



Cyngor Castell-nedd Port Talbot
Neath Port Talbot Council

**NEATH PORT TALBOT COUNTY BOROUGH COUNCIL
Streetscene & Engineering Cabinet Board**

6th December 2019

Joint Report of:-

Head of Engineering and Transport - D.W. Griffiths

Head of Streetcare - M. Roberts

Head of Property and Regeneration - S. Brennan

Matter for Decision

Wards Affected: All Wards

Proposed Lease renewal to the Council of Radio Transmission Equipment and Antenna located on part of the Rooftop of the Water Tower at Cockett Reservoir, Swansea

Purpose of the Report:

To request Members' approval, in principle, to enter into a new five year lease from Dwr Cymru (Welsh Water) of part of the Water Tower rooftop at Cockett Reservoir Swansea, which currently houses the Council's RT radio equipment and antenna covering the whole of Neath and Port Talbot County Borough radio frequencies to vehicle RT radios.

Executive Summary:

The Council has received notification for a new tenancy from the Landlord Dwr Cymru (Welsh Water). Officers would like to accept the new tenancy. However, would also like to enter into negotiations over the terms and conditions offered by the Landlord.

Background:

The Water Tower at Cockett Reservoir Swansea is owned by Dwr Cymru (Welsh Water) and for over 20 years the Council has had its radio equipment

and apparatus mounted and installed on part of its rooftop by way of concurrent leases.

The current lease is for a term of five years with effect from 25th May 2013, without review, at an annual rent of £3,000 per annum which is currently being held over.

Dwr Cymru/Welsh Water want to renew the lease and increase the annual rent.

As the Council benefits from a secure lease, Dwr Cymru/Welsh Water has served on the Council a Legal Notice terminating the existing lease with effect from 24th May 2020 in accordance with the provisions of the Landlord and Tenant Act 1954, on the basis they have no objection to a new five year lease being granted, at an annual rent of £5,000 per annum with an annual upwards.

The Water Tower is the highest reference point in the area that can provide over 90% coverage to areas within Neath and Port Talbot including the Valleys. The Water Tower also has other companies' equipment mounted on it, including the Police and other utility companies.

The Council's equipment has recently been updated with new back up batteries and signal testing which has proven to be working well at the site.

Vehicles such as Gritters, Refuse and Recycling vehicles, on-call vehicles and others identified within the fleet are fitted with dash mounted RT units which can transmit either unit to unit or via the base unit located at upstairs in the Service Response Centre at the Quays.

The RT radio system is a vital service for the Council and provides communication resilience in the event of the mobile phone network crashing in times of bad weather or high demand. The system is also used to safeguard staff in the event of lone-working where mobile phones and other forms of communication maybe prohibited or fail to get signal.

The system also falls under Ofcom for business radio wireless telegraphy licence fee which is arranged by the Fleet section and paid for by Streetcare Services.

The proposal is therefore to enter into negotiations with Dwr Cymru/Welsh Water to agree reasonable terms and conditions for a new lease to be agreed by the Head of Property and Regeneration in consultation with the Head of Streetcare and Head of Transport & Engineering.

The Council has the protection that in the absence of agreement, the terms and rent for a new lease would be set by the Court in accordance with the provisions of the aforementioned Act.

Financial Impacts:

The current rent payable is £3,000 per annum. However, Dwr Cymru/Welsh Water are proposing a new rent of £5,000 per annum, an uplift of £2,000 per annum. The Head of Property and Regeneration in negotiations will seek to agree a reasonable rent and terms for the new lease.

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, attached at Appendix A, 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 (second stage) and has a positive impact on staff and service delivery.

Valleys Communities Impacts:

No implications.

Workforce Impacts:

There will be a positive impact to the Health and Safety of the workforce.

Legal Impacts:

No implications.

Risk Management Impacts:

The risk associated with failing to implement the proposed recommendations is that the benefits outlined earlier in this report will not be realised.

Consultation:

There is no requirement for consultation.

Recommendations:

It is recommended that Members approve, in principle, to the renewal of the lease for a term of five years on terms and conditions to be agreed by the Head of Property & Regeneration, in consultation with the Head of Streetcare and Head of Transport & Engineering.

Reasons for Proposed Decision:

To facilitate the continued use of the site to operate its Business Radio system throughout the County Borough.

Implementation of Decision:

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

Appendices:

Appendix A: First Stage IIA

List of Background Papers:

None.

Officer Contact:

Peter Jackson, Integrated Transport Manager, Engineering and Transport
☎ 01639 686091 ✉ p.jackson@npt.gov.uk

Kevin Lewis, Fleet Manager, Engineering & Transport
☎ 01639 765071 ✉ k.lewis@npt.gov.uk

Appendix A

Impact Assessment - First Stage

1. Details of the initiative

Initiative description and summary: Dwr Cymru (Welsh Water) Lease renewal to the Council of the RT Radio system at Cockett Water Tower, Swansea
Service Area: Streetcare
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 renewal of the Radio Transmitter Lease will have no impact on anyone with protected characteristics.
Disability		✓				The renewal of the Radio Transmitter Lease will have no impact on anyone with protected characteristics.
Gender Reassignment		✓				The renewal of the Radio Transmitter Lease will have no impact on anyone with protected characteristics.

Marriage/Civil Partnership	✓					The renewal of the Radio Transmitter Lease will have no impact on anyone with protected characteristics.
Pregnancy/Maternity	✓					The renewal of the Radio Transmitter Lease will have no impact on anyone with protected characteristics.
Race	✓					The renewal of the Radio Transmitter Lease will have no impact on anyone with protected characteristics.
Religion/Belief	✓					The renewal of the Radio Transmitter Lease will have no impact on anyone with protected characteristics.
Sex	✓					The renewal of the Radio Transmitter Lease will have no impact on anyone with protected characteristics.
Sexual orientation	✓					The renewal of the Radio Transmitter Lease will have no impact on anyone with protected characteristics.

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 renewal of the lease will have a positive impact on the ability of staff to communicate in Welsh.
Treating the Welsh language no less favourably than English		✓				The lease 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		✓				Not Applicable
To promote the resilience of ecosystems, i.e. supporting protection of the wider environment, such as air quality, flood alleviation, etc.		✓				Not Applicable

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		✓	The renewal of the lease will ensure the wellbeing of the work force as it will enable communication with lone workers in remote locations.
Integration - how the initiative impacts upon our wellbeing objectives		✓	
Involvement - how people have been involved in developing the initiative		✓	Not applicable as this is a renewal of an existing lease.

Collaboration - how we have worked with other services/organisations to find shared sustainable solutions	✓		Working with Dwr Cymru (Welsh Water) to enable radio communications can cover the County Borough of NPT. This forms part of the Authorities resilience planning.
Prevention - how the initiative will prevent problems occurring or getting worse	✓		Ensure staff can effectively communicate when operating in inclement weather to provide essential frontline services.

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 (second stage) and has a positive impact on staff and service delivery.	

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

	Name	Position	Date
Completed by	Kevin Lewis	Fleet Manager	26.11.19
Signed off by	David W. Griffiths	Head of Engineering & Transport	26.11.19