

ENVIRONMENT AND HIGHWAYS CABINET BOARD

*Immediately Following Scrutiny Committee on
THURSDAY, 13 OCTOBER, 2016*

COMMITTEE ROOMS A/B - NEATH CIVIC CENTRE

PART 1

1. To agree the Chairperson 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 1 September, 2016 (*Pages 3 - 7*)

To receive the Report of the Head of Corporate Strategy and Democratic Services

4. Urgency Action - 0150 (*Pages 8 - 26*)

To receive the Report of the Head of Engineering and Transport

5. List of Approved Contractors (*Pages 27 - 33*)
6. Proposed Individual Disabled Parking Place, Glyn Road, Lower Brynamman (*Pages 35 - 38*)
7. Proposed Traffic Orders at Ynysmeudwy Road, Ynysmeudwy, Pontardawe (*Pages 39 - 44*)
8. Proposed Taxi Ranks - Orchard Street, Neath (*Pages 45 - 55*)

To receive the Report of the Head of Planning

9. Environmental Health and Trading Standards - Changes to Officer Delegation (*Pages 57 - 60*)
10. **To receive the Forward Work Programme 2016/17**
(*Pages 61 - 62*)
11. Any urgent items (whether public or exempt) at the discretion of the Chairman pursuant to Statutory Instrument 2001 No 2290 (as amended).
12. Access to Meetings - to resolve to exclude the public for the following items pursuant to Regulation 4(3) and (5) of Statutory Instrument 2001 No. 2290 and the relevant exempt paragraphs of Part 4 of Schedule 12A to the Local Government Act 1972.

PART 2

To receive the Private Report of the Head of Engineering and Transport

13. Sale of Buses (Exempt under Paragraph 14) (*Pages 63 - 69*)

S.Phillips
Chief Executive

Civic Centre
Port Talbot

Thursday, 6 October 2016

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).*

EXECUTIVE DECISION RECORD
CABINET BOARD - 1 SEPTEMBER 2016
ENVIRONMENT AND HIGHWAYS CABINET BOARD

Cabinet Board Members:

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

Officers in Attendance:

Mr N. Evans

1. **APPOINTMENT OF CHAIRPERSON**

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

2. **MINUTES OF THE PREVIOUS ENVIRONMENT AND HIGHWAYS CABINET BOARD HELD ON 7 JULY 2016.**

Noted by the Committee.

3. **ENVIRONMENT AND HIGHWAYS PERFORMANCE INDICATORS FOR QUARTER 1 OF 2016/17**

That the monitoring report be noted.

4. **HIGHWAY AND DRAINAGE SERVICES OPERATIONAL BUSINESS PLAN**

Decision:

That the Highway and Drainage Services Operational Business Plan for 2016/17 be approved as detailed within the circulated report.

Reason for Decision:

To implement the Council's Performance Management Framework.

Implementation of Decisions:

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

5. **LIGHTING SERVICES OPERATIONAL BUSINESS PLAN**

Decision:

That the Lighting Services Operational Business Plan for 2016/17 be approved as detailed within the circulated report.

Reason for Decision:

To implement the Council's Performance Management Framework.

Implementation of Decisions:

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

6. **BUILDING SERVICES OPERATIONAL BUSINESS PLAN**

Decision:

That the Building Services Operational Business Plan for 2016/17 be approved as detailed within the circulated report.

Reason for Decision:

To implement the Council's Performance Management Framework.

Implementation of Decisions:

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

7. **STREET LIGHTING ROWANTREE AVENUE**

Decision:

That approval be granted for the Council to use discretionary powers under the Public Health Act to provide and maintain street lighting in Rowantree Avenue as detailed within the circulated report.

Reason for Decision:

So that the lighting installed by the developer is maintained to assist public safety.

Implementation of Decisions:

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

8. **ALLEGED PUBLIC FOOTPATH FROM LLOYD STREET TO FOOTPATH NO. 3 COMMUNITY OF PONTARDAWE**

Decisions:

That approval be granted for the recommendations contained within the circulated report in paragraphs 6.3, 7.4,8.2,9.6,10.5 and 11.9.

Reasons for Decisions

As contained within the circulated report.

Implementation of Decisions

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

9. **AIR QUALITY PROGRESS REPORT WALES 2016**

Decisions

1. That the contents of the 2016 Air Quality Progress Report and Detailed Assessment of Air Quality as detailed in the circulated report be noted;
2. That the reports be uploaded onto the Councils website for public and other stakeholders to access and for a copy to be forwarded to the Welsh Government for information.

Reason for Decisions

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

Implementation of Decision

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

10. **CHANGES TO OFFICER DELEGATION ARRANGEMENTS - THE HIGHWAYS ACT 1980, THE HEDGEROW REGULATIONS 1997**

Decisions

1. That the delegation arrangements in respect of the Environment Directorate for the Highways Act (1980), which are set out in version 14 Aug 15 of the Authority's Constitution be amended to include – Section 130a to be able to respond to notices served on the Authority for the removal of obstructions on the Public Right of Way;
2. That the delegation arrangements in respect of the Planning Department, for (ix) Rights of Entry (p3. 160) which are set out in version 14 Aug 15 of the Authority's Constitution be amended to include – The Hedgerow Regulations (1997) – Section 12;
3. That the Head of Legal Services be authorised to seek amendment of the Constitution by the Council in due course in order to reflect the above changes to the Authority's delegated arrangements.

Reasons for Decisions:

To ensure that the Constitution reflects changes that has been made to certain legislation.

Implementation of Decisions:

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

11. **PROPOSED TRAFFIC ORDERS: LLANDARCY VILLAGE**

Decision:

That approval be granted for the proposed measures to be advertised as indicated as Appendix A to the circulated report, and for the Orders to be implemented, subject to there being no objections.

Reason for decision:

To reduce speed in the interest of road safety.

Implementation of Decision

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

12. **PROPOSED PROHIBITION OF WAITING AT ANY TIME TRAFFIC REGULATION ORDER MAES Y PERGWM/ADDOLDY ROAD, GLYNNEATH**

Decision:

Approval be granted to overrule the objection received as there is adequate parking in the area and implement the traffic order which will improve the visibility at the junction of Maes Y Pergwm and Addoldy Road which is supported by the local Ward Member and residents.

Reasons for Decision:

The scheme is necessary to prevent indiscriminate parking in the interest of road safety.

Implementation of Decision:

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

13. **ACCESS TO MEETINGS**

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

14. **URGENCY ACTION 0149 (EXEMPT UNDER PARAGRAPH 14)**

Decision

That the following urgency action taken by the Director of Environment, in consultation with the requisite Members, be noted:-

That Urgency Action No: 0149 (Asset Sponsorship - extension of contract)

CHAIRPERSON

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NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

Environment and Highways Cabinet Board

13 October, 2016

Report of the Head of Corporate Strategy and Democratic Services - K.Jones

Matter for Information

Wards Affected: All

Officer Urgency Action 0150 re:
Environmental Health and Trading Standards – Enforcement Policy
2016.

Details of the above Urgency Action taken by the Head of Planning and Public Protection in consultation with the requisite Members, for immediate implementation.

There is no call-in of this matter.

The report was dated 13 July 2016 and is attached below for Members' Information.

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NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

Environment and Community Regeneration Cabinet Board

15th July 2016

Urgency Action Report of the Head of Planning and Public
Protection
N. Pearce

Matter for Decision

Wards Affected: *All Wards*

Report Title

ENVIRONMENTAL HEALTH AND TRADING STANDARDS – ENFORCEMENT
POLICY

Report and reason for urgency

- 1 To ask Members to consider the urgent need to approve the updated Environmental Health and Trading Standards Enforcement Policy (the Policy) for 2016. The reason for the urgency is due to the need to ensure compliance with applicable legislation including the Regulators' Code and other published guidance.

Executive Summary

- 2 The Policy will ensure that the Principles of Good Enforcement are met, namely:-
 - Setting clear standards
 - Openness
 - Helpfulness
 - Complaints handling
 - Proportionality
 - Consistency

- 3 Without an Enforcement Policy there will not be consistency in enforcement action and it may lead to the Council being non-compliant with the Regulators' Code and other applicable legislation and guidance.

Background

- 4 The Environmental Health and Trading Standards Service is required to have an Enforcement Policy and this is normally reviewed annually.
- 5 The Policy ensures our compliance with applicable legislation including the Regulators' Code and other published guidance.
- 6 The Policy ensures that there is consistency in the approach of officers in making decisions which concern enforcement action.
- 7 The Policy will apply to Environmental Health and Trading Standards Services only.

Financial Impact

- 8 None

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 Equalities Impact Assessment*

Workforce Impact

10 No impact

Legal Impact

11 Positive impact

Risk Management

12 Positive impact

Any Other Impacts? – Crime and Disorder/Counter Terrorism/Sustainable Development

13 Positive impact on crime and disorder

Consultation

14 *There is no requirement under the Constitution for external consultation on this item*

Recommendation(s)

15

- (1) To approve the updated Environmental Health and Trading Standards Enforcement Policy for 2016, as appended to this report.

Reason for Proposed Decision(s)

16 To ensure that consistent enforcement action is taken and the principles of the Regulators' Code and other published guidance are followed.

Implementation of Decision

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

Appendices

- 18 Appendix A - Environmental Health and Trading Standards Enforcement Policy 2016

List of Background Papers

- 19 None

Officer Contact

- 20 Nicola Pearce, Head of Planning and Public Protection.
Tel: 01639 686680 or e-mail:n.pearce@npt.gov.uk

Mark Thomas, Environmental Health and Trading Standards Manager. Tel 01639 685612 or email : m.thomas2@npt.gov.uk

ENVIRONMENTAL HEALTH AND TRADING STANDARDS

ENFORCEMENT POLICY

Introduction

The purpose of this policy is to guide efficient compliance with legislation that is enforced by the Environmental Health and Trading Standards Service, whilst minimising the burden to the Council, individuals, businesses and other organisations.

In performing their enforcement functions, the Environmental Health and Trading Standards Service will pursue their objectives of protecting the health, safety and economic well being of residents, visitors and businesses within the County Borough.

To achieve these objectives the Service is committed to providing advice, information and education to both consumers and businesses and to ensuring that non-compliance is dealt with in a manner which is open, consistent, proportionate and fair. This Enforcement Policy sets out the principles and procedure adopted by the Service in cases of non-compliance and/or unlawful activity by businesses or individuals.

This Policy is intended to provide guidance for officers, businesses and consumers rather than to set down a prescriptive set of rules. Nothing in this Policy should be construed as restricting the discretion of the Council to take legal proceedings or other enforcement action in cases where it is considered to be in the public interest.

Reference material

The Service has had regard to the following reference material in implementing this Enforcement Policy:

- a) The Ministry of Justice guidance for Simple Cautions for Adult Offenders (November 2013).

- b) The Code for Crown Prosecutors 2013
- c) The former LACORS Home Authority Scheme and the Better Regulation Delivery Office's Primary Authority Scheme.
- d) The Regulators' Code 2014
- e) Regulatory Enforcement and Sanctions Act 2008, as amended
- f) Legislative and Regulatory Reform Act 2006
- g) Food and Feed Law Codes of Practice
- h) Health and Safety Executive's Enforcement Policy Statement
- i) Office of the Deputy Prime Minister's Housing, Health and Safety Rating System Enforcement Guidance

Basic Principles

The Service, as a law enforcement body, has a duty to ensure that there is compliance with the wide range of laws relating to trading activity, public health, housing, health & safety and food safety, with the protection of public health and the promotion of good business practice being fundamental to the implementation of their enforcement and regulatory roles.

Regulators' Code

We will follow the provisions of the Regulators' Code, in that we will:-

- Conduct our activities to support businesses to comply and grow
- Provide simple and straightforward ways to engage with businesses and we will listen to their views
- Base our regulatory activities on risk
- Share information about compliance and risk
- Provide clear information, guidance and advice to aid business compliance
- Ensure that our regulatory approach is transparent

Additionally our policy is underpinned by certain other basic principles as detailed below:

Consistency

In order to ensure the equitable implementation of enforcement action, the Service is committed to ensuring that the policy is operated consistently at all levels within the Service from investigating officers to senior management. Consistency is not to be equated with uniformity and this does not mean that all cases will be treated identically as circumstances vary in each matter. The principle of consistency means that we will take a similar approach in similar circumstances to achieve similar ends. Further, in line with Better Regulation Delivery Office (BRDO) strategy, we are committed to improving consistency across local regulators and between regulators, to work towards developing a single regulatory system focused on shared outcomes, shared services and the sharing of intelligence.

Accountability

The Service is responsible to the public for their actions and will ensure that this Enforcement Policy is accessible. Further, it operates a fair and efficient complaints process within the overall Corporate Compliments, Complaints and Comments process. Details of the Corporate Compliments, Complaints and Comments procedure can be accessed via:- <http://www.npt.gov.uk/default.aspx?page=2777> ; by email – contactus@npt.gov.uk or by telephone on 01639 686868.

Proportionality

Proportionality means that any enforcement action is proportionate to the risk and will be related to the seriousness of any breach of the law. In considering seriousness, various factors will be taken into account, which include, among other considerations, the following: the number of people affected by any breach and their vulnerability, the economic impact, the detriment to the safety of others and the degree of intent. Any statutory defences will also be considered.

Transparency

We are committed to the implementation of clear and open procedures. Ensuring that individuals and business proprietors are aware of, and understand, their obligations and rights under the law is an integral part of the activities of the Service. In the event that the Service takes any enforcement action in relation to an individual or business, detailed information will be given as to what action is being taken, what is required of the individual or business and what the next steps will be. Any questions in relation to what is happening will be answered fairly and accurately having regard to the need for confidentiality in some cases. The Enforcement Policy is published on our website.

Targeting

We aim to focus enforcement activity on those areas which: indicate the greatest risk to public health or safety; impact most significantly on the economic well-being of the community; disproportionately affect vulnerable groups; taking into account both local and national priorities. We also aim to adopt a lighter touch for compliant businesses or individuals, and in some cases may opt not to take enforcement action where the infringement is minor or where a suitable alternative course of action is available. In all cases, we aim to target those who are primarily responsible for the non-compliance.

Enforcement Action

In dealing with non-compliance with environmental health, consumer and trading legislation, various factors are considered when assessing the most appropriate course of action. Action should be both necessary and proportionate with the objective of protecting the public, employees, consumers and the environment and where relevant be in the interests of compliant businesses. A graduated enforcement approach will be considered where the circumstances in each case merit such an approach. Evidence gathering will be subject to the relevant laws and codes of practice which may cover topics such as PACE (Police and Criminal Evidence); RIPA (Regulation of Investigatory Powers); Powers of arrest; and linking with other enforcement agencies.

Home Authority Principle and Primary Authority Principle

In respect of Home Authority and Primary Authority businesses the Service will, prior to undertaking any work that may affect a business that may be assisted by a Home Authority or Primary Authority:-

- Consult the Home Authority or Primary Authority Registers prior to undertaking the proposed work.
- Liaise with those authorities that have entered into Home Authority or Primary Authority relationships with businesses.
- Follow and adhere to any inspection plans produced by Primary Authorities.
- Feed back to Home Authorities or Primary Authorities on the work that has been subsequently undertaken.
- Publish the inspection plans for any business for whom we act as a Primary Authority on the Primary Authority Register.
- Contribute to the Primary Authority Register by adding information or responding to Statutory Notifications when necessary or required.

Graduated Enforcement Approach

The graduated approach that we employ starts at informal advice and verbal warnings and may progress through to serving of notices, issuing of written warnings and simple cautions and potentially lead to prosecutions. Some matters may involve less significant breaches of the legislation that we enforce and proportionality and fairness may dictate that advice and lesser scale enforcement action is taken. Some matters however, will be so serious, perhaps involving negligence, dishonesty, deception, deliberate actions or vulnerable persons and these by their nature should be considered as appropriate for prosecution, without the graduated approach being followed.

The main options available to us are outlined below.

Informal action and advice

This can take the form of a verbal warning, with guidance and advice on how to avoid future breaches, or a written warning setting out the infringement and giving advice as appropriate. A written warning is likely to be accompanied by verbal guidance and advice. In both instances the advice given will be clear and simple and, if appropriate, legal requirements will be clearly distinguished from best practice advice.

Statutory Notices

Certain provisions of the legislation administered by the service relate to the issuing of a Statutory Notice for breaches of law. The notice requires the recipient to take steps in order to return to legal compliance. Such steps may include; refraining from doing something such as making excessive noise or undertaking works such as restoring a commercial kitchen to compliance with food hygiene laws. The decision to serve a statutory notice will depend upon all the circumstances of the case. In some instances, the service may be under a legal duty to issue a notice once a contravention has been identified.

The person receiving the notice may not agree with it and has the right to appeal.

Failure to comply with a valid notice is an offence and the Council may take one of the following actions in response.

- Issue the offender with a simple caution;
- Take legal proceedings, usually in the Magistrate's Court;
- Seize and detain materials or equipment
- Undertake any work required by the notice and recover costs

The service makes a charge when statutory notices are issued under housing legislation. The charge, which is made at the end of the notice appeal period, includes: the cost of inspection; the cost of deciding the most satisfactory course of action and the cost associated with the service of the notice. An administrative charge is also made. The amount of charge is agreed annually by the Director of Environment and our Cabinet Member in consultation with the Head of Planning

and Public Protection and the Environmental Health and Trading Standards Manager.

Emergency or Immediate Actions/Prohibitions

Emergency or immediate action is sometimes needed to deal with the most serious risks and they will be subject to specific procedures, some of which may involve the Magistrates Court. Details of the appeals procedures are routinely included with the relevant Notices and information provided at the time of action.

Hygiene Emergency Prohibition Notices.

Where an authorised Officer has evidence of an imminent risk of injury to health relating to a Food Business, a Hygiene Emergency Prohibition Notice (HEPN) may be served to prohibit a premise, equipment or a process.

The notice must state the reasons why the premises pose an imminent risk to health and the works which are required to remove the imminent risk, such as “ Rid the premise of rodents / cockroaches. Pest proof the premise. Thoroughly disinfect all surfaces and equipment.”

An application must be made to the Magistrates Court for a Hygiene Emergency Prohibition Order (HEPO) to replace the HEPN within three working days of the notice being served. Where an HEPO is granted by the Court, the HEPN should be removed and replaced by the HEPO that day. The food business operator must apply in writing to the Food Authority for a certificate lifting the Emergency Hygiene Prohibition Order / Notice, which on request, an Authorised Officer should re-inspect as soon as possible (within 14 days) to determine whether the notice or Order can be lifted.

Simple Caution

We have the discretion to issue a simple caution in circumstances where there is sufficient evidence to support a realistic prospect of a conviction and the offender admits the offence and gives informed consent to being cautioned.

A caution is a serious matter and it is kept on record for a period of 3 years after it has been given. The issuing of a Simple Caution will be considered by the Service when deciding on enforcement action, as an alternative to prosecution. Such

decisions will be made on consideration of the facts of each case and the level of seriousness of the offence or offences being investigated. In the event of future breaches it can be cited in any subsequent court proceedings.

The Ministry of Justice guidance on Simple Cautions for Adult Offenders provides detailed information on the intended use and administration of the Simple Caution.

Fixed Penalty Notices

Fixed Penalty Notices can be issued as an alternative to legal proceedings for breaches of certain legislation, for example, smoke free laws or non-display of a food hygiene rating. If the person responsible does not accept the Fixed Penalty Notice or fails to pay the penalty within the required time period they may be liable to prosecution.

We may seek accreditation to issue a Fixed Penalty Notice to those responsible for non-compliance with other legislation for example, relating to the prohibition on the sale of alcohol to under-age children etc or we may work in conjunction with partners such as the Police who may serve Fixed Penalty Notices for such matters.

Revocation, Review or Refusal of Licences

Where there is non-compliance with any conditions of a licence that a business or individual may hold, for example, to sell alcohol, we may take steps with the appropriate licensing body to undertake a review to determine if the Licensee, Designated Premises Supervisor, Premises or Personal Licence Holder or any person or persons having responsibility for or under the licence is/are still fit and proper to hold the licence and/or to impose further specific conditions.

The service also operates a Mandatory Licensing Scheme to regulate high risk houses in multiple occupation (HMOs), of 3 or more storeys occupied by 5 or more people not of the same family. Further powers are available should the authority decide to utilise them for the control of 2 storey HMOs.

The Enterprise Act 2002

Under the Enterprise Act 2002 the Service can take action against businesses or individuals where there has been a breach of community or domestic law with the

effect of harming the collective interests of consumers. This action is civil action, not criminal, and any sanctions are civil sanctions with any proceedings going through the civil courts.

The purpose of action under the Enterprise Act is to prevent future breaches of the law rather than to punish previous breaches. The penalties for a future breach can be severe including a fine or potentially imprisonment.

This type of enforcement action is most appropriate in situations where there have been persistent breaches of the law, although in some circumstances action may be considered for a small number of breaches, or even a sole breach, where there is significant detriment or potential detriment to the consumer.

There is a range of actions available under the Act including:

- Informal undertakings
- Formal undertakings
- Interim Court Enforcement Orders
- Court Enforcement Orders
- Proceedings for Contempt of Court

Anti Social Behaviour Orders and Criminal Anti Social Behaviour Orders

Where the non-compliance under investigation amounts to anti-social behaviour under the Crime and Disorder Act 1998, for example, the persistent targeting of an individual or a group of individuals, then we may consider an application to the Magistrates' Court for an ASBO or, if following on from a conviction, a CRASBO. These orders prohibit certain types of conduct, which do not necessarily need to amount to criminal conduct. Breach of a prohibition is a criminal offence and can result in a fine or imprisonment.

Prosecution

Prosecution may have serious consequences for a business or individual: financial penalties, a criminal record, adverse publicity, an adverse effect upon a business' trading position and in some cases even loss of liberty. For these reasons the decision to prosecute is not taken lightly and is usually reserved for the more serious offences.

In deciding whether or not to instigate proceedings we have particular regard to the Crown Prosecution Service's (Code for Crown Prosecutors) which requires the assessment of two elements known as the evidential test and the public interest test.

The evidential test requires that the evidence to support a prosecution is deemed to be admissible in court, reliable and of sufficient quality and depth to give a realistic prospect of conviction. Integral to this process is consideration of any statutory defence which may be available and the likely success of such defence.

The public interest test is, broadly, a consideration of a number of factors which support the view that it is in the public interest to proceed. These relevant factors are outlined in the paragraph below. An additional factor which is particularly relevant to prosecution is whether the conviction will result in a significant sentence or penalty, including forfeiture of non-compliant goods, confiscation of the proceeds of the crime, disqualification of company directors and/or compensation for the victim. Consideration is also given to any impact a prosecution may have on a victim's physical or mental health, subject to the seriousness of the offence.

In applying the public interest test, it is not simply a case of adding up the factors on either side. We will decide in each individual case on the weight to be given to the relevant factors and assess the position overall, which is inline with the approach outlined in the Code for Crown Prosecutors.

In cases where legal proceedings are to be instigated, we have regard for the defendant's right to have the matter brought before the Courts without undue delay. What constitutes undue delay is determined by the date the offence came to light, the contribution by the defendant to the delay, the complexity of the offence and/or investigation and the seriousness of the offence.

Relevant Factors in considering Enforcement Action

The following factors are relevant in considering which of the above enforcement options is the most appropriate to take. In the decision making process, we will consider whether or not and /or the extent to which:

- The organisation or individual appears willing to speedily remedy the situation
- The offence was the result of a genuine mistake or misunderstanding
- There is a history of similar previous alleged breaches by the same organization or individual
- Previous advice has been heeded and acted upon
- There is a threat to public health, safety or the environment
- There is a threat of a significant economic disadvantage to consumers or other businesses
- The victim is part of a vulnerable group, for example, children, the disabled or the elderly
- The offence was motivated by some form of discrimination
- The offence is widespread with the potential to affect a number of individuals
- The organisation or individual has acted deliberately, negligently or with premeditation
- The organisation or individual has breached a position of authority or trust
- There are grounds for believing the offence is likely to be repeated
- As a matter of public policy it is desirable to proceed with enforcement action

Action under the Proceeds of Crime Act 2002

In the event of a criminal conviction, it is open to the authority in certain circumstances to apply for an order under the Proceeds of Crime Act 2002. This

legislation provides for confiscation of property and assets if it can be demonstrated that a defendant has profited from crime. In appropriate cases we will consider if an investigation into the defendant's financial affairs is required with a view to pursuing a confiscation order. We **will not** consider the fact that Proceeds of Crime actions may or may not be available in determining whether to prosecute.

Enforcement of Our Functions at Neath Port Talbot County Borough Council Premises

As a Service we are also required to inspect premises managed by or owned by this Authority.

We will treat such inspections as we would inspections of any other business in the County Borough area, taking steps to ensure that where we find non-compliance that this is raised immediately post inspection, with the relevant Head of Service via our own Head of Service. We will work with those Sections to rectify non-compliance in an open and transparent manner, ensuring that the same level of compliance is met as we would expect from any other business within our area.

Freedom of Information

The Freedom of Information Act 2000 deals with access to official information. In addition there are also regulations which provide access to environmental information i.e. the Environmental Information Regulations 2004.

This legislation gives the public a general right of access to information held by public authorities. When responding to requests, there are procedural requirements set out in the legislation which an authority must follow including the time frame within which the information must be supplied. There are also valid exemptions from supplying information that the authority can apply in certain, legally defined, circumstances.

Equal Opportunities

Implementation of this Policy will be carried out in accordance with Neath Port Talbot County Borough Council's policy on diversity. All decisions will be impartial and will not be influenced by race, politics, gender, sexual orientation or religious beliefs of the alleged offender.

NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

Environment and Highways Cabinet Board

13 October 2016

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 Approved List of Contractors.

Background

2. Members will be aware that on previous occasions reports concerning the compilation of the Approved 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 is 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.	Sea Lift Diving Ltd	90 & 111
2.	A & D Heating Services	37, 38 & 45
3.	Quantum Traffic Management	9

Since the previous report in December 2015, the following company has applied to be added on for an additional category:-

<u>FIRM</u>	<u>CATEGORY</u>
Not Applicable	

5. **Equality Impact Assessment**

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. None.

Consultation Outcome

7. The Approved List of Contractors is promoted on NPT web pages.

Sustainability Appraisal

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

Recommendation

9. It is recommended that:-

That all contractors above be included on the Approved List for the relevant categories.

Reasons for Proposed Decision

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

Implementation of Decision

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

List of Background Papers

13. None

Appendices

14. Appendix A – Approved List of Categories

Officer Contact

15. Hasan Hasan, Engineering Manager
Tel. No: 01639 686463
email: h.hasan@npt.gov.uk

Appendix A

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

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NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

Environment and Highways Cabinet Board

13th October 2016

Report of the Head of Engineering & Transport

D. W. Griffiths

Matter for Decision

Ward Affected: Lower Brynamman

Proposed Individual Disabled Parking Place: 30 Glyn Road, Lower Brynamman

Purpose of Report

1. For Members to consider the response received following the advertisement of the proposed individual disabled parking place at 30 Glyn Road, Lower Brynamman, as indicated in Appendix A.

Executive Summary

2. The report outlines the objection and the recommendations for the scheme.

Background

3. The scheme is necessary to alleviate parking problems that the disabled residents experience outside of their home.
4. In June 2016, the proposal was advertised at the same time a consultation exercise was undertaken to all properties affected by the scheme.

Financial Implications

5. At the start of the financial year, £20,000 was allocated to fund new individual disabled parking places and residents' parking schemes as part of the 2016/17 Capital Works Programme.

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 function does not require an Equality Impact Assessment.

Workforce Impact

7. Not applicable.

Legal Impact

8. The scheme has been advertised for a 21-day period.

Risk Management

9. There are no service risk management issues associated with this scheme.

Consultation Outcome

10. Following the consultation exercise, there was one letter of objection to the scheme, which stated:-

“they have not once witnessed the applicant to have difficulty in parking outside their house”.

11. The objector finally stated that should this application be successful, then they will also apply for an ‘individual disabled parking place’, as they also have a blue badge. They are welcome to apply for an IDPP, however they would have to follow and satisfy the same strict criteria to qualify as the original applicant.

Recommendation

It is recommended that:-

12. That the objection be overruled and that the objector be informed accordingly.
13. That the individual disabled parking place at 30 Glyn Road, Lower Brynamman, be approved.

Reasons for Proposed Decision

14. The objection is unsubstantiated because the application satisfies the Council's criteria for the provision of an individual disabled parking place.

Implementation of Decision

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

Appendices

16. Appendix A - Plan

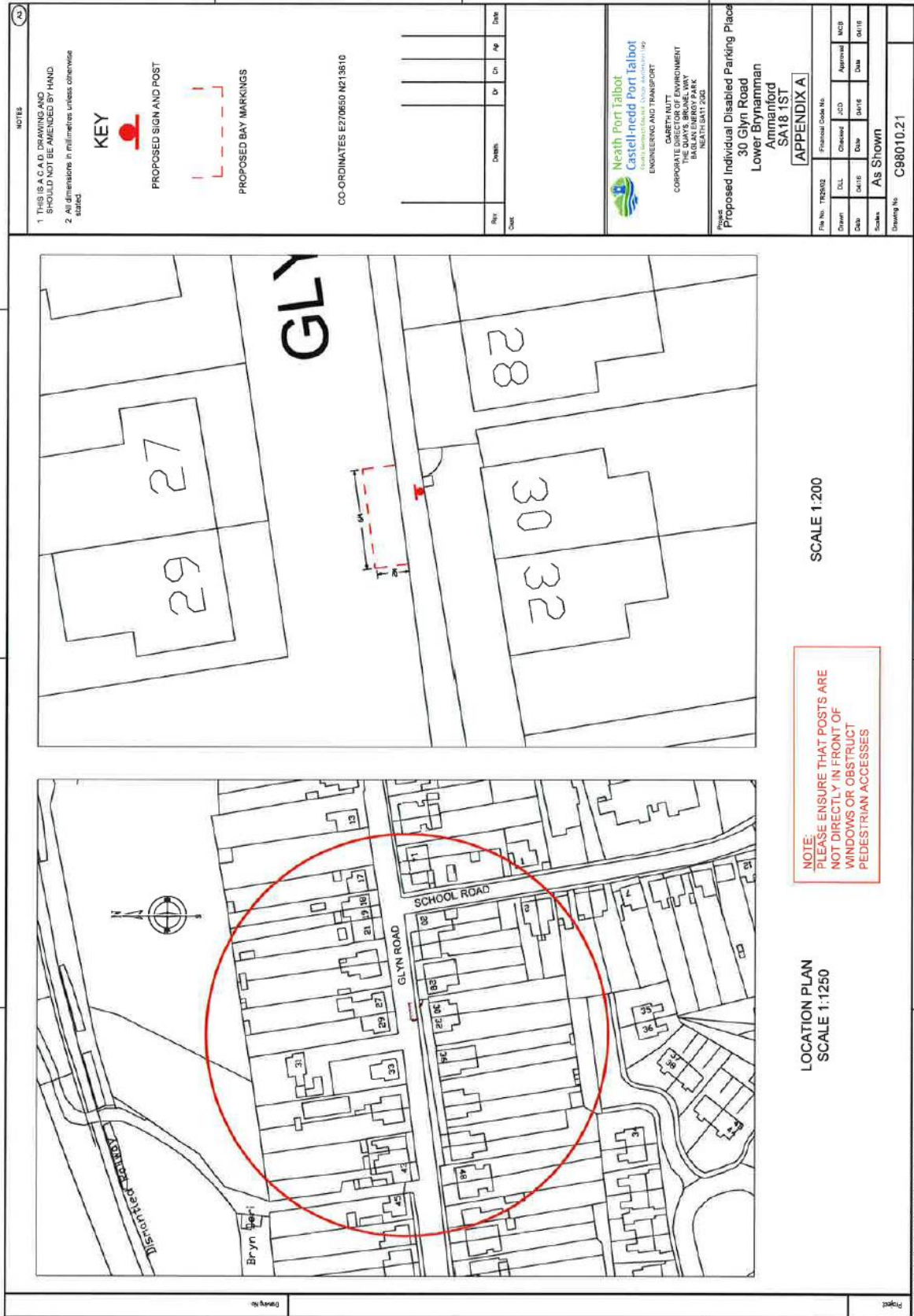
List of Background Papers

17. File TR29/02

Officer Contact

18. Mr M Brumby – Project Manager Highways
Tel. No. 01639 686013
email: m.brumby@npt.gov.uk

Appendix A



NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

Environment and Highways Cabinet Board

13 October 2016

Report of the Head of Engineering & Transport

D. W. Griffiths

Matter for Decision

Ward Affected: Pontardawe

Proposed Prohibition of Entry Order & Prohibition of Right Turn Order Old Road from B4603 Ynysmeudwy Road, Ynysmeudwy, Pontardawe

Purpose of Report

1. To consider the objection received following the advertisement of the above scheme as indicated in Appendix A.

Executive Summary

2. One letter was received in respect of the proposal.
3. The report outlines the objection and the recommendations for the scheme.

Background

4. The Local Members have raised concerns that vehicles turning into Old Road from Ynysmeudwy Road have difficulty negotiating the junction if another vehicle is waiting to turn onto Ynysmeudwy Road from Old Road due to the narrow width of the road. It was decided to prohibit entry at the junction to prevent conflict between vehicles.

Financial Implications

5. The work will be funded from the Capital Works Programme.

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 function does not require an Equality Impact Assessment.

Workforce Impact

7. Not applicable.

Legal Impact

8. The scheme has been advertised for a 21-day period.

Risk Management

9. There are no service risk management issues associated with this scheme.

Consultation Outcome

10. A consultation exercise was carried out when the scheme was advertised in August 2016.

11. One letter of objection to the scheme was received stating that the resident believes that two entrances to Old Road are essential and is concerned that having one entry point could cause accidents.

12. A letter of support for the proposals was received from South Wales Police (Appendix B).

13. Post consultation with Cllr. M James (Pontardawe Ward) suggested amending the ongoing proposals so that vehicles should be prohibited from turning right from Old Road onto Ynysmeudwy Road. This is due to the tight turn onto the main road which causes larger vehicles to encroach into oncoming traffic.

Recommendation

It is recommended that:-

14. The objection is overruled as the junction of Old Road with Ynysmeudwy Road is too narrow for vehicles to negotiate safely in both directions due to the alignment of the junction. It is noted that Old Road will remain 'two way' but with only one entry point.

15. A Prohibition of Right Turn Order from Old Road onto Ynysmeudwy Road be added to the original scheme and re-advertised, and if no objections are received that the Order be implemented as illustrated at Appendix C.

Reasons for Proposed Decision

16. To provide a safer junction at Old Road and Ynysmeudwy Road for motorists and pedestrians.

Implementation of Decision

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

Appendices

18. Appendix A – Plan
Appendix B – Letter from South Wales Police
Appendix C – revised proposals

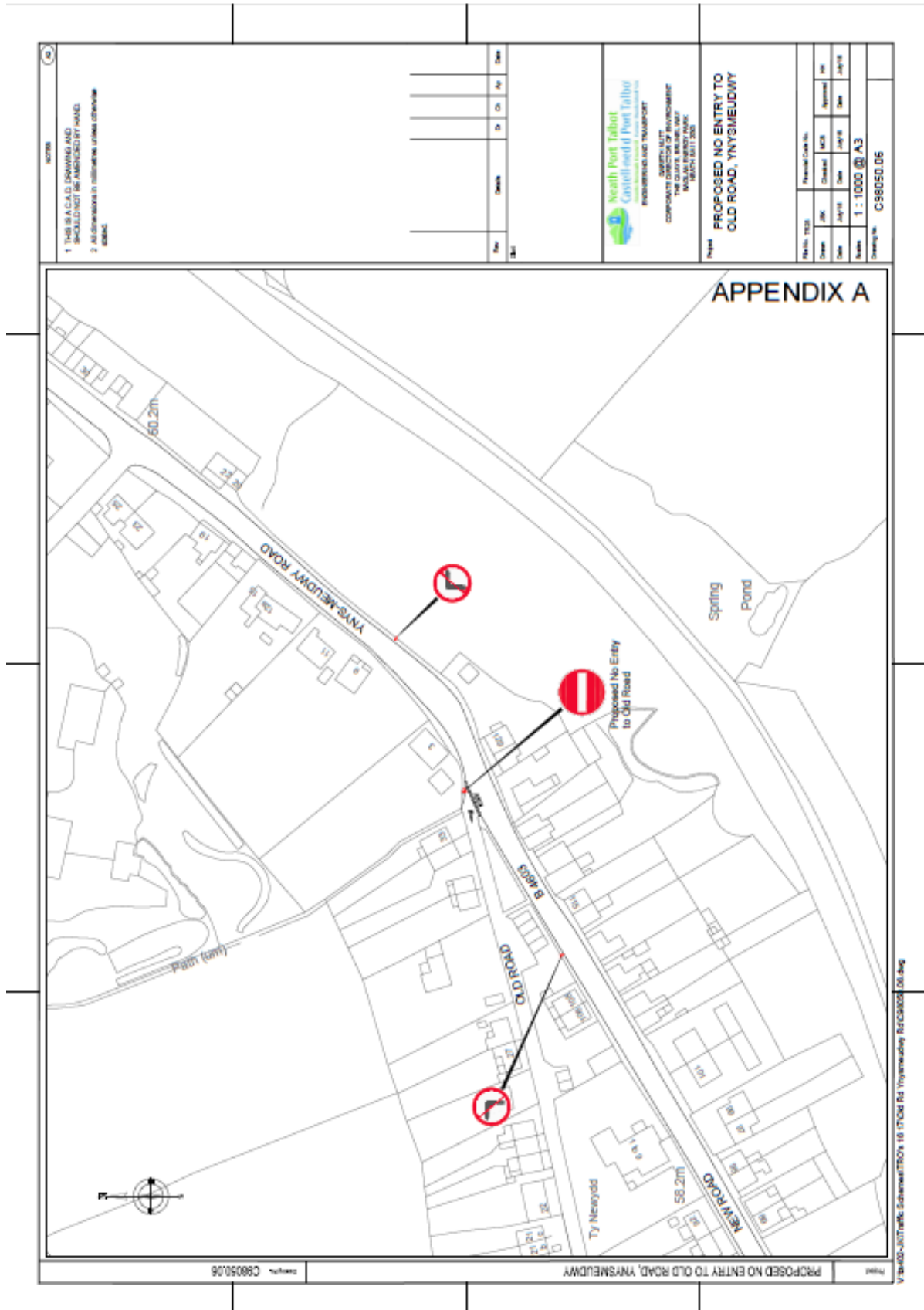
List of Background Papers

19. File TR25

Officer Contact

20. Mr M Brumby – Project Manager Highways
Tel. No. 01639 686013
email: m.brumby@npt.gov.uk
21. Mr J Kane – Senior Assistant Engineer
Tel. No. 01639 686465
email: j.kane@npt.gov.uk

Appendix A



Appendix B

KEEPING SOUTH WALES SAFE • CADW DE CYMRU'N DDIOGEL



Your ref: MAS/D58-2216

Date: 5TH September 2016

Mrs M Stevenson
Legal and Democratic Services
Civic Centre
Port Talbot
SA13 1PJ

Dear Mrs Stevenson

**PROPOSED TRAFFIC ORDER –
OLD ROAD, YNYSMEUDWY, PONTARDAWE**

I refer to your correspondence dated 22nd August 2016, relating to the above matter.

I am writing to inform you that the Police do not object to this proposal.

Yours sincerely

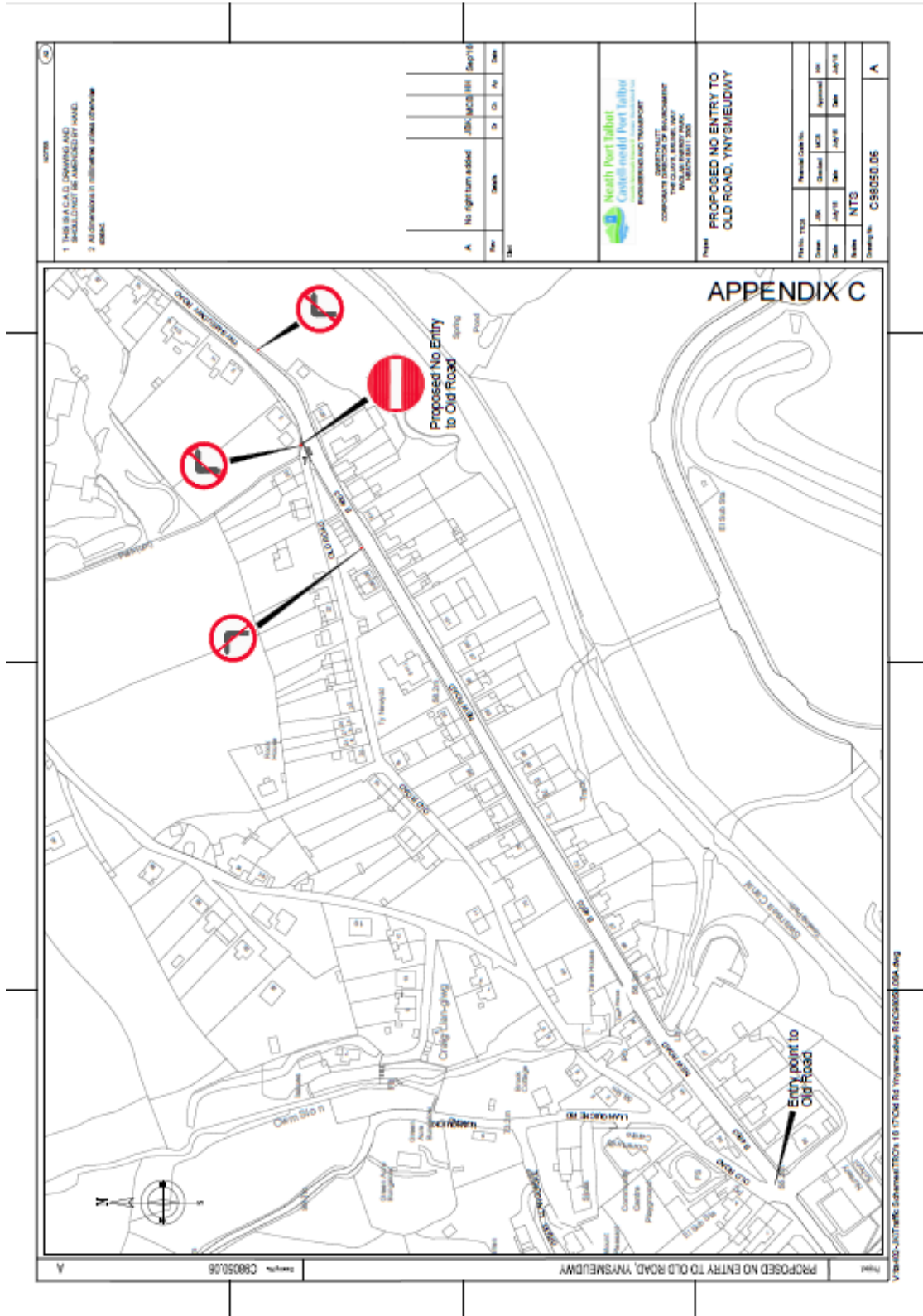
Mathew Lewis
Chief Inspector
(Operations)

GORSAF HEDDLU CASTELL NEDD
Gnoll Park Road, Castell Nedd. SA11 3BW
Teliffon: 01639 635321 Ffacsimili: 01639 640220

SOUTH WALES POLICE WESTERN BCU
Neath Police Station, Gnoll Park Road, Neath. SA11 3BW
Telephone: 01639 635321 Facsimile : 01639 640220

Chief Constable **Peter Vaughan** Prif Gwnstabl

Appendix C



NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

Environment and Highways Cabinet Board

13 October 2016

Report of the Head of Engineering & Transport

D. W. Griffiths

Matter for Decision

Ward Affected: Neath North

Proposed Taxi Ranks – Orchard Street, Neath

Purpose of Report

1. To consider the objections received following the advertisement of the proposals as indicated in Appendix A.

Executive Summary

2. Two letters were received in respect of the proposal.
3. The report outlines the objections and the recommendations for the scheme.

Background

4. In August 2016, the proposals were advertised and at the same time a consultation exercise was undertaken to all properties directly affected by the scheme (Appendix B).

Financial Implications

5. The work will be funded by the Regeneration Capital Programme.

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 function does not require an Equality Impact Assessment.

Workforce Impact

7. Not applicable.

Legal Impact

8. The scheme will be advertised for a 21-day period.

Risk Management

9. There are no service risk management issues associated with this scheme; however, the demolition of the former multi-storey car park in Neath, Wilkinson Store and Tesco Extra is dependent on the relocation of the taxis to facilitate the next phase of the development.

Consultation Outcome

10. This item has been subject to external consultation.

List of consultees:-

Councillor A Lockyer

Councillor M Protheroe

Residents/Businesses affected by the scheme

Celtic Leisure

Neath Town Council

As part of the consultation exercise, a letter drop was undertaken to all residents within the immediate vicinity of the proposals. During the consultation process, two letters were received in respect of the proposals.

Letter 1

Requested a load area be placed outside their property.

Unfortunately, there is no waiting, loading or unloading traffic order protecting a disabled dropped crossing and therefore, cannot be revoked.

To mitigate the impact of the rank in front of the Town Council premises, a request has been received that the loading bay be moved on Castle Street from outside their gates.

The loading bay on Castle Street can be relocated.

Letter 2

The area is used as a drop off point for the Gwyn Hall.

Drivers can still drop off near the Gwyn Hall.

The loading bay is used for deliveries.

If the taxi rank was implemented, there would be no location outside the Gwyn Hall for deliveries.

At times, the road requires to be closed due to events held at the Gwyn Hall.

The road can be closed even if the proposed orders were implemented.

A taxi rank may increase anti-social behaviour directly outside the Gwyn Hall, which could affect people visiting the attraction.

There is a possibility that anti-social behaviour could occur should the taxi rank be implemented while people are visiting the Gwyn Hall.

People waiting for a taxi will try and access the Gwyn Hall to use the patron's only facilities.

There is a possibility should there be a large queue at the rank that people could attempt to access the facilities at the Gwyn Hall.

When queues form for taxis, there will be an increase in rubbish dropped outside the Gwyn Hall.

This would be addressed by the Council's Streetcare Service.

By implementing the taxi rank, this would remove the possibility of disabled patrons parking directly outside the Gwyn Hall.

Should the taxi rank be implemented, this would remove parking facilities directly outside the Gwyn Hall.

Recommendation

It is recommended that:-

11. The objections be upheld.
12. To seek Members' approval to advertise the Legal Orders on an alternative scheme on both Old Market Street, Neath and Orchard Street, Neath (Appendix D & F).
13. Subject to there being no objections, for the Orders to be implemented.

Reasons for Proposed Decision

14. The scheme is necessary to provide alternative taxi ranks at appropriate locations due to the demolition works planned, that will affect the existing rank on Wind Street, Neath.

Implementation of Decision

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

Appendices

16. Appendix A – Consultation Plan
Appendix B – Consultation Letter
Appendix C – Existing Traffic Orders, Old Market Street, Neath
Appendix D – Proposed Traffic Orders, Old Market Street, Neath
Appendix E – Existing Traffic Orders, Orchard Street, Neath
Appendix F – Proposed Traffic Orders, Orchard Street, Neath

List of Background Papers

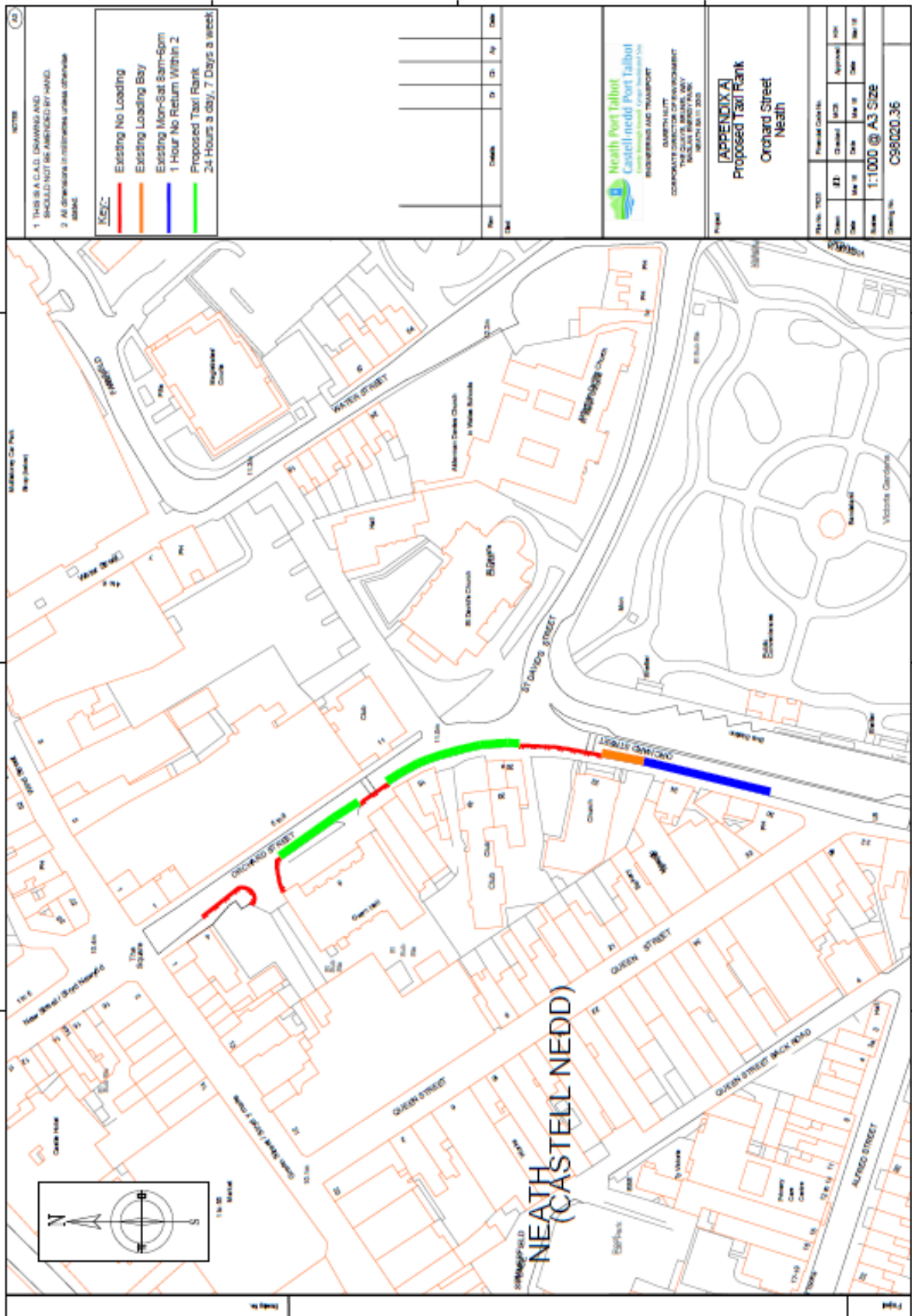
17. File TR25

Officer Contact

18. Mr J C Davies – Senior Engineer Traffic
Tel. No. 01639 686479
email: j.davies15@npt.gov.uk

19. Mr M Brumby – Project Manager Highways
Tel. No. 01639 686013
email: m.brumby@npt.gov.uk

Appendix A



Appendix B



8 August 2016
01639 686479
j.davies15@npt.gov.uk

Date **Dyddiad**
Direct Line **Rhif Ffôn**
email **ebost**

Mr J C Davies
TR25/JCD/

Contact **Cyswllt**
Your Ref **Eich Cyf**
Our Ref **Eln Cyf**

The Occupier

APPENDIX B

Dear Sir/Madam

Re:- Proposed Taxi Rank – Orchard Street, Neath

Neath Port Talbot County Borough Council intend to advertise the above scheme. A copy of the plan is attached.

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

Any objections/support or comments should be forwarded as soon as possible in writing to the address below and must be received no later than 29th August 2016.

If you require this information in larger print, or in an alternative format, please contact the above named officer.

Yours faithfully


For **HEAD OF ENGINEERING & 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

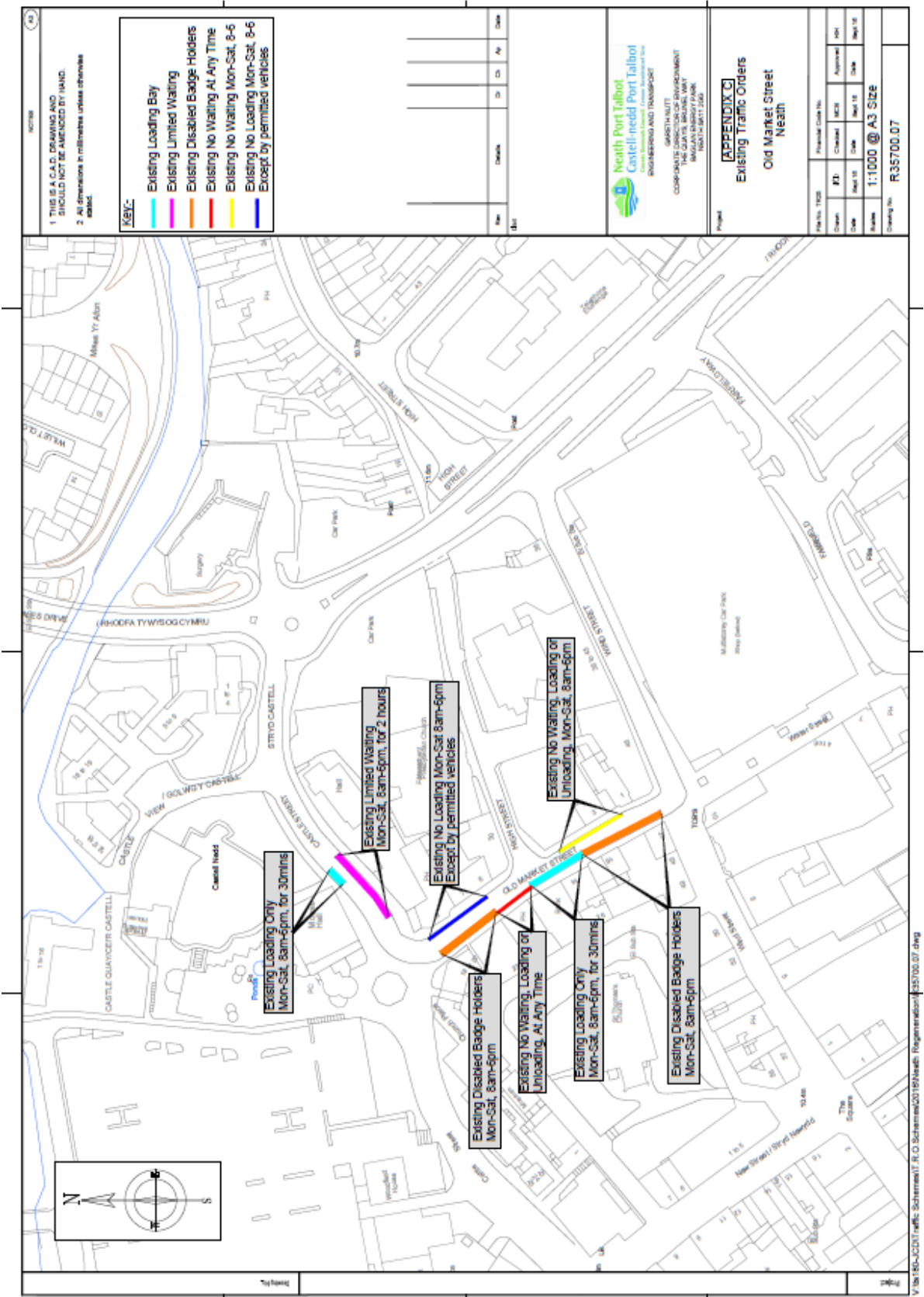
The Council welcomes
correspondence in English or Welsh

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

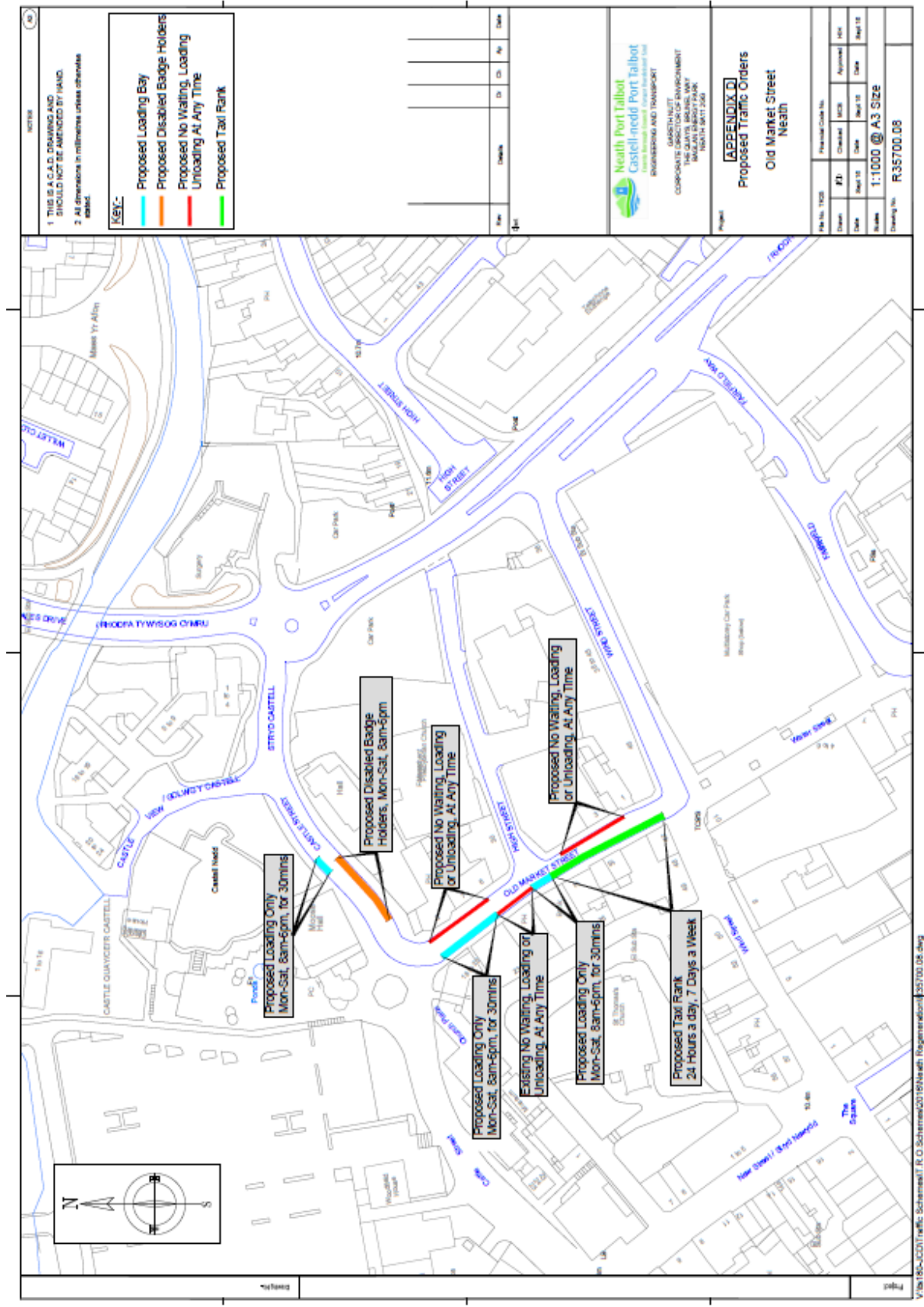
Mae'r Cyngor yn croesawu gohebiaeth
yn y Gymraeg neu'r Saesneg



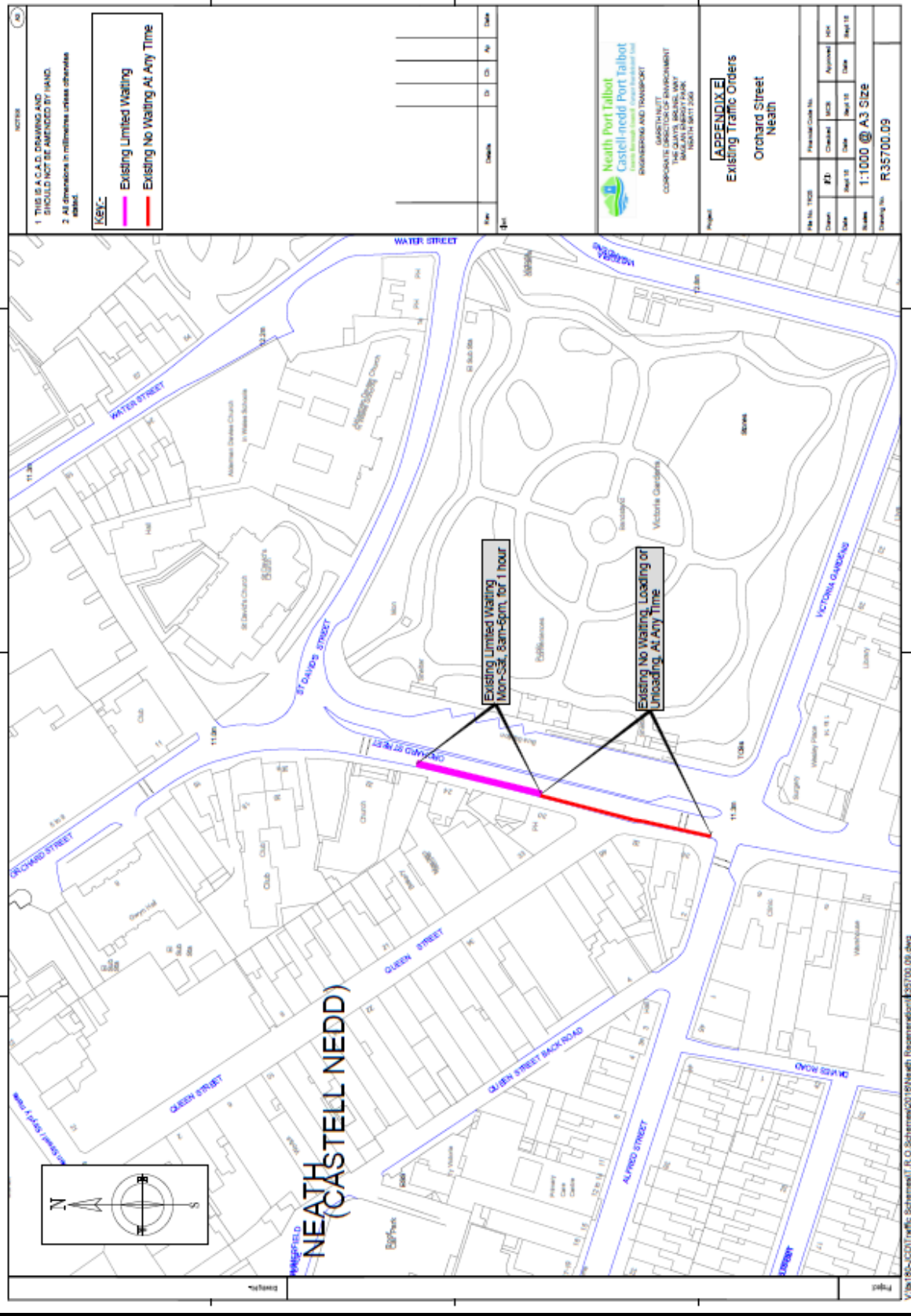
Appendix C



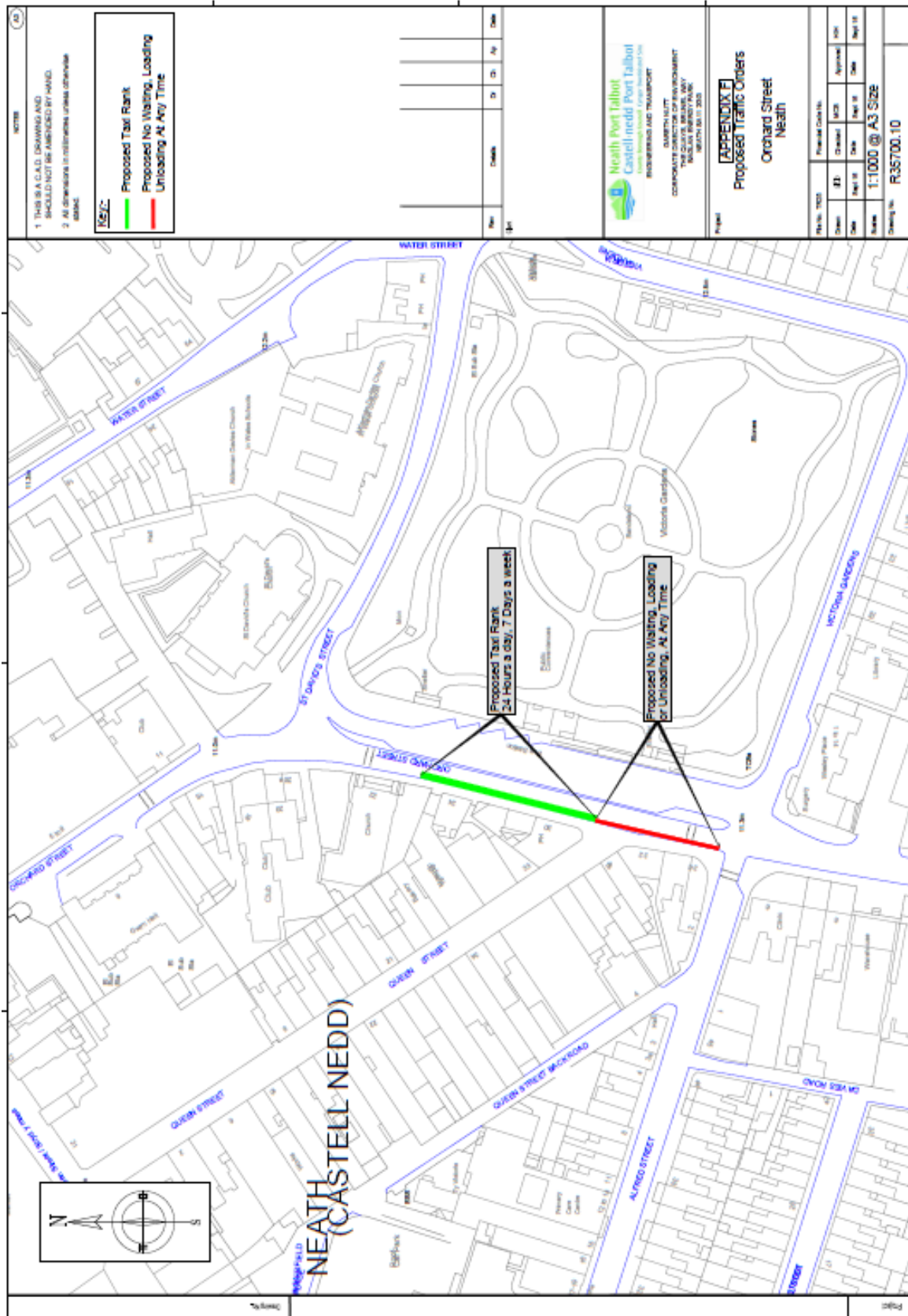
Appendix D



Appendix E



Appendix F



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NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

Environment and Highways Cabinet Board

13 October 2016

Report of the Head of Planning

N. Pearce

Matter for Decision

Wards Affected: All

Environmental Health And Trading Standards Changes To Officer Delegation Arrangements

Purpose of Report

- 1 To seek approval from Members to amend the authority's current constitution and delegation arrangements to officers in relation to the legislation enforced by the Environmental Health and Trading Standards Service {which are currently set out in the Officers of the Council Delegation Arrangements In Part 3 Of the Authority's Constitution [version 12.08.16]}; in order to add further legislation.

Executive Summary

- 2 This report seeks to:-
 - a. Add the following legislation to the list of legislation that is enforced by the Environmental Health and Trading Standards Service.
 - The Official Feed and Food Control (Wales) Regulations 2009
 - The Trade in Animals and Related Products (Wales) Regulations 2011
 - The Food Hygiene (Wales) Regulations 2006
 - The Law of Property Act 1925

Background

- 3 The European Communities Act 1972, under which this secondary legislation is made already appears in Schedule 1 of the Constitution (pages 3.131 – 3.136). Legal advice that has been received recommends that as there are likely to be a large number of pieces of secondary legislation made under this Act that there is a need to be specific in terms of the secondary legislation that we delegate to Officers. These include, the Official Feed and Food Control (Wales) Regulations 2009, the Trade in Animals and Related Products (Wales) Regulations 2011 and the Food Hygiene (Wales) Regulations 2006.
- 4 The Law of Property Act 1925 enables the Authority to serve notice on an owner of a property to seek it's enforced sale in order to re-coup any outstanding costs incurred through carrying out work in default at the property.

Financial Impact

- 6 None

Equality Impact Assessment

- 7 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 Impact

- 8 None

Legal Impact

- 9 None

Risk Management

10 None

Any Other Impacts?

11 *None*

Consultation

12 There is no requirement under the Constitution for external consultation on this item

Recommendation(s)

13 That the delegation arrangements in respect of the Environmental Health and Trading Standards Service which are set out in version 2.08.16 of the authority's Constitution [i.e. in Part 3 - Officer of the Council Delegation Arrangements : {c} Environmental Health and Trading Standards - Schedule 1] are amended to :

- add the official Feed and Food Control (Wales) Regulations 2009, The Trade in Animals and Related Products (Wales) Regulations 2011 and the Food Hygiene (Wales) Regulations 2006 and the Law of Property Act 1925 to the list of legislation [set out in the above referred to Schedule 1] delegated to the Director of Environment, the Head of Planning & Public Protection and the Environmental Health & Trading Standards Manager.
- delegate to those officers in [a] above the authority to authorise individual competent and qualified officers to act under that legislation.
- delegate to those officers in [a] above the authority to institute legal proceedings under the provisions contained in the official Feed and Food Control (Wales) Regulations 2009, the Trade in Animals and Related Products (Wales) Regulations 2011, the Food Hygiene (Wales) Regulations 2006 and the Law of Property Act 1925 in conjunction with the Head of Legal Services [including the signing of any cautions in accordance with Home Office Guidelines] and, where an alleged offender

is being held in custody in relation to an offence, to institute proceedings by way of charge.

- 14 That the Head of Legal Services be authorised to seek amendment of the Constitution by the Council in due course: in order to reflect the above changes to the authority's delegation arrangements.

Reason for Proposed Decision(s)

- 15 To ensure that the Constitution reflects changes that have been made to certain legislation and that identified further legislation has been added.

Implementation of Decision

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

Appendices

- 17 *None*

List of Background Papers

- 18 None

Officer Contact

- 19 Nicola Pearce, Head of Planning and Public Protection.
Tel: 01639 686680 or e-mail:n.pearce@npt.gov.uk
- 20 Mark Thomas, Environmental Health and Trading Standards
Manager. Tel 01639 685612 or email m.thomas2@npt.gov.uk

2016/2017 FORWARD WORK PLAN (DRAFT)

ENVIRONMENT AND HIGHWAYS CABINET BOARD

Meeting Date and Time	Agenda Items	Type (Decision, Monitoring or Information)	Rotation (Topical, ,Annual, Biannual, Quarterly, Monthly)	Contact
24th Nov 2016	Quarterly Performance Monitoring (Q2)	Monitor	Quarterly	A.Headon
	Food and Feed Law Enforcement Service Delivery Plan 2016-17	Decision	Topical	Mark Thomas/ N.Pearce
	Food and Feed Enforcement Performance	Information	Topical	Mark Thomas/ N.Pearce
	Greenways	Dec		M.Roberts
	Resolven Toilets	Info		D.Griffiths

Environment and Highways Cabinet Board – Forward Work Programme (DRAFT)

Meeting Date and Time	Agenda Items	Type (Decision, Monitoring or Information)	Rotation (Topical, ,Annual, Biannual, Quarterly, Monthly)	Contact
5th Jan 2017	Knotweed			D.Griffiths
	Service Coordination Report (SWTRA)	Info		R.Jones/ M.Roberts

Meeting Date and Time	Agenda Items	Type (Decision, Monitoring or Information)	Rotation (Topical, ,Annual, Biannual, Quarterly, Monthly)	Contact
16th Feb 2017	Quarterly Performance Monitoring (Q3)	Monitor	Quarterly	A.Headon
	Vehicle Fleet Procurement Programme 2017/18		Annual	D.Griffiths

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

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