

ENVIRONMENT AND HIGHWAYS CABINET BOARD

***Immediately Following Scrutiny Committee on
THURSDAY, 17TH SEPTEMBER 2015***

COMMITTEE ROOMS A/B - NEATH CIVIC CENTRE

PART 1

1. To agree the Chairman for this Meeting.
2. To receive any declarations of interest from Members.
3. To receive the Minutes of the previous Environment and Highways Cabinet Board held on 23rd July 2015 (*Pages 5 - 8*)

To receive the Joint Report of the Head of Engineering and Transport and the Head of Streetcare

4. Environment and Highways Performance Indicators, Quarter 1 (*Pages 9 - 18*)

To receive the Report of the Head of Legal Services

5. Alleged Public Byway Open to all Traffic from Main Road to Nant Hir, Glynneath (*Pages 19 - 32*)
6. Application to Delete Footpath No. 23 in the Community of Blaenhonddan (*Pages 33 - 34*)
7. Application to Delete Bridleway No. 9 Clyne and Melincourt (*Pages 35 - 58*)

To receive the Report of the Head of Planning

8. Active Travel (Wales) Act (*Pages 59 - 76*)

To receive the Report of the Head of Streetcare

9. Flood Risk Management Plan 2015-2021 (*Pages 77 - 96*)
10. Waste Enforcement - DVLA Audit (*Pages 97 - 100*)
11. Civic Amenities Site Opening Hours (*Pages 101 - 112*)

To receive the Report of the Head of Engineering and Transport

12. List of Approved Contractors (*Pages 113 - 120*)
13. Proposed Individual Disabled Parking Places at Coronation St, Bryn and Ebbw Vale Row, Cwmavon (*Pages 121 - 130*)
14. Traffic Order - Cramic Way and Oakwood Road, Port Talbot (*Pages 131 - 134*)
15. Traffic Order - Glan yr Afan, Ystalyfera (*Pages 135 - 138*)
16. Traffic Order - Gnoll Drive, Neath (*Pages 139 - 146*)
17. Traffic Order - Main Road, Pontrhdyfen (*Pages 147 - 152*)
18. **To receive the Forward Work Programme 2015/16** (*Pages 153 - 154*)
19. 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

Thursday, 10th September 2015

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 – 23RD JULY 2015

ENVIRONMENT AND HIGHWAYS CABINET BOARD

Cabinet Board Members:

Councillors: E.V.Latham (Chairman) and Mrs.S.Miller

Officers in Attendance:

Mrs.N.Pearce, D.Griffiths, M.Roberts and Mrs.T.Davies

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 9TH JUNE 2015

Noted by the Committee.

3. BIODIVERSITY PROTOCOLS

Decision:

That the Biodiversity Protocols, as detailed within the circulated report, be approved and distributed to relevant officers via the Intranet and training scheduled on request.

Reason for Decision:

To ensure that Neath Port Talbot comply with the requirements of the Natural Environment and Rural Communities Act and other wildlife legislation.

Implementation of Decision:

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

4. **NEATH PORT TALBOT BIODIVERSITY ACTION PLAN**

Decision:

That the Authority support the new approach to the Local Biodiversity Action Plan (as detailed within the circulated report), including any actions that come forward (where resources are available to do so, and where relevant permissions have been obtained).

Reason for Decision:

To ensure that local ecological systems are managed and protected in accordance with National Legislation and to ensure that the Authority are able to draw down on available funding streams.

Implementation of Decision:

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

5. **NETWORK RAIL ELECTRIFICATION WORK**

Decision:

That the report be withdrawn from consideration, due to the recent Government announcement on the delay to the delivery programme. An all Member Seminar will be arranged for the Autumn when more certainty over the Electrification programme will be available, followed by a report to the Environment and Highways Scrutiny Committee and Cabinet Board.

6. **AUTOMATIC NUMBER PLATE CAMERAS**

Decisions:

That, having due regard to the Equality Impact Assessment screening:-

1. the Director of Environment be authorised to enter into the Memorandum of Understanding (as detailed at Appendix A to the circulated report);

2. approval be given for the installation and provision of power to Automatic Number Plate Recognition cameras and associated equipment.

Reason for Decisions:

To help Dyfed Powys Police detect, deter and disrupt criminality at a regional level, including tackling travelling criminals and organised crime.

Implementation of Decisions:

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

7. **ENVIRONMENT AND HIGHWAYS QUARTER 4 PERFORMANCE INDICATORS**

Decision:

That the report be noted.

8. **FORWARD WORK PROGRAMME 2015/16**

Decision:

That the report be noted.

CHAIRMAN

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NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

Environment and Highways Cabinet Board

17th September 2015

Joint Report of the Head of Engineering and Transport –

D.W. Griffiths

and the Head of Streetcare

M. Roberts

Matter for Monitoring

Wards Affected ALL

Environment and Highways Performance Indicators for Quarter 1 of 2015/16

Purpose of Report

1. To advise Members of the actual performance achieved for the first quarter of the current financial year i.e. 1st April 2015 to 30th June 2015

Appendices

2. Quarterly Performance Management Data 2014-2015 – Quarter 1 Performance (1st April 2015– 30th June 2015) – Appendix 1

List of Background Papers

3. NPT Corporate Improvement Plan 2015-18 “Rising to the Challenge” Policy & Resources Committee Report 30th July 2010 - Securing Continuous Improvement & Scrutiny Work Programme

Officer Contact

4. Carole Thomas, Senior Resource Officer, Tel: 01639 686794 Email: c.g.thomas@npt.gov.uk



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

Quarterly Performance Management Data 2014-2015 – Quarter 4 Performance (1st April 2014– 31st March 2015)

Report Contents:

Section 1: Summary of Performance

Section 2: Quarterly Performance Management Data and Performance Key

Section 3: Compliments and Complaints

Section 1: Summary of Performance

Waste Management

The Council is progressing with the implementation of its waste strategy and achieved the 2015/16 statutory recycling and composting target of 58% during 2014/15. Early indications suggest that this upward trend continues.

Environment & Transport – Transport and Highways

Improvements for indicator THS/009 are due to on-going infrastructure renewals.

Environment & Transport - Street Scene and Countryside Management

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, 68.94% of rights of way were deemed easy to use for members of the public.

Indicators for the management of streets are monitored annually.

Section 2: Quarterly Performance Management Data and Performance Key

2015-2016 – Quarter 1 Performance (1st April 2015 – 30th June 2015)

Note: The following references are included in the table. Explanations for these are as follows:-








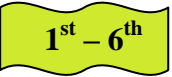
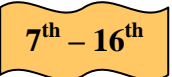
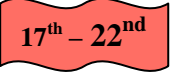
(NSI) National Strategic Indicators (NSIs) - are used to measure the performance of local authorities at a national level and focus on key strategic priorities. Local authorities are under a legal duty to collect & report on these measures.

(PAM) Public Accountability Measures - consist of a small set of “outcome focussed” indicators, selected initially from within the existing Performance Measurement Framework. They will reflect those aspects of local authority work which local authorities agree are considered to be important in terms of public accountability. For example, recycling, educational attainment, sustainable development, etc. This information is required and reported nationally, validated, and published annually.

(SID) Service Improvement Data - can be used by local authority services and their regulators as they plan, deliver and improve services.

All Wales The data shown in this column is the figure calculated using the base data supplied by all authorities for 2014/2015 i.e. an overall performance indicator value for Wales.

(L) Local Performance Indicator set by the Council.

	Performance Key
	Maximum Performance
	Performance has improved
	Performance has been maintained
	Performance is within 5% of previous years performance
	Performance has declined by 5% or more on previous years' performance - Where performance has declined by 5% or more for the period in comparison to the previous year, an explanation is provided directly below the relevant performance indicator.
	No comparable data (data not suitable for comparison / no data available for comparison)
	No All Wales data available for comparison.
	2014/15 NPT performance in upper quartile (top six of 22 local authorities) in comparison with All Wales national published measures (NSI & PAM's). 3 of 6 Environment & Highways measures in upper quartile.
	2014/15 NPT performance in mid quartiles (7 th – 16 th) in comparison with All Wales national published measures (NSI & PAM's). 2 of 6 Environment & Highways measures in mid quartiles.
	2014/15 NPT performance in lower quartile (17 th – 22 nd) in comparison with All Wales national published measures (NSI & PAM's). 1 of 6 Environment & Highways measures in lower quartile.

1. Environment & Transport – Waste Management

No	PI Reference	PI Description	2013/14 Actual	2014/15 Actual	All Wales 2014/15	Quarter 1 2014/15	Quarter 1 2015/16	Direction of Improvement
1	WMT/009b (NSI/PAM)	The percentage of municipal waste collected by local authorities and prepared for reuse and/or recycled, including source segregated bio wastes that are composted or treated biologically in another way.	54.04%	58.10%	56.23% 7th	58.57%	58.73%	↑
2	WMT/010i (SID)	The percentage of local authority municipal waste: Prepared for re-use.	0.18%	0.29%	Data not available at present	0.24%	0.44%	↑
3	WMT/012 (SID)	The percentage of local authority collected municipal waste used to recover heat and power.	29.33%	32.40%	Data not available at present	15.10%	20.04%	↑
4	WMT/010ii (SID)	The percentage of local authority municipal waste: Recycled.	38.09%	38.47%	Data not available at present	35.07%	36.05%	↑
5	WMT/004b (NSI/PAM)	The percentage of municipal waste collected by local authorities sent to landfill.	14.04%	11.13%	29.38% 2nd	10.70%	10.40%	▼
6	WMT/010iii (SID)	The percentage of local authority municipal waste: Collected as source segregated bio-wastes and composted or treated biologically in another way.	15.76%	19.34%	Data not available at present	23.25%	22.25%	▼

2. Environment & Transport – Transport and Highways

No	PI Reference	PI Description	2013/14 Actual	2014/15 Actual	All Wales 2014/15	Quarter 1 2014/15	Quarter 1 2015/16	Direction of Improvement
7	THS/009 (SID)	The average number of calendar days taken to repair street lamp failures during the year.	1.83	1.56	Data not available at present	1.83	1.25	↑
8	THS/007 (NSI)	The percentage of adults aged 60 or over who hold a concessionary bus pass.	88.9%	90.6%	85.8% 7th	89.7%	91.3%	↑
9	THS/011a (SID)	The percentage of: Principal (A) roads in overall poor condition.	6.8%	5.8%	Data not available at present	Reported Annually		—
10	THS/011b (SID)	The percentage of: Non-principal/classified (B) roads in overall poor condition.	5.2%	4.0%	Data not available at present	Reported Annually		—
11	THS/011c (SID)	The percentage of: Non-principal /classified C roads in overall poor condition.	8.2%	7.0%	Data not available at present	Reported Annually		—
12	THS/012 (PAM)	The percentage of Principal (A) roads, Non-principal (B) roads and Non-principal C roads that are in overall poor condition.	6.7%	5.6%	11.9% 3rd	Reported Annually		—

3. Environment & Transport - Countryside Management								
No	PI Reference	PI Description	2013/14 Actual	2014/15 Actual	All Wales 2014/15	Quarter 1 2014/15	Quarter 1 2015/16	Direction of Improvement
13	CMT/001 (SID)	The percentage of total length of 'Rights of Way' which are easy to use by members of the public.	67%	68.94%	Data not available at present	Data collected 2 nd & 4 th Quarters		—
4. Environment & Transport - Street Scene								
14	STS/005b (PAM)	The percentage of highways and relevant land inspected of a high or acceptable standard of cleanliness.	98.5%	98.80%	96.9% 5th	Reported Annually		—
Page 15	STS/005a (SID)	The cleanliness Indicator	67.6	70.6	Data not available at present	Reported Annually		—
	16	STS/006 (NSI)	The percentage of reported fly tipping incidents cleared within 5 working days.	81.10%	72.06%	93.05% 22nd	Reported Annually	

There were a total of 1,242 fly tipping incidents recorded by the authority during 2014-15. 895 were cleared within 5 working days.

247 incidents were investigated but not removed by the Council as the tipped material was subsequently removed by the owner or the landowner. Where individuals did not respond to a verbal request to remove waste then a statutory '15 day' clearance notice is issued in which case the Council cannot possibly comply with Welsh Government's national 5 working day target. The P.I. guidance stipulates that we have to include these jobs as they were reported to the authority. If this was not included in the P.I. our performance would be over 90%.

The remaining 100 jobs that were closed down outside of the 5 day target were as follows:

62 jobs cleared between 6-10 days, 23 jobs cleared between 11-20 days, 8 jobs cleared between 21-30 days, 6 out of the remaining 7 jobs were over 30 days as a result of pending prosecutions, with 1 job requiring specialist equipment, due to asbestos.

Section 3: Compliments and Complaints

2015-2016 – Quarter 1 (1st April 2015 – 30th June 2015) – Cumulative Data

	Performance Key
↑	Improvement : Reduction in Complaints/ Increase in Compliments
↔	No change in the number of Complaints/Compliments
v	Increase in Complaints but within 5%/ Reduction in Compliments but within 5% of previous year.
↓	Increase in Complaints by 5% or more/ Reduction in Compliments by 5% or more of previous year.

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	PI Description	Quarter 1 2014/15	Quarter 1 2015/16	Direction of Improvement
1	<u>Total Complaints - Stage 1</u>	5	0	↑
	a - Complaints - Stage 1 upheld	2	0	
	b -Complaints - Stage 1 <u>not</u> upheld	3	0	
	c -Complaints - Stage 1 partially upheld	0	0	

No	PI Description	Quarter 1 2014/15	Quarter 1 2015/16	Direction of Improvement
2	<u>Total Complaints - Stage 2</u>	3	2	↑
	a - Complaints - Stage 2 upheld	0	0	
	b - Complaints - Stage 2 <u>not</u> upheld	3	2	
	c- Complaints - Stage 2 partially upheld	0	0	
Page 17	<u>Total - Ombudsman Investigations</u>	0	0	↔
	a - Complaints - Ombudsman investigations upheld	0	0	
	b - Complaints - Ombudsman investigations <u>not</u> upheld	0	0	
4	Number of Compliments	8	5	↓
5	<p>Summary</p> <p>Stage 1 complaints have been reduced considerably for the first quarter of 2015 and there is also a small improvement for Stage 2 complaints received. The Stage 2 complaints received were regarding the issuing of a parking permit and the alleged behaviour of a refuse collector.</p> <p>The number of compliments received for this quarter is down slightly over last year.</p>			

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ENVIRONMENT AND HIGHWAYS CABINET BOARD

17TH September 2015

REPORT OF THE HEAD OF LEGAL SERVICES – D.MICHAEL

SECTION A – MATTER FOR DECISION

WARD AFFECTED: GLYNNEATH

ALLEGED PUBLIC BYWAY OPEN TO ALL TRAFFIC FROM MAIN ROAD TO NANT HIR

Purpose of report

To consider the application to register a public byway open to all traffic and therefore add the path to the Definitive Map and Statement.

Background

An application has been made to this Council to recognise the route shown on Plan no. 1 between points A- F as a public byway open to all traffic. That is, a route which the public claim to have the right to use in motorised vehicles, on horseback, on bicycles and as pedestrians. If this application is accepted, it would require this Council to make a Modification Order to add a public byway open to all traffic to the Definitive Map and Statement.

The application was made by on the 7th April 2002 and twenty-six evidence forms were submitted in support of the claim. Sixteen showed an average of 24.2 years use as a byway. The remaining ten showed an average of 30.6 years use on foot.

In 2008, a further fifteen evidence forms were submitted. Of those fifteen, eight alleged an average of 35.3 years use as a byway, and the remaining seven alleged an average of 27.5 years use as a footpath.

The claimed route begins at Main road (B4242) at point A, before proceeding for approximately 18 metres before passing over a canal bridge and along a rough tarmac path to point B. The path then passes over a small stone bridge

just before reaching St Cadoc's Church at point C. The path continues as a rough tarmac track to reach a locked barrier at point D before terminating at Nant Hir at point E.

All the usual organisations and consultees were contacted including the Community Council, St Cadoc's Church and the Aberpergwm Estate. In the case of the Estate, they indicated they would have no objection if the track was registered as a public footpath. Two residents of Manor Drive object to the registration of a public byway. The church agrees that the track has been in use, but made no specific objection to the application.

The majority of the claimed route is owned by the Aberpergwm Estate (B-D), the rest is owned by this Council. Ownership of the bridge at point B however, is unknown.

THE NATURAL ENVIRONMENT AND RURAL COMMUNITIES ACT, 2006

The Natural Environment and Rural Communities Act 2006 automatically extinguished any byway rights that were not recorded in the Definitive Map and Statement on the commencement date of the Act, which for Wales was 16th November 2006. There are several exemptions to the automatic extinguishment of vehicular rights, which are summarised in Appendix 1.

The exemptions that are relevant to this claim being:-

Section 67(3)(a), when an existing public right of way could be recorded if, before the relevant date (19th May 2005 in Wales), an application was made under section 53(5) of the Wildlife and Countryside Act 1981 for an order making modifications to the Definitive Map and Statement so as to show the way as a byway open to all traffic

Secondly, s67(3)(c) before 19th May 2005, a person with an interest in the land has made such an application and, immediately before commencement, use of the way for mechanically propelled vehicles –

- (i) was reasonably necessary to enable that person to obtain access to that land, in which case the way becomes a private right of access for that person/s.

The application was made in April 2002, before the relevant date and so the first exemption above applies.

The principal means of vehicular access to Nant Hir, Llygad Yr Haul and Maes Y Ffynnon from the vicinity of point A is via what is known as “Wimpy Road” shown G --- E. It is not clear why vehicular access via the claimed route is “reasonably necessary” given “Wimpy Road” runs virtually parallel and in close proximity to the claimed public byway. Whilst “Wimpey Road” is prone to flooding, it is a two lane road whereas the claimed byway can only accommodate one vehicle at a time with no passing places.

EVIDENCE

Byway Open to All Traffic

Of the 35 claimants who have submitted user evidence forms, 15 allege a minimum of twenty years use as a byway open to all traffic, one of the requirements of Section 31 of the Highways Act 1980 (Appendix 2).

A barrier was erected at point D in 2002, and locked in August 2003. This would act as bringing the way into question (Appendix 2), therefore the twenty year relevant period is from 1983-2003.

It is alleged there were large wooden notices secured to the pillars either side of the entrance from the B4242 at point A stating “MANOR HOUSE, PRIVATE ROAD, NO ADMITTANCE”. It has been suggested these were not maintained and removed in approximately 1993 some 10 years into the relevant period.

None of the claimants interviewed can recall these notices nor is there any reference to them to the question on notices in the user evidence forms.

In responses to consultations, one resident of Manor Drive (point D) stated that those living in Nat Hir used “Wimpey Road” to access the estate until roughly 1988 another resident quoted 1998. It was from this date that the road’s inadequate drainage resulted in it becoming periodically flooded, which is when residents started to use the alleged route as a short cut. If that is correct then there would not be a full period of twenty years use counting back from 2003. However this is contradicted by the six claimants who were interviewed, who gave much earlier dates for when they first started driving along this road.

Of the six claimants that responded to requests to be interviewed, four claim use both on foot and by vehicle. Only one claims to have been challenged in their use, by a resident of Manor Drive in 2001.

Prior to the building of the properties on Nant Hir, the only access to the Farm Cottages and Dan-y-Dderwen was via the claimed route.

The Title Deeds show both numbers 1 and 2, Farm Cottages, have a private right via the claimed route to access their properties. This private right also extends to the lane leading off Nant Hir towards Farm Cottages. (These cottages are shown on Plan No.2)The private right states they can “pass and repass with or without...vehicles”. Therefore, evidence submitted by the owners of both 1 and 2, Farm Cottages must be discounted, as their use was “by right”, in other words they already have a pre-existing private right . For a claimed right of way to succeed, use must be trespassory in its nature in order to be “as of right.”

According to Official Copies of the Land Register no other properties in the vicinity of the Farm Cottages or Nant Hir have a registered private right along the claimed route.

Special User Group

If any of the exemptions under the Natural Environment and Rural Communities Act 2006 are to apply, the claimant must show a public byway was in existence by 19th May 2005, therefore, use would have to be “by the public”, and not by a special user group. A special user group is defined in more detail in Appendix 3 but it means a group of people who live in close proximity to the path or reside in a limited area and therefore could not represent the public at large.

The majority of claimants live at Nant Hir, Morfa Glas and Llygad-yr-Haul, which all form part of the same housing estate. It would only be those living in this area who would have any reason to use the road. Only one claimant who is able to show over 20 years use in a motor vehicle lives outside the area (Addoldy Road), but has not responded to interview requests.

The Glynneath Community Council would say that the meaning of close proximity is “nearness” or “closeness” and it is only those living at the southern end of Nant Hir would fall into this category. That Morfa Glas, for example, is a street of 90 houses, several hundred metres away from the path. They would argue that the term “the people as a whole” or “the community in general “as set out in Appendix 3 should apply.

Plan No.2 shows the distribution of where the claimants reside and who alleged vehicular use. Only two live in Morfa Glas and one in Min Y Coed. The majority do live in Nant Hir.

Given those alleging such rights reside in a limited area, then it cannot be said they represent the general public.

The other condition is whether it is reasonably necessary for those users to access the route. This use allegedly commenced in 1988 due to the periodic flooding of "Wimpey Road". This is due to the lack of improvement works being undertaken which in the normal course of events would have been implemented had the road been adopted. So should such works be undertaken by whoever has that responsibility and that given "Wimpey Road " is a two lane access road, it would render the claimed public byway unnecessary.

There is some doubt that the way would have been used prior to 1988, it being only wide enough to accommodate one vehicle, as opposed to the route known as "Wimpey Road" which can carry permit two vehicles to pass alongside each other

It is also difficult to accept that the limited numbers pf people all living in the same estate can be said to represent the public at large.

Recommendation: - That the application to recognise the claimed path as a public byway be refused.

EVIDENCE

Lesser Rights

Even though the route has been claimed as a public byway, this Council is under an obligation to consider any other evidence that shows the path may have a lower status than that claimed (Appendix 4).

All 35 claimants have stated they also walk along the path.

Special User Group

Plan No.2 shows the distribution of all those who only claim use on foot as well as those, who whilst claiming vehicular use, also claim use as pedestrians. The

same issue therefore arises as to whether even this greater number of users still fall into the Special User category.

Again it is evident that it is only those living in the Estate are making use of the path and so the same conclusion could be reached that they only represent a limited group of people and do not represent the public at large.

Conclusion

The claimants supporting the application can be said to represent a special user group and therefore, no Modification Order can be made.

Recommendation

It is recommended that: -

No Modification Order be made to add the route to the Definitive Map and Statement as a public footpath

Reason for proposed Decision

There is insufficient evidence to justify making a modification order to add a byway to the Definitive map and Statement

List of Background papers

Footpaths file

Appendices

Plans numbered 1 and 2 and Appendices 1 – 4

Officer Contact

Mr Iwan Davies – Principal Solicitor – Litigation
Tel No. 01639 763151 Email:i.g.davies@npt.gov.uk

COMPLIANCE STATEMENT

ALLEGED PUBLIC BYWAY OPEN TO ALL TRAFFIC FROM MAIN ROAD TO NANT HIR

(a) Implementation of Decision

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

(b) Sustainability Appraisal

Community Plan Impacts

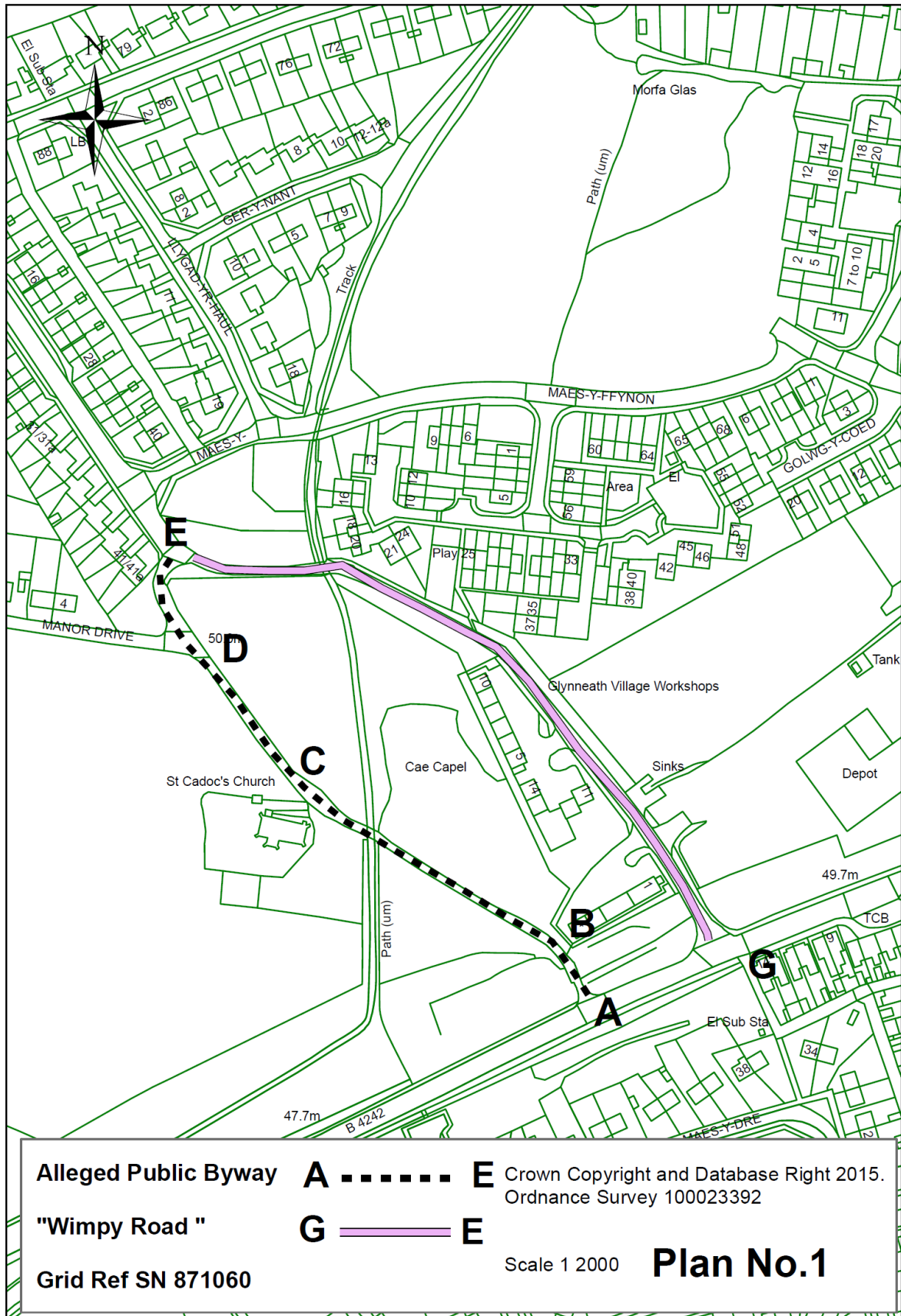
Economic Prosperity	..	No impact
Education & Lifelong Learning	..	No Impact
Better Health & Wellbeing	..	No Impact
Environment & Transport	..	No Impact
Crime & Disorder	..	No Impact

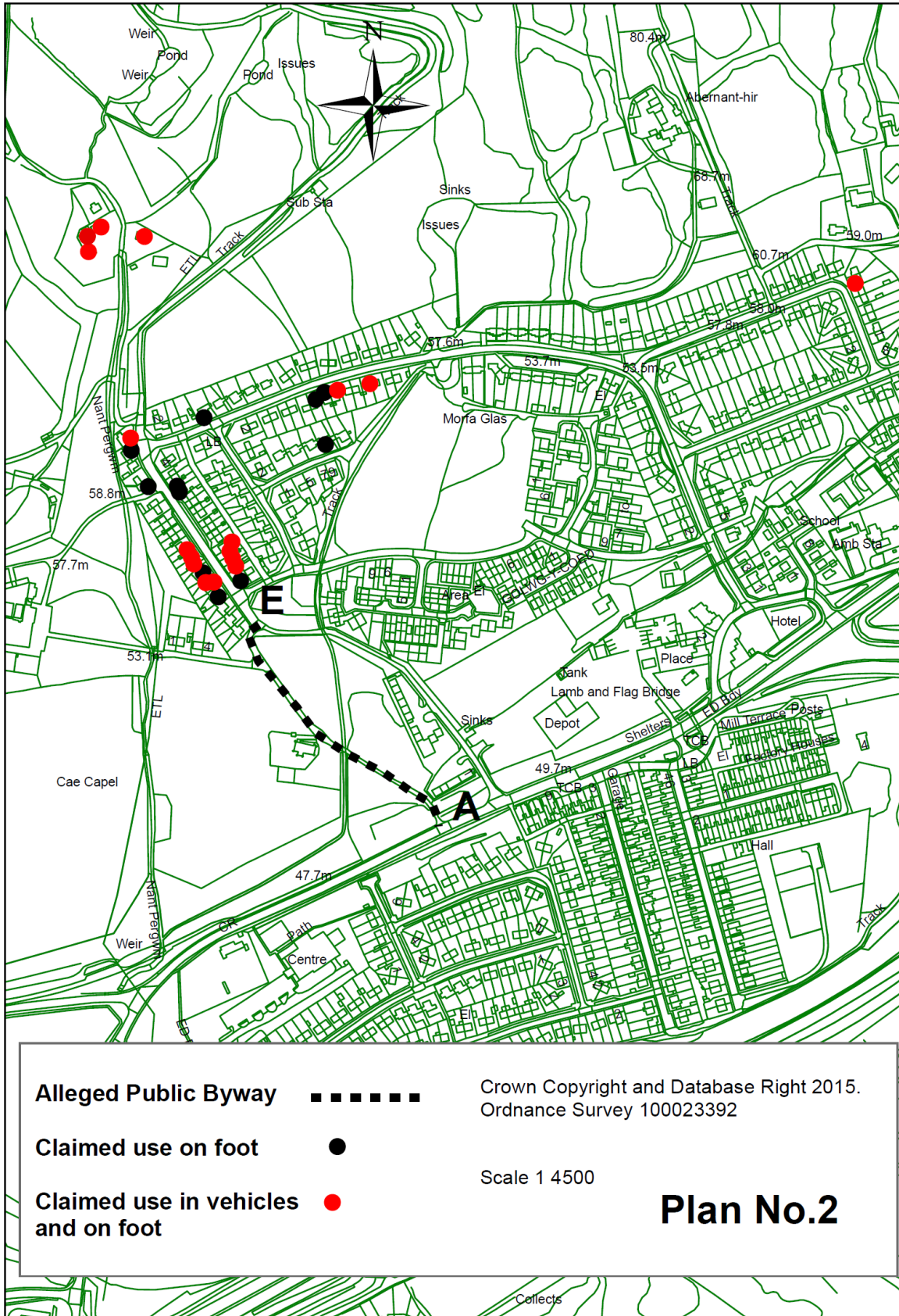
Other Impacts

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

(c) Consultation

This item has been the subject to external consultation





NATURAL ENVIRONMENT AND RURAL COMMUNITIES ACT 2006

Summary of the Five Exceptions under Sub-Section 67(2) under the Provisions of the NERC Act 2006

Sub-section 67 2(a) excepts ways that have been lawfully used more by motor vehicles than by other users, for example, walkers, cyclists horse riders and horse drawn vehicles in the five years proceeding commencement date (commencement date being November, 2006 in Wales). The intention here is to accept highways that are part of the ordinary roads network.

Sub-section 67 2 (b) excepts ways that are both recorded on the list of streets as being maintainable at public expense and are not recorded on the Definitive Map and Statement as rights of way. This is to exempt roads that do not have clear motor vehicular rights by virtue of official classification, but are generally regarded as being part of the ordinary roads network.

Sub-section 67 2 (c) excepts ways that have been expressly created or constructed for motor vehicles.

Sub-section 67 2 (d) excepts ways that have been created by the construction of a road intended to be used by mechanically propelled vehicles.

Sub-section 67 2 (e) excepts from extinguishment ways that had been in long use by mechanically propelled vehicles before 1930 when it first became an offence to drive off road.

Sub section 67 3 (a) excepts from extinguishment ways that were the subject of an application prior to November 2006, and (b) either the Council had determined the claim or that a person who made the application needed to drive along the route to access land in which they had an interest.

Sub section 67 (5) excepts from extinguishment ways where immediately before November 2006 the exercise of an existing byway was needed to enable a person to access land who had an interest in that land. In such circumstances the way becomes a private right of way.

SECTION 31, HIGHWAYS ACT, 1980

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

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

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

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

SPECIAL USER GROUPS

- (a) The Planning Inspectorate has produced advice on this matter in that they say there is no strict legal interpretation of the term 'public'. The dictionary definition being 'the people as a whole' or 'the community in general'. Arguably and sensibly that use should be by a number of people who together may be taken to represent the people as a whole/the community.

However, Coleridge L J in R -v- Residents of Southampton 1887 said that " 'use by the public' must not be taken in its widest sense – for it is a common knowledge that in many cases only the local residents ever use a particular road or bridge". Consequently, use wholly or largely by local people may be use by the public as depending on the circumstances of the case, that use could be by a number of people who may sensibly be taken to represent the local people as a whole/the local community".

- (b) In contrast to this view was the decision made by Lord Parke in Poole -v- Huskinson 1834 who concluded: "there may be dedication to the public for a limited purpose...but there can not be dedication to a limited part of the public". This case was quoted by an Inspector in 1997 appointed to consider an application to add a public bridleway to the Definitive Map for North Yorkshire County Council. Here the route had also been in use for 40 to 50 years. That Inspector concluded: "In the case before Lord Parke, residents of the same parish were held to constitute a limited part of the public and I therefore believe the inhabitants of the Parish of Cliffs should also be held to constitute a limited part". The Inspector refused to confirm the Order.

WILDLIFE AND COUNTRYSIDE ACT, 1981

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

- (2) As regards every definitive map and statement, the surveying authority shall keep the map and statement under continuous review and as soon as possible after the occurrence of any of [events specified in sub section (3)] by order make such modifications to the map and statement as appear to them to be requisite in consequence of the occurrence of that event.
- (3) The events referred to in sub section (2) are as follows:-
 - (b) the expiration, in relation to any way in the area to which the map relates of any period such that the enjoyment by the public of the way during that period raises a presumption that the way has been dedicated as a public path or restricted byway;
 - (c) the discovery by the Authority of evidence which (when considered with all other relevant evidence available to them) shows:
 - (i) that a right of way which is not shown on the map and statement subsists or is reasonably alleged to subsist over land in the area to which the map relates, being a right of way such that the land over which the right subsists is a public path, a restricted byway or, subject to section 54A a byway open to all traffic;
 - (ii) that a highway shown in the map and statement as a highway of a particular description ought to be there shown as a highway of a different description.
 - (iii) That there is no public right of way over land shown in the map and statement as a highway of any description, or any other particulars contained in the map and statement require modification.

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ENVIRONMENT AND HIGHWAYS CABINET BOARD

17TH September 2015

REPORT OF HEAD OF LEGAL SERVICES – D.MICHAEL

SECTION B – MATTER FOR INFORMATION

WARD AFFECTED: CADOXTON

APPLICATION TO DELETE FOOTPATH NO. 23

Purpose of report

To inform Members of the outcome of the appeal to the Welsh Ministers regarding the application to delete Footpath No. 23 in the community of Blaenhonddan.

Background

On the 13th November 2014, this Board refused the application which was made to delete public footpath No. 23 from the Definitive Map and Statement.

The basis of the application was that no public right of way was in existence by 1954 being the first relevant date of this Council's Map and Statement. The applicant contended such a path was shown in error and therefore should be removed from this Council's record of public paths.

On the 27th October 2003 this Council rejected an earlier application made by the same person, but on that occasion the applicant did not take the matter any further.

The present application was the subject of an appeal to the Welsh Ministers against this Council's rejection of the claim. On the 28th July 2015, the Inspector appointed by the Welsh Minister refused the appeal. Consequently, the path retains its public status and will remain on the Definitive Map and Statement.

List of Background papers

Footpaths file

Appendices

None

Officer Contact

Mr Iwan Davies – Principal Solicitor – Litigation
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ENVIRONMENT AND HIGHWAYS CABINET BOARD

17TH September 2015

REPORT OF HEAD OF LEGAL SERVICES – D.MICHAEL

MATTER FOR DECISION

WARD AFFECTED: CLYNE AND MELINCOURT

APPLICATION TO DELETE BRIDLEWAY NO 9 CLYNE AND MELINCOURT

Purpose of Report

To consider the application to delete Bridleway No.9 from the Definitive Map and Statement.

Background

An application has been submitted by the owner of Cefn Gelli Farm to remove bridleway No. 9, Clyne from the Definitive Map and Statement as shown on the attached Plan No.1 (A-B-C-D-E-F). The Applicant believes the bridleway was incorrectly registered as a public one when the initial surveys were undertaken to consider what Public Rights of Way existed as a result of the passing of the National Parks and Access to the Countryside Act 1949. (For a further explanation of the history of the compilation of the Definitive Map and Statement, see Appendix 1.) The opportunity to make such an application is governed by the Wildlife and Countryside Act 1981 (see Appendix 2).

Consultations

An objection to the application has been received from the Ramblers Association, via their local representative. They contend that the bridleway was correctly placed on the Definitive Map at the time it was first recorded. They also state that should the landowner have conclusive evidence to the contrary then that evidence should be produced in due course. Subsequently, all the evidence produced by the applicant is assessed in section 3.

Comment

A gate and fence obstruct the bridleway at points A and F respectively. On 7th November 2008 the Ramblers Association served notice on this Council requiring it to take enforcement proceedings to re-open the bridleway. It is understood the serving of this notice prompted the application. Although it has subsequently been discovered that the path has been obstructed with barbed wire at point G from the 1990's. This was recorded by the officer at the time, as contained in Appendix 4. Several attempts were made to secure the removal of the obstructions, although those identified at points C and D have subsequently been found not to lie across the bridleway as the path passes around the fencing.

No other comments on the consultations were received.

The Evidence Submitted in Support of the Application

The basis upon which a Modification Order may be made to delete a Public Right of Way is contained in Appendix 3. In summary, the applicant must show there was no public path in existence by 1954. Furthermore, because the Definitive Map is conclusive of the particulars it contains, there is a presumption in law it is correct and so the onus is on the applicant to show that it is wrong and not for the Council to justify its inclusion in the Map and Statement.

The test, therefore, is whether there is evidence of some substance to show, on the balance of probability that a mistake was made when the route was first recorded as a public bridleway and so the Definitive Map and Statement is incorrect.

The owner and occupier of Cefn Gelli Farm (the applicant) has lived at Cefn Gelli Farm since 1941 and states that it is the family home.

Comment

It is unclear why an application to delete the bridleway from the Definitive Map and Statement has not been submitted sooner. The witness statement contained in Appendix 4 highlights that the applicant was aware of the public status of Bridleway 9 in the 1990's and had been provided with the relevant forms to make an application to delete the route.

The applicant has provided evidence and supporting documents of the activities that occurred at Cefn Gelli Farm and the former Tin Works in the 1930's and 1940's. These include several photographs overlooking the former Tin Works whilst they were operational, a written statement, and the 1921 and 1951 editions of the Ordnance Survey map. The 1921 edition as surveyed in 1919 is shown on plan no.2.

The applicant recalls, as a child of 8 or 9 (in approximately 1949-50), returning home from school with her brother and being chased by the watchman as they passed via a small wooden gate next to Clyne Farm Road at point F. The applicant remembers the gate having a notice on it stating "Private. Keep Out".

Comment

It is not clear whether this gate was on the bridleway, or the farm road, as this has not been clarified by the applicant .

The applicant asserts that during the war, the Ministry of Defence used the Tin Works to make bomb casings. One of the applicant's uncles was a secretary at the works and another was a night watchman. Her father was also employed by the factory to pull the trucks along the lower tramway with farm horses.

Comment

It is unclear whether the use of the lower tramway at this time would have interrupted public access along Bridleway 9 which was in the vicinity of point B. Further clarification of this point has not been provided.

The applicant states that a locomotive was used on the top line to pull the trucks up and down the line to join the main railway line. There was a further gate at this point, which contained had a heavy chain and lock.

Comment

Again, it is not apparent whether the gate was directly on the bridleway and attempts to clarify this with the applicant has been unsuccessful.

The applicant contends that throughout this period, the area near point B was covered in duff, described as piles of coal varying in height, between 16ft-30ft. and extending over a " large area." although unspecified. This deposit was not cleared until the late 1950's or early 1960's when the applicant's father sold the duff to a power station.

Furthermore, the applicant states that people would not have walked from Clyne Terrace to the cwm, as the area has always been enclosed by a fence and only altered to its present state as it is today when an incinerator was placed on the site between one and two years ago.

Comment

Clarification of the approximate location of the incinerator, whether it obstructed, the Bridleway, the location of the fence, and how that affected public use has not been provided.

The applicant submitted two plans at a scale of 1:10,560.

The 1921 is based on an earlier revision of 1919 and the 1951 edition having been partly re-levelled between 1946 and 1950.

All three Ordnance Survey editions show broken parallel lines following the approximate route of the current alignment for bridleway 9, from Clyne, at point B to point F, with points A -B passing along the accommodation road to Cefn Gelli Farm. Appendix 5 relates to the relevance of Ordnance Survey as evidence of public and or private rights of way.

The 1964 edition does not show the disused Tin Works, although it identifies several broken parallel lines running near the Definitive Route. However, none match the existing bridleway alignment.

The Ordnance Survey is inconclusive as to whether the former Tin Works disrupted use of the Bridleway throughout its operation. Parallel broken lines indicate a track approximately corresponding to bridleway 9, and converging at the point the track passes under the railway line at point B.

Likewise, the photographs submitted with the application show the Tin Works in operation from several different positions but do not establish the works would have interrupted public use of the bridleway. The Ordnance Survey show the route running between 95 and 275 metres distant from the Tin Works, with a tram line crossing the bridleway near point B and another running approximately north west to south east from the Tin Works which appears to cross bridleway 9 at point C. The bridleway passes underneath a railway bridge near point B.

Additional Research

Tithe Map and Apportionment

The Tithe Commutation Act 1836 required the value of land be assessed but any waste land, which could include public rights of way, did not require a tithe which would have been payable to the Authorities. Therefore, a landowner may have required a public right of way to be shown to avoid having to pay a tithe on that part of that land (see Appendix 6). In relation to Cefngelly (sic) David Walter Williams is listed as owner, with no discount for rights of way and no discernible path being shown on the accompanying map.

Vale of Neath Railway Act 1846

The railway bridge near point B was constructed under the Vale of Neath Railway Act 1846, sometime between 1846 and 1851. Accompanying the Act is a plan showing the land affected, as well as a valuation book which provides a brief description of the land identified by the field number with the owners, the lessees and occupiers of that land.

In this instance, the land affected by the bridge is split into two parcels (the relevant section on the report plan covers the section of bridleway shown A-B). The reputed owner is Henry John Grant, the lessees are David Williams and Evan Williams and the occupier is listed as Evan Williams. The Farm and housing are described as farm house, barn, stables, two cottages, outhouses, garden and yard. The access track to Cefn Gelli (A-B) is listed as rough pasture. There is no specific reference to the railway passing over a highway.

The Finance Act 1910

Tax was payable on productive land but a deduction could be made if the holding contained any public rights of way (see Appendix 7). The assessment for Cefngelly (sic) was carried out on 31st July 1910. Again, David Walter Williams was listed as the owner, encompassing "Land, House and Buildings", with no discount listed for public rights of way, easements or rights of common.

Rural District Council Minutes 1928-1952

Whilst the relevant Clyne Parish Records are not held with the West Glamorgan Archives Service, the Neath Rural District Council minutes are available, with the exception of the period May 1940-October 1947. The only reference to Cefn Gelli related to the Rights of Way Act 1932. This Act sought

to define how a right of way might be dedicated, whilst also providing land owners with an opportunity to prevent any public rights arising by depositing notices of their objection to the Local Council.

Accordingly, on 8th November 1933, the Neath Rural District Council reported that Clyne Parish Council had declared “there are no cases to report of Notice having been posted by landowners along public paths in their parish”.

Comment

The Vale of Neath Railway Act 1846, the Tithe, the Finance Act and the Rural District Council Minutes make no reference to a public highway. However, it cannot be concluded that no public bridleway existed as a result of the absence of any mention of a public path. The Tithe and Finance Act were not enacted to specifically identify public highways and so the lack of reference to such a way is not evidence none existed at that time. In addition, there is no evidence available to establish when the bridleway became dedicated. It should be presumed the bridleway existed before the relevant date of the Definitive map and Statement, being 1954, for it to have been included into the Map and Statement. Consequently it is possible the bridleway existed prior to the development of the tin works in 1879, or became dedicated after that date assuming, the building and the activities associated with the works did not affect use of the way. It is also possible the bridleway became dedicated after the tin works ceased production and were demolished in 1933. It is not known what affect the subsequent use of the site had on public access as a munitions factory during the second world war.

Parish Card and Map

The National Parks and Access to the Countryside Act 1949 placed an obligation on Glamorgan County Council to carry out a survey of all the known public rights of way in their area. Where possible this was delegated to the Parish Councils, which lead to the production of the Parish Card and Map. This map identifies the paths with an accompanying description (the Card). Whilst the Card for Bridleway 9 is neither signed nor dated, it is presumed the survey was undertaken by members of Clyne Parish Council in approximately 1951, as were many others throughout Glamorgan at that time

The Card describes the bridleway as running “From access road to Cefn-y-gelli, under Rlwy Bridge, alongside of Old Tin Plate Wks to join County highway at Clyne Farm”. It is listed as being a bridleway, approximately 750 yards long, constructed of earth and stone, in a fair condition and having been “Used for over 40 years”. The alignment shown on the map almost exactly resembles the alignment which remains on the Definitive Map.

Hearings following the publication of the Draft Map and Statement of 1954

It appears that, following the publication of the Draft Map of Rights of Way for the Neath Rural District (relevant date 14th September 1954), an objection was lodged by the British Transport Commission regarding public paths that crossed railway lines, which included bridleway 9, Clyne. The objection itself has not been located, however, the Inspector’s handwritten notes from the subsequent Inquiry into the matter, have been located and read;

“Report by Mr William Thomas on the Inquiry held 29 Jan 1957 at Neath into the objection by the British Transport Commission to the inclusion of the following paths in the draft map.”

Mr Thomas then deals with each path individually. In relation to bridleway 9, Clyne, Mr Thomas noted;

“Relevant act in Vale of Neath Railway Act no reference appears on Deposited Plan. Railway coy (sic) were required to make and maintain a bridge but thought not to be the bridge in question. Now used only for access to houses on down side of line and access to farm. Mr Williams of the farm has erected a gate across the road but it is not locked. Mr Williams appeared personally to support the Commission’s objection.

“Parish Council say that a resident 89 years of age has always known path as public. It provides important communication and probable further development will enhance its importance.

“I suggest it be regarded as a public path.”

Comment

Consequently consideration was given to the status and existence of this bridleway at a time when there would have been people whose memories could have extended to a much earlier period than the present day. Clearly the Inspector was not presented with any evidence to result in the bridleway being deleted from the map and statement.

Subsequently, Bridleway 9, Clyne has appeared on each publication of the Definitive Map unaltered, resulting in its depiction in the Definitive Map and Statement today.

Conclusion

The applicant believes there to be enough evidence to suggest the bridleway was included in the Definitive Map and Statement by error. Indeed, anecdotal evidence suggests potential interruption to public use prior to the relevant date of the Definitive map of 1954 by the former Tin Works and then munitions factory during the Second World War. The Tithe and Finance Act surveys also appear to support the suggestion that no public right of way existed at that time. However, as highlighted earlier, these documents cannot show rights did not arise in the period leading up to the period prior to the publication of the Draft Definitive Map in 1954. Furthermore, the Tithe and Finance Act were not enacted to identify public highways and so the lack of reference to such a way is not necessarily evidence none existed at that time.

In contrast, the Definitive Map and Statement is conclusive evidence of the particulars contained therein. When the Parish Council surveyed the path in 1952 they were clearly of the view it had public status and had been in use for over 40 years. They made reference to the tin works but no mention of that interfering with the use of the route.

Case law has established the onus is on those who wish to apply to delete a public path to show that its depiction is incorrect and some evidence of substance should be adduced to alter that presumption. In addition, the applicant must show that the Bridleway did not exist at the relevant date of the Definitive Map, in this case 1954 and that should be based on the balance of probabilities.

Case law has highlighted that evidence that was available to support the inclusion of a path into the Definitive Map and Statement may not be available today and therefore cannot be tested. (Appendix 3) Its depiction in the Definitive Map and Statement should give some weight as to its legal status, unless it can be shown, on the balance of probabilities, an error was made. The bridleway was subject to an objection from The British Transport Commission in 1954 and supported by the applicant's father who therefore was available to provide either written or oral evidence at the subsequent Inquiry. Had there been good evidence that there was no bridleway at that time the Inspector who held the Inquiry, could have deleted the path from the draft map. In addition there has been no objection or challenge to the existence of this Bridleway until the present applicant appears to have obstructed the path in 1998.

List of Background papers

Footpaths file

Appendices

1-7 and Plans numbered 1 and 2

Recommendation

It is recommended that the application be refused and therefore no Modification Order is to be made.

Reason for proposed Decision

The applicant has been unable to show on the balance of probabilities that this bridleway did not have public path status in 1954.

Officer Contact

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COMPLIANCE STATEMENT

APPLICATION TO DELETE BRIDLEWAY NO 9 CLYNE AND MELINCOURT PURPOSE OF REPORT

(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 & Lifelong Learning	No Impact
Better Health & Wellbeing	No Impact
Environment & Transport	No Impact
Crime & 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.

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

1. The National Parks and Countryside Act of 1949 placed an obligation on all Councils to produce a Definitive Map and Statement. Parish Councils were given the task of surveying all routes they considered may have legal status. This resulted in the production of what has come to be known as the Parish Map (at the scale of 6" to 1 mile) and the all too often rather brief description of the path contained on small cards also known as the Parish Card. Some of the descriptions on these cards were more comprehensive than others but in combination with the paths depiction in the "Parish Map", they provide a useful record of what routes were considered to have public path status by 1954.
2. The information was passed to the former Glamorgan County Council, which collated the information and produced the first Draft Definitive Map which, in their opinion, reflected routes considered to be public rights of way on 14th September 1954, which became the "relevant date" of the first Definitive Map published in 1970.
3. The legislation required that the information gathered should be the subject of a series of reviews which would allow the public and landowners to make representations or objections to the inclusion or absence of routes in the various editions of these earlier Draft Maps and Definitive Map, along with the corresponding statements as and when they were published. The result was the production of the Initial Draft Map and Statement published in 1955, a Provisional Map and Statement published in 1964, the first Definitive Map and Statement published in 1970, the Draft Special Review of 1971, published in 1974 and the current Definitive Map and Statement published in 1988.

WILDLIFE AND COUNTRYSIDE ACT, 1981

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

- (2) As regards every definitive map and statement, the surveying authority shall:
 - (a) as soon as reasonably practical after the commencement date, by order make such modifications to the map and statement as appear to them to be requisite in consequence of the occurrence, before that date, of any of the events specified in sub-section 3; and
 - (b) as from that date, keep the map and statement under continuous review and as soon as reasonably practicable after the occurrence on or after that date, of any of those events, by order make such modifications to the map and statement as appear to them to be requisite in consequence of the occurrence of that event.
- (3) The events referred to in sub section (2) are as follows:-
 - (b) the expiration, in relation to anyway in the area to which the map relates of any period such that the enjoyment by the public of the way during that period raises a presumption that the way has been dedicated as a public path or restricted byway;
 - (c) the discovery by the Authority of evidence which (when considered with all other relevant evidence available to them) shows:
 - (i) that a right of way which is not shown on the map and statement subsists or is reasonably alleged to subsist over land in the area to which the map relates, being a right of way such that the land over which the right subsists is a public path, a restricted byway or, subject to section 54A a byway open to all traffic;
 - (ii) that a highway shown in the map and statement as a highway of a particular description ought to be there shown as a highway of a different description.
 - (iii) that there is no public right of way over land shown in the map and statement as a highway of any description ,or any other particulars contained in the map and statement require modification.

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

1. This Council must be satisfied that the existing entry in the Definitive Map and Statement is incorrect. This means that the evidence should show a mistake was made at the relevant date of the First Definitive Map, which in this case is 14th September 1954.
2. The provisions of Section 32(4)(b) to the National Parks and Access to the Countryside Act 1949 required the Authority to produce a Definitive Map and Statement. Section 56(1)(b) and (d) of the Wildlife and Countryside Act 1981 provides that, “the Definitive Map and Statement shall be conclusive evidence as to the particulars contained therein to the following extent, where the map shows a footpath the map should be conclusive evidence that there was at the relevant date a highway as shown on the map...”. So if a challenge is being made to an entry to the Map and Statement the evidence must show a mistake was made at the earliest relevant date which is the first date the path was recognised as having legal status.
3. The question therefore is what is considered sufficient evidence to show that such a mistake had been made. The 1981 Act permits a correction to be made when evidence is discovered and considered with all other relevant evidence and so a decision has to be made on the balance of probabilities that an error had been made.
4. The real difficulty lies when the evidence upon which the entries were made into the Definitive Map have been lost or that record is incomplete. This is a common predicament that this and other Authorities face, as once the procedure for finally showing a public right of way has been completed the conclusivity of the Map and Statement would have led many Authorities to be less concerned on retaining the reasons for its final inclusion. Nonetheless as a result of previous case concerning R -v- S for Environment ex parte Simms and Burrows (1990), such deletions, or downgrading and other amendments are deemed possible.

5. The issue therefore is what weight is to be given to the entry into the original map especially when the evidence which led to its inclusion is absent. It was a document prepared pursuant to an Act of Parliament and which was to be an authoritative record, it required various stages leading up to its preparation to be satisfied and gave landowners several opportunities to challenge any proposed entry. It should also be borne in mind that the map was prepared at a time when one could find local people whose memories went back very much further than today's residents.
6. This issue was addressed at the Court of Appeal concerning the case of *Trevelyan -v- Secretary of State for the Environment* (2000). It concluded there must be an initial presumption in favour of the existence of that public right of way and unless there is evidence to the contrary, it should be assumed the proper procedures were followed and that evidence did exist which made it seriously arguable that the right subsisted at the relevant date, even if no trace of that evidence survives.
7. Welsh Office Circular 45/90 on 'Modifications to the Definitive Map', advises that: 'in making an application for an order to delete...a right of way, it will be for those who contend that there is no right of way..., to prove that the map is in error by the discovery of evidence, which when considered with all other relevant evidence clearly shows that a mistake was made when the right of way was first recorded. ...it is not for the authority to demonstrate that the map is correct, but for the applicant to show that an error was made.'
8. Welsh Office Circular 5/93 on 'Public Rights of Way' states that: 'Surveying authorities, whenever they discover or are presented with evidence which suggests that a definitive map and statement should be modified, are required to take into consideration all other relevant evidence available to them concerning the status of the right of way involved. Moreover, before making an order they must be satisfied that the evidence shows on the balance of probability that a right of way...shown on the map is not in fact a public right of way. The mere assertion, without supporting evidence, that a right of way does not exist would be insufficient to satisfy that test.'

STATEMENT OF RIGHTS OF WAY OFFICER DATED 19th AUGUST 1998 &
ACCOMPANYING PLAN

STATEMENT OF WITNESS

Statement of Rowan Michael Williams

Age Over 18

This statement (consisting of 3 pages each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

Dated the 19th day of August, 1998

Signature: *Rowan Williams*

I am Rowan Michael Williams and I have been employed as a Rights of Way Officer since 1986; initially by West Glamorgan County Council and since April 1996 by Neath Port Talbot County Borough Council.

The Council has a duty under Section 130 of the Highways Act 1980 to assert and protect the public right to use those paths shown in the Definitive Map of Public Rights of Way. I attach a copy of the current edition of the Definitive Map insofar as it relates to bridleways 6 and 9 and footpath 10 in the Community of Clyne, I have coloured those sections of those footpath which cross Miss Williams' land.

Re W

EXHIBIT NO 1.

The National Parks and Access to the Countryside Act 1949 placed a duty on County Councils to produce the first Definitive Maps and the former Glamorgan County Council was assisted in this task by the various Parish Councils in its administrative area.

Those Parishes carried out their surveys in about 1952. These formed part of the first Definitive Map which was published in 1954 and which shows bridleways 6 and 9 and footpath 10 crossing what is now Miss Williams' land. Public notices of

Signature: *Rowan Williams*

the creation of the Map were placed in all newspapers circulating in Glamorgan at that time and a Public Inquiry would have been held if anyone disputed the existence of such a right of way.

On the 21st of June 1996 a complaint was received from a resident of the village of Clyne that access to the public rights of way at Cefn-y-Gelli Farm was being denied. In particular bridleway number 9 was blocked by three barbed wire fences. Footpath number 10 by a sealed gate, and bridleway number 6 by two barbed wire fences and three sealed gates. I produce a map exhibit number 2, showing the position of these obstructions. All these obstructions are on the line of the bridleways and footpath where they cross over Miss Christine Williams' land.

On the 26th of June 1996 I called at the farm and met Miss Christine Williams. She gave me a number of reasons for denying access; essentially denying that there were public rights of way over her land. I advised her that if it was her belief that the paths were not public then she should enter an application for their removal from the Definitive Map under the provisions of the Wildlife and Countryside Act 1981.

On the 5th of July 1996 I wrote to Miss Williams supplying her with the necessary forms to make such an application. I produce a copy of the letter as exhibit number 3.

I subsequently carried out a further inspection of the path and noted that none of the obstructions had been removed.

Signature.....

On the 20th of November 1996 I again wrote to Miss Williams and produce a copy of this letter exhibit number 4.

In the absence of a reply I wrote again on the 25th of March 1997 and produce a copy of that letter exhibit number 5.

On the 16th of July 1997 and on the 4th of March 1998 the Council's Legal Section also wrote to Miss Williams requiring the removal of the obstructions a copy of these letters is produced as exhibit number 6.

I have checked the routes from time to time including on the 20th of May 1998 and I have noted that all the obstructions are still in place.

As I stated above the Authority is under a legal duty to ensure that the rights of way as shown on the Definitive Map are not obstructed. It is also an irrefutable presumption that all rights of way are shown on the Definitive Map are in fact public rights of way. If Miss Williams disagrees with the registration of these rights back in the 1950's then she should apply to have the Definitive Map modified to exclude them. She has been given every opportunity to make such an application, upon receipt of which any evidence she could provide would be carefully considered. However, she has to date failed to do this and the rights remain blocked.

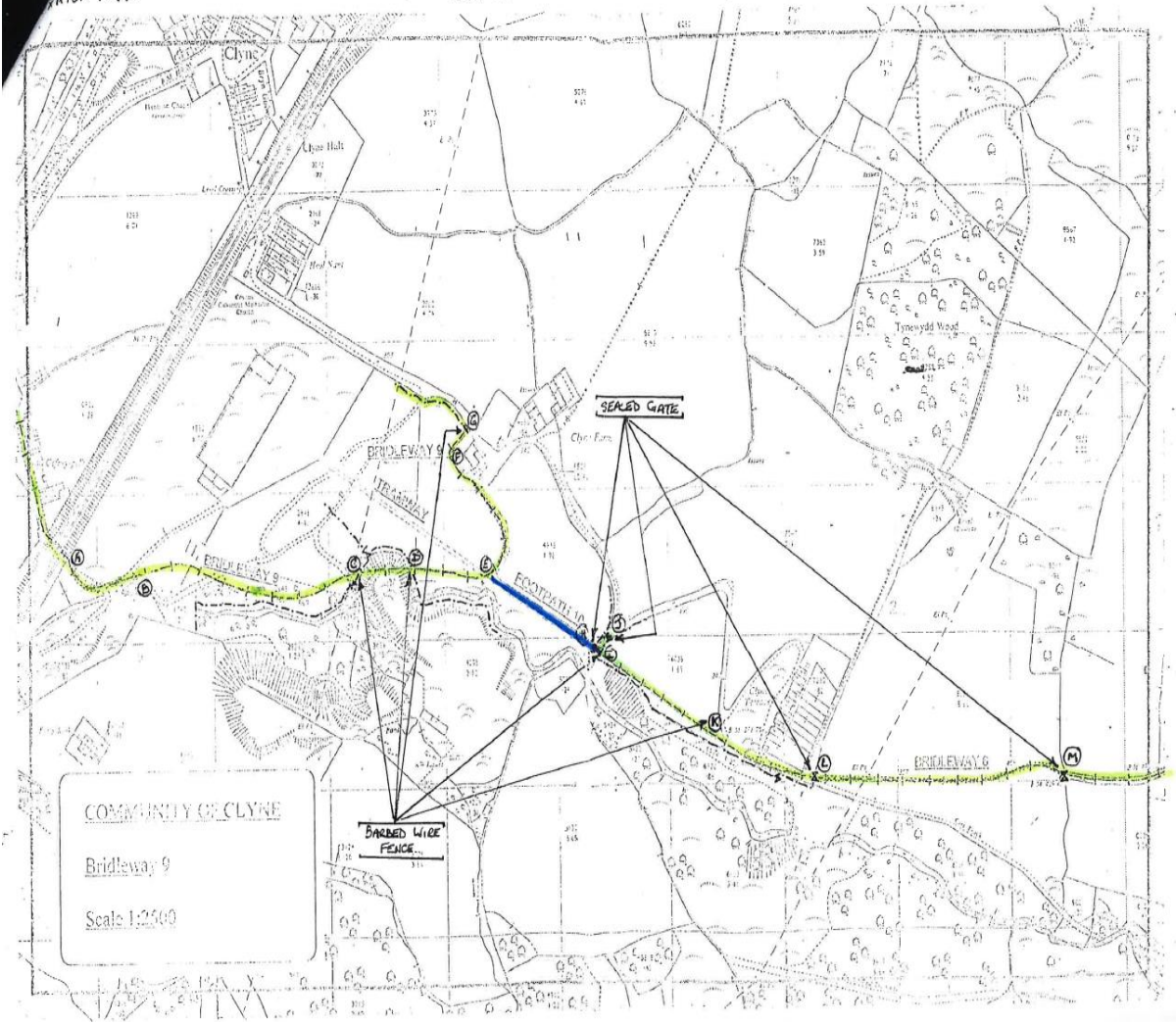
Consequently, on the 22nd of April the Council's Technical Services Committee resolved that as no Modification Order had been sought and yet the rights of way remain blocked Miss Williams should be prosecuted for obstructing bridleways 6 and 9 and footpath 10.

Signature.....

lit98/misc98/rmwillia

EXHIBIT No. 8.

MAP 5



ORDNANCE SURVEY MAPS

- 1 The creation of the Ordnance Survey is reflected in its name, which was the original military purpose of the organisation, in the first instance in mapping Scotland at the time of the creation of the United Kingdom following many centuries of conflict and later during the Napoleonic Wars, when there was a threat of invasion from France. As such, the Ordnance Survey was not tasked with identifying any public highways. In certain areas, the first edition of the Ordnance Survey was accompanied by a book for each Parish, which gave the land use of each separately numbered parcel on the map, one of which was Public Road.
- 2 The status of routes shown on early OS maps is still a matter of debate at Public Inquiries. Guidance by the Planning Inspectorate (Definitive Map Orders: Consistency Guidelines, 4th Ed. Feb 2011, Section 12) explains the relevance of tracks shown on early editions of the OS Map. “From 1888, Ordnance Survey maps carried a disclaimer to the effect that the representation of a track or way on the map was not evidence of the existence of a public right of way”
- 3 The guidance continues “later OS surveys and maps...clearly provide an accurate representation of routes on the ground at the time of the survey. However, it should be emphasised that the depiction of a way on an OS map is not, of itself, evidence of a highway. The courts have treated Ordnance Survey maps as not being evidence of the status of the way”. In the case of Attorney-General v Antrobus [1905] Farewell J states:
“such maps are not evidence on questions of title, or questions whether a road is public or private, but they are prepared by officers appointed under the provisions of the Ordnance Survey Acts, and set out every track visible on the face of the ground, and are in my opinion admissible on the question whether or not there was in fact a visible track at the time of the survey”.
- 4 In Moser v Ambleside Urban District Council [1925] Pollock MR stated:
“If the proper rule applicable to ordnance survey maps is to be applied, it seems to me that those maps are not indicative of the rights of the parties, they are only indicative of what are the physical qualities of the area which they delineate...”

- 5 In Norfolk CC v Mason [2004] NR205111, Cooke J states:
“Throughout its long history the OS has had a reputation of accuracy and excellence....It has one major, self-imposed, limitation; it portrays physical features, but it expresses no opinion on public or private rights...”

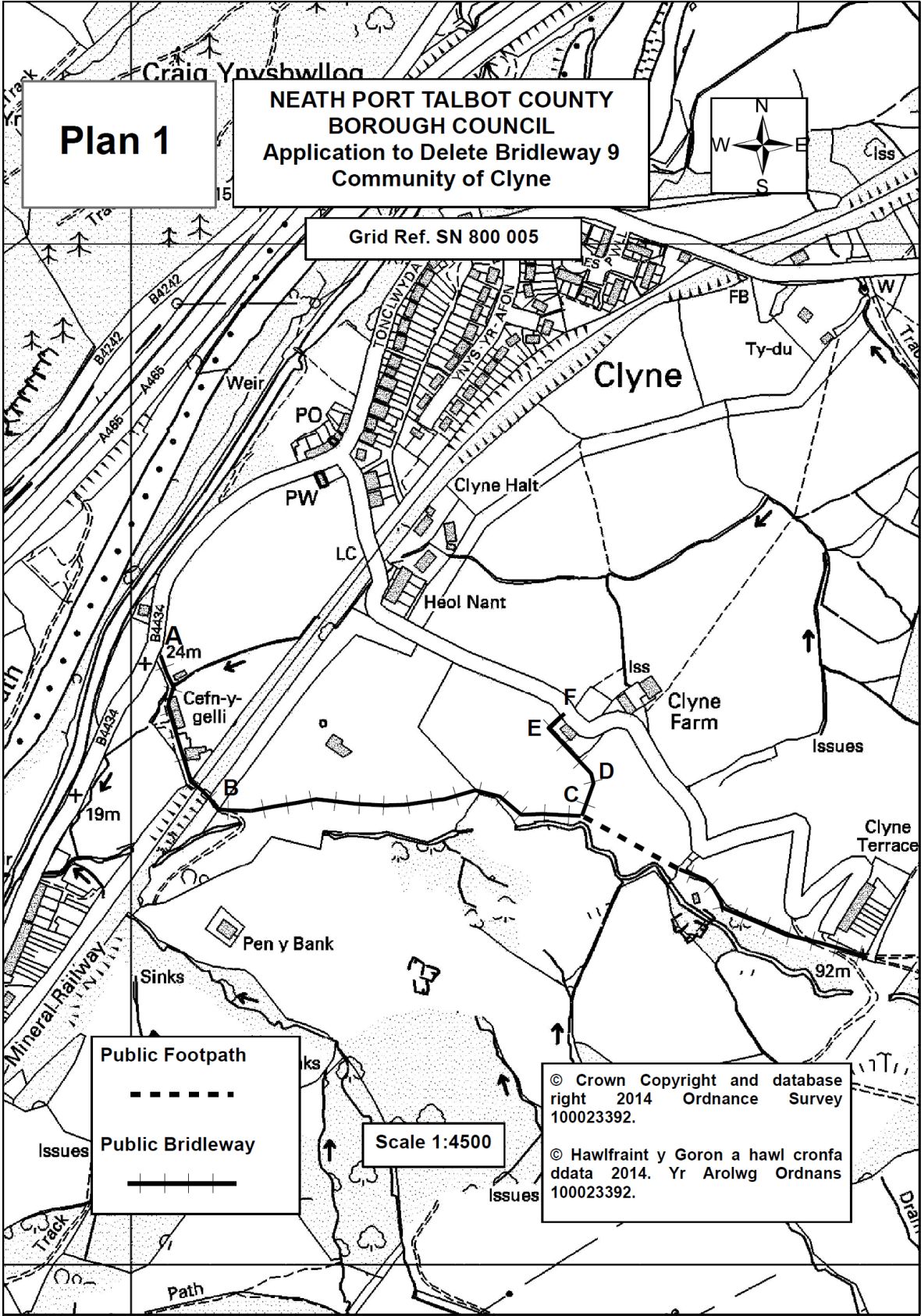
- 6 The guidance finishes with the caveat “Nevertheless, the inclusion of a route on a series of OS maps can be useful evidence in helping to determine the status of a route, particularly when used in conjunction with other evidence.”

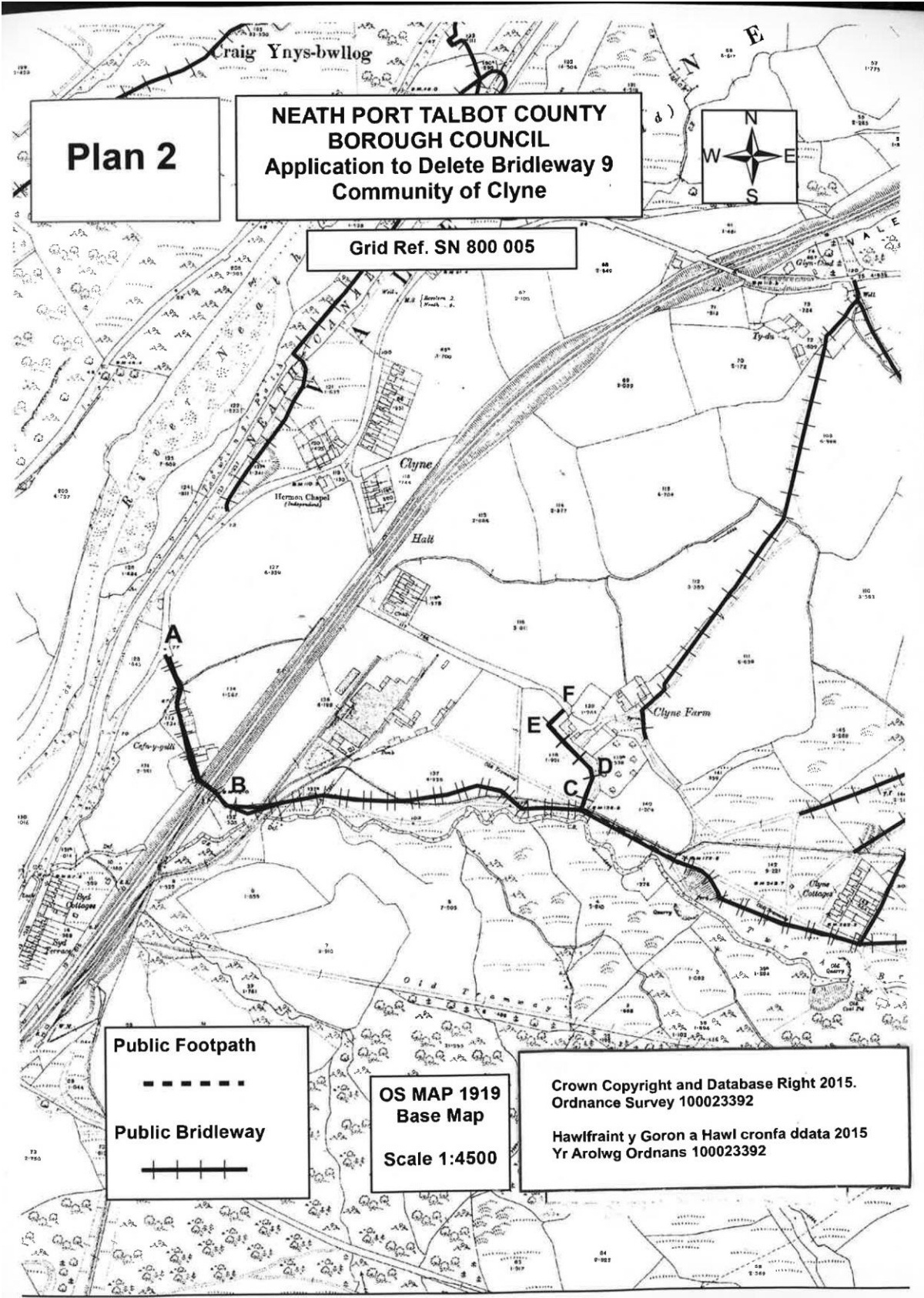
TITHE APPORTIONMENT AND PLANS

Until the nineteenth century most land was subject to a church tithe which was one tenth of the annual produce of the land which had to be given to the church. The Tithe Commutation Act of 1836 provided that all tithes were converted into a fixed money rent. All land was assessed for the value of its average produce and each field to be accurately measured and recorded in an apportionment book along with the tithe plans. It was prepared under statutory authority by the Tithe Commissioners to show all cultivated land arable and pasture because tithe was payable on land which produced crops. It also had to show waste land and definitive roads which did not produce crops because tithe was not payable on these. If a road or public way passed through the land, a landowner may well require it to be shown so as not to pay tithe on it. As far back as 1989, the Department of Environment Guidance Notes stated “although solely concerned with identifying titheable lands, the maps do mark roads quite clearly as untitheable, thus can provide useful supporting evidence when taken in conjunction with appropriate schedules”.

EXPLANATION OF FINANCE ACT 1910

- 1 This enabled a tax to be levied on the incremental value of the site itself excluding any increase in value arising from things on the land such as crops and buildings. The tax was to be paid every time the land changed hands.
- 2 Land Evaluation Officers were appointed whose task it was to plot and record every piece of land. In assessing the value of the land a deduction was made for the amount by which the gross value would be diminished if sold subject to any public rights of way.
- 3 Where it came to the disposal of land, a landowner could not claim a deduction if the deduction could have been but was not claimed on the original site value. It should also be noted that valuers would have been reluctant to show any land as public ways if the land could be assessed for duty, and in fact would have been negligent to do so.





Plan 2

**NEATH PORT TALBOT COUNTY
BOROUGH COUNCIL**
Application to Delete Bridleway 9
Community of Clyne



Grid Ref. SN 800 005

Public Footpath
- - - - -
Public Bridleway
= = = = =

**OS MAP 1919
Base Map**
Scale 1:4500

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Ordnance Survey 100023392
Hawffraint y Goron a Hawl cronfa ddata 2015
Yr Arolwg Ordnans 100023392

NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

Environment & Highways Cabinet Board

17th September 2015

Report Of The Head Of Planning

- N.Pearce

Matter for Decision

Wards Affected: All Wards

Active Travel (Wales) Act – Consideration of: The Requirements of The Active Travel (Wales) Act 2013; The Existing Route Map for Neath Port Talbot; and Consultation on The Existing Route Map

Purpose of the Report

- 1 To consider the requirements for the delivery of the Active Travel (Wales) Act 2013; to agree the Existing Route Map for Neath Port Talbot; and to authorise a public consultation exercise on the Existing Route Map.

Executive Summary

- 2 The Active Travel (Wales) Act 2013 makes it a legal requirement for the Council to map and plan for suitable routes for active travel within the following settlements: Neath, Port Talbot, Pontardawe, Croeserw, Cymmer, Brynamman, Gwaun Cae Gurwen, Blaengwrach, Glynneath, Cwmafan, Seven Sisters and Resolven.
- 3 A draft 'Existing Route Map' has been prepared indicating the existing routes that provide for active travel journeys and meet the requirements set by Welsh Government – the map includes a total of 21 cycle routes and 58 pedestrian routes.
- 4 The Council is required to consult on the Existing Route Map to determine whether it is fit for purpose.
- 5 The report seeks endorsement of the Existing Route Map and the approval of the consultation arrangements.

Background

- 6 In November 2013, the Welsh Government introduced the Active Travel (Wales) Act 2013 (*the Act*) which makes it a legal requirement for local authorities in Wales to map and plan for suitable routes for active travel within certain settlements specified by Welsh Government in the County Borough.
- 7 Active Travel means walking and cycling for everyday short-distance journeys, such as journeys to school, work, or for access to shops or services. Active travel does not include journeys purely made for recreation or social reasons.
- 8 The Act requires local authorities to prepare and publish the following two maps:
 - **Existing Route Map (ERM)** – primarily intended to inform the public of the existing routes in the County Borough that the Council considers suitable for active travel by the Welsh Government standards. To be submitted to the Welsh Government for approval by 22nd January 2016; and
 - **Integrated Route Map (IRM)** – required to set out the Council's plans for the next 15 years and is mainly a tool to enhance the forward planning of active travel and to support infrastructure development planning. To be submitted to the Welsh Government for approval by 24th September 2017.

Accordingly at this stage, this report only considers the emerging ERM.

Existing Route Maps

- 9 It should be noted that the purpose of the ERM is not to show all walking and cycling routes across the County Borough. The ERM only indicates the existing routes that provide for active travel journeys and meet the requirements set by Welsh Government. The points below summarise the definition of an active travel route:
 1. A route that is suitable for walking and cycling (including the use of mobility scooters);
 2. A route that is within or links to the settlements across the County Borough as designated in the Welsh Government's Active Travel (Wales) Act 2013. These settlements include **Neath, Port Talbot, Pontardawe, Croeserw, Cymmer, Brynamman, Gwaun Cae**

Gurwen, Blaengwrach, Glynneath, Cwmafan, Seven Sisters and Resolven;

3. A route that fits with the definition of what constitutes an active travel journey – i.e. *‘a journey made to or from a workplace or educational establishment or in order to access other services or facilities’*. The route has to connect to facilities and services and be suitable for utility, everyday journeys. It does not cover routes or sections of routes that are just used for leisure or recreational purposes; and
 4. A route that the Council considers fit for purpose in line with the requirements of the Welsh Government’s ‘Design Guidance Active Travel (Wales) Act 2013’.
- 10 Members should note that the ERM can only include active travel routes that satisfy each of the four points detailed above. However, some routes indicated on the map may form part of a longer distance network used for all journey purposes, including leisure and recreation.

Neath Port Talbot Existing Route Map

- 11 The preparation of the draft ERM for Neath Port Talbot has been carried out in partnership with Sustrans and has followed three stages:
- 12 **Stage 1: Identification of Routes for Auditing** – working with the initial Welsh Government survey data, walking and cycling routes were identified for auditing in the prescribed settlements. This stage included data verification to ensure that the initial survey data is as accurate as possible and fit for purpose.
- 13 **Stage 2: Auditing of Existing Routes** – the route audit work included walking and cycling the selected routes from the first stage and scoring against the design guidance for the Act. This allocated an overall rating to each section and where applicable, captured any information for the associated statements.
- 14 **Stage 3: Preparation of Draft ERM (Cycle & Pedestrian Routes)** – following the audit, the draft ERM has been prepared including where relevant a narrative for the accompanying statements for any routes which do not meet the standards but are still considered suitable for inclusion on the map or why routes have been excluded.
- 15 In terms of an overview, the draft ERM for Neath Port Talbot includes:
 - **10** cycle routes that meet the standard;

- **10** cycle routes (with statements) that although failed to meet the standard, have been considered suitable for inclusion on the map;
- **35** pedestrian routes that meet the standard; and
- **17** pedestrian routes (with statements) that although failed to meet the standard have been considered suitable for inclusion on the map.

16 **Appendix 1** presents a comprehensive schedule of all routes proposed for inclusion in the draft ERM and **Appendix 2** provides maps indicating the geographical distribution of these routes.

Consultation

17 The preparation of the Active Travel Maps has been included in the Forward Work Programme.

18 The Council is required to consult on the ERM with the purpose of the consultation being to enable the public and all interested parties to be involved in determining if the first ERM for Neath Port Talbot is fit for purpose.

19 The consultation will be held over a period of 12 weeks and will be run in partnership with Sustrans. The aim will be to reach all appropriate audiences required by the delivery guidance including children / young people and those groups with protected characteristics under the Equalities Act 2010.

20 The consultation will be promoted and facilitated through a variety of means:

- A Press Release will be issued;
- A Questionnaire will be provided to gather data on the journeys that people are making on existing routes, feedback on the quality of existing infrastructure and/or any issues or areas for improvement, and feedback on the usefulness of potential routes;
- The Council's website will provide all relevant information and documentation, including direct links to an interactive online questionnaire;
- Information will be made available at each of the Civic Centres and all libraries across the County Borough; and
- Correspondence will be sent to all relevant individuals, stakeholders, organisations and schools (Primary and Secondary) describing the

purpose of the consultation, identifying where more information can be obtained and how representations can be made.

- 21 In accordance with the Authority's Welsh Language Scheme all publicity / communication will be bilingual. Responses will be in the language used by the respondent. The supporting background technical documentation will not be translated.
- 22 The maps will be available for purchase at a reasonable charge. In common with previous practice, it is suggested that the price be based on the cost of printing together with post and package at the prevailing cost. Electronic copies will be made available at no cost.

Project Timetable

23 The projected timetable for proposal implementation is as follows:

- ERM Consultation (12 weeks) – 21st Sept to 14th Dec 2015;
- Consultation Report – January 2016; and
- ERM Submission to Welsh Government – 22nd January 2016.

Financial Impact

24 Funding to create and consult on these maps has been provided by the Welsh Government as part of the Local Transport Fund. Costs will therefore be accommodated within existing budgets.

Equality Impact Assessment

25 In order to assist the Council in discharging its Public Sector Equality Duty under the Equality Act 2010, an Equality Impact Assessment Screening Exercise has been carried out. The Screening Exercise concluded that there is no requirement to carry out an additional separate exercise.

Workforce Impacts

26 There are no workforce impacts in respect of this report.

Legal Impacts

27 The report addresses the legal requirement for the Council to map and plan for suitable routes for active travel within certain settlements specified by Welsh Government in the County Borough.

Risk Management

28 The Council will be in breach of its legal requirement to prepare and publish Active Travel maps should there be a failure to implement the proposed recommendations.

Recommendation

29 That having considered the report, it is resolved to make the following recommendations for approval:

1. The ERM summarised in the main body of the report and presented in Appendices 1 and 2 be agreed.
2. The engagement, consultation and document preparation arrangements as set out in the report are implemented.

Reasons for Proposed Decision

30 The recommendations are needed to:

1. Ensure compliance with the requirements of the Active Travel (Wales) Act 2013.
2. Authorise the public consultation exercise on the ERM and related tasks.

Implementation of Decision

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

Appendices

32 Appendix 1 – Schedule of Routes on the Existing Route Map

33 Appendix 2 – Existing Route Maps

List of Background Papers

- 34 The Active Travel (Wales) Act 2013.
- 35 Statutory Guidance for the Delivery of the Active Travel (Wales) Act.
- 36 The Active Travel (Wales) Act 2013 – Design Guidance.

Officer Contact

- 37 Ceri Morris – Interim Planning Policy Manager
Tel: 01639 686320
E-mail: c.morris1@npt.gov.uk

Appendix 1 – Schedule of Routes on The Existing Route Map

Settlement	Reference	Type	Destination	% Audit Score	
Blaengwrach	NPT-BLAE-P002	Pedestrian	Blaengwrach Infants School to High Street via Edwards Street	76	
Blaengwrach	NPT-BLAE-P003	Pedestrian	Blaengwrach Primary School to Residential Area / High Street	71	
Bryncoch	NPT-BRYN-P001	Pedestrian	Wauinceirch Primary School to Blaenhonddan Primary School Inc Residential Areas	82	
Bryncoch	NPT-BRYN-P002	Pedestrian	2 Residential Areas linking in Blaenhonddan Primary School	71	
Bryncoch	NPT-BRYN-P003	Pedestrian	2 Residential Areas Linking In Ysgol Maes Y Coed	65	STATEMENT
Cilfrew	NPT-CIL-P001	Pedestrian	Neath Abbey/ Residential Area to Catwg Primary School	71	
Cilfrew	NPT-CIL-P002	Pedestrian	Catwg Primary School to Llangatwg Community School	74	
Cilfrew	NPT-CIL-P003	Pedestrian	Llangatwg Community School to Cilfrew Primary School	76	
Cilfrew	NPT-CIL-P004	Pedestrian	Cilfrew Primary School to Aberdulais via Swn-Yr-Afon	79	
Croeserw	NPT- CROE-P001	Pedestrian	Croeserw Industrial estate to Croeserw Primary School	76	
Croeserw	NPT- CROE-P002	Pedestrian	Croeserw Primary School to Residential Area	76	
Croeserw	NPT- CROE-C001	Cycle	Croeserw to Cymmer	82	
Croeserw	NPT- CROE-C002	Cycle	Croeserw to Caerau via Menai Avenue	54	STATEMENT
Cwmafan	NPT-CWM-P002	Pedestrian	Residential Area to Cwmafan Infants & Junior School via Ty'r- Owen	65	STATEMENT
Cwmafan	NPT-CWM-P003	Pedestrian	Cwmafan Infants & Junior School to Cwmafan Health Centre (Doctors)	94	
Cwmafan	NPT-CWM-P005	Pedestrian	Cwmafan Health Centre (Doctors) to Residential Area via Salem Road	76	
Cwmafan	NPT-CWM-C001	Cycle	Ty'r-Owen Road (Cwmafan Infants & Junior School) to Cwmafan Road	74	
Cwmafan	NPT-CWM-C002	Cycle	Ty'r-Owen Road (Cwmafan Infants & Junior School) to Tarren Terrace	70	
Cymmer	NPT-CYM-P002	Pedestrian	Cymer Afan Primary School to Residential Area / Station Road	74	
Cymmer	NPT-CYM-C002	Cycle	Route From Duffryn To Cymer Afan Comprehensive School	72	
Cymmer	NPT-CYM-C003	Cycle	NCN linking to Cymer Afan Comprehensive School & Croeserw	46	STATEMENT
Glynneath	NPT- GLYN-P001	Pedestrian	Residential Area to Cwmnedd Primary Schools via Park Avenue	74	
Glynneath	NPT- GLYN-P002	Pedestrian	Cwmnedd Primary School to Doctors Surgery and Pharmacy	82	

Glynneath	NPT-GLYN-P003	Pedestrian	Residential area to Doctors Surgery and Pharmacy via High Street	61	STATEMENT
Gwaun-Cae-Gurwen	NPT-GCG-P001	Pedestrian	Residential Area to Gwaun Cae Gurwen Primary School via Brynamman Road	79	
Cwmgors	NPT-GCG-P003	Pedestrian	Residential Areas linking to Cwmgors Primary School via Heol-Y-Gors	74	
Lower Brynamman	NPT-LBA-C001	Cycle	Lower Brynamman to Twyn Via Amman Valley Cycle route.	75	
Neath	NPT-NEA-P0040	Pedestrian	Neath Train Station to Neath Civic Centre	91	
Neath	NPT-NEA-P0090	Pedestrian	Church Street / Shelone to NPT-PT-P0080	63	STATEMENT
Neath	NPT-NEA-P00120	Pedestrian	Angel Street to Dwr Y Felin Comprehensive School	55	STATEMENT
Neath	NPT-NEA-C0080	Cycle	Council Offices The Quays to Baglan Energy Park	70	
Neath	NPT-NEA-C00100	Cycle	NCN47 / NCN4 - Baldwin's Crescent (Bay Campus)	69	STATEMENT
Neath	NPT-NEA-C00110	Cycle	NCN4 Baldwin's Crescent to NCN4 Ffordd Amazon	74	
Neath Abbey	NPT-NAB-P001	Pedestrian	Residential / commercial area to Dwr Y Felin Comprehensive School & Neath College	58	STATEMENT
Neath Abbey	NPT-NAB-P002	Pedestrian	Dwr y Felin Comprehensive School & Neath College to Waunceirch Primary School	47	STATEMENT
Neath Abbey	NPT-NAB-P003	Pedestrian	Dwr Y Felin Comprehensive School & Neath College To Cadoxton	50	STATEMENT
Pontardawe	NPT-PON-P0010	Pedestrian	Clydach - Cwmtawe School, retail Park & Pontardawe Leisure Centre	85	
Pontardawe	NPT-PON-P0020	Pedestrian	Pontardawe Retail Park to Pontardawe Town Centre	85	
Pontardawe	NPT-PON-P0090	Pedestrian	Ystalyfera to Supermarket	66	STATEMENT
Pontardawe	NPT-PON-P00110	Pedestrian	Godre'r Graig Village Route	73	
Port Talbot	NPT-PT-P0010	Pedestrian	Port Talbot Steel Works	78	
Port Talbot	NPT-PT-P0020	Pedestrian	Neath Port Talbot College	83	
Port Talbot	NPT-PT-P0030	Pedestrian	Port Talbot Steel Works	50	STATEMENT
Port Talbot	NPT-PT-P0040	Pedestrian	Taibach Centre (including Central Primary School)	64	STATEMENT
Port Talbot	NPT-PT-P0050	Pedestrian	Port Talbot Steel Works	83	
Port Talbot	NPT-PT-P0060	Pedestrian	NPT Council Offices / Port Talbot Town Centre - Port Talbot Parkway	85	
Port Talbot	NPT-PT-P0070	Pedestrian	Port Talbot Town Centre - Felindre (Route 887)	84	
Port Talbot	NPT-PT-P0080	Pedestrian	Port Talbot Parkway	65	STATEMENT

Port Talbot	NPT-PT-P0090	Pedestrian	PDR Pedestrian Route - Port Talbot Steel Works to Port Talbot Station via NCN4	75	
Port Talbot	NPT-PT-P00140	Pedestrian	Retail Park - Junction Fairway Road / Southdown Road	59	STATEMENT
Port Talbot	NPT-PT-P00150	Pedestrian	Sandfields Comprehensive School - Southdown Road Subway	62	STATEMENT
Port Talbot	NPT-PT-P00180	Pedestrian	Magistrates Court	83	
Port Talbot	NPT-PT-C0010	Cycle	Port Talbot Parkway to Margam (Port Talbot Parkway / Taibach / Tata Offices)	84	
Port Talbot	NPT-PT-C0020	Cycle	NCN4 & Port Talbot Steel Works (Port Talbot Steel Works)	67	STATEMENT
Port Talbot	NPT-PT-C0040	Cycle	Port Talbot Civic Centre to Route 887 (Villiers Street)	79	
Port Talbot	NPT-PT-C0080	Cycle	Riverside Road to Scarlet Avenue	52	STATEMENT
Port Talbot	NPT-PT-C0090	Cycle	Afan Way	76	
Port Talbot	NPT-PT-C00110	Cycle	Scarlet Avenue / Purcell Avenue to Youth Centre	60	STATEMENT
Port Talbot	NPT-PT-C00130	Cycle	NCN4 The Quays to Baglan Train Station	69	STATEMENT
Port Talbot	NPT-PT-C00150	Cycle	Bus Station via Courts	64	STATEMENT
Port Talbot	NPT-PT-C00160	Cycle	Hospital link	60	STATEMENT
Resolven	NPT-RES-P002	Pedestrian	Industrial park / works to Commercial Road via John Street	71	
Seven Sisters	NPT-SEV-P003	Pedestrian	Residential Area to Blaendulais Primary School via Heol Hen	71	
Skewen	NPT-SKW-P002	Pedestrian	Pen yr Heol Residential Area to Skewen Train Station	61	STATEMENT
Skewen	NPT-SKW-P003	Pedestrian	Residential Area / Wern Road to Coedffranc Primary School	74	
Skewen	NPT-SKW-P004	Pedestrian	Residential Area / Siding Terrace to Coedffranc Primary School	71	
Skewen	NPT-SKW-P005	Pedestrian	Residential Area / Dynevor Road to Skewen Strain Station	76	
Skewen	NPT-SKW-P006	Pedestrian	Coedffranc Primary School to Neath Abbey Infants school	65	STATEMENT
Tonna	NPT-TON-P001	Pedestrian	Residential Area to Tonnau Primary Community School	71	
Tonna	NPT-TON-P002	Pedestrian	Residential Area to Tonnau Primary Community School	74	
Tonna	NPT-TON-P003	Pedestrian	Tonna Hospital to Residential area in centre of Tonna	64	STATEMENT
Tonna	NPT-TON-C001	Cycle	NCN 47 Neath to Tonna (Henfaes Road) connections to Tonnau Primary Community School	63	STATEMENT

Appendix 2 – Existing Route Maps

Map 1: ERM – Brynamman & Gwaun Cae Gurwen

Map 2: ERM – Blaengwrach, Glynneath, Resolven & Seven Sisters

Map 3: ERM – Cymmer / Croeserw

Map 4: ERM – Cwmafan & Port Talbot

Map 5a: ERM – Neath (South)

Map 5b: ERM – Neath (North)

Map 6: ERM – Pontardawe (including Ystalyfera & Godre'r Graig)

Map 1 : ERM - Brynamman & Gwaun Cae Gurwen

Produced by the Active Travel web site. Gynhyrchwyd gan y wefan Teltŷio Llesol.

North West Wales Council
The Gwynedd Way
Llanfair-ym-Muallt
Gwynedd, LL55 2JH



Legend / Eglurhad

- Cycle Network / Rheolyddi Bectis
- Railway Lines / Rheolyddi Rheilffordd
- Railway Lines / Rheolyddi Rheilffordd
- Railway Lines / Rheolyddi Rheilffordd
- Railway Lines / Rheolyddi Rheilffordd
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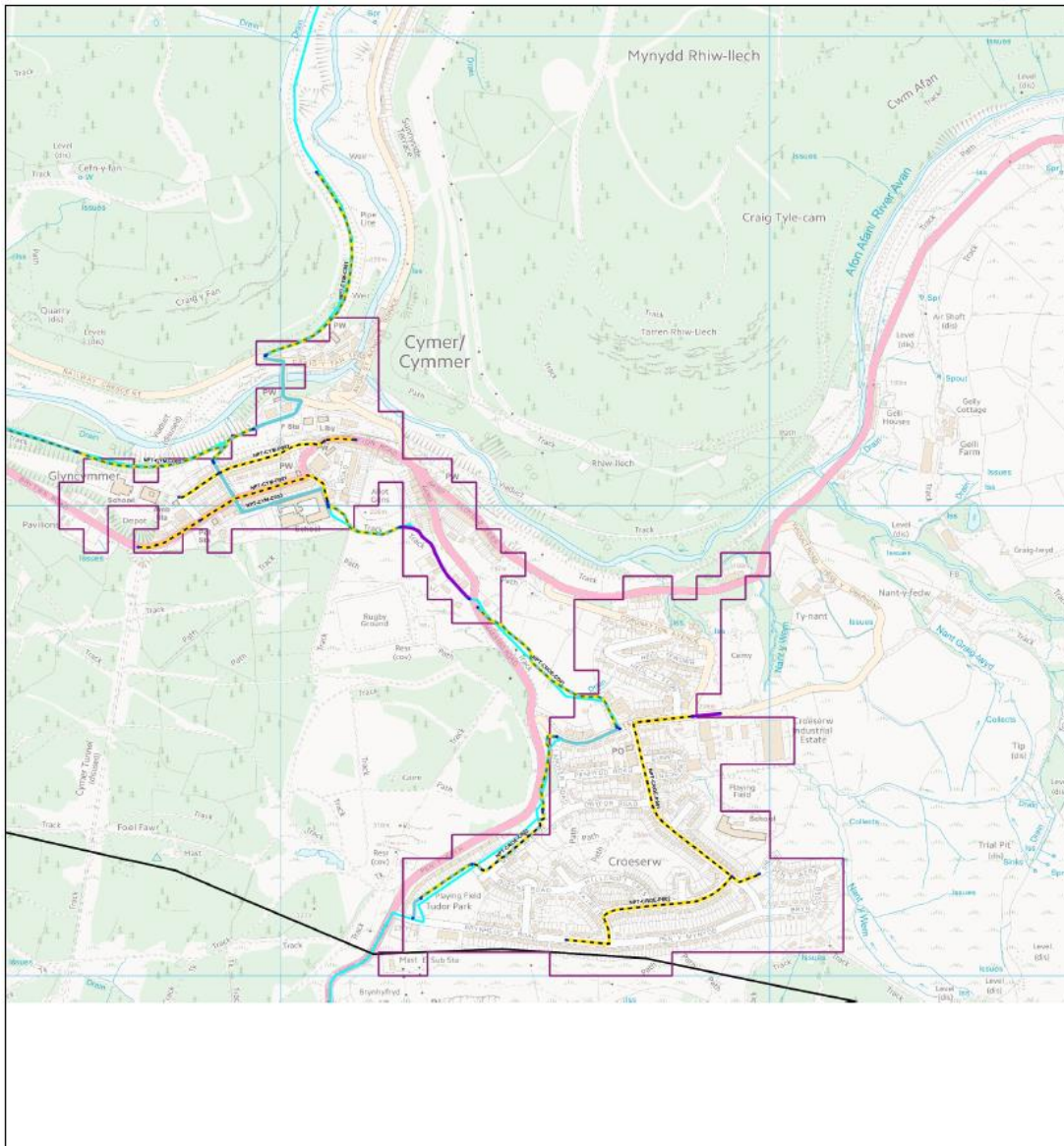
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Map 3: ERM- Cymmer & Croeserw

Produced by the Active Travel web site. Gynhyrchwyd gan y wefan Teblio Llaol.

North East Wales Council
The Cymmer, Rhwylle
Llanidloes, Powys, SY23 3AG



Legend / Eglurhad

- Active Travel Routes / Gynhyrchwyd Teblio Llaol
- Red line: Main route / Llinell coch: Prif ffordd
- Yellow line: Secondary route / Llinell melyn: Ffordd eiddo
- Purple line: Specific path / Llinell purpwr: Ffordd arbennig
- Blue line: Cycle Network / Blue Network / Llinell glas: Ffordd cerbydau
- Green line: Footpaths / Fforddys / Llinell gwyrdd: Fforddys
- Black line: Boundaries / Ffiniau / Llinell du: Ffiniau

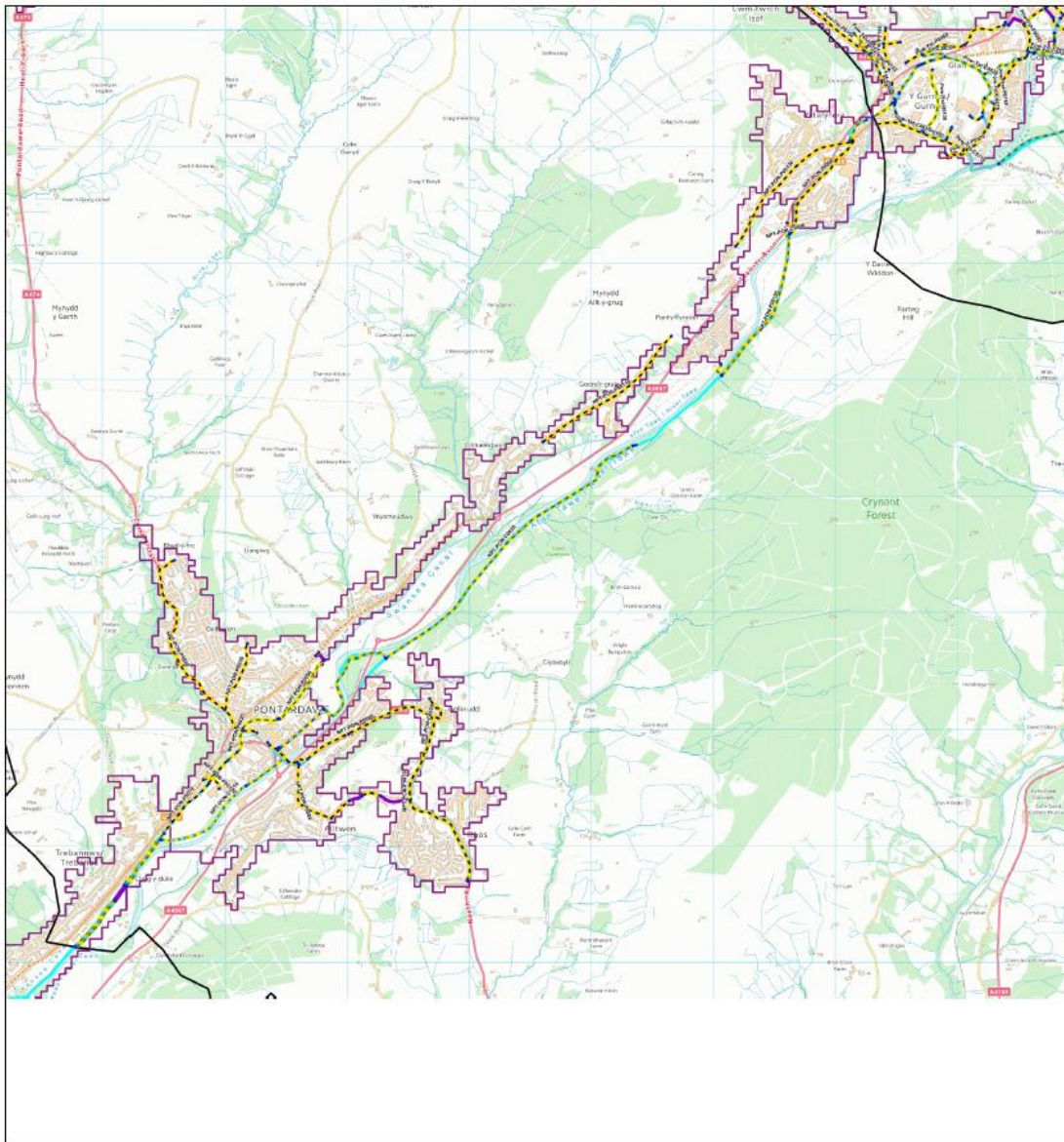
North Arrow

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Map 6: ERM- Pontardawe (Including Ystalyfera & Godre'r Graig)

Produced by the Active Travel web site. Gynhyrchwyd gan y wefan Teltio Usol.



Legend / Eglurhad

	Cyfeirnodau / Rheolyddiadau Bectol		Arddorwyr Aros / Rhwyddiadau Adroddol
	Ystalyfera a Godre'r Graig / Ystalyfera a Godre'r Graig		Arddorwyr Aros / Rhwyddiadau Adroddol

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NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

Environment and Highways Cabinet Board

17th September 2015

Report of the Head of Streetcare

- M.Roberts

Matter for Decision

Wards Affected: All Wards

Flood Risk Management Plan 2015 - 2021

Purpose of Report

- 1 To consider for approval the Council's draft Flood Risk Management Plan 2015 – 2021 for public consultation.

Background

- 2 The draft plan has been produced as part of fulfilling the Council's role as a Lead Local Flood Authority, a new duty placed upon the Authority under the Flood Risk Regulations 2009. Under the legislation a plan has to be in place by 22nd December 2015.
- 3 The Flood Risk Management Plan is the final element in a process set out under the Flood Risk Regulations 2009 which required the preparation of:
 - a) A Preliminary Flood Risk Assessment
 - b) Flood Hazard and Flood Risk Maps
 - c) A Flood Risk Management Plan

4 The plan links closely to Neath Port Talbot's Local Flood Risk Management Strategy, published during 2013, which followed items a) and b) above. It contains proposed measures at a local level that will help to reduce flood risk in the most 'at risk' locations. All measures included within the plan have been developed in line with the categories and associated guidance set out by National Resources Wales; that is:

- Preparing
- Preventing
- Protection
- Recovery and Review

5 The guidance is designed to ensure that NRW are able to publish the flood risk management plans prepared by the lead local flood authorities across Wales in a consistent manner.

6 The Flood Risk Management Plan covers flooding from surface water, ordinary water courses, ground water and the interface with river flooding. Flooding from main rivers, reservoirs and the sea remains the responsibility of NRW and their proposals can be found within the Western Wales River Basin Flood Risk Management Plan. The draft plan now needs to be subject to public consultation prior to being finalised and formally submitted to NRW by the deadline in December.

7 With respect to developing Flood Risk Management Plans generally, an Officer steering group meets approximately quarterly to review progress and allow the representatives of the LLFAs to share best practice.

Financial Impact

8 There is no direct financial impact as the proposed measures and schemes contained within the plan, with respect to the Council, are subject to the identification of resources to be considered as part of the service business plans and works programme.

Equality Impact Assessment

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

Workforce Impacts

- 10 None

Legal Impacts

- 11 Production of a Flood Risk Management Plan is a legislative requirement

Risk Management

- 12 Further to action the proposal would mean the Council is not in a position to submit a plan to NRW by the December deadline.

Proposals to enable measures to be put in place to reduce the risk of flooding in “at risk” locations.

Consultation

- 13 Public Consultation is the subject matter of this report.

Sustainable Development

- 14 Reducing flood risk has a role to play in promoting Sustainable Development, facilitating development in flood risk areas, reducing transport disruption and the like arising from flooding, and avoiding damage to property along with the associated distress that causes.

Appendices

- 15 Draft Flood Risk Management Plan Executive Summary which contains an on-line link to the full draft document.

Reasons for Proposed Decision

- 16 To enable the Council to fulfil its duty as Lead Local Flood Authority.

Recommendations

- 17 It is recommended that Members approve the attached draft Flood Risk Management Plan for public consultation

List of Background Papers

- 18 None

Officer Contact

- 14 Glenn Watkins – Drainage Manager
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Flood Risk Management Plan 2015 - 2021

Executive Summary

This document has been prepared by Neath Port Talbot County Borough Council in consultation with its flood risk partners in its role as a Lead Local Flood Authority to provide a coordinated response to flood risk within our communities.

The plan is the final process in a series of actions laid out under the Flood Risk Regulations 2009 which required the preparation of:

- A Preliminary Flood Risk Assessment
- Flood Hazard and Flood Risk Maps
- A Flood Risk Management Plan

It sets out how NPTCBC will, in conjunction with stakeholders as appropriate, manage flood risk over the next 6 years to ensure that economic, social and environmental benefits are maximised against the context of available resources. Furthermore, the plan takes forward the objectives and actions set out in our Local Flood Risk Management Strategy (published in June 2013) and the objectives set out in the Welsh Government's National Flood and Coastal Erosion Risk Management Strategy. These objectives focus on reducing the adverse consequences of flooding on human health, the environment, cultural heritage and economic activity. The plan highlights the areas most at risk of flooding from surface water and ordinary watercourses within the County Borough, draws conclusions from these risks, and sets out the proposed mitigation measures.

Preliminary Flood Risk Assessment and Mapping

A Preliminary Flood Risk Assessment was carried out in order to establish the level of flood risk across the area. The process looked specifically at flooding from surface water, ground water, ordinary

watercourses and the interface with flooding from main rivers (Main river flooding itself remaining the province of NRW).

In order for a consistent approach Welsh Government has identified a number of key risk indicators and associated thresholds to establish significant risk and to determine the existence of Flood Risk Areas.

The methodology was based upon the flood risk maps produced by the NRW to identify one kilometre squares where the flood risk exceeds a defined threshold. Furthermore the key flood risk indicator for establishing an indicative Flood Risk Area was set as the number of people at significant flood risk being greater than five thousand. As a result, an Indicative Flood Risk Area was identified within Neath Port Talbot covering 60km², (i.e. less than 10% of County Borough area) as shown on the following plan. (See overleaf)

It is noted that under the Flood Risk Regulations 2009, a Flood Risk Management Plan need only be prepared for an Indicative Flood Risk Area however, for completeness; the Council has expanded its researches to cover the whole County Borough.

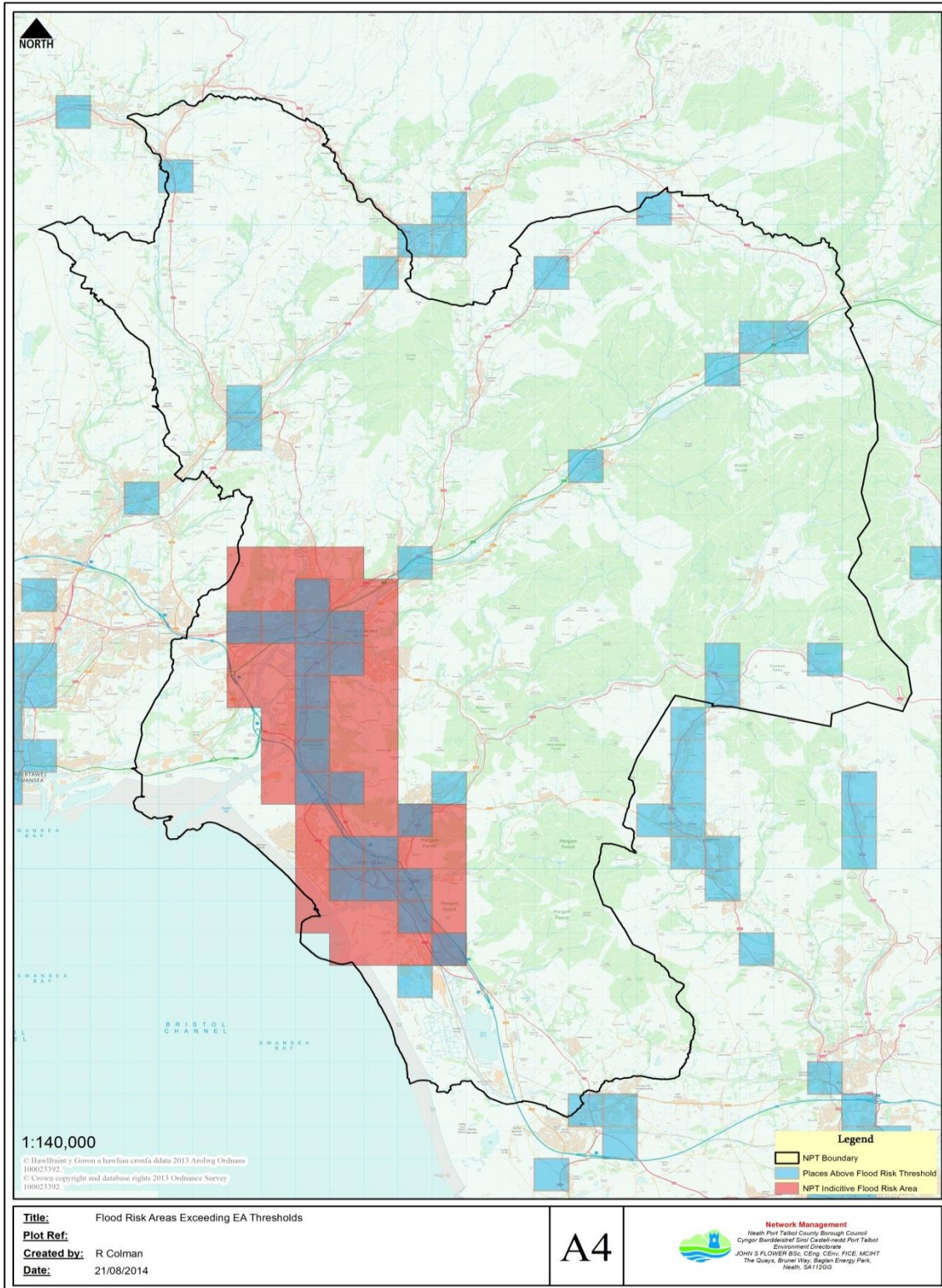


Figure 1: Indicative Flood Risk Areas within Neath and Port Talbot County Borough

Overview of assessed Surface Water Flood Risk for the County Borough

Type of Risk	Totals For NPTCBC	Totals For Flood Risk Area
Risk to People		
Residential Properties		
~~Properties	63764	35614
~~People (multiplier 2.35)	149845	83693
Services	132	57
Risk to Economic Activity		
Non-Residential Properties	16471	7154
Airports	0	0
Motorway/Trunk Roads <i>km</i>	105	50
Mainline Railways <i>km</i>	86	35
Agricultural Land - Grades 1, 2 & 3 <i>ha</i>	951.00	214.00
Risk to Natural & Historic Environment		
Bathing Waters	2	1
Environmental Permitting Regulations (EPR) Installations	16	5
Special Areas of Conservation (SAC) <i>ha</i>	161.00	0.00
Special Protection Areas (SPA) <i>ha</i>	0.00	0.00
Ramsar Sites <i>ha</i>	103.00	0.00
World Heritage Sites <i>ha</i>	0.00	0.00
Sites of Special Scientific Interest (SSSI) <i>ha</i>	937.00	3.00
Parks and Gardens <i>ha</i>	450.00	80.00
Scheduled Ancient Monuments <i>ha</i>	123.00	18.00
Listed Buildings	388	178
Licenced Abstractions (LA)	50	14

It is noted that the flood risk from surface water in NPTCBC as determined by modelling may be overstated as figures include properties, infrastructure and land at risk from flooding, and the

modelling by NRW does not incorporate the capacity of existing surface water culverts.

Communities assessed as most at risk from surface water flooding in Neath Port Talbot

Table 1: Communities most at Risk within the Indicative Flood Risk Area

Community	Percentage of Properties at Risk of Flooding	Number of Properties at Risk of Flooding	Population	Number of People at Risk of Being Flooded
ABERAVON	42.05%	1092	6103	2566
NEATH EAST	27.12%	879	7616	2066
BAGLAN	6.47%	853	7231	468
BRITON FERRY E	9.01%	232	3520	317
NEATH NORTH	10.84%	226	4897	531
TAIBACH	9.30%	208	5254	489
BRITON FERRY W	10.77%	172	3076	331
BRYN & CWMAVON	3.40%	101	6975	237
BRYNCOCH SOUTH	3.77%	97	6049	228
PORT TALBOT	2.85%	74	6105	174
TONNA	6.36%	66	2437	155
COEDFFRANC N	5.28%	54	2404	127
SANDFIELDS EAST	1.70%	54	7447	127
DYFFRYN	3.17%	46	3405	108
MARGAM	2.64%	34	3029	80
COEDFFRANC C	1.50%	27	4242	63
NEATH SOUTH	0.95%	20	4973	47
COEDFFRANC W	1.63%	19	2735	45
ABERDULAIS	0.71%	18	2305	16
BRYNCOCH NORTH	1.78%	17	5264	40
CADOXTON	2.20%	17	1814	40
CIMLA	0.72%	12	3943	28
SANDFIELDS WEST	0.37%	11	6970	26

Table 2: Communities most at Risk outside of the Indicative Flood Risk Area

Community	Percentage of Properties at Risk of Flooding	No. of Properties at Risk of Flooding	Population	Number of People at Risk of Being Flooded
GLYNNEATH	33.15%	538	3814	1264
BLAENGWRACH	16.35%	144	2070	338
YSTALYFERA	6.79%	101	3497	237
GLYNCORRWG	18.74%	95	1191	223
RESOLVEN	5.14%	75	3429	176
CYMMER	5.53%	70	2973	165
PONTARDAWE	2.36%	58	5779	136
GWAUN-CAE-GURWEN	3.79%	51	3165	120
RHOS	3.32%	36	2547	85
SEVEN SISTERS	2.99%	28	2202	66
CRYNANT	2.40%	21	2054	49
LOWER BRYNAMMAN	2.76%	17	1448	40
ONLLWYN	3.14%	17	1271	40
TREBANOS	2.38%	15	1483	35
GODREGRAIG	1.63%	12	1725	28
PELENNNA	1.49%	8	1260	19
CWMLLYNFELL	1.30%	7	1269	16
GWYNFI	1.04%	7	1589	16
ALLTWEN	0.41%	4	2308	9

Local measures have subsequently been proposed for each area to reduce the risk of flooding, and provide a balanced approach to flood risk management across the borough. These measures cover the statutory action categories of Prevention, Protection, Preparedness and Recovery/Review within the Indicative Flood Risk Area. It is important to note that the percentage of people and properties at risk of flooding is not the only risk issue. Infrastructure, the natural and historic environment, and economic issues also need consideration and are

reflected in the site specific actions contained in the plan. In general the proposed measures have been selected to ensure:

- Our communities are prepared for potential flood events;
- prevention and protection measures are in place to reduce the associated risks and hazards, and
- A recovery and review process is established to aid those in need and help the authority and communities to learn from their experiences.

The assessment and issues for each electoral ward are given in the main document, which can be viewed via the following link:

www.npt.gov.uk/pdf/FloodRiskManagementPlanMaster.pdf

Existing flood risk management measures

Existing management measures include the following main service areas:

- The regular maintenance of existing structures, watercourses, drainage systems and other related infrastructure, to ensure the systems already in place work as efficiently as possible.
- Advance warning of significant rainfall events as provided by a subscription service forecast and coordination of effort with partners.
- Data Capture and management using a Geographical Information System including mapping of existing infrastructure, logging of repairs and flooding incidents, plus recording any new systems or infrastructure as they become active.
- Reactive maintenance and/or cleansing of gullies and culverts, including responding to reported problems or incidents.
- The identification and prioritisation of flood alleviation schemes, and the seeking of funding for these.

It is noted that in general, experience has demonstrated that the most likely source of flooding within the authority is from blocked culvert grids and intakes; therefore considerable emphasis has been placed on this

aspect of drainage. Details of Critical and High Priority Intakes are given in the Appendices.

Measures to Mitigate Flood Risk

The general priority actions over the life of the plan are:

NPT01 Flood Warning Service:

Investigate how a flood warning service can be developed, employed, implemented. This includes a feasibility study to establish whether the service can be linked into social media and if it is viable for flood risk warning, severe weather warnings, etc.

NPT02 Survey Work:

Locate, record and map every outstanding part of the county's drainage infrastructure. Identify how this infrastructure combines with Dŵr Cymru Welsh Water systems and riparian systems. Furthermore, record the physical details and condition of each component, and develop the Authority's Geographical Information System and Asset Records.

NPT03 Derive Hydrology for catchment:

Carry out inspection and survey of catchments, watercourses, culverts and surface water drainage networks. Build hydraulic models from the information gathered through investigation and survey where required in line with priorities.

NPT04 Carry out investigation of accumulations of surface water:

Investigate areas identified by the flood risk maps as being at a high level of flood risk. Understand the specific sources of flood risk within these areas and identify measures to mitigate the risk if it is validated by the investigation.

NPT05 Flood Asset Inspections:

Develop a structural inspection programme for flood structures/features. These inspections will involve identifying the general condition of the flood structure/feature and making recommendations based on the outcomes.

NPT06 Flood Asset Maintenance:

Continued scheduling and undertaking of maintenance on NPTCBC's flood defence and water conveyance assets. This involves activities such as grid cleansing, de-silting and channel clearance to allow for the drainage systems to work at maximum capacity. Scheduling the maintenance regime will ensure those areas most at risk are prioritised to minimise the flood risk. A review is also required of internal culvert cleaning frequencies for all critical and high priority sites to determine any desirable improvements and associated costs/resource needs.

NPT07 Liaison with Owners of Significant Flood Assets

Establish contact with land owners where flood defence assets are situated including, but not limited to, riparian owners, DCWW, Network Rail, SWTRA and various Canal Companies. Agree maintenance and inspection regimes for the assets so that there are no choke points in the system.

NPT08 Awareness Raising:

Development of a toolkit to assist in raising community awareness and preparation for flood and coastal erosion risk.

Furthermore, there is a general intention to take forward the wider range of measures identified in the Flood Risk Management Strategy published in June 2013, and pursue funding wherever possible to take actions forward.

Areas at higher risk of flooding and specific mitigation measures

There are limited resources available and it is therefore necessary to prioritise the Council's efforts. Based on a threshold of more than 100 properties at risk of flooding, the following priority areas and individual specific mitigation measures have been identified.

Aberavon: Specific actions include:

Baglan Way Ditch – An important link to the drainage infrastructure for the area, partly riparian ownership: Establish contact with land owners and ensure regular maintenance.

Dunraven Street/Corporation Road/Marsh Street – Welsh Water combined system with a history of flooding; Liaise with Welsh Water to ensure future inspection and maintenance.

M4 culvert near Sunnycroft Roundabout – SWTRA owned: Critical link in the Pentwyn drainage network which drains a large percentage of the community. Continued liaison with SWTRA.

[There are also coastal defence works proposed in Sandfields wards, although these fall outside of the remit of the plan.]

Neath East: Specific actions include:

Penrhiwtyn Area – Welsh Water combined system (M24) – liaise with WW to improve/ensure continued maintenance.

Network Rail – own and maintain the ditch alongside A48. Liaise as required to ensure on-going inspection and maintenance.

Gardener's Lane inlet – review priority and on-going maintenance.

St. Catherine's Close Inlet – recent capital scheme was done to improve flow rate and reduce flood risk on Briton Ferry Road. Review outcome.

Melincryddan Area (M24) – Primarily DCWW owned combined sewers. Liaise with DCWW as required to ensure on-going maintenance.

Baglan: Specific actions include:

Baglan Brook Improvement Phase 2, estimated cost £1M (80% of Phase 1 works to Pentwyn culvert completed in 2015), along with continued liaison with SWTRA and Network Rail)

Glan Hafren inlet – potential for a flood alleviation scheme identified and to be investigated. Gully maintenance also important in this area.

Heol y Nant – Investigate to locate outfall (Pant-yr-Arian Lane)

Fairwood Drive & Elmwood Drive – Investigation of flood risk required.

Glynneath: Specific actions include:

Rock Street, Lancaster Close and Addoldy Road drainage improvements – estimated cost £1m

Briton Ferry East: Specific actions include:

Regent Street East & Villiers Street: Under railway bridges – Network Rail own and manage pumps. Liaise with NR to ensure maintenance. Flood conveyance assets in the vicinity of Regent Street East & Rockingham Terrace are reliant on a Welsh Water combined network and continued liaison required.

Craig-y-Darren small watercourse requires further investigation.

Inlet on Craig Road: further investigation required.

JK's Inlet to be reviewed for priority status.

Ynysmaerdy system: There is a history of flooding and a culverted watercourse drains part of the estate into it, and then goes to Neath South Outlet: Choke Point in system and possible heavy siltation – Further investigation required.

Pumping station at rear of Herne Street – owned by Welsh Water, continued liaison required.

Grandison Brook: A Project Appraisal report for Grandison Brook was carried out in January 2010. A proportion of Option 3 identified in the PAR involved cleansing and improvement works to the channel downstream of the A474, estimated at £100,000. This work has recently been undertaken at a cost of circa £40,000 with over £10,000 being recharged to the responsible land owners.

Pont Howell Ddu inlet: Assessment required.

Neath North: Specific actions include:

Maintenance of Gnoll Interceptor.

Fairyland House Inlet– Liaison with owner required to ensure maintenance.

Taibach: Specific actions include:

Tal-y-Wern – Further investigation required to establish if the flood maps give a good representation.

Prince Street/Duke Street Inlet known surface water flooding – interaction with Welsh Water sewer system and Network Rail culvert. Further investigation.

Briton Ferry West: Specific actions include:

Church Street under bridge: long history of flooding. Network Rail owned. Continued liaison required.

Blaengwrach: Specific actions include:

Liaise with NRW which has responsibility, concerning Nant Gwrach particularly covering the area where it passes through the southern part of the village on its way to the Neath river.

Investigation of flood risk and measures on the north side of the A465, at the site of the Leisure Centre and surrounding housing.

Ystalyfera: Specific actions include:

There are known flooding incidents at Alltygrug Farm Road via overland/pluvial flows. Clyngwyn Road Disused tip – several culverts within and around this locality. Define land owners and establish a maintenance regime.

Investigate and verify the high risk flooding at Varteg Road and Heol Ynysdarren.

Bryn & Cwmavon: Specific actions include:

Heol Crwys & Depot Road – known flood risk areas. Continued maintenance of the culverted watercourse and pumping station is of high priority. Alleviation schemes estimated at £350k and £360k respectively have been identified but are subject to funding.

Other Priorities

In addition to the above there are other proposed actions driven purely by maintenance and economic development needs. These include:

Days, Dyffryn – complete system improvements – £270k

Harbour side – flood mitigation scheme required – Estimated at circa £1m

It is noted that all actions within the plan are subject to identification/sourcing of funding.

Critical Intakes

OBJECT ID	LOCATION	WARD	GRADE
CUL_0009	SPARSHOP	Baglan	Critical
CUL_0012	ARNALLT BROOK/BEECH WOOD	Taibach	Critical
CUL_0013	TORONTO AVENUE	Taibach	Critical
CUL_0014	YNYSYMAERDY ROAD	Briton Ferry East	Critical
CUL_0015	YNYSYMAERDY ROAD	Briton Ferry East	Critical
CUL_0016	YNYSYMAERDY ROAD	Briton Ferry East	Critical
CUL_0017	CRYDDAN BROOK	Neath East	Critical
CUL_0019	GRANDISON BROOK	Neath East	Critical
CUL_0030	CHAIN ROAD	Glynneath	Critical
CUL_0031	GLYNNEATH WORKSHOPS	Glynneath	Critical
CUL_0033	NO 18 LLYGAD YR HAUL	Glynneath	Critical
CUL_0035	STANLEY PLACE	Cadoxton	Critical
CUL_0036	DŴR Y FELIN OVERFLOW	Bryncoch South	Critical
CUL_0037	DAYS ROUNDABOUT	Dyffryn	Critical
CUL_0038	CAENANT TERRACE	Coedffranc Central	Critical
CUL_0050	GRAIG NEWYDD	Godregraig	Critical
CUL_0052	OLD ROAD, NEATH ABBEY	Dyffryn	Critical
CUL_0055	CANAL	Pontardawe	Critical
CUL_0061	TROTting TRACK	Lower Brynamman	Critical
CUL_0062	TROTting TRACK	Lower Brynamman	Critical
CUL_0079	HIGHWAY CROSSINGS	Glyncorwg	Critical
CUL_0083	HIGHWAY CROSSINGS	Glyncorwg	Critical
CUL_0084	HIGHWAY CROSSINGS	Glyncorwg	Critical
CUL_0085	HIGHWAY CROSSINGS	Glyncorwg	Critical
CUL_0088	HIGHWAY CROSSINGS	Glyncorwg	Critical
CUL_0091	HIGHWAY CROSSINGS	Glyncorwg	Critical
CUL_0092	HIGHWAY CROSSINGS	Glyncorwg	Critical
CUL_0093	HIGHWAY CROSSINGS	Glyncorwg	Critical
CUL_0181	JERSEY PARK	Briton Ferry East	Critical
CUL_0215	HEOL CAMLAS	Bryn & Cwmavon	Critical
CUL_0493	INTERCEPTOR	Neath North	Critical
CUL_0925	TROTting TRACK	Lower Brynamman	Critical
CUL_1058	EAGLEBUSH/ CRYDDAN BROOK	Neath South	Critical
CUL_1414	FFRWYDWYLLT	Margam	Critical

Appendix 2

High Priority Inlets

OBJECT ID	LOCATION	WARD	GRADE
CUL_0006	LNYS LEE	Bryn & Cwmavon	High Priority
CUL_0006	LNYS LEE	Bryn & Cwmavon	High Priority
CUL_0008	THE STABLES	Bryn & Cwmavon	High Priority
CUL_0008	THE AVENUE	Bryn & Cwmavon	High Priority
CUL_0010	CHESTNUT ROAD	Baglan	High Priority
CUL_0011	WILLOW WAY	Baglan	High Priority
CUL_0018	CRAIG ROAD	Briton Ferry East	High Priority
CUL_0020	PANTEG	Bryn & Cwmavon	High Priority
CUL_0021	MORTIMERS	Bryn & Cwmavon	High Priority
CUL_0022	GOYTRE FARM	Taibach	High Priority
CUL_0023	NO 40 HEOL Y GLYN	Cymmer	High Priority
CUL_0024	CYMMER ROAD	Glyncorwg	High Priority
CUL_0025	PLEASANT VIEW	Glyncorwg	High Priority
CUL_0026	SIDE NO 24 GADLYS VIEW	Glyncorwg	High Priority
CUL_0028	84A NEATH ROAD	Resolven	High Priority
CUL_0034	NO 1 MAIN ROAD	Cadoxton	High Priority
CUL_0040	MARCH HYWEL	Rhos	High Priority
CUL_0040	MARCH HYWEL	Rhos	High Priority
CUL_0042	RHOS SCHOOL	Rhos	High Priority
CUL_0043	PETROL GARAGE	Rhos	High Priority
CUL_0044	NO 13 YNYSWEN	Crynant	High Priority
CUL_0045	REAR OF PENY-BONT	Crynant	High Priority
CUL_0048	YNYSMOND FARM	Alltwen	High Priority
CUL_0051	CEFN SAESON FACH FARM	Cimla	High Priority
CUL_0053	PHEASANT ROAD	Trebanos	High Priority
CUL_0054	73A SWANSEA ROAD	Trebanos	High Priority
CUL_0056	GLYNTEG VILLAS	Pontardawe	High Priority
CUL_0056	GLYNTEG VILLAS	Pontardawe	High Priority
CUL_0057	BIRCHFIELD ROAD	Pontardawe	High Priority
CUL_0058	24 YNYSYMOND ROAD	Alltwen	High Priority
CUL_0060	TROTTING TRACK	Gwaun-Cae-Gurwen	High Priority
CUL_0064	REAR OF 91 DERWYDD AVENUE	Gwaun-Cae-Gurwen	High Priority
CUL_0221	HEOL MABON	Bryn & Cwmavon	High Priority
CUL_0230	DULAIS FACH ROAD	Tonna	High Priority
CUL_0231	DULAIS FACH ROAD	Tonna	High Priority
CUL_0233	LLANTWIT ROAD	Neath North	High Priority
CUL_0237	IVY AVENUE	Neath North	High Priority

CUL_0410	BY PASS REAR OF LINDEN	Bryncoch North	High Priority
CUL_0565	BLAENHONDDAN SCHOOL	Bryncoch North	High Priority
CUL_0597	A4067	Godregraig	High Priority
CUL_0603	HIGH STREET	Blaengwrach	High Priority
CUL_0623	BLAENANT COLLIERY	Crynant	High Priority
CUL_0688	NO 1 LLYGOD YR HAUL	Bryncoch South	High Priority
CUL_0766	YNYSMOND FARM	Alltwen	High Priority
CUL_0769	YNYSMOND FARM	Alltwen	High Priority
CUL_0833	PROSPECT PLACE	Ystalyfera	High Priority
CUL_0837	REAR OF NO28 DYNEVOR ROAD	Bryncoch South	High Priority
CUL_0923	TROTGING TRACK	Lower Brynamman	High Priority
CUL_0924	NEW ROAD	Lower Brynamman	High Priority
CUL_1195	NO 14 LLWYN HEN ROAD	Gwaun-Cae-Gurwen	High Priority

NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

Environment and Highways Cabinet Board

17th September 2015

Report of the Head of Streetcare

- M.Roberts

Matter for Decision

Wards Affected: All Wards

Driver and Vehicle Licensing Agency (DVLA) Audit

Purpose of Report

- 1 To update Members on an audit regarding the use of the DVLA Web Enabled Enquiry (WEE) Service by Officers in the Waste Enforcement Section.

Background

- 2 The Waste Enforcement Section make a significant contribution to the Council's strategy for enforcing legislation relating to waste issues which includes, but is not limited to: investigating incidents of fly tipping; littering and abandoned vehicles; enforcing dog fouling and Dog Control Orders. Depending on the nature of the offence, the investigations could result in a Fixed Penalty Notice (FPN) being issued or in some instances lead to prosecution of those individual(s) responsible.
- 3 During the course of their investigations, the Waste Enforcement Officers may on occasion witness or receive information regarding a waste offence where a Vehicle Registration Mark (VRM) or 'vehicle number plate' is provided as evidence and, in order to proceed with the investigation, it may be necessary to conduct a search with the DVLA to ascertain ownership of the vehicle. To meet this requirement, the Council entered into a Contract with the DVLA for the provision of WEE services in March 2012.
- 4 A requirement of the Contract is for the DVLA to carry out regular audits on the use of the WEE service in order to review the validity of the Council's requests for access to personal data and to ensure that it is

only released to those who can demonstrate a need to have it. The DVLA recently completed an audit on the use of the WEE service and subsequently confirmed by letter on the 21st July 2015 that **in all cases, the Council demonstrated a full audit trail of evidence supporting the data requests that were sampled and also demonstrated that it met the criteria for the release of information.**

Financial Impact

- 5 None, other than a proportion of the FPN's issued would not have arisen without the result of searches of information held on the DVLA WEE Service.

Equality Impact Assessment

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

Workforce Impacts

- 7 None

Legal Impacts

- 8 None

Risk Management

- 9 Auditing is part of the risk management process

Consultation

- 10 Not applicable

Sustainable Development

- 11 Taking enforcement action for waste offences has a positive impact in relation to Environment and Sustainable Development and Crime and Disorder

Recommendation

- 12 The Waste Enforcement Section continues to access information held on the DVLA Web Enabled Enquiry Service in accordance with guidance contained in the Contract and in pursuance of their duties carried out on behalf of the Council.

Reason for Proposed Decision

- 13 To enable the Authority to discharge its responsibilities under the Control of Pollution Act 1974, Refuse and Disposal Amenity Act 1978, Environmental Protection Act 1990 and Clean Neighbourhoods and Environment Act 2005.

Implementation of Decision

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

List of Background Papers

- 15 Contract between the Driver and Vehicle Licensing Agency (DVLA) and Neath Port Talbot County Borough Council for Provision of a Web Enabled Enquiry (WEE) Service.

Officer Contact

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NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

Environment and Highways Cabinet Board

17th September 2015

Report of the Head of Streetcare

M.Roberts

Matter for Decision

Wards Affected: All Wards

Civic Amenity Site Opening Hours

Purpose of report

- 1 To consider the opening hours of the Council's Household Waste and Recycling Centres (HWRCs).

Background

- 2 The Council's HWRCs currently have extended opening hours as follows:-

- Briton Ferry and Cymmer
1st April to 31st October – 8.00am to 8.00pm
1st November to 31st March – 8.00am to 5.30pm
Open 7 days a week, with the exception of Christmas day
- Pwllfawatkin
1st May to 30th September – 9.00am to 7.00pm
1st October to 30th April – 9.00am to 5.00pm
Open 7 days a week, with the exception of Christmas day

- 3 Opening hours have been cut back in adjoining authorities and the question arises whether to similarly cut back provision in Neath Port Talbot as part of containing pressures in the waste budget.

4 Changes have been considered and proposed revised opening hours are as follows:-

- Briton Ferry
8.30am to **5.00pm** 7 days a week for 12 months of the year
- Pwllfawatin
9.00am to **5.00pm** 7 days a week for 12 months of the year
- Cymmer
11.00am to 5.00pm 7 days a week for 12 months of the year

5 The proposed opening hours for the Cymmer HWRC are reduced in the morning as well as the evening as the site is very small in comparison to the other facilities (during a one year period the Cymmer site deals with same quantity of waste as the Briton Ferry site deals with every two weeks).

6 All sites would be closed on Christmas Day, Boxing Day and New Year's Day

Financial impact

7 The proposal would realise savings of some £35,000 in year 1 increased to circa £41,000 per year thereafter. This does not account for any further savings associated with avoidance of waste being 'attracted' to the facility when it is open and facilities in neighbouring areas are closed.

Equality Impact Assessment

8 An Equality Impact Screening Assessment was undertaken for the proposal which indicated that a full Equality Impact Assessment was required. As such during June and July an online and site based consultation process was undertaken with residents who use the Council's Household Waste and Recycling Centres. The purpose of this exercise was to determine, in relation to the Equalities Act 2010, whether there are any sections of the community that would be discriminated against if the council amended the opening times as proposed. During the consultation period there were 529 responses.

9 **The results of the survey did not indicate that the Council would discriminate against any sections of the community as a result of the proposed closing times**, albeit many who responded would not like the times to change for reasons of convenience (423) and a further 86 respondents suggested some variation of later opening with later closing to allow the continued use of the site after normal working hours. Some also believed there might be increased incidences of fly tipping. Of the 529 responses the consultation evidenced that 77 of the respondents were non NPT residents and the majority of these were accessing the sites after 5pm. This confirmed that people in neighbouring authority areas were using the site particularly in the evenings. Any option therefore that included opening after 5pm would allow residents from neighbouring authorities to continue to access sites in NPT to dispose of their waste when the sites in their own authority area had closed earlier.

Workforce Impacts

10 There is no impact on the Council's employees as the Household Waste and Recycling Centres are run by a contractor on the Council's behalf. Officers have consulted with the contractor in respect to this proposal and negotiated the cost savings identified in this report.

Legal Impacts

11 There are not believed to be any legal impacts or reasons why the recommendation cannot be legally implemented.

Risk Management

12 The proposed changes have been implemented in other authorities and based on their experience, risk of increased incidence of fly tipping or reputational risk etc can be considered low. Failure to implement the proposal would mean that another measure to mitigate cost pressures in the waste budget would need to be identified.

Consultation

13 Please see Equalities Impact Assessment Section.

Sustainable Development

14 Reduced opening hours in other areas has not given rise to environmental issues whilst longer distance travel from other areas to access sites in NPT during the evening would be reduced.

Recommendations

15 Having given due regard to the EIA it is recommended that the Briton Ferry, Cymmer and Pwllfawatkin HWRC opening times are amended as detailed below, with the savings being used to offset budget pressures within the waste collection service.

- Briton Ferry
8.30am to **5.00pm** 7 days a week for 12 months of the year
- Pwllfawatkin
9.00am to **5.00pm** 7 days a week for 12 months of the year
- Cymmer
11.00am to **5.00pm** 7 days a week for 12 months of the year

16 All sites would be closed on Christmas Day, Boxing Day and New Year's Day

Reasons for Proposed Decision

17 To enable the authority to discharge its responsibility as a waste disposal and waste collection authority and meet budget requirements.

Implementation of Decision

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

Appendices

19 Equality Impact Assessment

List of Background Papers

20 HWRC Consultation July 2015 – general analysis
HWRC July 2015 – non NPT respondents

Officer contact

21 Andrew Lewis

Waste and Neighbourhood Service Manager

Tel 01639 686021, email a.lewis@npt.gov.uk

22 Mike Roberts

Head of Streetcare

Tel 01639 686967, email m.roberts@npt.gov.uk

Appendix A

Equality Impact Assessment (EIA) Report Form

This form should be completed for each Equality Impact Assessment on a new or existing function, a reduction or closure of service, any policy, procedure, strategy, plan or project which has been screened and found relevant to Equality and Diversity.

Please refer to the 'Equality Impact Assessment Guidance' while completing this form. If you would like further guidance please contact the Corporate Strategy Team or your directorate Heads of Service Equality Champion.

Where do you work?
Service Area: Waste and Neighbourhood Services
Directorate: Environment

(a) This EIA is being completed for a...

Service/ Function <input type="checkbox"/>	Policy/ Procedure <input type="checkbox"/>	Project <input type="checkbox"/>	Strategy <input type="checkbox"/>	Plan <input type="checkbox"/>	Proposal <input checked="" type="checkbox"/>
--	--	-------------------------------------	--------------------------------------	----------------------------------	---

(b) Please name and describe below...

Amendment of Household Waste and Recycling Centre (HWRC) opening times.

(c) It was initially screened for relevance to Equality and Diversity on 21/04/15

(d) It was found to be relevant to...At the time of screening the relevance of the proposal was unknown to the categories below.

Age..... <input type="checkbox"/>	Race <input type="checkbox"/>
Disability..... <input type="checkbox"/>	Religion or belief <input type="checkbox"/>
Gender reassignment..... <input type="checkbox"/>	Sex..... <input type="checkbox"/>
Marriage & civil partnership <input type="checkbox"/>	Sexual orientation <input type="checkbox"/>
Pregnancy and maternity <input type="checkbox"/>	Welsh language <input type="checkbox"/>

(e) Lead Officer

Name: Andrew Lewis

Job title: Waste and Neighbourhood Services
Manager

Date: 09/09/15

(f) Approved by Head of Service

Name: Mike Roberts

Date: 09/09/15

Section 1 – Aims (See guidance):

Briefly describe the aims of the function, service, policy, procedure, strategy, plan, proposal or project:

What are the aims?

To amend the opening times of the HWRCs.

Who has responsibility?

Andrew Lewis/Mike Roberts

Who are the stakeholders?

NPTCBC /FCC Environment (Service Provider) / Members of the Public

Section 2 - Information about Service Users (See guidance):

Please tick what information you know about your service users and provide details / evidence of how this information is collected.

Age.....	<input checked="" type="checkbox"/>	Race	<input checked="" type="checkbox"/>
Disability.....	<input checked="" type="checkbox"/>	Religion or belief	<input checked="" type="checkbox"/>
Gender reassignment.....	<input checked="" type="checkbox"/>	Sex.....	<input checked="" type="checkbox"/>
Marriage & civil partnership	<input checked="" type="checkbox"/>	Sexual orientation	<input checked="" type="checkbox"/>
Pregnancy and maternity	<input checked="" type="checkbox"/>	Welsh language	<input checked="" type="checkbox"/>

What information do you know about your service users and how is this information collected?

A profile of site users was achieved via an online and site based consultation process with residents who use the Council’s Household Waste and Recycling Centres. See attached summary of the consultation results.

Any Actions Required?

N/A

Section 3 - Impact on Protected Characteristics (See guidance):

Please consider the possible impact on the different protected characteristics. This could be based on service user information, data, consultation and research or professional experience (e.g. comments and complaints).

	Positive	Negative	Neutral	Needs further investigation
Age	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Disability	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Gender reassignment	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Marriage & civil partnership	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Pregnancy and maternity	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Race	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Religion or belief	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sex	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sexual orientation	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Welsh language	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Thinking about your answers above, please explain in detail why this is the case? including details of any consultation (and/or other information), which has been undertaken to support your view?

An online and site based consultation exercise carried out in June and July 2015 with residents who use the Council's Household Waste and Recycling Centres indicated that the Council would not directly impact on any sections of the community as a result of the proposed closing times, therefore no action is required. See attached summary of the consultation results.

What consultation and engagement has been undertaken (e.g. with the public and/or members of protected groups) to support your view?

See above - during June and July 2015 the Council undertook an online and site based consultation process with residents who use the Council's Household Waste and Recycling Centres.

Any actions required (to mitigate adverse impact or to address identified gaps in knowledge)

No actions are required.

Section 4 - Other Impacts:

Please consider how the initiative might address the following issues.

You could base this on service user information, data, consultation and research or professional experience (e.g. comments and complaints).

Foster good relations between different groups	Advance equality of opportunity between different groups
Elimination of discrimination, harassment and victimisation	Reduction of social exclusion and poverty

(Please see guidance for definitions)

Please explain any possible impact on each of the above.

No impact

What work have you already done to improve any of the above?

N/A

Is the initiative likely to impact on Community Cohesion?

No

How will the initiative treat the Welsh language in the same way as the English language?

Bilingual literature and signage (with equal priority given to both Welsh/English languages).

Actions (to mitigate adverse impact or to address identified gaps in knowledge).

- No actions required

-

Section 5 - Monitoring arrangements:

Please explain the arrangements in place (or those which will be put in place) to monitor this function, service, policy, procedure, strategy, plan or project:

Monitoring arrangements: Data collection for performance indicators and periodic meetings with Service Provider, along with a review after 6 months of any adverse customer contact.

Actions:

As above

Section 6 – Outcomes:

Having completed sections 1-5, please indicate which of the outcomes listed below applies to your initiative (refer to guidance for further information on this section).

Outcome 1: Continue the initiative...



Outcome 2: Adjust the initiative...



Outcome 3: Justify the initiative...



Outcome 4: Stop and remove the initiative...



For outcome 3, detail the justification for proceeding here

Section 7 - Publication arrangements:

On completion, please contact the Corporate Strategy Team for advice on the legal requirement to publish the findings of EIAs.

Action Plan:

Objective - What are we going to do and why?	Who will be responsible for seeing it is done?	When will it be done by?	Outcome - How will we know we have achieved our objective?	Progress
Amend opening times of HWRC to enable the authority to continue to discharge its responsibility as a waste disposal authority and meet budget requirements.	Andrew Lewis	6 months after service change	Data collection for performance indicators, a meeting with the service provider and analysis of any adverse customer contacts.	To be monitored as per review of outcome.

NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

Environment and Highways Cabinet Board

17th September 2015

Report of the Head of Engineering & Transport

D. W. Griffiths

Matter for Decision

Ward Affected: All

List of approved Contractors

Purpose of Report

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

Background

2. Members will be aware that on previous occasion's reports concerning the compilation of the Select List of Contractors have been presented to Cabinet Board. Members are updated on a regular basis on outstanding issues relating to the lists.
3. The full list of categories are set out in Appendix A for your information.
4. The following firms have applied to be included in the list:-

	<u>FIRM</u>	<u>CATEGORY</u>
1	Edwards Diving Services Ltd	90 & 111 (Specialist Contractor)
2	Raynes Construction	72, 75, 76 & 77
3	Maverick Industries Ltd	111 (Specialist Contractor)

5. Since the previous report in June 2015, the following Company has applied to be added for an additional category:-

	<u>FIRM</u>	<u>CATEGORY</u>
4	Briton Ferry Construction	28

6. 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

7. None.

Consultation Outcome

8. The Select List is promoted on NPT web pages through local events.

Sustainability Appraisal

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

Recommendation

10. It is recommended that:-
1. Contractor 1- 3 to be included on the Select List for the relevant categories.
 2. Contractor 4 to be included on the select list for additional category.

Reasons for Proposed Decision

11. To keep the Select List up-to-date and as far as possible ensure a competitive procurement process.

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

List of Background Papers

13. Equalities Impact Assessment Screening Form

Appendices

14. Appendix A – Select List of Categories

Officer Contact

15. Brian Biscoe, Programme & Commissioning Manager, Tel. No: 01639 686915, email: b.biscoe@npt.gov.uk

COMPLIANCE STATEMENT

LIST OF APPROVED CONTRACTORS

(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	-	no impact
Equalities	-	no impact
Social Inclusion	-	no impact

(c) Consultation

There is no requirement for external consultation.

General Services

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

Building Construction / Maintenance

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

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

Mechanical & Electrical Engineering

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

Mechanical & Electrical Specialist Services

47. CCTV
48. Intruder Alarms
49. Fire Alarms
50. Warden Call System
51. Lifts
52. Swimming Pool Plant Equipment
53. Water Systems Cleaning & Chlorination
54. Ductwork System Cleaning & Sterilisation
55. Domestic & Commercial Kitchen Equipment Maintenance
56. Supply & Installation of Specialist Kitchen Equipment / Fittings

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

Civil Engineering

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

Civil Engineering Specialists

89. Concrete Repairs
90. Diving Inspections & Works within Water
91. Bridge Deck Expansion Joints
92. Bridge Deck Water Proofing
93. Soil Nailing
94. Sewer Relining

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

-

NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

Environment and Highways Cabinet Board

17th September 2015

Report of the Head of Engineering & Transport

D. W. Griffiths

Matter for Decision

Ward Affected: Bryn and Cwmavon

Proposed individual Disabled Parking Places:

7 Coronation Street, Bryn

5 Ebbw Vale Row, Cwmavon

Purpose of Report

1. To consider the response received following the advertisement of the proposed Individual Disabled Parking Places at 7 Coronation Street, Bryn and 5 Ebbw Vale Row, Cwmavon, as indicated in Appendices A and B respectively.

Background

2. The schemes are necessary to alleviate parking problems that the disabled residents experience outside of their homes.
3. In June 2015, the proposals were advertised at the same time a Consultation Exercise was undertaken to all properties affected by the scheme in Appendix C.
4. A Screening Assessment has been undertaken to assist the Council in discharging its Public Sector Equality Duty under the Equality Act 2010. After completing the Assessment it has been determined that this function does not require an Equality Impact Assessment.

Financial Implications

5. At the start of the financial year, £20K was allocated to fund new Individual Disabled Parking Places and Residents' Parking schemes as part of the 2015-16 Capital Works Programme.

Consultation Outcome

6. List of Consultees:

Councillor Mrs M A Lewis
Councillor D Whitelock
Councillor D Williams

Residents affected by proposal:

Following the Consultation Exercise there were five letters of objection to the 7 Coronation Street, Bryn scheme and one letter of objection to the 5 Ebbw Vale, Cwmavon scheme. A summary of their contents are listed below:

1. 7 Coronation Street, Bryn

Objectors

- i) Letter 1
- ii) Letter 2
- iii) Letter 3
- iv) Letter 4
- v) Letter 5

Letter 1 stated that parking is always an issue in the street and that the applicant should not be given a reserved space as they can easily walk to the pub and play bingo three times a week so are not disabled.

Letter 2 stated that the applicant sometimes park at the top of the street and walk down to allow their daughter to park outside of the house. The applicant is also seen walking their dog around the village on a daily basis and are back and forth to the rugby club many times a week so do not need a disabled space as they are fully mobile.

Letter 3 stated that they have witnessed the applicant walking their dog around the village, to the club and their daughter's on numerous occasions and that there are more worthy residents in the street.

Letter 4 stated that there are already two disabled bays and a dropped kerb in the street and is concerned there could be further applications to follow. The street is already full of vehicles belonging to residents from other streets and before individual spaces are allocated, then applicants should be observed as in this case the resident is out walking several times a day without difficulty. The disabled bays should be allocated to genuine wheelchair users only.

Letter 5 stated the person concerned does not need or require the use of a mobility scooter or wheelchair and their level of disability do not warrant an IDPP due to them able to walk their dog on a daily basis and there being sufficient parking access and spaces in the street. Furthermore, over recent years a number of residents of Coronation Street with a higher level of disability and mobility have applied for such a request and have been declined.

Observation of Objections:

There is a strong opinion from some residents in Coronation Street that the applicant does not have significant disabilities and has few problems walking around the village. There is also concern that there are already two Individual Disabled Parking Places in the street and a third will add to the current parking problems. The proposed bay will butt up against an existing bay so would have a low impact on existing parking in the street.

Sustainability Appraisal

7. No Change.

Recommendation

8. It is recommended that the objections be overruled and that the objectors be informed accordingly.

Reasons for Proposed Decision

9. That the applicant has provided evidence of their disabilities which meets the Authority's criteria on health grounds and that by providing a bay directly outside of their property should not impact on the objector's current parking arrangements. The application is supported by one of the Local Councillors and the Police.

1. 5 Ebbw Vale Row, Cwmavon

Letter 1 stated that the applicant's neighbour does not own a car but he still parks in such a manner that other residents vehicles are displaced in the street. There is a sports field opposite which attracts other vehicles into the street but the applicant is unaffected as his car is already parked. The applicant is elderly and struggles to walk and see, which has been reported to the DVLA as he shouldn't be driving. Also a white square on the road would look unsightly on a quiet street.

Observation of Objections:

The objector states that the manner in which the applicant parks displaces other vehicles in the street. By providing a dedicated parking bay outside the applicant's property it should assist with neighbours parking. The objector also confirmed that the applicant has certain disabilities which are supported by the fact that they met the Authority's criteria on health grounds.

Sustainability Appraisal

10. No Change.

Recommendation

11. It is recommended that the objection be overruled and that the objector be informed accordingly.

Reasons for Proposed Decision

12. That the applicant has provided evidence of their disabilities which meets the Authority's criteria on health grounds and that by providing a bay directly outside of their property should not impact

on the objector's current parking arrangements. The application is supported by one of the Local Councillors and the Police.

Appendices

13. Appendix A – Proposed Disabled Parking Place Plan; 7 Coronation Street, Bryn
Appendix B – Proposed Disabled Parking Place Plan; 5 Ebbw Vale Row, Cwmavon
Appendix C – Consultation Exercise Letter to Residents

List of Background Papers

14. TR29/02
Equalities Impact Assessment Screening Form

Wards Affected

15. Bryn and Cwmavon

Officer Contact

16. Daniel Long – Senior Technician, Tel No. 01639 686488, email: d.long@npt.gov.uk

COMPLIANCE STATEMENT

PROPOSED INDIVIDUAL DISABLED PARKING PLACES:

7 Coronation Street, Bryn

5 Ebbw Vale Row, Cwmavon

(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

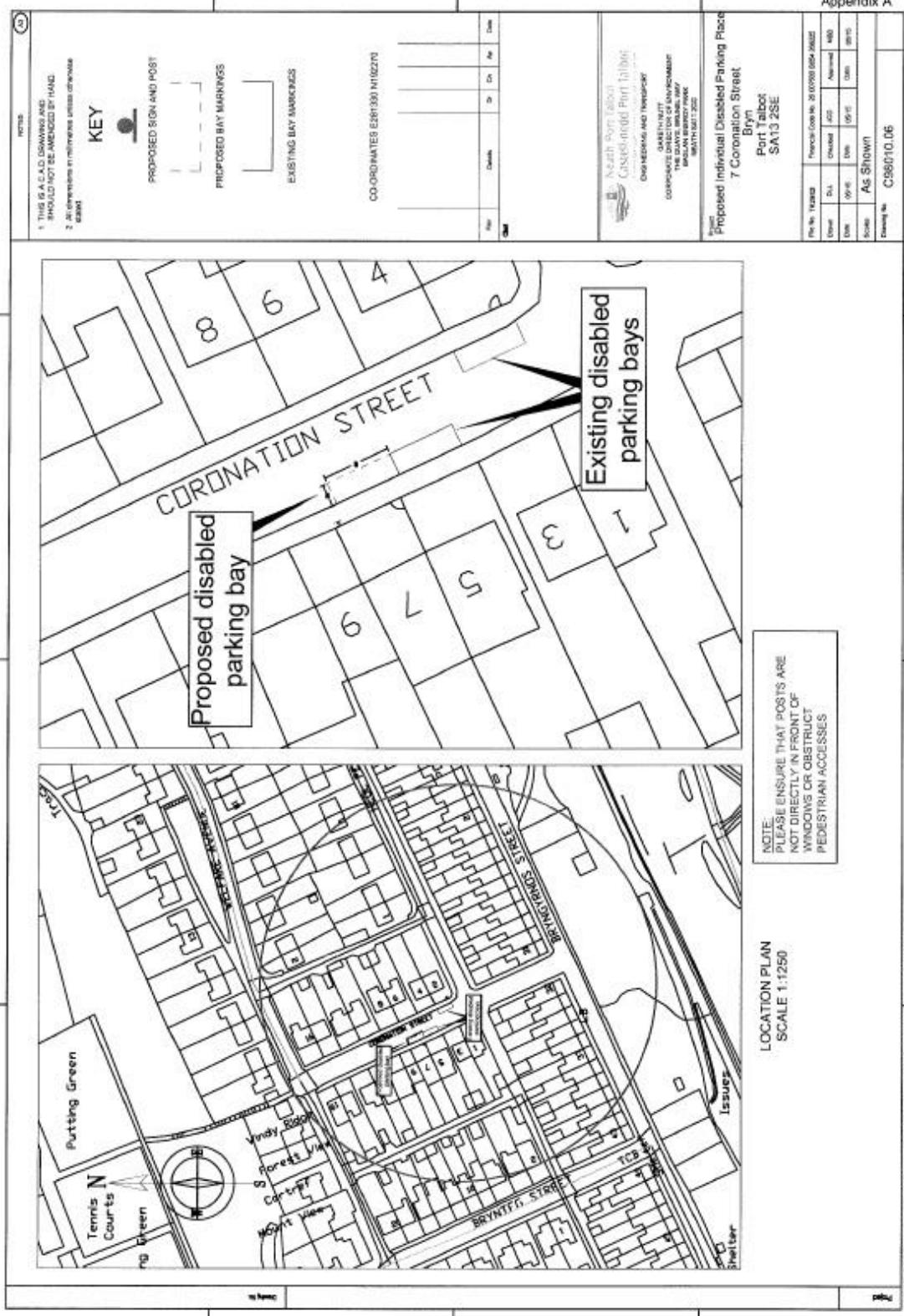
Other Impacts

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

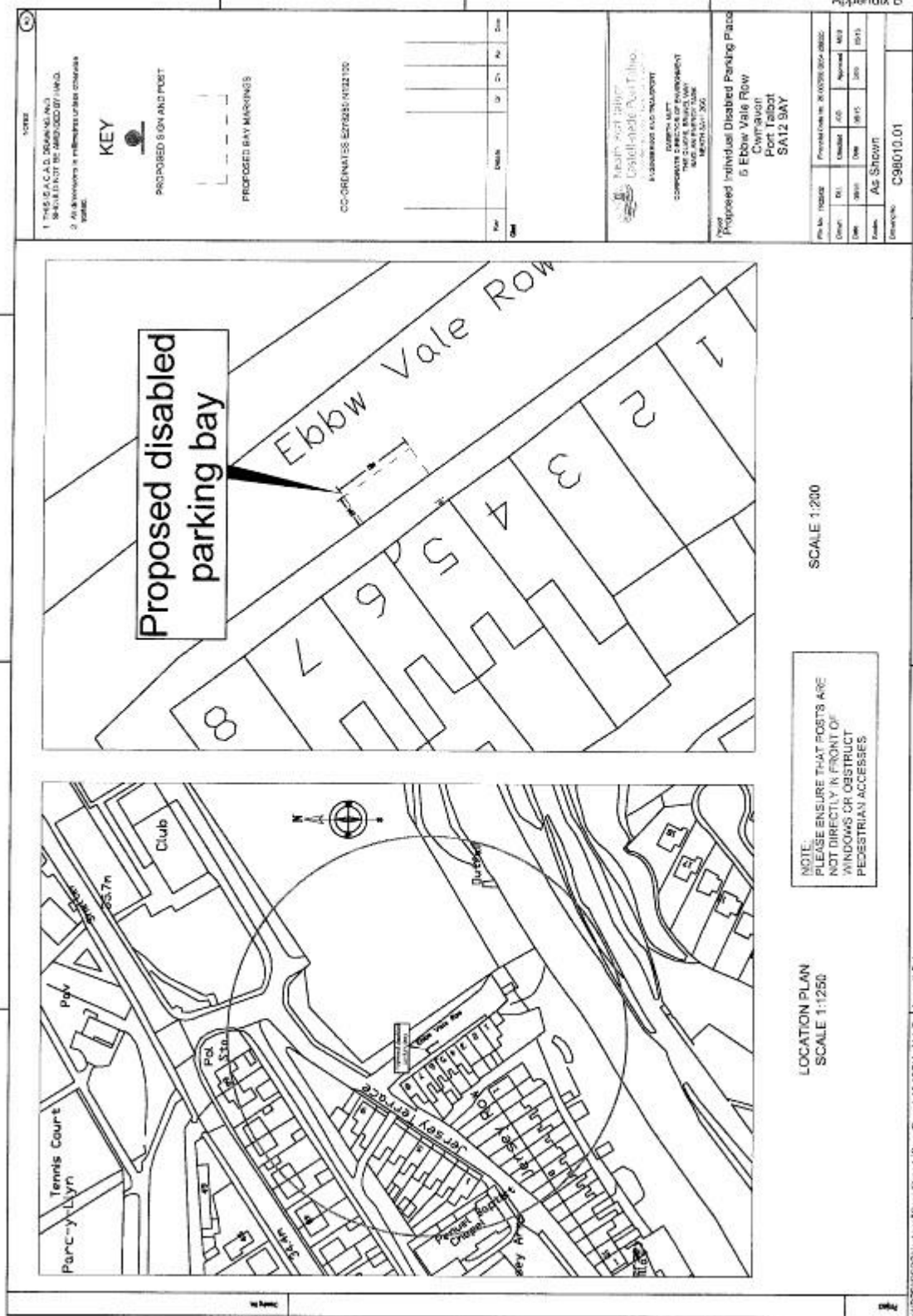
(c) Consultation

The item has been subject to external consultation.

Appendix A



Appendix B



Appendix C

**Neath Port Talbot**
Castell-nedd Port Talbot
County Borough Council Cynghor Burdestrael Siml
Making a difference Gwahaniaeth er gwel

5th June 2015
01639686488
d.long@npt.gov.uk

Date Dyddiad
Direct Line Rhif Ffôn
email ehost

Mr D L Long
TR29.2/DLL/JW

Contact Cyswllt
Your Ref Eich Cyf
Our Ref Ein Cyf

The Occupier(s)

Appendix C

Dear Occupier(s)

Re:- INDIVIDUAL DISABLED PARKING PLACE

It is the intention of Neath Port Talbot County Borough Council to implement the Individual Disabled Parking Place as indicated on the attached plan.

A copy of the proposed Order, Statement of Reasons and an appropriate plan may be inspected during normal office hours at the main reception desks in the Neath and Port Talbot Civic Centres and at the Pontardawe Library.

Any comments should be submitted in writing to reach the Head of Engineering and Transport, Neath Port Talbot County Borough Council, The Quays, Baglan Energy Park, Neath, SA11 2GG by 26th June 2015.

Should you require any further information, please contact my officer on the above telephone number.

Yours sincerely


For **HEAD OF ENGINEERING AND TRANSPORT**

Environment
Yr Amgylchedd

www.npt.gov.uk

David W Griffiths
Head of Engineering & Transport
The Quays, Brunel Way, Baglan Energy Park,
Neath SA11 2GG
Tel: 01639 686868 Fax: 01639 686100

The Council welcomes
correspondence in English or Welsh

David W Griffiths
Pennaeth Peirllanneg a Chludiant
Y Cefau, Ffordd Brunel, Parc Ynni Baglan,
Castell-nedd SA11 2GG
Ffôn 01639 686868 Ffacs 01639 686100

Mae'r Cynghor yn croesawu gohebiaeth
yn y Gymraeg neu'r Saesneg



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NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

Environment and Highways Cabinet Board

17th September 2015

Report of the Head of Engineering & Transport

D. W. Griffiths

Matter for Decision

Ward Affected: Margam

Proposed Proposed Prohibition of Waiting, Loading and Unloading at any time Order & Limited Waiting Order: Cramic Way and Oakwood Road, Port Talbot

Purpose of Report

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

Background

2. Following the construction of the new Harbourside car park in association with the Port Talbot Parkway redevelopment, it is proposed that a Prohibition of Waiting, Loading and Unloading at Any Time Order on Cramic Way and Oakwood Road. A 2-hour limited waiting bay is implemented on Cramic Way.
3. 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

4. The work will be funded by the developer.

Consultation Outcome

5. A consultation exercise will be carried out when the works are advertised.

Sustainability Appraisal

6. The proposed order will prevent indiscriminate parking and provide an area to park in the interest of road safety.

Recommendation

7. It is recommended that having due regard to the Equality 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

8. To prevent indiscriminate parking and provide an area to park in the interest of road safety.

List of Background Papers

9. File TR25

Wards Affected

10. Margam

Officer Contact

11. Mr M Brumby – Project Manager – Highways or Mr J C Davies – Senior Engineer – Traffic, Tel.No. 01639 686479, email: j.davies15@npt.gov.uk

COMPLIANCE STATEMENT

PROPOSED PROHIBITION OF WAITING, LOADING AND UNLOADING AT ANY TIME ORDER & LIMITED WAITING ORDER CRAMIC WAY & OAKWOOD ROAD, PORT TALBOT

(a) Implementation of Decision

The decision is proposed for implementation after a 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

The item will be subject to external consultation.

NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

Environment and Highways Cabinet Board

17th September 2015

Report of the Head of Engineering & Transport

D. W. Griffiths

Matter for Decision

Ward Affected: Ystalyfera

Proposed priority in One Direction Order – Glan yr Afan, Ystalyfera

Purpose of Report

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

Background

2. The scheme is necessary to reduce the speed of traffic travelling along Glan yr Afon in the interest of road safety.
3. 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

4. The work will be funded by the Education Department.

Consultation Outcome

5. A consultation exercise will be carried out when the works are advertised.

Sustainability Appraisal

6. The proposed order will reduce speeds of vehicles in the interest of road safety.

Recommendation

7. It is recommended that having due regard to the Equality 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

8. In the interest of road safety the scheme aims to reduce speed.

List of Background Papers

9. File TR14

Wards Affected

10. Ystalyfera

Officer Contact

11. Mr M Brumby, Project Manager - Highways
Mr J C Davies, Senior Engineer – Traffic
Tel. No. 01639 686479
email: j.davies15@npt.gov.uk

COMPLIANCE STATEMENT

PROPOSED PRIORITY IN ONE DIRECTION ORDER - GLAN YR AFON, YSTALYFERA

(a) **Implementation of Decision**

The decision is proposed for implementation after a 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

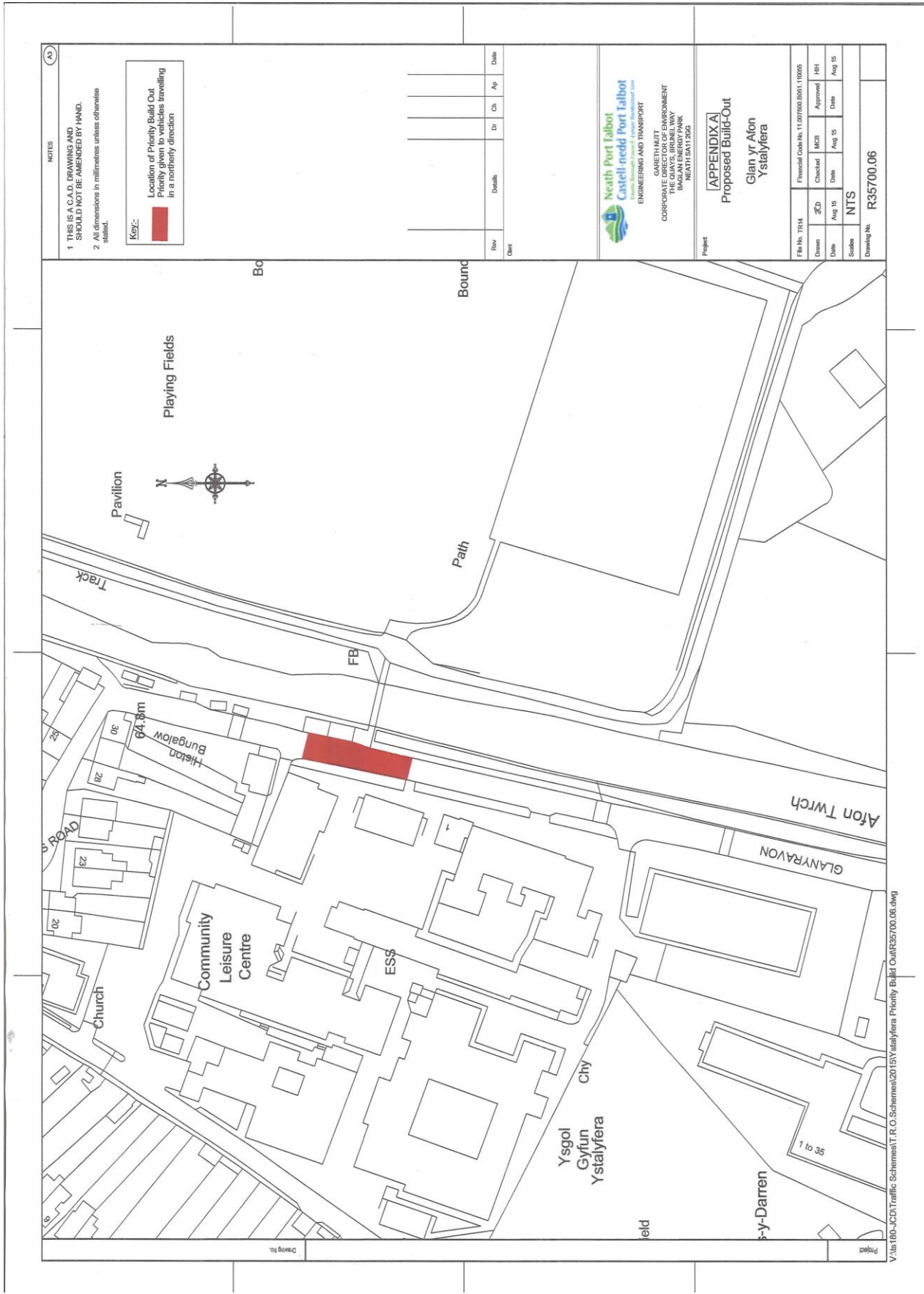
Other Impacts

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

(c) **Consultation**

The item will be 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:-

Location of Priority Build Out
 Priority given to vehicles travelling in a northerly direction

Rev	Details	Dr	Ch	Ap	Date

Neath Port Talbot
Castell-nedd Port Talbot

ENGINEERING AND TRANSPORT

OFFICE OF THE CORPORATE DIRECTOR OF ENVIRONMENT
 THE QUAYS, BRUNEL WAY
 BANGOR ENERGY PARK
 NEATH-VALE

Project: **APPENDIX A Proposed Built-Out Glan yr Afon Ystalyfera**

File No. TR14	Financial Code No. 11.007500.B045.1.10005
Drawn	Checked
JCD	MCS
Approved	HRH
Date	Date
Aug 15	Aug 15
Scale	Scale
NTS	NTS
Drawing No.	Drawing No.
R35700.06	R35700.06

V:\180-JCD\Traffic Schemes\T.R.O. Schemes\2015\Ystalyfera Priority Build Out\R35700.06.dwg

NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

Environment and Highways Cabinet Board

17th September 2015

Report of the Head of Engineering & Transport

D. W. Griffiths

Matter for Decision

Ward Affected: Neath North

Proposed Prohibition of Waiting at Any Time Order Gnoll Drive, Neath

Purpose of Report

1. To consider the response received following the advertisement of the proposed No Waiting at any Time Order as indicated in Appendix A and whether to implement the Traffic Regulation Order in the interests of Road Safety.

Background

2. Gnoll Drive is an un-adopted road albeit in the ownership of Neath Port Talbot County Borough Council.
3. The scheme was designed to prevent vehicles parking opposite Cedar Road at its junction with Gnoll Drive and towards the north-west end of Gnoll Drive to improve access and safety for all highway users.
4. In June 2015, the proposals were advertised at the same time a Consultation Exercise was undertaken to all properties affected by the scheme; Appendix B.
5. A Screening Assessment has been undertaken to assist the Council in discharging its Public Sector Equality Duty under the Equality Act 2010. After completing the Assessment, it has been determined that this function does not require an Equality Impact Assessment.

Financial Implications

6. At the start of the financial year, funding of £2K was allocated for this scheme as part of the 2015-16 Capital Works Programme.

Consultation Outcome

7. List of Consultees
Councillor A R Lockyer
Councillor M Protheroe

Residents affected by proposal:

Following the consultation exercise three letters of objection were received. A summary their contents are listed below.

Letter 1 stated reasons for objection;

- The lane is vital for visitor parking in an area of restrictions and demand for limited parking space for residents of several feeder streets.
- By having parking helps slow vehicles that short cut between Cimla Road and Beechwood Road.
- Many pedestrians and visitors to the Gnoll grounds walk between the lane and town and without cars parked traffic will travel faster and will endanger pedestrians, pets and children far greater than allowing vehicles to park.

Letter 2 stated reasons for objection;

- I believe the current indiscriminate parking already assists to cut speed and limit short cut access. Accordingly, any removal of parked vehicles will only make matters worse.
- Evening travel movements are bad enough without the day time parking the road will become a race track.

Letter 3 stated reasons for objection;

- I have complained several times to the local Councillor about Council vehicles speeding in the area and am happy to see cars parked in the area as they act as traffic calming measures.

- I object to Council expenditure at these hard times on such an unnecessary measure. This is a quiet residential area where people park considerately and I have never seen anyone blocked in because of parking on the junction.
- There is a shortage of parking in the area and any reduction will lead to inconsiderate parking and friction in the community.
- The only vehicles that park in the proposed restricted area are Council vehicles because there is no room in the Council yard. I have complained to the local Councillor about Council employee's inconsiderate parking and further restrictions will lead to more problems for residents in Cedar Road.
- The junction of Cedar Road and Gnoll Drive is not a busy junction and is adequate for most users. It is a residential area and parking there is unlikely to cause an obstruction so doesn't justify the proposed stringent parking measures.
- To the best of my knowledge Gnoll Drive is a public right of way. It is primarily used by pedestrians because of gates being locked preventing vehicular access to the remainder of Gnoll Drive. Vehicles parked act as a deterrent for through traffic and the proposed restrictions could lead to Cedar Road becoming a rat run to avoid the roundabout on Cimla Road.
- I believe that this order is being proposed for the convenience of the Council yard having no regard for residents nearby. I object to the Council doing this. I object to the placement of the yard in a residential area as we were told it was a temporary facility and shows no sign of moving.
- In exercising the power conferred to it under Sections 6, 124 and Part IV of Schedule 9 of the Road Traffic Act 1984, the Council have regard to Section 122 of the act which imposes a duty on the Council to have regard to secure the expeditious, convenient and safe movement of vehicular and other traffic (including pedestrians) and the provision of suitable & adequate parking facilities on and off the highway. Whilst I believe the proposed measures will facilitate the Council employees, it will not help local residents or children who use it as a route to and from the local Welsh School.
- There have been several incidents of road rage on Gnoll Drive further down from the proposed waiting area. If this measure leads to increased traffic then this is set to increase

too. To the best of my knowledge these incidents have comprised of through traffic and not local residents.

Observation of Objections

8. The objectors' main concerns are that should the proposed Traffic Regulation Order be implemented then this will reduce the number of parking spaces in the area, lead to an increase in traffic volumes, vehicle speeds and as a consequence increase in road rage. The objectors are also concerned there will be an increase in indiscriminate parking leading to friction within the community and a less safe environment for pedestrians and particularly children who use Gnoll Drive as a safe route to School.
9. In all there will be a reduction of four legal parking spaces which are adjacent to the Council yard. These are generally used by shoppers and commuters walking to work and therefore should not impact on parking arrangements in Cedar Road as there is a Residents Parking Scheme in operation. The area from Cedar Road to Beechwood Avenue will remain uncontrolled on one side of the road and will generally be available in the evening as commuters return home.
10. There is no reason to believe there will be an increase in traffic or speeds as the layout of the road will not change and drivers will still have to stop at the end of Cedar Road to make a 90 degree turn towards Beechwood Avenue.

Sustainability Appraisal

11. No Change.

Recommendation

12. It is recommended that the objections be overruled and that the objectors be informed accordingly.

Reasons For Proposed Decision

13. The Highway Code states that "vehicles should not stop or park opposite or within 10 metres of a junction". The introduction of the Traffic Order will prevent vehicles from parking opposite the

junction of Cedar Road and Gnoll Drive providing safe and clear passage to the relevant roads and to the Council yard. With no vehicles parked close to Gnoll Drive gates there will be clear visibility for pedestrians and especially school children up to its junction with Cedar Road.

14. The proposed Traffic Regulation Order is supported by the local Councillors and the Police.

Appendices

15. Appendix A – Prohibition of No Waiting at Any Time Order Plan
Appendix B – Consultation Exercise Letter to Residents

List of Background Papers

16. TR29/02
Equalities Impact Assessment Screening Form

Wards Affected

17. Neath North

Officer Contact

18. Daniel Long – Senior Technician, Traffic, Tel No. 01639 686488,
email: d.long@npt.gov.uk

COMPLIANCE STATEMENT

PROPOSED PROHIBITION OF WAITING AT ANY TIME ORDER GNOLL DRIVE, NEATH

(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	-	Positive
Equalities	-	Positive
Social Inclusion	-	Positive

(c) Consultation

The item has been subject to external consultation.

Appendix B



Neath Port Talbot
Castell-nedd Port Talbot
County Borough Council Cyngr Ibrovesel Sion
Making a difference Gwahaniaeth er gwell

17th June 2015
01639 686488
d.long@npt.gov.uk

Date Dyddiad
Direct Line Rhif Ffôn
email e-bost

The Occupier

Mr D L Long
TR25/DLL/DW

Contact Cyswilt
Your Ref Eich Cyf
Our Ref Ein Cyf

IF Appendix B

Dear Sir/Madam

Prohibition of Waiting At Any Time
Gnoll Drive, Neath


It is the intention of Neath Port Talbot County Borough Council to implement the Prohibition of Waiting at Any Time Order as indicated on the attached plan.

A copy of the proposed Order, Statement of Reasons and an appropriate plan may be inspected during normal office hours at the main reception desks in the Civic Centres at Neath and Port Talbot, The Quays, Baglan and Pontardawe Library.

Any comments should be submitted in writing to reach the Head of Engineering and Transport, Neath Port Talbot County Borough Council, The Quays, Brunel Way, Baglan Energy Park, Neath, SA11 2GG by 8th July 2015.

Should you require any further information please contact my officer on the above telephone number.

Yours faithfully


Head of Engineering & Transport

Enc

Environment
Yr Amgylchedd


David W Griffiths
Head of Engineering & Transport
The Quays, Brunel Way, Baglan Energy Park,
Neath SA11 2GG
Tel: 01639 686968 Fax: 01639 686100

David W Griffiths
Pennaeth Peirrianneg a Chludiant
Y Ceiau, Ffordd Brunel, Parc Ynni Baglan,
Castell-nedd SA11 2GG
Ffôn 01639 686968 Ffacs 01639 686100

www.npt.gov.uk

The Council welcomes
correspondence in English or Welsh

Mae'r Cyngor yn croesawu gohebiaeth
yn y Gymraeg neu'r Saesneg



NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

Environment and Highways Cabinet Board

17th September 2015

Report of the Head of Engineering & Transport

D. W. Griffiths

Matter for Decision

Ward Affected: Pelenna

Proposed Prohibition of Waiting at Any Time Order Main Road, Pontrhdyfen

Purpose of Report

1. To consider the response received following the advertisement of the proposed No Waiting at any Time Order as indicated in Appendix A and whether to implement the Traffic Regulation Order in the interests of Road Safety.

Background

2. The scheme was designed to improve the access for a disabled resident who lives on the Main Road, Pontryhdyfen at its junction with 6 to 8 Twynypandy.
3. In June 2015, the proposals were advertised at the same time a Consultation Exercise was undertaken to all properties affected by the scheme; Appendix B.
4. A Screening Assessment has been undertaken to assist the Council in discharging its Public Sector Equality Duty under the Equality Act 2010. After completing the Assessment it has been determined that this function does not require an Equality Impact Assessment.

Financial Implications

5. At the start of the financial year funding of £2K was allocated for this scheme as part of the 2015-16 Capital Works Programme.

Consultation Outcome

6. List of Consultees Councillor M Ellis

Residents affected by proposal:

Following the Consultation Exercise, one letter of objection was received. A summary its contents are listed below;

- The on-street parking is very restricted as it is and the removal of two parking places will displace vehicles to the opposite side of the carriageway which would cause traffic flow issues on that side of the road.
- The objector added that his wife is disabled therefore needs the parking directly outside of the property as she can only walk a short distance. Also provisions of restrictions would make her a prisoner in her own home.

Observation of Objections

7. Traffic flows and parking are difficult in the area although there are no recorded traffic accidents close to Main Road, Pontrhydyfen at its junction with 8 Twynypandy. Should the proposed waiting restriction not go ahead then the status quo would remain.

Sustainability Appraisal

8. No Change

Recommendation

9. It is recommended that the objection be upheld and that the objector be informed accordingly.

Reasons for Proposed Decision

10. The Legal Order was proposed to assist a disabled resident with access to their property which is situated on the Main Road, Pontrhydyfen adjacent to the lane in Twynypandy. As the same resident has objected to the proposal, the Local Councillor supports the withdrawal of the scheme.

Appendices

11. Appendix A – Prohibition of No Waiting at Any Time Order Plan
Appendix B – Consultation Exercise Letter to Residents

List of Background Papers

12. TR29/02
Equalities Impact Assessment Screening Form

Wards Affected

13. Pellena

Officer Contact

14. Daniel Long – Senior Technician, Tel No. 01639 686488, E-mail:
d.long@npt.gov.uk

COMPLIANCE STATEMENT

PROPOSED PROHIBITION OF WAITING AT ANY TIME ORDER MAIN ROAD, PONTRHYDYFEN

(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

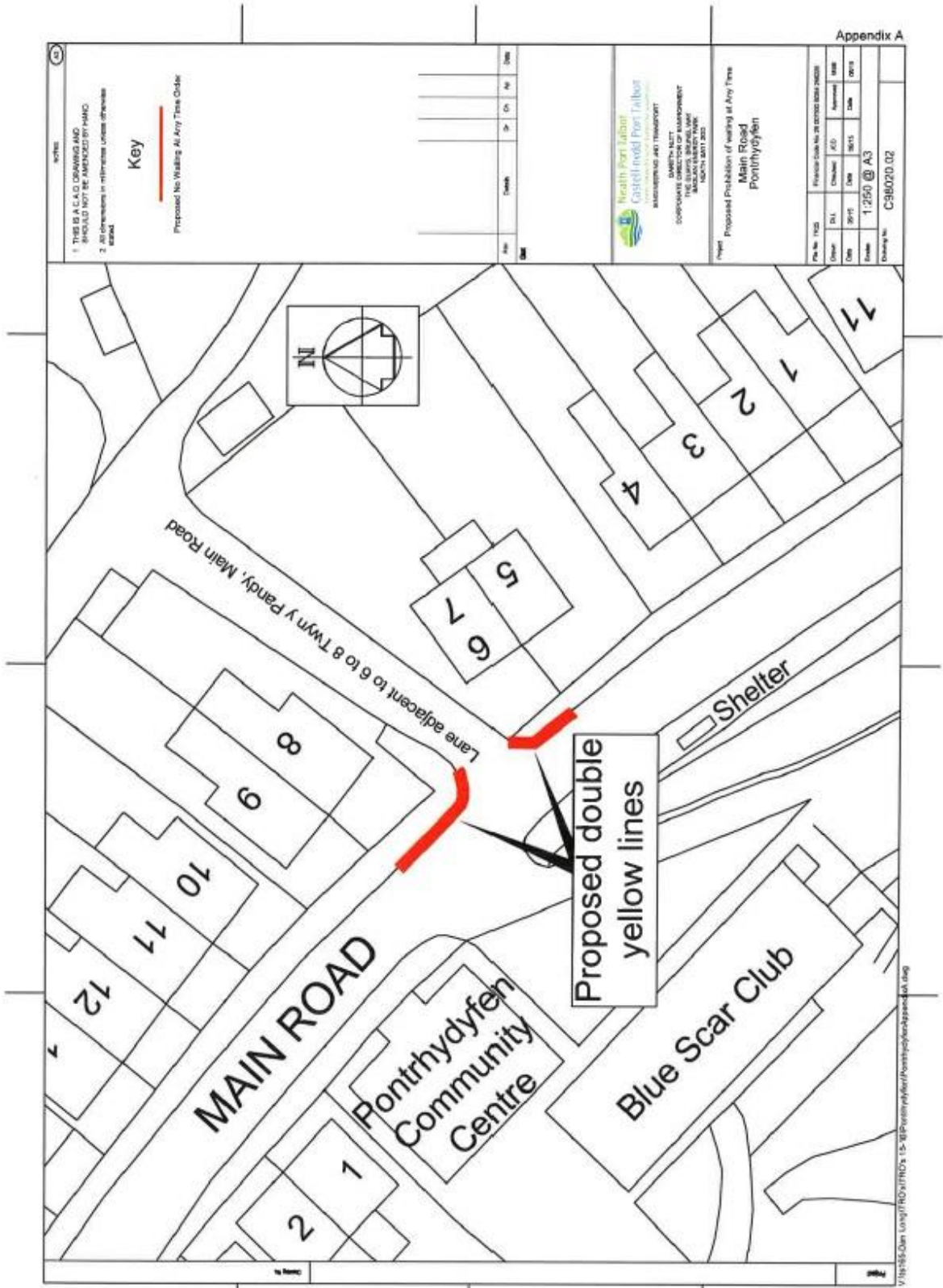
Other Impacts

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

(c) Consultation

The item has been subject to external consultation.

Appendix A



NOTES

- THIS IS A C.A.D. DRAWING AND SHOULD NOT BE AMENDED BY HAND
- All dimensions in millimetres unless otherwise stated

Key

Proposed No Waiting At Any Time Order

Health For All
Castell Iwold Post Talbot
 LOCAL AUTHORITY
 SWANSEA
 COMMUNITY AND TRANSPORT
 SWANSEA NCT
 COMMUNITY AND TRANSPORT
 THE SQUARE, SWANSEA, SA1 1AA
 01792 531120

Notes: Proposed Prohibition of waiting at Any Time
 Main Road
 Ponthydyfen

Drawn	Checked	Approved	Date
1:250 @ A3			

Project No: 1123
 Project Date: 28/02/2024 (24/02/2024)

Drawing No: C98020-02

Appendix B



17th June 2015
01639 686488
d.long@npt.gov.uk

Date Dyddiad
Direct Line Rhif Ffôn
email ebo

The Occupier

Mr D L Long
TR25/DLL/SD

Contact Cyswilt
Your Ref Eich Cyl
Our Ref Ein Cyl

Appendix B

Dear Sir/Madam

Prohibition of Waiting At Any Time
Main Road, Pontrhydyfen

It is the intention of Neath Port Talbot County Borough Council to implement the Prohibition of Waiting at Any Time Order as indicated on the attached plan.

A copy of the proposed Order, Statement of Reasons and an appropriate plan may be inspected during normal office hours at the main reception desks in the Civic Centres at Neath and Port Talbot, The Quays, Baglan and Pontardawe Library.

Any comments should be submitted in writing to reach the Head of Engineering and Transport, Neath Port Talbot County Borough Council, The Quays, Brunel Way, Baglan Energy Park, Neath, SA11 2GG by 8th July 2015.

Should you require any further information please contact my officer on the above telephone number.

Yours faithfully


Head of Engineering & Transport

Enc

Environment
Yr Amgylchedd

www.npt.gov.uk

David W Griffiths
Head of Engineering & Transport
The Quays, Brunel Way, Baglan Energy Park,
Neath SA11 2GG
Tel: 01639 686868 Fax: 01639 686100

The Council welcomes
correspondence in English or Welsh

David W Griffiths
Pennaeth Peirianneg a Chludiant
Y Ceiau, Ffordd Brunel, Parc Ynni Baglan,
Castell-nedd SA11 2GG
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Mae'r Cyngr yn croesawu gohebiaeth
yn y Gymraeg neu'r Saesneg



2015/2016 FORWARD WORK PLAN (DRAFT)

ENVIRONMENT AND HIGHWAYS CABINET BOARD

Meeting Date and Time	Agenda Items	Type (Decision, Monitoring or Information)	Forwarded to: CDG, CMB, Cabinet, Council	Rotation (Topical, ,Annual, Biannual, Quarterly, Monthly)	Head of Service Contact
29th Oct 2015 Page 153	Road Safety Strategy	Decision (Out to Cons)	CDG/CMB/Council	Annual	DG
	Traffic Orders	Decision			DG
	Member Enquiry Group Outcome (Side Waste)	Decision		Topical	MR
	Air Quality Report	Decision		Annual	NP
	Lapwing Mitigation Area	Decision		Topical	NP

Environment and Highways Cabinet Board – Forward Work Programme

Meeting Date and Time	Agenda Items	Type (Decision, Monitoring or Information)	Forwarded to: CDG, CMB, Cabinet, Council	Rotation (Topical, ,Annual, Biannual, Quarterly, Monthly)	Head of Service Contact
10th Dec 2015	Bridges & Structures Life Cycle Plan	Decision	CDG		DG
	Traffic Orders	Decision			DG
	Trunk Roads	Info/Dec			RJ
	Highway Asset Management Plan (HAMP)	Decision	CDG		MR
	Budget Strategies	Info			All

Page 154

Meeting Date and Time	Agenda Items	Type (Decision, Monitoring or Information)	Forwarded to: CDG, CMB, Cabinet, Council	Rotation (Topical, ,Annual, Biannual, Quarterly, Monthly)	Head of Service Contact
28th Jan 2016	Road Safety Strategy	Decision (Following Cons)	Council		DG
	Review of Pay & Display Season Tickets	Decision	CDG/CMB		DG
	Fleet Renewal Programme	Decision		Annual	DG
	MREC Report	Decision			MR
	Fleet Asset Management Plan	Decision	CDG		DG