

EXECUTIVE DECISION RECORD

CABINET BOARD - 21 JULY 2017

**REGENERATION AND SUSTAINABLE DEVELOPMENT CABINET
BOARD**

Cabinet Board Members:

Councillors: D.W.Davies (Chairperson) and A.Wingrave

Officers in Attendance:

N.Evans

1. **APPOINTMENT OF CHAIRPERSON**

Agreed that Councillor D.W.Davies be appointed Chairperson for the meeting.

2. **MINUTES OF THE PREVIOUS REGENERATION AND SUSTAINABLE DEVELOPMENT CABINET BOARD HELD ON 23 JUNE, 2017**

Noted by the Committee.

3. **NPT HOMES PROGRESS REPORT - TO MAY 2017**

Decision:

That the monitoring report be noted.

4. **NPT HOMES ADOPTION OF COMMUNITY HOUSING CYMRU'S MODEL RULES FOR WALES**

Decision:

That the Council consents to NPT Homes' Adoption of Community Housing Cymru's (CHC) Model Rules for Wales, as detailed within the circulated report.

Reason for Decision:

To allow NPT Homes to proceed to the next stage of the process to approve their new Rules.

Implementation of Decision:

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

5. **FOUR SUPPLEMENTARY PLANNING GUIDANCE DOCUMENTS**

Decision:

1. That the responses and recommendations to the representations received as set out in Appendix 1 to the circulated report, be agreed;
2. That the revised SPG as set out in Appendices 2 to 5 to the circulated report, be agreed;
3. That the adoption and publication procedures as set out in the circulated report be implemented.

Reason for Decision:

To ensure that clear supplementary guidance is issued by the Council in respect of 'Open Space and Greenspace', 'Renewable and Low Carbon Energy', 'Design' and 'Development and the Welsh Language'.

Implementation of Decision:

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

Consultation:

The item has been subject to external consultation.

6. **VIBRANT AND VIABLE PLACES PROGRESS REPORT**

Decision:

That the report be noted.

7. **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.

8. **PUBLIC FOOTPATH - COMMUNITY OF SEVERN 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).

Reasons 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 16 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.

9. **URGENCY ACTION 0370 - PUBLIC FOOTPATHS - COMMUNITIES OF BRITON FERRY AND NEATH**

Decision:

That the following urgency action taken by the Head of Legal Services in consultation with the requisite Members, be noted:-

Officer Urgency Action No 0370 re: 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.

10. **FORWARD WORK PROGRAMME 2017/18**

Decision:

That the Forward Work Programme be noted.

CHAIRPERSON