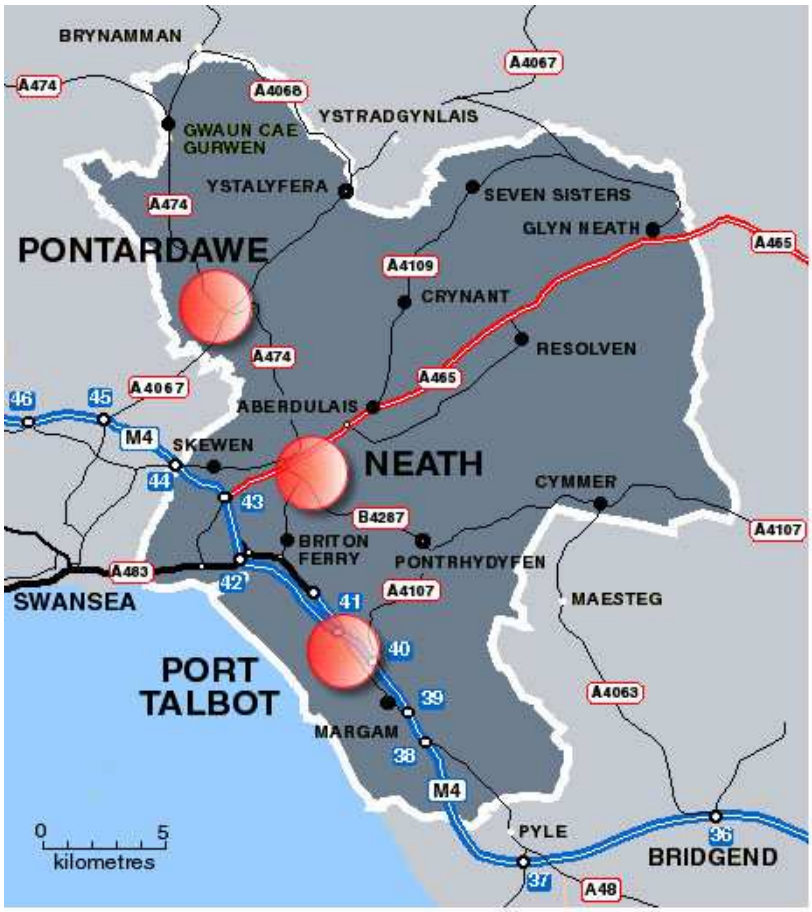


Figure 3. Geographical Location of Neath Port Talbot County Borough Council (showing the larger settlement areas in red)

2.2 Geology

Neath Port Talbot County Borough lies mostly within an area underlain by the Upper Carboniferous rocks of the South Wales Coal Field, which forms a large synclinal basin trending East West with many subsidiary folds and numerous faults. The Coal Measures comprise of rhythmic sequences of mudstones, siltstones, grits, fireclays and clays. The Neath Port Talbot area is predominantly Upper Coal Measures made up of the Pennant sandstone's and alternating shale's and coal horizons. The South Wales Coal Field is underlain by Carboniferous Limestone and Millstone Grit, which are exposed in

escarpments at the margins of the coal field. Peat deposits are widespread across the North of the borough on acid soils of the Pennant plateau.

Within the coalfield faulting is widespread. The Neath Valley Disturbance shows extensive surface faulting which is an important NE-SW trending structural zone of fault deformation.

2.3 Hydrogeology

The underlying bedrock deposits of the South Wales Coalfield area are designated as a Secondary A Aquifer. These are fractured rocks that do not have a high primary permeability and do not produce large quantities of water for abstraction. However, they are important for maintaining base flows of local rivers and for local supplies. The overlying Drift deposits (blown sands, marine sands, alluvium and glacial till) along the coastal belt have a high leaching potential.

2.4 Key Water Resources

The four main Rivers in Neath Port Talbot are the Afan, Dulais, Neath and Tawe which all flow NE-SW to Swansea Bay. Three Canals that run through the Borough are the Neath Canal, Swansea Canal and Tennant Canal.

There are approximately 215 private water supplies in the County Borough, 7 of which are commercial, 208 domestic. These water supplies are routinely tested by Neath Port Talbot County Borough Council as required under The Private Water Supplies Regulations 2009 or on request.

Dwr Cymru Welsh Water supplies the public drinking water in Neath Port Talbot. There are no abstractions within the borough for public supply and therefore no source protection zones, however, there are abstractions for industrial and agricultural use.

The main reason for adverse water quality issues within the County Borough are due to abandoned mine workings and the associated discharges of acidified iron rich water. This is an increasing problem in Wales generally and is evident across parts of Neath Port Talbot.

2.5 Protected Areas

Within the County Borough there are a number of special nature conservation areas designated for their international, national and local importance. These areas are designated receptors as defined in the Part IIA legislation and outlined below:-

International and European Sites
• Ramsar International Wetland – Crymlyn Bog
• Special Area of Conservation (SAC) – Crymlyn Bog, Coedydd Nedd a Mellte and Kenfig.

National Designations
• Sites of Special Scientific Interest (SSSIs) –20 sites
• National Nature Reserves (NNRs) - Pant-y-Sais Fen, Crymlyn Bog

Local Designations
• Local Nature Reserves (LNRs) – Swansea Canal, Pant-y-Sais Fen, Eaglesbush Valley, Bryn Tip. Also numerous sites that meet Sites of Importance for Nature Conservation (SINC) criteria have also been identified.

2.6 Key Property Types

Neath Port Talbot County Borough Council has 393 buildings (2014) which are listed as being of special architectural or historic interest and 93 Scheduled Ancient Monuments.

2.7 Industrial History

Coal has been mined in South Wales for centuries to meet the demands of the rapid industrial growth in the area with copper and iron smelting dominating the valleys of Neath Port Talbot. This followed with the development of the iron industry, progressing into steel production over the years. The tinplate industry developed as an off shoot of these industries, as did several chemical works, sheet steel, gas works and engineering firms across the area.

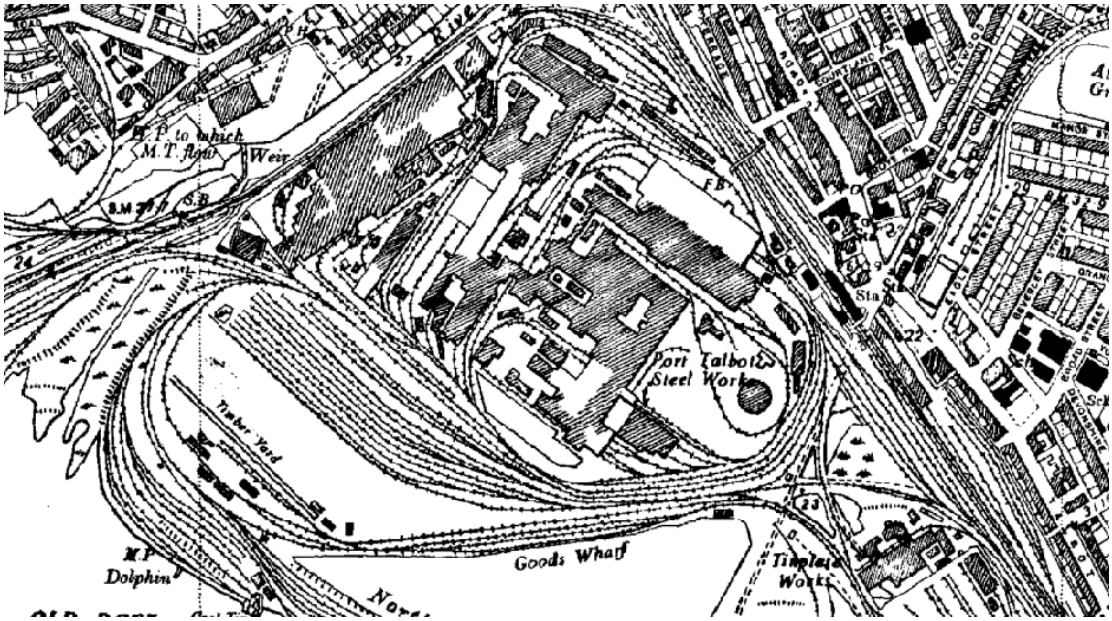


Figure 4. Historical Map of Port Talbot

2.8 Recent Development on Brownfield Land

Within the Neath Port Talbot County Borough, former industrial sites were influenced by the geographical considerations and were consequently located near to rivers and the coastal region. Small settlements such as Neath, Port Talbot, Clydach, Pontardawe, Briton Ferry and Cwmafan became major industrial centres with the consequent immigration of workers and a demand for housing. Due to the vast industrial past of these areas it is common for new development to be built on areas potentially affected by historic contamination. These sites are subject to strict controls through the planning regime to ensure remediation works are carried out prior to development.

The Council's Local Development Plan will set out the future development land use of land within Neath Port Talbot County Borough until 2026. Further information on this can be accessed on www.npt.gov.uk/LDP

Chapter 3 Progress of Inspection Strategy to Date

Since the implementation of the 2005 Contaminated Land Strategy the Council has made good progress in dealing with Contaminated Land within its area through Part IIA and other legislative drivers.

3.1 How has the Council identified sites of potential contaminated land?

The Neath Port Talbot County Borough area has been subjected to considerable historic industrial use that has given rise to land that could be potentially affected by contamination. Using various sources of data, including historical maps and local knowledge of the Neath Port Talbot County Borough area it has been possible to identify where industrial activity has been concentrated. These areas have been digitally mapped using the Council's Geographic Information System (GIS).

A desk top exercise taking data from historic maps identified approximately 6,000 sites of potential concern . These sites have been mapped on the GIS system and vary from small mining spoil heaps of a few metres across, to massive former industrial sites such as those given in 3.4 below. Irrespective of size, each is classed as one site although some sites will have several records, each relating to a former use.

3.2 How has the Council prioritised these sites for further inspection?

Due to the complex industrial history of Neath Port Talbot it has not been practical to investigate every single site that has been identified as potentially contaminated. In order to address this, a rational and systemic approach to prioritise sites has been applied using a database system called Geoenviron. This system is based on the Source Pathway Receptor approach.

This work has generated a number of High Priority Sites that will require further investigation in the future. This is work in progress and is constantly changing as more information comes to light, or in some cases, the contamination is dealt with through a different legislative route or voluntary action.

3.3 How many sites has the Council investigated under Part IIA?

The number of sites investigated by the Council is heavily reliant on funding availability and budgets, which in recent years has become limited.

To date 34 sites have been investigated, the majority of which have required no further action. However, detailed inspection of two of these sites has resulted in the land being formerly determined as 'Contaminated Land' under Part IIA of the Environment Protection Act 1990. Details of these two sites are outlined below:-

- **Pinetree Car Sales.** An investigation was carried out at Pinetree Car Sales, following notification of a polluted valve chamber located on a strategic 26 inch trunk water supply main. The site was determined as 'Contaminated Land' on the basis of pollution of controlled waters and the potential risk to human health via the potential impact of contamination on the water supply pipe. Shell UK Limited were served with a remediation notice and took on the responsibility to clean up the land.

- **Former Briton Ferry Gas Works**. A phased investigation was carried out on land formerly known as the Briton Ferry Gas Works Site that resulted in 10 residential properties being determined as 'Contaminated Land'. The Council received funding from the Welsh Government to remediate the gardens and bring them back to a safe and beneficial use. This scheme is now complete. Further details can be accessed from the councils internet page on the following link: http://www.npt.gov.uk/default.aspx?page=3237

Fig 5. Remediation work at Briton Ferry

There are also a number of sites that are undergoing voluntary remediation within the Neath Port Talbot area, which negates the need to determine the site

as ‘Contaminated Land’. These sites are closely monitored by the Council and Natural Resources Wales.

3.4 Partnership working between the Authority, Other Public Bodies and Private Companies/Developers

Historically Neath Port Talbot has been an area of heavy industry, particularly metal, chemical and oil based industries often covering vast areas of land and involving considerable quantities of waste products. Some of these sites have only recently ceased to operate and the Council is now working with Developers to ensure these large sites are brought back into beneficial use following successful remediation.

There are a number of former BP sites within NPT that are now under the portfolio of development company St Modwen, and have undergone extensive remediation works closely monitored by Natural Resources Wales and Neath Port Talbot Council. These projects are identified within Neath Port Talbot County Borough Council's Waterfront Regeneration strategy as integral to the future success of its wider plans for the Borough's regeneration. BP sites currently in the process of remediation and redevelopment include:-

Coed Darcy Urban Village – This is a proposed development of 4000 homes together with community facilities and commercial development which is being built over the next 20 years. The remediation and reclamation requirements of this former BP oil refinery are set out within the planning approval for the site to create an environment which is safe to live and work.

Figure 6. Former BP Oil Refinery

BP Chemicals, Baglan Bay – This was one of the largest petrochemical sites in Europe, and at its peak in the

late 1970s employed around 2,500 workers. St. Modwen is working with Neath Port Talbot County Borough Council and National Resources Wales to re-develop the site on a planned and phased basis over the next 25 years to help bring jobs back to Baglan Bay.
Figure 7. Former Baglan Bay Chemical Plant

The Bay Science and Innovation Centre, Swansea University Campus Site - Planning permission was secured in December 2012 for the Swansea University campus to be built on the former BP Tank Farm; a 65 acre site formerly known as the BP Transit Site. An extensive remediation scheme has been undertaken which included groundwater pump and treat, chemical oxidation, bioremediation of soils, reclamation and earthworks. The development includes 430,000 sq ft of academic space, 899 student flats and associated retail space.


Figure 8. Swansea University Campus under construction

3.5 Other Sites Remediated under the Planning Regime

Planning Policy Wales (2013) requires the Local Authority to take into account the nature, scale and extent of contamination which may pose a risk to health when making planning decisions. This includes making sure that appropriate remedial works are carried out so that the site will be 'suitable for its new use'.

During the last 3 years the Contaminated Land Team has been consulted on more than 700 planning applications. A large majority of these applications have required some form of site investigation, risk assessment and remediation where necessary.

3.6 Managing Council Owned Land

It is recognised that many of the Council's property landholdings may be contaminated as a result of previous use and that provision for dealing with such contamination has serious financial implications.

The Part IIA Inspection Strategy will provide the Council with more detailed information about its own potentially contaminated landholdings, including the identification of sites which present the greatest risk. These potentially contaminated sites will be risk assessed in accordance with the adopted prioritisation strategy and hereon will be treated as any other site of potential contamination and will be addressed according to its prioritised ranking.

On acquiring land the Authority will give careful consideration as to the possibility of contamination and each acquisition will be judged on the requirement for investigation and due consideration to the Part IIA legislation, i.e. to ensure the Authority is not taking on any financial liabilities when considering the 'Polluter Pays' principle.

When disposing or leasing of Council land, the 'Buyers Beware' principle is applicable, i.e. the polluter will retain liability on sale unless land is sold with information. This will be considered on a site specific basis where, advice will be provided to ensure all contamination issues are considered and addressed prior to disposal/lease of land.

Chapter 4 Overall Objectives and Priorities of the Contaminated Land Strategy

The overall aim of this strategy reflects the environmental objectives set out in the NPT Single Integrated Plan (2013 – 2023) '*To ensure robust regulation and effective environmental management systems provide healthy and clean air, land and water, allowing all citizens to enjoy the outdoors safely'*

The key objectives and priority actions to meet this overall aim, build on the previous work carried out under the 2005 strategy and reflect the new guidance and financial constraints the Council is facing in the current economic climate.

The Council will adopt a transparent approach to the identification and remediation of contaminated land. This approach is outlined in Figure 9 and is based on the new statutory guidance for inspecting contaminated land..

Figure 9. Key Objectives, Priorities and Actions.

Objective 1

To identify and remediate areas of land where an unacceptable level of risk is being caused to human health and the environment and ensure successful remediation of such sites.

Priorities and Actions

- **Identify potentially contaminated sites by updating the contaminated land database**
- **Prioritise sites for detailed inspection based on risks to human health**
- **Categorise sites in accordance with new statutory guidance (Category 1-4)**
- **Establish a programme for investigation of Category 1 sites** – This will be reviewed anually to reflect the available budget and funding opportunities

Objective 2

To fulfil the Council's responsibilities with respect to implementing the Inspection Strategy and to ensure it meets the requirements of

the Part IIA legislation.

Priorities and Actions

Adopt a rational, ordered and efficient approach to inspection.

- Provision of Contaminated Land Strategy 2014
- Report to the Welsh Government and Natural Resources Wales on inspection progress and status of contaminated land sites when requested
- Maintain regular updates through Regional and National Contaminated Land Groups

Identify potential Special Sites in liaison with Natural Resources Wales.

- Work closely with Natural Resources Wales and provide information when required

Ensure that officers involved in dealing with contaminated land issues are trained and up to date with new legislation and guidance being produced.

- Maintain ongoing training schedule for officers dealing with Contaminated Land

Objective 3

Encourage regeneration and redevelopment of Contaminated Sites through the planning system

Priorities and Actions

- **Adopt a fair, equitable and realistic process for dealing with planning applications**
- **Provide information to enable the Council to act in accordance with government planning policy and guidance**
    - Review planning procedures regularly in accordance with Welsh Planning Policy
    - Work in conjunction with the existing Unitary Development Plan policies and emerging policies within the NPT Local Development Plan to encourage development whilst protecting health and the environment
    - Encourage discussions with applicants prior to the submission of formal planning applications to inform them

of contaminated land requirements and provide guidance for developers
- Work closely with Welsh National & Regional Contaminated Land Groups to develop and promote best practice documents and guidance across Wales

Objective 4

Encourage a proactive approach amongst landowners and potential polluters towards investigation of contamination and remediation where required.

Priorities and Actions

- **Adopt a transparent approach to implementing the Strategy**
  - Ensure Contaminated Land Strategy is widely distributed and publicised
- **Work closely with landowners to advise and assist voluntary remediation schemes to avoid unnecessary action under Part IIA**
- **Ensure effective procedures for communication, liaison and information exchange within the Council and with third parties when dealing with contaminated sites**
  - Ensure Public register is available for viewing and is up to date
  - Ensure effective risk communication processes are in place when dealing with contaminated sites
  - Provide information on the land and homeowner benefits of investigations
  - Develop effective reporting function to provide information to third parties
- **Provide appropriate training and advice on contaminated land issues**
  - As and when required
  - Ensure the contaminated land section of the Council website is up to date with current guidance and legislation

Objective 5

Manage and/or reduce the Council's liabilities as a landowner or occupier with regards to contaminated land issues

Priorities and Actions

Adopt an equal approach as a responsible landowner towards inspecting Council land and dealing with contamination.

- Identify Council owned/occupied contaminated sites which should be prioritised for remediation as part of the Council's Asset Management Plan
- Carry out investigation of land that is earmarked for disposal (for sale or leased land) in Council ownership to ensure contamination issues are addressed appropriately
- Work closely within NPTCBC to ensure contamination issues are considered early on in design/engineering projects
- Ensure that due consideration is given to contamination issues when acquiring future holdings and leasing land
- Ensure a coordinated approach to contaminated land within the authority to ensure compliance with, and enforcement of the relevant contaminated land regulations

Chapter 5 Strategic Inspection and Management (The Way Forward)

The Council will continue to identify potentially contaminated sites in the Neath Port Talbot County Borough and ensure robust risk assessment is carried out and to ensure action is taken on the most pressing and serious sites first.

5.1 Category 1-4 Screening Levels

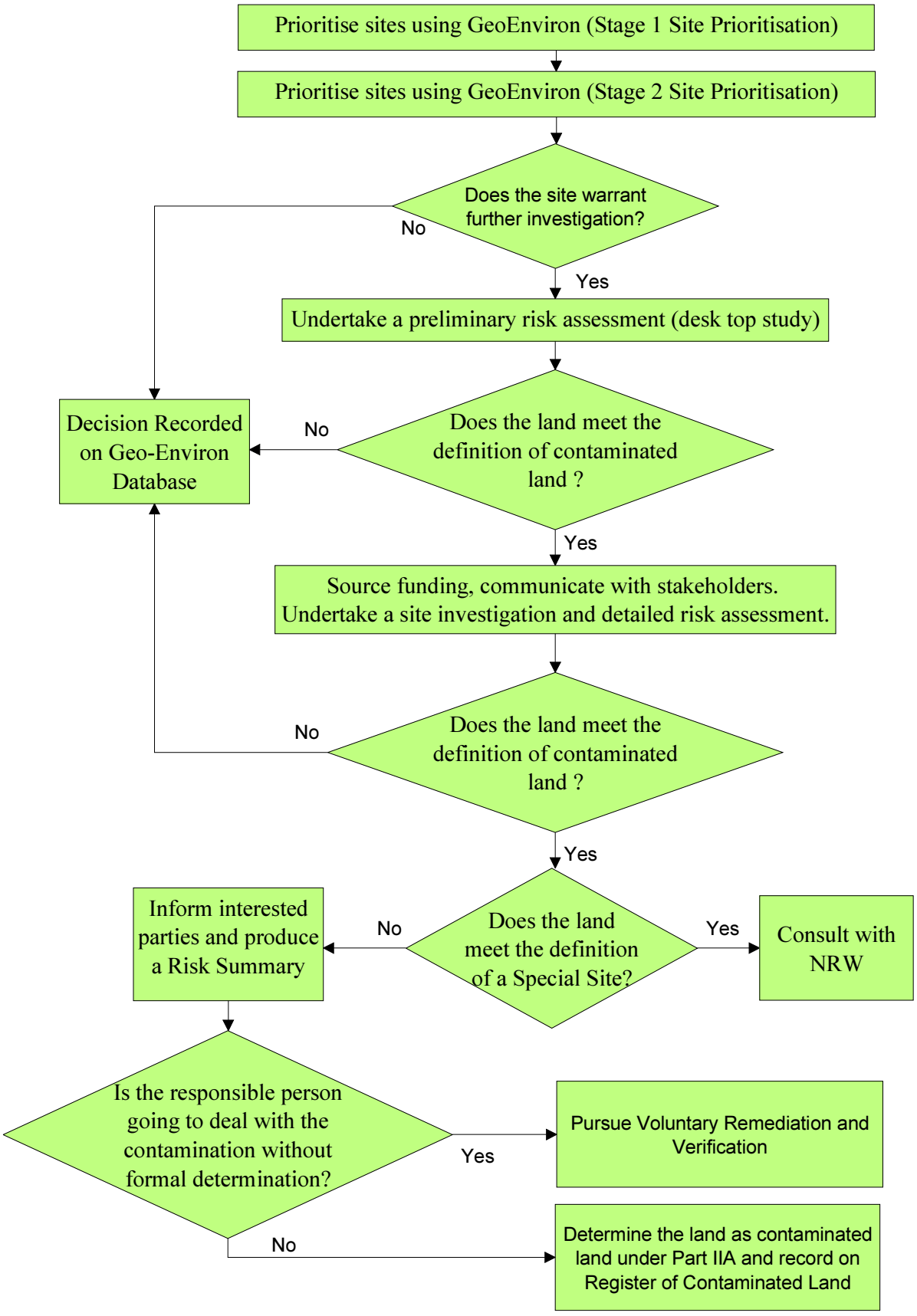
The revised Statutory Guidance has introduced a new four category system for classifying land under Part IIA, ranging from Category 4, where the level of risk posed is acceptably low, to Category 1, where the level of risk is clearly unacceptable. As part of the inspection process sites will be placed into a Category 1 – 4 depending on the level of evidence available. This will require re-prioritisation of our 6,000 potentially contaminated sites.

5.2 How will sites be inspected?

It is not practical to evaluate and investigate every single potentially contaminated site, therefore a strategic inspection regime has been adopted utilising a phased approach to reflect current legislation and guidance. This is outlined in Figure 10.

Following the initial stage of prioritising sites, it may be necessary to undertake further and more detailed assessment of land to establish whether a potential contaminant linkage has been identified. Data acquisition will be carried out in a phased approach, and between each phase a re-assessment of the site risk will be undertaken. The key issue at each phase of investigation is to determine whether sufficient evidence exists to either determine the site as contaminated or re-prioritise (remove to a lower risk category) based upon the revised risk assessment.

Figure 10. Procedures for Investigating Potential Contaminated Land Sites



5.3 Background Levels of contamination

The Statutory Guidance states that the Part IIA regime should not apply to land with levels of contaminants in soil that are common place and widespread throughout the UK and for which in the majority of cases there is no reason to consider that there is an unacceptable risk.

In April 2013 Defra published a report and Technical Guidance Sheets on Normal Background Levels of Contaminants in Welsh Soils. Further information on this can be accessed on the following link:- http://www.bgs.ac.uk/gbase/NBCDefraProject.html

It is important to note that due to the industrial heritage within this area, background contamination levels in the Neath Port Talbot area are relatively higher than other areas of Wales and therefore these factors are taken into consideration when investigating sites under the Part IIA legislation.

5.4 What Guidance is available?

All phases of inspection will comply with current recognised guidance and good practice as outlined in Figure 11. It is recommended these documents are referred to for more detailed advice and guidance.

Figure 11. Further information and guidance

- Contaminated Land Statutory Guidance (Welsh Government 2012).
- Model Procedures for the Management of Land Contamination CLR11 (Defra & Environment Agency 2004),
- Guidance for the Safe Development of Housing on Land Affected by Contamination R&D 66 (NHBC and Environment Agency 2008) and GPLC Parts 1 – 3
- Guiding Principles for land contamination (Environment Agency 2010).
- WLGA Development of Land Affected by Contamination: A Guide for Developers 2013
- British Geological Survey – Normal Background Levels. http://randd.defra.gov.uk/Default.aspx?Menu=Menu&Module=More&Location=None&Completed=0&ProjectID=17768#Description]
- Development of Category 4 Screening Levels for Assessment of Land Affected by Contamination. Policy Companion Document 2014.

CHAPTER 6 Information Management and Procedures

6.1 Which section of the Council deals with contaminated land?

Within Neath Port Talbot County Council, the Environment Directorate has responsibility for the implementation of Part IIA Environmental Protection Act 1990.

the

Figure 12. Potential contaminated land

6.2 Providing Information to Third Parties

The implementation of the Inspection Strategy has resulted in the collation of a large amount of information which may be useful to other parties.

Neath Port Talbot County Borough Council acts in accordance with the requirements of the following statutes and regulations in making environmental information accessible to the public.

- Local Government Act 1985
- Data Protection Act 1998
- Human Rights Act 1998
- Freedom of Information Act 2000
- Environmental Information Regulations 2004

6.3 Provision of Site Specific Information

General factual site specific data will be made available on request to members of the public, those carrying out conveyancing work and other interested parties. Response to requests will be within 10 working days. The cost for provision of information will be published at www.neath-porttalbot.gov.uk/contaminatedland . This charge is in line with those levied by other regulatory authorities and will be reviewed on an annual basis.

6.4 Contaminated Land Register

The Council also has a duty to publish a Register of all enforcement action taken under Part IIA.

This can be accessed at the Legal Services Department, Port Talbot Civic Centre, Port Talbot, SA13 1PJ. The register is available Monday to Friday during normal office hours and access to the register will be provided free to members of the public although a small charge will be made for any photocopying.

Arrangements to view the register can be made by contacting the Legal Services Department on 01639 763345 Email: landcharges@npt.gov.uk.

6.5 Provision of Information to Natural Resources Wales

Natural Resources Wales is required to produce a report on the state of Contaminated Land from time to time, or as requested by the Secretary of State. Local Authorities are required to provide the appropriate information when requested.

6.6 Provision of Information for other Council Functions

In accordance with the Council's objectives and priorities, general and site specific information acquired through implementation of the Inspection Strategy will be made available to those carrying out other Council duties or activities, as and when necessary.

6.7 Provision of Information for Planning Services

The majority of land contamination issues will continue to be dealt with through the planning regime. In recognition of this, procedures are already in place to ensure that site specific information from carrying out this Strategy is made available to planning officers considering planning applications.

A GIS dataset showing 'Potentially Contaminated Areas', collated as part of the Part IIA inspection process and updated on a regular basis, has been made available to the Development Control functions via Corporate GIS. This dataset is used by Planning Officers and their supporting administration teams to identify proposed developments where contamination issues may need to be considered.

6.8 Local Land Searches

Following the implementation of Part IIA and the requirement for each local authority to keep a Public Register of its regulatory activity, a question (see below) referring to Contaminated Land has been added to the Form CON29 Enquiries of Local Authorities. The questions on this form are answered by the local Land Charges team in the Legal Services section in Neath Port Talbot County Borough Council as part of the search carried out every time a property transaction takes place. Local Land Charges base their response to Question 3.12 on information provided by the Contaminated Land Team.

Form CON29 - Q3.12 Contaminated Land - "Do any of the following apply (including any relating to the land adjacent to or adjoining the property which has been identified as contaminated land because it is in such a condition that harm or pollution of controlled waters might be caused on the property)?"

a A contaminated land notice

b In relation to a register maintained under section 78R of the Environmental Protection Act 1990
i A decision to make an entry
ii An entry

c Consultation with the owner or occupier of the property conducted under section 78G (3) of the Environmental Protection Act 1990 before the service of a remediation notice

6.9 Contact Point

All enquires relating to this strategy should be addressed to:-

Contaminated Land Team

Environment Directorate

The Quays

Brunel Way Tel: 01639 686845

6.10 Who may provide us with information?

During the course of implementing this Strategy the Council may receive complaints or information relating to land contamination. This information may

be forthcoming from the public or other stakeholders, or from statutory bodies including Natural Resources Wales.

Such information will be considered and evaluated on a site specific basis to determine its seriousness and significance. This may cause a site to be re-prioritised for inspection or to be considered as an urgent site. It may also be essential in helping the Council to decide whether a site appears to be Contaminated Land. Alternatively it may indicate that land contamination issues at a site should be best addressed through another regulatory regime.

6.11 When is the Inspection Strategy reviewed?

The Council has a duty to review its Contaminated Land Inspection Strategy on a regular basis and to meet its statutory responsibilities.

The Council will review this strategy every 5 years. This is considered to be the most efficient and effective way of ensuring the inspection strategy is up to date and reflects current practice, but also that it is a realistic and achievable Strategy.

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