

EXECUTIVE DECISION RECORD

CABINET

8 JANUARY 2021

Cabinet Members:

Councillors: R.G.Jones,(Chairperson), C.Clement-Williams, D.Jones, E.V.Latham, A.R.Lockyer, P.A.Rees, P.D.Richards, A.Wingrave and L.Jones

Officers in Attendance:

K.Jones, H.Jenkins, A.Evans, A.Jarrett, N.Pearce, S.Brennan, A.Thomas, C.Griffiths, D.Griffiths, K.Warren, M.Shaw, C.Furlow-Harris, C.Plowman and J. Woodman-Ralph

Invitee:

Councillor M.Harvey (Scrutiny Chairperson)

1. **APPOINTMENT OF CHAIRPERSON**

Agreed that Councillor R.G. Jones be appointed Chairperson for the meeting.

2. **DECLARATIONS OF INTEREST**

The following members made declarations of interest at the commencement of the meeting.

Councillor A.
Wingrave

Re: Miscellaneous Grant Fund Applications as she is a member of Blaenhonddan Community Council. She considered her interest as prejudicial and left the meeting at the start of the item.

Re: Community Councils Minor Projects Scheme as she is a member of Blaenhonddan Community Council. She considered her interest as prejudicial and left the meeting at the start of the item.

Re: Private Report - Proposed Agreement for lease, ground lease, licence to build and option to purchase land and buildings known as the former Dairy Site off Cribbs Row, Neath as she knows the owners of the business involved and they have donated prizes to online competitions for the benefit of the Community during lockdown organised by Cllr. Wingrave via Facebook. Cllr Wingrave has not personally received any of the prizes but she considered her interest as prejudicial and left the meeting at the start of the item.

Councillor
E.V.Latham

Re: Appointment and Removal of Local Authority Governor Representatives as he is chair of governors at Twyn Primary School where he is being considered for re-appointment as L.A.Governor representative. He is also chair of governors at Ysgol Bae Baglan. Cllr Latham considered his interest as prejudicial and left the meeting at the start of the item.

Councillor
C.Clement-Williams

Re: Proposed Creation and Extinguishment Orders for the footpath from Hodgsons Road to the river Tawe – Community of Ystalyfera as she has family residing on Hodgsons Road. Cllr Clement-Williams considered her interest as prejudicial and left the meeting at the start of the item.

Re: Appointment and Removal of Local Authority Governor Representatives as she has grandchildren who attend schools in Neath Port Talbot. Cllr Clement-Williams has dispensation to speak and vote.

Councillor
D.Jones

Re: Miscellaneous Grant Fund Applications as she is a member of Blaenhonddan Community Council. She considered her interest as prejudicial and left the meeting at the start of the item.

Re: Community Councils Minor Projects Scheme as she is a member of Blaenhonddan Community Council. She considered her interest as prejudicial and left the meeting at the start of the item.

3. **CABINET (FINANCE) SUB COMMITTEE**

Decision:

That the Cabinet (Finance) Sub Committee be established pursuant to the report to Council on the 23rd December 2020!

Reason for Decision:

To enable the Council to have a fit for purpose decision structure.

Implementation of Decision:

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

4. **ASH TREE DIE-BACK**

Decisions:

1. That the findings in the tree survey be noted;
2. That approval be granted to fell unsafe trees by the Council due to Chalara Ash Die-Back tree disease where required on Council land, or as otherwise as falls within the Council's remit as Highway Authority;
3. That a Tree Surveyor be appointed and that Officers process the necessary establishment changes;
4. That Officers pursue private landowners to take mitigation action with respect to Ash Dieback on their land, further to their duty of care, including enforcement action where required;
5. That Officers continue to seek grants to assist with the replanting of felled trees in appropriate locations.

Reason for Decisions:

To manage the onset of Chalara Ash Dieback tree disease throughout the county borough and that the authority meets its legal obligations.

Implementation of Decisions:

The decision will be implemented after the 3 day call in period.

5. **AUDIT WALES CERTIFICATE OF COMPLIANCE - AUDIT OF NEATH PORT TALBOT COUNTY BOROUGH COUNCIL'S ASSESSMENT OF 2019 -2020 PERFORMANCE**

Decision:

That the report be noted.

6. **AUDIT WALES - AUDIT OF NEATH PORT TALBOT COUNCIL'S 2020-21 IMPROVEMENT PLAN**

Decision:

That the report be noted.

7. **COMMITMENT TO A PREFERRED I.T. SYSTEM TO SUPPORT SOCIAL SERVICES FUNCTIONS**

Decisions:

1. That the risks associated with the adoption of the Welsh Community Care Information System at this point in time are assessed as outweighing the anticipated benefits be noted;
2. That the Director of Social Services, Health and Housing delays participation in the programme until the identified risks have been sufficiently mitigated;
3. That the Director of Social Services, Health and Housing works alongside corporate I.T. colleagues and invest in the development of the Social Services Information System within the Oracle Apex Environment until such time that the Welsh Community Care Information System is deemed as fit for purpose.

Reason for Decisions:

To enable the Council to develop the SSIS within Oracle Apex will ensure we have an I.T.solution designed specifically for the needs of the Social Services Directorate, in addition to being built on a platform that will provide a stable I.T. environment for the foreseeable future.

Implementation of Decisions:

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

8. **MISCELLANEOUS GRANT FUND APPLICATIONS**

Councillors A.Wingrave and D.Jones reaffirmed their interests at this point and withdrew from the meeting for duration of the item.

Decisions:

That the following Miscellaneous Grant Fund applications be approved:

Cwmafan Welfare Association	Grant of £300pa awarded towards the cost of rent of £330 which will be payable from 1 st April 2021, in regard to the Lease of Land at Ebbw Vale Row adjoining Cwmavon RFC.
Blaenhonddan Community Council	Grant of £2,068 pa awarded towards the cost of rent of £2,395.80 pa which will be payable from 1 st April 2021, in regard to the Lease of Caewern Community Centre.
Blaenhonddan Community Council	Grant of £650 pa awarded towards the cost of rent of £715 pa which will be payable from June 2021, in regard to the Lease of Waunceirch District Park.

Reason for Decisions:

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

Implementation of Decisions:

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

9. **COMMUNITY COUNCILS MINOR PROJECTS SCHEME - APPLICATION FROM BLAENHONDDAN COMMUNITY COUNCIL**

Councillors A.Wingrave and D. Jones reaffirmed their interests and withdrew from the meeting for the duration of the item.

Decision:

That a grant of 30% of actual costs up to a maximum of £6,000 be approved to Blaenhonddan Community Council as detailed in the circulated report.

Reason for Decision:

To comply with the approved policy and to enable community improvements.

Implementation of Decision:

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

10. **PROPOSED CREATION AND EXTINGUISHMENT ORDERS FOR THE FOOTPATH FROM HODGSONS RAOD TO THE RIVER TAWE - COMMUNITY OF YSTALYFERA**

Councillor C.Clement-Williams reaffirmed her interest at this point and withdrew from the meeting from the duration of the item.

Members received information that the ward affected was in Godregraig and not as stated in the circulated report.

Decisions:

1. That a public path Creation Order be made pursuant to Section 26 of the Highways Act 1980 in respect of the route shown A1-B1-C1-D1-D2-E1 and also F1-G as detailed in Plan number 3 to the circulated report;
2. That an Extinguishment Order be made pursuant to Section 118 of the Highways Act 1980 in respect of the route shown A-B-C-D-E as detailed in Plan number 2 to the circulated report.

3. That if no objections are received to the two orders above then they be confirmed along with the modification order made earlier under the provisions of the Wildlife and Countryside Act 1981 as shown as a bold line on plan number 1 to the circulated report.

Reasons for Decisions:

1. There was a need to provide a public path from Hodgsons Road to the river Tawe given this Council had agreed that a public path had existed from that road to the river prior to the housing development.
2. That given the housing development has obstructed the line of the original path, an alternative was needed. As the previous attempt to divert the path failed, the option to place one of the exit points at G1 as detailed in plan number 3 was the only alternative viable solution.
3. That due to the adoption of the estate roads within the housing development another diversion order cannot be made, but making an extinguishment and creation order at the same time would still achieve the same result. This would remove the line of the path that passes through the housing estate and provide an alternative by making a creation order.

Implementation of Decisions:

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

Consultation:

Consultation has taken place with a standard list of organisations such as the Ramblers Association, their local representatives, the Byways and Bridleways Trust, the Community Council, the Local Member along with Taylor Wimpey and Barratts homes as well as all those whose houses affected by the line of the existing path and those who live close to the proposed new route where it exits and enter the housing estate.

11. **BROMBIL ACCESS ROAD AND TUDOR GROVE, MARGAM.
PROHIBITION OF WAITING, LOADING AND UNLOADING AT
ANYTIME - ORDER 2020**

Decision:

That the objections be overruled to the (Brombil Access Road and Tudor Grove, Margam) (Prohibition of Waiting, Loading and Unloading at Anytime) Order 2020 as detailed in Appendix A to the circulated report, and that the scheme be implemented on site as advertised. Objectors be informed of the decision accordingly.

Reason for Decision:

To prevent indiscriminate parking in the interest of highway safety.

Implementation of Decision:

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

Consultation:

Consultation was undertaken in November 2020 with approximately 20 properties receiving hand delivered letters with a plan. The local member was also consulted.

12. **APPOINTMENT AND REMOVAL OF LA GOVERNOR
REPRESENTATIVES**

Councillor E.V.Latham reaffirmed his interest at this point in the meeting and withdrew from the meeting for the duration of the item.

Cabinet were supportive of the request to waive the 3 day call in period due to need to appoint candidates to governing bodies as a matter of urgency.

Decisions:

1. That, in line with the approved policy, the following changes be approved to the Local Authority Governor representatives up to and including the end of the Spring Term 2020/21:

Blaendulais Primary School
Re-appoint Cllr. Stephen Hunt as from the 1st April 2021
Re-appoint Mr. Gary James as from the 1st April 2021

Coedffranc Primary School
Appoint Mr. Andrew Addis-Fuller

Creunant Primary School
Re-appoint Mrs. Sarah Griffiths as from the 1st April 2021

Gnoll Primary School
Appoint Cllr. Sandra Miller

Godre'rgraig Primary School
Appoint Mrs. Glenys Protheroe

Rhydyfro Primary School
Re-appoint Cllr. Linet Purcell as from the 1st April 2021

Tairqwaith Primary School
Appoint Mrs. Elinor Ervine

Tywyn Primary School
Re-appoint Cllr. Edward Latham as from the 1st April 2021

YGG Blaendulais
Re-appoint Mrs. Gaynor Smith as from the 1st April 2021

Ynysfach Primary School
Re-appoint Mrs. Gloria Felton as from the 1st April 2021

Ysgol Hendrefelin
Appoint Ms. Beryl Richards

That the following vacancies for school governors be deferred:-

Coedffranc Primary School
Gnoll Primary School
Godre'rgraig Primary School
Sandfields Primary School
St Joseph's Catholic Junior School
St Joseph's Catholic Primary School (Neath)
St Joseph's RC School and 6th Form Centre
Tonnau Primary Community School

YGG Castell Nedd
YGG Pontardawe
Ysgol Bae Baglan
Ysgol Gymraeg Ystalyfera – Bro Dur

Reason for Decisions:

To enable the Council to contribute to effective school governance through representation on school governing bodies.

Implementation of Decisions:

The decision is for immediate implementation.

13. **URGENT ITEMS**

Because of the need to deal now with the matter contained in Minute Numbers 20 and 21 below, the Chairperson agreed this could be raised at today's meeting as an urgent item pursuant to Section 100B (4)(b) of the Local Government Act 1972.

Reason:

Due to time element.

14. **ACCESS TO MEETINGS**

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 Paragraphs 12,13 and 14 of Part 4 of Schedule 12A of the Local Government Act 1972.

15. **HOUSING RENEWAL AND ADAPTATION SERVICE REPAYMENT OF DISABLED FACILITY GRANT MONIES (EXEMPT UNDER PARAGRAPH 14)**

Decision:

That the full amount of grant monies be waived as detailed in the private circulated report.

Reason for Decision:

To ensure the Council exercises its discretion under the Housing Grants Construction and Regeneration Act 1996: Disabled Facilities Grant (Conditions relating to approval or payment of Grant) General Consent 2008.

Implementation of Decision:

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

16. **WRITE OFF OF COUNCIL TAX (EXEMPT UNDER PARAGRAPH 14)**

Decision:

That approval be granted to write off the amounts as detailed in the private circulated report.

Reason for Decision:

To enable the Council to write off council tax accounts that are irrecoverable.

Implementation of Decision:

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

17. **DEBTOR WRITE OFFS (EXEMPT UNDER PARAGRAPH 14)**

Decision:

That approval be granted to write off debts as detailed in the private circulated report.

Reason for Decision:

To enable the Council to write off irrecoverable debts.

Implementation of Decision:

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

18. **MANAGER'S REPORT ON HILLSIDE SECURE CHILDREN'S HOME (EXEMPT UNDER PARAGRAPH 13)**

Decision:

That the report be noted.

19. **THE REGULATED SERVICE (SERVICE PROVIDERS AND RESPONSIBLE INDIVIDUALS) (WALES) REGULATIONS 2017. (EXEMPT UNDER PARAGRAPH 13)**

Decision:

That the report be noted.

20. **PROPOSED AGREEMENT FOR LEASE, GROUND LEASE, LICENCE TO BUILD AND OPTION TO PURCHASE LAND AND BUILDINGS KNOWN AS THE FORMER DAIRY SITE OFF CRIBBS ROW, NEATH.**

Decision:

That the Agreement for Lease, Ground Lease, Licence to Build and Option to Purchase be granted as detailed in the private circulated report.

Reason for Decision:

To enable an established local business to develop and expand its business through significant financial investment for the benefit of Neath and the wider community.

Implementation of Decision:

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

21. **REMOVAL OF LOCAL AUTHORITY GOVERNOR REPRESENTATIVE
(EXEMPT UNDER PARAGRAPH 12)**

Decision:

That, in line with approved policy, the named LA governor representative detailed in Appendix A to the private circulated report be removed with immediate effect.

Reason for Decision:

The conduct of the named local authority governor representative was not in keeping of the expected standards of this Council and which pupils/parents and staff would expect from someone occupying such a position of responsibility.

Implementation of Decision:

The decision is for Immediate Implementation.

CHAIRPERSON