

EXECUTIVE DECISION RECORD
STREETSCENE AND ENGINEERING CABINET BOARD
12 JUNE 2017

Cabinet Members:

Councillors: E.V.Latham (Chairperson) and A.Wingrave

Officers in Attendance:

D.Griffiths, M.Roberts and Mrs.A.Manchipp

1. **APPOINTMENT OF CHAIRPERSON**

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

2. **MINUTES OF THE ENGINEERING AND HIGHWAYS CABINET BOARD HELD ON 16 FEBRUARY 2017**

Noted by the Committee.

3. **3 NO PUBLIC FOOTPATHS - ALLTWEN AND RHOS**

Decision:

That no modification order be made for the alleged Public Footpaths in Alltwen and Rhos, named as:

1. Pen yr Alltwen to Footpath No.39
2. Bryn Llewellyn alongside Pen yr Alltwen to Footpath No. 36
3. Footpath 39 to Footpath No.36 Community of Cilybebyll

Reasons for Decision:

1. The written evidence provides grounds for making a modification order under the test that it is “reasonable to allege a public path subsists” as set out in appendix 2. However only two people have stated that they wish to continue to support this application which is insufficient to justify making a modification order.
2. In addition to the lack of support set out above, it is also possible this path was called into question in either 1993 or 1996 which if correct would only leave one person who would claim to have used the path for the full 20 year period.
3. Only one person has said they are prepared to continue to support this alleged public path should this earlier period be found to represent the relevant period which again is insufficient to justify making a modification order.

Implementation of Decision:

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

Consultation

The item has been subject to extensive consultation.

4. **PUBLIC FOOTPATH - COMMUNITY OF SEVEN SISTERS**

Decision:

That no Modification Order be made for the route A-B-C in the Community of Seven Sisters (as detailed in the circulated plan).

Reason for Decision:

Primarily, that because none of the exemptions set out in Appendix 3 apply, then under the terms of Natural Environmental and Communities Act 2006, no public byways can be created after the 16th November 2016.

In addition even if such an exemption could be found the application did not comply with the terms of the Wildlife and Countryside Act 1981.

Lastly that those in support of the application cannot be said to represent the public at large.

Implementation of Decision:

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

Consultation:

This item has been subject to external consultation.

5. **PUBLIC FOOTPATHS - ALLEGED PUBLIC FOOTPATH FROM GARDNERS LANE TO EAGLESBUSH VALLEY (A-B-C) AND TO YNYSMAERDY ROAD VIA CEFN COED FARM (B-E-F) COMMUNITIES OF BRITON FERRY AND NEATH**

Decision:

That the Local Authority informs the Planning Inspectorate it wishes to take a neutral stance in any subsequent Public Inquiry in respect of the modification order, which had been made to recognise the paths C-B-E-F as a public right of way on foot, in the Communities of Briton Ferry and Neath (as detailed within the circulated report).

Reason for Decision:

The appeal was allowed and the Authority has been directed to make a modification order. If there are objections to this order, it is reasonable and consistent with its previous decision, that this Authority take no further proactive part and only assist the Inspector at any subsequent public inquiry.

Implementation of Decision:

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

Consultation:

The appeal decision was forwarded to all the local Members and affected landowners.

6. **URGENCY ACTION - 1278**

Decision:

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

Officer Urgency Action No 1278 re: Revocation of No Waiting, Loading or Unloading, At Any Time Order: Ty-Fry Road and Bertha Road, Margam.

7. **JAPANESE KNOTWEED**

Decision:

That the policies and procedures given in Appendices C (proposed policy and procedure for dealing with Knotweed on Private Land) and D (proposed procedure for dealing with Knotweed on Council land) to the circulated report, be adopted by the Local Authority, and that the Local Authority continues to implement its annual programme of knotweed treatment.

Reason for Decision:

To establish policy and procedures with respect to dealing with Japanese knotweed.

Implementation of Decision:

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

8. **INCORPORATION OF COUNCIL LAND INTO THE HIGHWAY – BAE BAGLAN**

Decision:

That the various sections of unadopted road, footway, parking bays and verge adjoining Ysgol Bae Baglan comprising part of Sirius Drive and adjoining Seaway Parade, Baglan, as approximately shown edged in black on the attached two plans (Appendix A to the circulated report) become highway maintainable at public expense.

Reason for Decision:

To enable the road, footway, parking bays and verge to become highway maintainable at public expense.

Implementation of Decision:

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

9. **INCORPORATION OF COUNCIL LAND INTO THE HIGHWAY – BRITON FERRY**

Decision:

That the section of unadopted road, footway and verge running off Brunel Way past the Recycling Centre connecting with Church Street, Briton Ferry (Appendix A to the circulated report), becomes highway maintainable at public expense.

Reason for Decision:

To enable the road and verge to become highway maintainable at public expense.

Implementation of Decision:

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

10. **LIST OF APPROVED CONTRACTORS**

Decision:

That the following firms be included in the approved list of contractors in the categories below:-

<u>FIRM</u>	<u>CATEGORY</u>
Compco Fire Systems Ltd	111
RPW Radon Wales Ltd	57 & 111
iLine Technologies Ltd	94 & 111
Creative Play (UK) Ltd	

Reasons for Decision:

1. To keep the Approved List up to date and as far as possible ensure a competitive procurement process.
2. 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:

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

- 11.
- 12.
- 13.
- 14.

11. **ROAD SAFETY GRANT SCHEMES 2017-18**

Decision:

That authority be granted to Traffic Section Officers, for the Orders contained within the Road Safety Grant schemes 2017-2018 to be advertised in accordance with the statutory requirements and for the schemes to be implemented in accordance with the relevant statutory requirements contained within the current Road Traffic Regulations, subject to there being no objections received, and in the event of any objections being received in respect of any schemes, these will be reported back to this Board for a decision.

Reason for Decision:

The schemes are necessary in the interest of road safety within the County Borough.

Implementation of Decision:

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

Consultation:

Initial consultation on each scheme contained within the Road Safety Grant schemes will be carried out with the Local Member(s) for each Ward affected by a scheme prior to the formal consultation process undertaken with the public and any other affected bodies.

12. **TRAFFIC CAPITAL PROGRAMME 2017-18**

Decision:

That authority be given to Traffic Section Officers, for the schemes contained within the Traffic Capital Programme 2017-2018 to be advertised in accordance with the statutory requirements and for the schemes to be implemented in accordance with the relevant statutory requirements contained within the current Road Traffic Regulations, subject to there being no objections received, and in the event of any objections being received in respect of any schemes, these will be reported back to this Board for a decision.

Reason for Decision:

The schemes are necessary in the interest of road safety and providing adequate parking provisions within the County Borough.

Implementation of Decision:

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

Consultation:

Initial consultation on each scheme contained within the Traffic Capital Programme will be carried out with the Local Member(s) for each Ward

affected by a scheme prior to the formal consultation process undertaken with the public and any other affected bodies.

13. **TRAFFIC ORDER - RIDGEWOOD GARDENS, NEATH**

Decision:

That the objection be overruled and the objectors informed accordingly, and the scheme (prohibition of Waiting at Any Time Order – Ridgewood Gardens, Neath) be implemented as previously advertised.

Reason for Decision:

The scheme is necessary to prevent indiscriminate parking within 10 metres of the junction in the interest of public safety and as stated in the Highway Code.

Implementation of Decision:

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

Consultation:

This item has been subject to external consultation.

14. **TRAFFIC ORDER - STATION ROAD, PORT TALBOT**

Decision:

That, notwithstanding the comments made by the earlier Scrutiny Committee, the objection be overruled and the objectors informed accordingly, and the scheme (No Waiting, Loading or Unloading to the rear of 21 - 41 Station Road, Port Talbot) be implemented as previously advertised.

Reason for Decision:

The scheme is necessary to have a controlled area of parking, i.e. a loading bay and prevent indiscriminate parking in the interest of road safety.

Implementation of Decision:

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

Consultation:

This has been subject to external consultation.

15. **ACCESS TO MEETINGS**

Decision:

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

16. **FRAMEWORK ARRANGEMENTS - OCCASIONAL HIRE**

Decision:

That the requirements of competition be excluded and Rule 2.1 of the Council's Contracts Procedure Rules be suspended and the Frameworks and the seven Framework Agreements be extended for a period of three months from 1 August 2017, including an option to extend up to a maximum period of an additional two months, to allow the Council to run its own competitive tender exercise, which will be undertaken at the same time as the extension is to be put in place.

Reason for Decision:

To ensure continuity of the provision of the Services pending the Council's intended competitive procurement exercise and the implementation of a new framework and new framework agreements resulting therefrom.

Implementation of Decision:

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

CHAIRMAN