



**REGENERATION AND SUSTAINABLE DEVELOPMENT CABINET
BOARD**

16 APRIL, 2021

**IMMEDIATELY FOLLOWING CABINET SCRUTINY COMMITTEE
FRIDAY**

VIA TEAMS

**ALL MOBILE TELEPHONES TO BE SWITCHED TO SILENT FOR THE
DURATION OF THE MEETING**

PART 1

1. Appointment of Chairperson
2. Welcome and Roll Call
3. Chair Announcements
4. Declarations of Interest
5. Minutes of Previous Meeting (*Pages 3 - 4*)
6. Metal Detecting Policy (*Pages 5 - 16*)
7. Commercial Property Grant: 44 Victoria Gardens, Neath, SA11 3BH
(*Pages 17 - 28*)
8. Forward Work Programme 2021/2022 (*Pages 29 - 38*)
9. Urgent Items
Any urgent items (whether public or exempt) at the discretion of the
Chairman pursuant to Statutory Instrument 2001 No 2290 (as
amended).

K.Jones
Chief Executive

Civic Centre
Port Talbot

9 April, 2021

Regeneration and Sustainable Development Cabinet Board
Members:

Councillors. L.Jones and A.Wingrave

EXECUTIVE DECISION RECORD

5 FEBRUARY 2021

REGENERATION AND SUSTAINABLE DEVELOPMENT CABINET BOARD

Cabinet Members:

Councillors: L.Jones and A.Wingrave

Officers in Attendance:

N.Pearce, S.Brennan, C.Millis, C.Morris, C.Jones, M.Shaw, E.Barrett, N.Headon and C.Plowman

Scrutiny Invitee:

Councillor R.Taylor (Vice Chair)

1. **APPOINTMENT OF CHAIRPERSON**

Agreed that Councillor A. Wingrave be appointed Chairperson for the meeting.

2. **MINUTES OF PREVIOUS MEETINGS**

The minutes of the meeting held on 24 January and 14 February 2020 were approved.

3. **ALLEGED PUBLIC FOOTPATH VIA THE RAILWAY FOOTBRIDGE FROM NO. 20 TO A4109**

Decision:

That approval be granted for a Modification Order made under Section 53 of the Wildlife and Countryside Act 1981 to register the path shown A

– B on plan No. 1 and of no objections are received to confirm the same as an unopposed order.

Reason for Decision:

There is sufficient evidence that the footbridge has been subject to a period of uninterrupted use for a minimum period of 20 years. This satisfies the provisions of section 31 of the Highways Act 1980 which presumes the way has been dedicated as a highway to the public.

Implementation of Decision:

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

4. **PROPOSAL TO EXTEND THE CURRENT SERVICE PROVIDED BY THE PRIMARY SUBSTANCE ABUSE LIAISON TEAM (PSALT)**

Members were supportive of the amendment to the recommendation provided by officers, as detailed below.

Decision:

That approval be granted for the Head of Participation (Education, Leisure and Lifelong Learning) to enter into a grant agreement(s) with the Amman Tawe Valley Medical Practice to extend the current service provided by the Primary Substance Abuse Liaison Team (PSALT) Primary Care Services, having regard to rule 7.1.21 of the Contract procedure Rules whereby a grant agreement is excluded from the requirement for competitive tendering.

Reason for Decision:

To ensure the necessary arrangements can be put in place to enact a decision of the Area Planning Board, to meet identified needs in respect of Opiate Substitution Therapy.

Implementation of Decision:

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

CHAIRPERSON



Cyngor Castell-nedd Port Talbot
Neath Port Talbot Council

NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

Regeneration and Sustainable Development Board

16 April 2021

**Joint Report of the Head of Streetcare – Mike Roberts & Simon
Brennan – Head of Property & Regeneration**

Matter for Decision

Wards Affected: All Wards

Metal Detecting Policy

Purpose of the Report

1. To seek approval for the adoption of a formal Policy in respect of metal detecting activities on Council owned land.

Executive Summary:

2. The Council does not currently have a formal policy in relation to service requests for permission to carry out metal detecting activities on its land. To ensure a consistent approach to these requests it is proposed to implement a formal policy. The report outlines the considerations made when determining the proposed policy and the recommendation that the Council does not support such activity on its land.

Background:

3. Metal detecting is becoming a popular hobby and recently the Council has received an increased number of requests to allow metal detecting on its land.

4. The Council does not have a formal policy in respect of metal detecting and to date officers have replied to requests in a 'piecemeal' fashion.
5. Furthermore, officers have not previously issued any written permit, nor authorised or supported any metal detecting with regard to Council land.
6. When considering a policy regarding metal detecting on Council land, there were a number of considerations as below:
 - Damage to Council land, to tree roots, plants and wildlife, resulting from digging up possible 'finds'.
 - Suitable and safe reinstatement, and whether the burden rests with the detectorist, furthermore whether the Council should inspect any reinstatement and what recourse the Council would have to remedy any inadequate reinstatement.
 - Liability in the event of a slip/trip/fall alleged to have resulted from an area dug up and not properly reinstated, and whether a detectorist's Public Liability Insurance (if required) would provide adequate cover. Also, how would the Council identify which detectorist was responsible for digging a particular area of ground if more than one permit was issued for any one area. Ultimately, would the Council, as landowner, be liable for any injury or damage.
 - Requirement for insurance along with arrangements for ensuring compliance if required. It is noted some Council's in England require Public Liability Insurance of £10,000,000.
 - Loss of historical information and damage to archaeology due to: removing artefacts from their original location; removing only the metal element of the artefact; and, removing any artefact without proper record.
 - The ownership of any finds other than Treasure (as defined by the Treasure Act 1996).
 - Provision of licences or permits and administering of these, the period of cover, maintaining a register, and policing those permitted or not permitted to metal detect.
 - Exclusivity or the issuing of more than one permit for any one area of land.

- How the cost of administration and ensuring compliance would be met.
 - The appropriateness of any single policy given that across the Council several service areas and divisions have various landowner or land management responsibilities (for example: schools and leisure facility grounds; highway verges, parks, gardens, and Estate's land).
7. When considering the proposed Policy, attendees of the Green Space Wales Forum were contacted to ascertain if they had a formal policy in place. The responses received indicate that whilst some other Council's in Wales do not support metal detecting activities on their land, they too do not have a formal policy in place.

Financial Impacts:

8. There are no financial impacts

Integrated Impact Assessment:

9. A first stage impact assessment has been undertaken to assist the Council in discharging its legislative duties (under the Equality Act 2010, the Welsh Language Standards (No.1) Regulations 2015, the Well-being of Future Generations (Wales) Act 2015 and the Environment (Wales) Act 2016.
10. The first stage assessment has indicated that a more in-depth assessment is not required. A summary is included below.
- After completing the assessment it has been determined that this proposal does not require a full Impact Assessment as it has no adverse impact on people who share protected characteristics or on people's ability to use the Welsh Language.

Valleys Communities Impacts:

11. There are no Valleys Community Impacts.

Workforce Impacts:

12. There are no workforce impacts.

Legal Impacts:

13. Should an individual undertake metal detecting on Council land without consent then the Council could bring a civil case against an individual for trespass and also claim for any subsequent damage caused to Council land.

Risk Management Impacts:

14. The implementation of this Policy would lower the risk of potential damage to Council land as well as reducing the risk of possible insurance claims for slips, trips and falls by the general public on areas of land affected by metal detecting activities.

Consultation:

15. There is no requirement for external consultation on this item.
16. Consultation has taken place with internal stakeholders in Property and Regeneration, Streetcare Services and Education Leisure and Lifelong Learning who are in support of the proposed policy. Consultation has also taken place with Legal Services with regards to any recourse available to the Council should the proposed policy be breached.

Recommendations:

17. It is recommended that:
 - i) The Council does not support Metal Detecting activities on its land;
 - ii) That the draft policy, given as Appendix 1, in respect of metal detecting activities be adopted.

Reasons for Proposed Decision:

18. Due to the potential for damage to Council property, loss of historical information and damage to archaeology, together with the burden of administration, Metal detecting on Council land should not be supported.

Implementation of Decision:

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

Appendices:

20. Appendix 1 – Draft Metal Detecting Policy.
Appendix 2 – Integrated Impact Assessment.

List of Background Papers:

21. None.

Officer Contact:

Name: Andrew Lewis

Designation: Waste and Neighbourhood Services Manager

Email: a.lewis@npt.gov.uk

Direct dial: 01639 686021

Name: David Phillips

Designation: Property & Valuation Manager

Email: d.phillips@npt.gov.uk

Direct dial: 01639 686980

Metal Detecting Policy

Metal detecting on land owned or tenanted by Neath Port Talbot County Borough Council is not permitted except:

- (a) where a metal detecting survey forms part of an approved archaeological investigation and the associated permission is granted or;
- (b) for any other purpose that the Council deems to be appropriate.

This policy has been adopted to provide a consistent approach to the management of the Council's assets and for the reasons set out below:

To prevent or minimise:

- Damage to tree roots, plants and wildlife
- Trip hazards where land is disturbed and not correctly reinstated
- The removal of artefacts from their original location with serious loss of archaeological information
- Damage to related archaeological deposits
- Partial recovery of assemblages which might neglect non-metal finds, again with a loss of information
- Unreported discoveries leading to an accumulated loss of knowledge

Should an individual undertake metal detecting on Council land without consent then the Council could bring a civil case against said individual for trespass and also claim for any subsequent damage caused to Council land.

Impact Assessment - First Stage

1. Details of the initiative

Initiative description and summary: Metal Detecting Policy
Service Area: Streetcare, Property & Regeneration & Education
Directorate: Environment

2. Does the initiative affect:

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

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

	Yes	No	None/ Negligible	Don't Know	Impact H/M/L	Reasons for your decision (including evidence)/How might it impact?
Age		✓				The proposed Metal Detecting Policy would not impact upon anyone with protected characteristics.
Disability		✓				
Gender Reassignment		✓				
Marriage/Civil Partnership		✓				
Pregnancy/Maternity		✓				
Race		✓				
Religion/Belief		✓				
Sex		✓				
Sexual orientation		✓				

4. Does the initiative impact on:

	Yes	No	None/ Negligible	Don't know	Impact H/M/L	Reasons for your decision (including evidence used) / How might it impact?
People's opportunities to use the Welsh language		✓				The policy does not impact in people's opportunities to communicate in Welsh.
Treating the Welsh language no less favourably than English		✓				The policy does not impact on provision to ensure staff can use their first language of choice.

5. Does the initiative impact on biodiversity:

	Yes	No	None/ Negligible	Don't know	Impact H/M/L	Reasons for your decision (including evidence) / How might it impact?
To maintain and enhance biodiversity		✓				The policy would have a positive impact on biodiversity as tree roots, plants and wildlife will be protected from possible damage caused by metal detecting activities
To promote the resilience of ecosystems, i.e. supporting protection of the wider environment, such as air quality, flood alleviation, etc.		✓				The policy will also promote the resilience of ecosystems.

6. Does the initiative embrace the sustainable development principle (5 ways of working):

	Yes	No	Details
Long term - how the initiative supports the long term well-being of people		✓	
Integration - how the initiative impacts upon our wellbeing objectives		✓	
Involvement - how people have been involved in developing the initiative	✓		Consultation has taken place with internal stakeholders in Property and Regeneration and Education, Leisure and Lifelong Learning. Consultation has also taken place with Legal Services with regards to any recourse available to the Council should the proposed policy be breached.
Collaboration - how we have worked with other services/organisations to find shared sustainable solutions	✓		Consultation has taken place with internal stakeholders in Property and Regeneration and Education, Leisure and Lifelong Learning. Consultation has also taken place with Legal Services with regards to any recourse available to the Council should the proposed policy be breached.
Prevention - how the initiative will prevent problems occurring or getting worse	✓		The policy will help protect Council owned land from damage by metal detecting activities.

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

A full impact assessment (second stage) is not required	✓
Reasons for this conclusion	
After completing the assessment it has been determined that this proposal does not require a full Impact Assessment as it has no adverse impact on people who share protected characteristics or on people's ability to use the Welsh Language.	

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

	Name	Position	Date
Completed by	Nicola Thomas	Senior Community Services Officer	28 th January 2021
Completed by	David Phillips	Property & Valuation Manager	11 th February 2021
Signed off by	Michael Roberts	Head of Streetcare	28 th January 2021
Signed off by	Simon Brennan	Head of Property & Regeneration	11 th February 2021

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Cyngor Castell-nedd Port Talbot
Neath Port Talbot Council

NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

Regeneration and Sustainable Development Cabinet Board

16th April 2021

Report of the Head of Property and Regeneration – S. Brennan

Matter for Decision,

Wards Affected: Neath North

**COMMERCIAL PROPERTY GRANT: 44 VICTORIA GARDENS,
NEATH, SA11 3BH**

Purpose of the Report:

To obtain authority under the Commercial Property Grant scheme, to grant aid external improvement works to the commercial property named above.

Executive Summary:

The proposal is to part fund improvements to the external appearance of the above property, currently used as the “Magnolia Centre for Health and Wellbeing”, that would physically enhance the character of Victoria Gardens and the Neath Conservation Area and support it’s preservation in to the future.

It is proposed to replace all windows and two entrance doors on a like-for-like basis, clean and restore the stonework carrying out

repairs and re-pointing as necessary and install new signage. This work will improve the quality of the built environment to attract further economic investment to the area and safeguard this supply of employment floorspace in to the future.

Background:

Historically the Commercial Property Grant initiative has been part funded by the Authority under the provisions of the Local Government Act 2000, with provision made within the Neath Port Talbot Regeneration Capital Programme for borough-wide projects that target specific commercial centres, Communities First areas and Neighbourhood Renewal Areas.

Provision of £40,000 has been made available for Commercial Property Grant schemes within the 2020/21 Regeneration Capital Programme.

Conditions applicable to the following project will be issued in accordance with the agreed terms for the scheme.

PROPOSAL

Property Address: 44 Victoria Gardens, Neath



Brief Description of works:



- The property is currently in use as a Centre for Health and Wellbeing, offering luxury therapy rooms for an array of wellness professionals.
- The property is a Victorian Townhouse with original single glazed sliding sash windows that are in a poor condition, letting in damp, they are not energy efficient and need updating. The external stonework requires cleaning and restoration.
- It is proposed to:
 - Replace all windows and two entrance doors on a visual like-for-like basis in painted hardwood but with double glazed windows
 - Clean and restore the stonework carrying out repairs and re-pointing as necessary
 - Install a small (approx. 1000 x 500mm) non-illuminated post mounted sign to the front of the building and a larger (approx.. 2000 x 1000mm) internally illuminated post mounted box sign to replace the existing sign at the side of the building
- Total Project Cost (inc eligible works & fees): £46,255 (inc VAT as an eligible cost as the applicant is not VAT registered)

Proposed Grant Offer (50% intervention rate): **£ 23,128** (inc VAT)

Financial Impacts:

Grant approval, subject to this report = £23,128

There is sufficient allocation within the Regeneration Capital Programme from which to fund this project.

Integrated Impact Assessment:

A first stage impact assessment has been undertaken to assist the Council in discharging its legislative duties (under the Equality Act 2010, the Welsh Language Standards (No.1) Regulations 2015, the Well-being of Future Generations (Wales) Act 2015 and the Environment (Wales) Act 2016.

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

In line with the Neath Port Talbot EIA screening form guidance we have determined that a full EIA is not relevant. Though the end users of the building will be the general public they will only use the building should they choose to have therapy treatment in the building. Due to the small size of the building the proposed scheme will have low impact on the general public of the County Borough, the proposed work will not impact the accessibility of the development.

Valleys Communities Impacts:

No implications.

Workforce Impacts:

No implications.

Legal Impacts:

The Commercial Property Grant initiative has been part funded by the Authority under the provisions of the Local Government Act 2000.

Risk Management Impacts:

Risks associated with implementing the proposed recommendations:

The Council will not be responsible for any aspect of control of the Works (including for example, design, related investigations, implementation and supervision). The Applicant alone is responsible for everything relating to the Works, including all health and safety matters and for any financial losses. The Council has no legal responsibility for such matters, even if they require approval under the conditions in this manual or Grant Offer Letter.

If the project fails to complete, or does not complete in accordance with the grant terms and conditions, the grant money cannot be claimed. If the project slips over to the next financial year then it is possible that there will not be sufficient funds and the claim process will be complicated.

Risks associated with failing to implement the proposed recommendations:

If the grant is not approved the proposed refurbishment will not be carried out at that time and the locality will not benefit from the resulting regeneration impacts.

Consultation:

There is no requirement for external consultation on this item

Recommendations:

That the grant is approved

Reasons for Proposed Decision:

To implement the provisions of the Commercial Property Grant scheme in accordance with the criteria and terms of administration of the grant, in order to contribute to the regeneration of Neath town centre.

Implementation of Decision:

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

Appendices:

None.

List of Background Papers:

First Stage Risk Management Impact Assessment.

Officer Contact:

Name: Nicola Jane Bulcraig

Designation: Strategic Development Officer

Email: n.bulcraig@npt.gov.uk

Direct dial: 01639 686683

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Impact Assessment - First Stage

1. Details of the initiative

Initiative description and summary:

Commercial Property Grant to part fund external improvements to former “Magnolia Centre for Health and Wellbeing” at 44 Victoria Gardens, Neath. External improvements to involve the replacement of all windows and two entrance doors, the cleaning and restoration of the stonework carrying out repairs and re-pointing as necessary and the installation of new signage. This work will improve the quality and appearance of the built environment of Victoria Gardens and the Neath Conservation Area to attract further economic investment to the area. It will also safeguard this supply of employment floorspace in to the future.

Service Area: Property & Regeneration

Directorate: Environment

2. Does the initiative affect:

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

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

	Yes	No	None/ Negligible	Don't Know	Impact H/M/L	Reasons for your decision (including evidence)/How might it impact?
Age		X				Proposal is to improve the external appearance of building only. This benefits users of Neath town centre, as well as the people that use the building.
Disability		X				As above

Gender Reassignment		X				As above
Marriage/Civil Partnership		X				As above
Pregnancy/Maternity		X				As above
Race		X				As above
Religion/Belief		X				As above
Sex		X				As above
Sexual orientation		X				As above

4. Does the initiative impact on:

	Yes	No	None/ Negligible	Don't know	Impact H/M/L	Reasons for your decision (including evidence used) / How might it impact?
People's opportunities to use the Welsh language		X				Proposal is to improve the external appearance of building only and has no impact on the use of language
Treating the Welsh language no less favourably than English		X				As above

5. Does the initiative impact on biodiversity:

	Yes	No	None/ Negligible	Don't know	Impact H/M/L	Reasons for your decision (including evidence) / How might it impact?
To maintain and enhance biodiversity		X				Proposal is to improve the external appearance of building only and has no impact on local biodiversity.

To promote the resilience of ecosystems, i.e. supporting protection of the wider environment, such as air quality, flood alleviation, etc.		X				Proposal is to improve the external appearance of building only and has no impact on the resilience of ecosystems.
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6. Does the initiative embrace the sustainable development principle (5 ways of working):

	Yes	No	Details
Long term - how the initiative supports the long term well-being of people	X		The proposed improvement to the external appearance of 44 Victoria Gardens will improve the appearance of Neath town centre in the long-term and so improve the quality of life for those that use it.
Integration - how the initiative impacts upon our wellbeing objectives	X		The proposed work supports business to grow the local economy and attract new investment to the area. (NPTCBC Corporate Plan 2019-2022 3.1.3)
Involvement - how people have been involved in developing the initiative		X	The design changes to the building were selected by it's owner in consideration of the enjoyment of the building by it's potential users.
Collaboration - how we have worked with other services/organisations to find shared sustainable solutions		X	The project is not of sufficient scope or scale to require the involvement of other services or organisations.
Prevention - how the initiative will prevent problems occurring or getting worse	X		The proposal will reduce the rate at which the building will deteriorate in condition and appearance, as well as contribute towards reducing the rate at which the overall appearance of Neath Conservation Area deteriorates in condition and appearance. Potentially the people that use an area will treat it better, in terms of reduced rates of vandalism, graffiti and litter, if they

			consider the quality of their environment to be good or improving.
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7. Declaration - based on above assessment (tick as appropriate):

A full impact assessment (second stage) is not required	√
Reasons for this conclusion	
The proposal is to grant fund part of the cost of external improvement to a single building. The initiative embraces sustainable development by improving the condition and appearance of the built environment, supporting business to grow the local economy and attract new investment to the area. The initiative does not, however, have a significant impact on any specific group of people so a full impact assessment is not required.	

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

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	Name	Position	Date
Completed by	Nicola Jane Bulcraig	Strategic Development Officer	18.03.2021
Signed off by	Simon Brennan	Head of Property & Regeneration	19.03.2021

Cabinet (Following Cabinet Scrutiny starting at 2pm.)

Meeting Date	Agenda Item	Type	CDG/CMB Jt Scrutiny	Contact Officer
21 April 2021				
12 th May	Corporate Plan 2021/2023	Decision		Caryn Furlow/Karen Jones
	Annual Governance Statement	Decision		Caryn Furlow/Karen Jones
2 nd June				
30 th June				
8 th July				
2 nd September				
22 nd September				
20 th October				
17 th November				
15 th December				
12th Jan 2022				
9 th February				

9 th March				
6 th April				
4 th May				

Cabinet Finance Sub (Following Cabinet)

Meeting Date	Agenda Item	Type	CDG/CMB Jt Scrutiny	Contact Officer
7 th April 2021				
21 st April				
12 th May				
7 nd June				
30 th June				
28 th July				
1 st September				
22 nd September				
20 th October				
17 th November				
15 th December				

12th Jan 2022				
9 th February				
9 th March				
6 th April				
4 th May				

Education, Skills and Culture Cabinet Board

Immediately following Scrutiny Committee starting at 2pm

Meeting Date	Agenda Item	Type	CDG/ CMB	Contact Officer
29th April 2021				
10th June				
22 nd July				
2 September				
14 th October				
25 th November				
6th Jan 2022				
17 th February				
31 March				

Social Care, Health and Wellbeing Cabinet Board

Immediately following Scrutiny Committees starting at 2pm

Meeting Date	Agenda Item	Type	CDG/ CMB	Contact Officer
13th May 2021	Tai Tarian Lettings Report	Decision		Leighton Jones
24 th June				
29 th July				
16 th September				
21 October				
9 th December				
20th January 2022				
3 rd March				
7 th April				

Regeneration and Sustainable Development Cabinet Board

Immediately following Scrutiny Committees starting at 10am

Meeting Date	Agenda Item	Type	CDG/ CMB	Contact Officer
16 April 2021	Metal Detection Policy	Decision		Mike Roberts / Simon Brennan
	Commercial Property Grant: 44 Victoria Gardens, Neath, SA11 3BH	Decision		Simon Brennan / Nicola Bulcraig
14 May 2021	Active Travel Annual Report	Information		Ceri Morris / Lana Beynon
	Biodiversity Duty Plan	Decision		Ceri Morris / Lana Beynon
25 June 2021				
30 July 2021	Food and Feed Delivery Plan 2021/2022	Information		Ceri Morris / Mark Thomas
	Food and Feed Enforcement Review 2020/2021	Information		Ceri Morris / Mark Thomas
10 September 2021	Local Air Quality Management	Information		Ceri Morris / Mark Thomas
	Rural Development Plan Update	Information		Angelina Spooner-Cleverly
22 October 2021				

3 December 2021				
14 January 2022				
4 March 2022				
8 April 2022				

Streetscene and Engineering Cabinet Board

Immediately following Scrutiny Committees starting at 10am

Meeting Date	Agenda Item	Type	CDG/ CMB	Contact Officer
21 May 2021				
2 July 2021	Three year Review of Grit Bin Provision			Mike Roberts
24 September 2021				
5 November 2021				
17 December 2021				
28 January 2022				
11 March 2022				
29 April 2022				

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