

EXECUTIVE DECISION RECORD

CABINET

2 OCTOBER 2024

Cabinet Members:

Councillors: S.K.Hunt, S.A.Knoyle, N.Jenkins, J.Hurley, S.Harris,
J.Hale, A.Llewelyn, W.F.Griffiths and C.Phillips

Officers in Attendance:

K.Jones, N.Pearce, A.Jarrett, N.Daniel, A.Thomas, H.Jones, M.Shaw,
R.Crowhurst, C.Saunders, C.Howard, H.Lervy, E.O'Brien, R.Davies,
N.Chapple, R.George, K.Windsor-Brown, Z.Ashton, A.James, L.McAndrew,
R. Miller, C.John, N.Jones and T.Davies

1. **APPOINTMENT OF CHAIRPERSON**

Agreed that Councillor S.K.Hunt be appointed as Chairperson for the meeting.

2. **CHAIRPERSONS ANNOUNCEMENT/S**

The Chair welcomed all to the meeting.

3. **DECLARATIONS OF INTEREST**

The following Member and Officer made declarations of interest at the beginning of the meeting:

Councillor N.Jenkins - Minute No. 8 – Community Councils Minor Projects Scheme – Application from Cilybebyll Community Council – as she is a member of Cilybebyll Community Council.

She felt this interest to be pecuniary, so left the meeting for this item.

Nicola Pearce - Minute No. 23 – Celtic Freeport – as she is a company director of the Celtic Freeport Company Ltd. She felt this interest to be prejudicial, so left the meeting for this item.

4. **MINUTES OF PREVIOUS MEETING**

That the minutes of the previous meeting of Cabinet, held on the 11 September 2024, be agreed as an accurate record.

5. **FORWARD WORK PROGRAMME 2024/25**

The Forward Work Programme 2024/25 was noted.

6. **PUBLIC QUESTION TIME**

No public questions were received.

7. **BUDGET REPORT**

Decision:

That early engagement be undertaken on the c£11.8m of savings and income generation proposals detailed at Appendix 2 to the circulated report.

Reason for Decision:

To seek feedback on the savings and income generation proposals developed to date.

Implementation of Decision:

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

8. **COMMUNITY COUNCILS MINOR PROJECTS SCHEME - APPLICATION FROM CILYBEBYLL COMMUNITY COUNCIL**

(At this point in the meeting, Councillor N.Jenkins reaffirmed her interest in this item, and withdrew from the meeting for the discussion and voting thereon.)

Decision:

That a grant of 45% of actual costs to be used as match funding towards a secured Section 106 community contribution for 'play, open space, pitch and non- pitch' provision, up to a maximum of £9,000 to Cilybebyll Community Council, be approved.

Reason for Decision:

To enable community improvements.

Implementation of Decision:

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

9. **NEATH PORT TALBOT WELSH CHURCH ACT TRUST FUND**

(Councillor N.Jenkins returned to the meeting.)

Decision:

That £1000 be granted to Taibach Wesley Methodist Chapel, for assistance towards costs of works to ensure water ingress does not continue to adversely impact the historic structure.

Reason for Decision:

To decide on the amount of financial support in respect of the grant application received.

Implementation of Decision:

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

10. **MISCELLANEOUS GRANT FUND APPLICATION**

Decision:

That a grant of £594 per annum (the equivalent of c95% of the new rent) be awarded to the Trustees of South Wales Miners' Museum, towards the cost of rent of £625 pa which is increasing from £550 pa.

Reason for Decision:

To decide on the amount of financial support in respect of the grant application received.

Implementation of Decision:

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

11. **DISABLED FACILITIES GRANT OPTIONS APPRAISAL**

Decisions:

1. That Officers undertake further work in respect of reinstating the means test, including undertaking a public consultation, with a final Officer recommendation and proposed policy tools brought back to Cabinet for agreement at a later date.
2. That a discretionary grant of £10,000, for essential works that cost in excess of £36k, be approved.

Reason for Decision:

To help mitigate the impact of increasing demand for DFGs and that the available budget is utilised in a way that ensures those who are most in need are able to access adaptations in a more timely way.

Implementation of Decisions:

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

Consultation:

The proposal to reinstate the means test will require public consultation.

12. **CONSIDERATION OF THE DRAFT AIR QUALITY ACTION PLAN (2024-2029) AND THE CONSULTATION PROCEDURES TO BE IMPLEMENTED**

Decisions:

That having had due regard to the Integrated Impact Assessment:

1. The Draft Air Quality Action Plan (2024-2029), as presented in Appendix 2 to the circulated report, be agreed for the purposes of consultation.
2. The consultation procedures as set out in the report be implemented.

Reason for Decisions:

The decisions are needed to ensure compliance with the requirements of Part IV of the Environment Act 1995.

Implementation of Decisions:

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

Consultation:

This item will be subject to external consultation.

13. **DIRECT PAYMENTS POLICY**

Decision:

That the Direct Payments Policy, as detailed at Appendix 1 and 2 to the circulated report, be approved.

Reason for Decision:

To comply with the requirements of the Social Services and Wellbeing (Wales) Act 2014 and Part 4 Code of Practice (Meeting Needs) and Part 4 & 5 Code of Practice (Charging and Financial Assessment), and to improve service sustainability as well as management of Council resources.

Implementation of Decision:

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

14. **PUBLIC HEALTH (WALES) ACT 2017 - SPECIAL PROCEDURES LICENSING**

In addition to the request for delegated powers, as contained within the circulated report, Officers requested that the following delegated powers be added to paragraphs 22 and 23 of the circulated report, for consideration by Cabinet:

- Section 65(2) – Power to give notice that an application for a special procedure licence is refused.
- Section 66(3&6) – Power to give notice that an application for a special procedure licence is refused.
- Section 68 – Power to give notice that a special procedure licence is revoked.

Decision:

That the proposed fee structure as set out in the table at paragraph 21 of the circulated report, and the scheme of delegated powers set out at paragraphs 22 and 23 of the circulated report (including the three additional delegated powers verbally added at the meeting), be approved.

Reason for Decision:

To ensure that the Council's Licensing Authority has an appropriate fee structure in place prior to the commencement of the new legislation, and to enable officers to deal efficiently with applications and enforcement.

Implementation of Decision:

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

15. **CONSULTATION ON 2026 REVIEW OF SENEDD CONSTITUENCIES**

Decision:

That the response to the Democracy and Boundary Commission Cymru's open consultation on the 2026 Review of Senedd constituencies (initial proposals) as detailed at Appendix 1 to the circulated report, be noted.

Reason for Decision:

To note the response to the Democracy and Boundary Commission Cymru's open consultation on the 2026 Review of Senedd constituencies (initial proposals).

Implementation of Decision:

The decision is for immediate implementation, following the consent of the Scrutiny Chair. This item is not subject to the 3 day call in process.

16. **WELSH IN EDUCATION STRATEGIC PLAN 2022-2032**

Decision:

That the monitoring report be noted.

17. **STRATEGIC SCHOOL IMPROVEMENT PROGRAMME**

Decision:

That having had due regard to the integrated impact and risk assessments, in line with Section 48 of the School Standards and Organisation (Wales) Act 2013, consultation on a proposal to close the specialist learning support centre provision for secondary age pupils, with SpLD at Cwmtawe Community School, be approved.

Reason for Decision:

To comply with the formal consultation requirements imposed on the Council by the School Organisation Code. Subject to the outcome of consultation, implementation of the proposal will enable the Council to promote high educational standards and the fulfilment of every child's

potential. It will also enable the Council to meet its duty to ensure that resources are utilised effectively in line with the need for specialist places within the County Borough.

Implementation of Decision:

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

Consultation:

This item will be subject to external consultation.

18. **SCHOOL BASED COUNSELLING SERVICE UPDATE**

Decision:

That the report be noted.

19. **FUTURE PROVISION OF INDOOR LEISURE SERVICES**

Cabinet agreed that Appendix B and C to the circulated report were not for publication pursuant to Regulation 5(2) & (5) of Statutory Instrument 2001 No. 2290 and Paragraph 14 of Part 4 of Schedule 12A to the Local Government Act 1972. Pursuant also to Paragraph 21 of the Schedule, and in all the circumstances of the case, the public interest in maintaining the exemption was considered to outweigh the public interest in disclosing the information.

In order to discuss the private Appendices, Members took the decision to go into private session, for the reasons above. Following discussion of these private Appendices, Cabinet resolved to resume in public session. The decisions below were agreed in public session.

Decisions:

That having due regard to the integrated impact assessment:

1. Neath Port Talbot County Borough Council resolve to exercise the provisions of the contract between the Neath Port Talbot County Borough Council and Celtic Leisure Limited dated 16th April 2016, to extend the said contract for a period of five calendar years on

the basis of the terms and conditions identified in option 2 of the circulated report.

2. That delegated authority be granted to the Director of Education, Leisure and Lifelong Learning in consultation with the Leader and Cabinet Member for Nature, Tourism and Wellbeing to enter into an extension and variation to contract between the Neath Port Talbot County Borough Council and Celtic Leisure Limited dated 16th April 2016, to extend the said contract for a period of five calendar years on the basis of the terms and conditions identified in option 2 of the circulated report.
3. That delegated authority be granted to the Director of Education, Leisure and Lifelong Learning in consultation with the Leader and Cabinet Member for Nature, Tourism and Wellbeing to enter into any documentation necessary to achieve Decisions 1 and 2 (above).
4. That delegated authority be granted to the Director of Environment and Regeneration in consultation with the Leader and Cabinet Member for Climate Change and Economic Growth to enter into an extension agreement and associated with the recommendation set out in Decision 1 (above).

Reason for Decisions:

To ensure the ongoing provision of indoor leisure services, in accordance with the terms of the Contract and ensure value for money to the Council.

Implementation of Decisions:

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

20. **URGENT ITEMS**

There were no urgent items.

21. **ACCESS TO MEETINGS - EXCLUSION OF THE PUBLIC**

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

22. **CELTIC FREEPORT (EXEMPT UNDER PARAGRAPH 14)**

(At this point in the meeting, Nicola Pearce reaffirmed her interest in this item, and withdrew from the meeting for the discussion and voting thereon.)

Decisions:

1. That delegated authority be granted to the Chief Executive (in consultation with the Leader and relevant Cabinet Member) to agree any variations that may be required to the draft Celtic Freeport Full Business Case, as set out at Appendix 2 to the circulated report, and to approve its submission to the UK and Welsh governments.
2. That delegated authority be granted to the Chief Executive (in consultation with the Leader and relevant Cabinet Member) to enter into a Tax Site Delivery Agreement in respect of any land within the boundary of the proposed tax site that falls within the ownership of Neath Port Talbot County Borough Council.
3. That delegated authority be granted to the Chief Executive to enter into a new Memorandum of Understanding to continue with the programme of next steps identified in the circulated report, noting that further reports will be brought back to Members on the points referenced herein.

Reason for Decisions:

Freeport status will act as a catalyst for significant economic growth within the locality and the wider region linked to the emerging off-shore wind sector and wider renewables agenda. Celtic Freeport will also support work to decarbonise industry, housing and transport at local regional and national levels helping to meet the net zero carbon targets.

Green economic growth will help to address structural issues of poverty and deprivation in the local and regional economy stimulating the local supply chain and increasing the skills and qualifications of the resident population.

Implementation of Decisions:

The decisions are for immediate implementation, following the consent of the Scrutiny Chair. This item is not subject to the 3 day call in process.

23. **INITIAL BUSINESS CASE FOR THE DEVELOPMENT OF A TRIAGE CENTRE (EXEMPT UNDER PARAGRAPH 14)**

(Nicola Pearce rejoined the meeting.)

Decisions:

1. That delegated authority be granted to the Head of Housing and Communities to undertake additional work to finalise the proposal, as detailed in the private, circulated report.
2. That delegated authority be granted to the Head of Housing and Communities in consultation with the Head of Property and Regeneration to appoint a provider to develop the architect plans, obtain any necessary pre-planning advice and the provision of a quote for the cost for the refurbishment works to better inform the financial case.
3. Once the above activities have been completed and a more detailed business and financial case has been developed, delegated authority be granted to the Head of Housing and Communities to undertake an engagement exercise, with the local community and other key stakeholders in respect of the proposals.

Reason for Decisions:

To provide improved responses to people that require services and to support the financial position of the Council.

Implementation of Decisions:

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

Consultation:

This item will be subject to external consultation.

24. **DEBT WRITE OFFS (EXEMPT UNDER PARAGRAPH 14)**

Decision:

That the debts included within Appendix 1 of the private, circulated report be written off.

Reason for Decision:

The amounts due are irrecoverable.

Implementation of Decision:

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

25. **PROPOSED AGREEMENT FOR LEASE, UNIT 4, NEATH (EXEMPT UNDER PARAGRAPH 14)**

Decision:

That having had due regard to the first stage Integrated Impact Assessment, the lease and lease to the retailer detailed in the private, circulated report, on the terms set out in the private, circulated report, be agreed.

Reason for Decision:

To allow this prominently located vacant premises to be let and operated by an established local company which needs to relocate to expand and grow its business and also provide an annual income for the Council.

Implementation of Decision:

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

26. **PROPOSED LEASE, COURTYARD AT MARGAM COUNTRY PARK
(EXEMPT UNDER PARAGRAPH 14)**

Decisions:

That having had due regard to the integrated impact screening assessment:

1. The Head of Leisure Tourism Heritage and Culture and Head of Property and Regeneration be granted delegated authority, to set and agree Heads of Terms as identified in the private, circulated report.
2. The Head of Property and Regeneration be granted delegated authority to enter into a lease and any associated documentation, as detailed in the private, circulated report.

Reason for Decisions:

To ensure that the existing relationship with the service provider can be developed and to allow an income to be generated by the Council.

Implementation of Decisions:

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

27. **PROPOSED RENEWAL OF LEASE, RETAIL PREMISES NEATH
(EXEMPT UNDER PARAGRAPH 14)**

Decision:

That having had due regard to the first stage Integrated Impact Assessment, a new lease be granted, as detailed in the private, circulated report.

Reason for Decision:

To allow this prominently located premises in Neath Town Centre to continue to be operated by the major national retailer and provide an annual income for the Council.

Implementation of Decision:

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

CHAIRPERSON