



Cyngor Castell-nedd Port Talbot  
Neath Port Talbot Council

## **NEATH PORT TALBOT COUNTY BOROUGH COUNCIL**

### **Streetscene and Engineering Cabinet Board**

**21<sup>st</sup> May 2021**

### **Report of the Head of Streetcare – Mike Roberts**

#### **Matter for Decision**

#### **Wards Affected: Sandfields West & Sandfields East**

#### **Accessibility to Aberavon beach via the new slipway access ramp at Scarlett Avenue car park**

#### **Purpose of the Report:**

The Council has received correspondence regarding access to the beach via the new slipway constructed as part of the Aberavon Promenade Coastal Risk Management Scheme, located at Scarlet Avenue car park. This paper sets out the reasoning behind the ramps design and its intended use and the options that are available to address those queries in order for a decision to be made on its future use.

#### **Executive Summary:**

A new beach maintenance access ramp has been constructed as part of the Aberavon Promenade Coastal Risk Management Scheme at Scarlett Avenue car park.

The ramp was designed as an access ramp and therefore does not meet current standards in terms of pedestrian or disabled access.

The Council has received enquiries concerning the accessibility arrangements in place at the West end of Aberavon Beach.

There are actions that the Council can take in order to address the enquiries raised, however each action has associated risks that need to be considered before a decision on the most appropriate is made.

## **Background:**

### Design and Planning

The project team considered the intended use of the ramp early on during the design stage. The design statement (a) prepared by the Principal Designer and planning condition (b) concerning the gate and fencing located at the top of the ramp are included below for reference. Also included are comments raised by the Countryside and Wildlife Team (c), detailing the on-going issues associated with motorbike activity on the dunes and the impact that improved access from the new slipway may have.

In addition to statements and the planning condition set out below, there were serious concerns raised during the planning process surrounding antisocial behaviour at Scarlett Avenue Car Park and the potential for a publicly accessible ramp to the beach at this location to exacerbate this matter.

#### (a) Design Statement

The design of the access ramp first considered the potential usage. In order for the ramp to be compliant with the Equalities Act (2010) and pedestrian access, the slope would have to be 1 in 20, with regular landings and handrails throughout. This would make the structure very long and a significant projection out of the coastline. This would likely affect coastal processes and may increase down-drift erosion at

the Site of Importance for Nature Conservation of Baglan Burrows. In addition, it was felt that increasing access to the northern area would increase anthropogenic pressures (walkers, motorbikes etc.) on the dune system, which is already under some stress. For these reasons, the decision was taken at the design stage that this should be an emergency/maintenance vehicular access only.

Having defined the function of the ramp, the team sought to identify the physical form. The Health and Safety Executive (2014) states that 'in general, no plant or other heavy vehicle should use a ramp with a slope of more than 10% unless a competent person is satisfied that the vehicle can safely be moved on that ramp. Generally, with slopes steeper than a gradient of 1 in 10, there is a risk of plant and vehicles being unable to safely move on the concrete slipway and a risk of slips and/or trips. Therefore, a maximum slope of 1 in 10 was recommended for the new concrete slipway.

However, the Council instructed the designer that the new concrete slipway would have a slope of 1 in 6, in order to match the existing slipway (RNLI slipway) located to the south-east of the Aberavon frontage. The designer therefore sought to reduce the risk so far as reasonably practicable through specifying a brushed surface finish of the new concrete ramp to increase the grip for plant, vehicles, and operatives.

#### (b) Planning Conditions

The Planning consent that was granted contained the following at Planning Condition (9)

*"Prior to the first beneficial use of the hereby approved slipway a 1.8m high weldmesh access gate and associated fencing shall be implemented on site in accordance with drawing No. AJQ-JBA-00-00-DR-C-5001 revision P05 and shall be retained as such thereafter.*

*Reason*

*In the interests of pedestrian safety and the biodiversity of the sand dunes."*

### (c) Countryside & Wildlife Representations

Baglan Burrows sand dunes, which is owned by St. Modwen's, is extremely prone to illegal motorbike use. In addition to local use, the site has gained a reputation as a training venue prior to competitions, and has reportedly been listed on biking websites. Use of the bikes on the dunes is a serious H&S issue and the Council (primarily the Countryside and Wildlife Team) has had numerous complaints on the matter over the years. The Council has reported it to the police where we have direct knowledge of bikes there and we encourage the public to report incidents themselves. In addition to obvious H&S issues associated with this activity, the bikes are having a negative impact on the dune habitat, as there are now extensive areas of bare sand within the dune system. Whilst some dune mobility, with open areas, can be positive for sand dune habitats, the damage is now too extensive, causing loss of plant species and likely to be impacting on fauna species.

The Wales Coast Path runs through the dune system, which has caused some challenge in limiting access for bikes. The Council has installed structures to limit access on land within Council ownership next to The Quays. Maintaining the structures prove to be challenging; they have needed to be retrofitted as bikers were reported to be manoeuvring through initial structures and further remedial work is necessary at the moment following recent vandalism. Signage has also been installed to make it clear that use of the site by bikes is illegal, and to make it easier for police if they are called to the site. Given that access has become more difficult from The Quays, we have had reports of bikes coming in via the beach, promoting requests from residents for further barriers to be put on access points from the beach, however this wasn't feasible given other access requirements to the beach. Given the scale of use of the site, providing an open access point at the western side of the beach (which would negate the need of having to ride along the main beach) is likely to further exacerbate the situation.

## Correspondence

To date, queries have been received on the future access arrangements of the ramp from:

- Members of the public,
- Local members, and
- Trem-Y-Mor.

Though, it should be noted that these queries were received shortly after completion of the scheme, the last dated May 2020.

It is also important to note that the project team had to field numerous questions on the matter throughout the design, pre-planning, planning and construction phase.

## Current Position

A 1.8m high black weldmesh fence erected as per planning condition (9) and the locked pedestrian and vehicular access gates prohibit formal access to the beach via the new slipway.

Pedestrians are currently accessing the beach via two routes adjacent to the new slipway:

1. Via the steep cliff face located at the far west end of the newly erected weldmesh fence.
2. At the east end of the newly erected weldmesh fence. Pedestrians are climbing under the existing white key clamp fence, walking along the top of the grass bank and then down the slipway embankment (1 in 3 slope) to access the lower half of the slipway and beach.

(Route paths illustrated in Figure 1 and pictured in Figures 2 and 3)

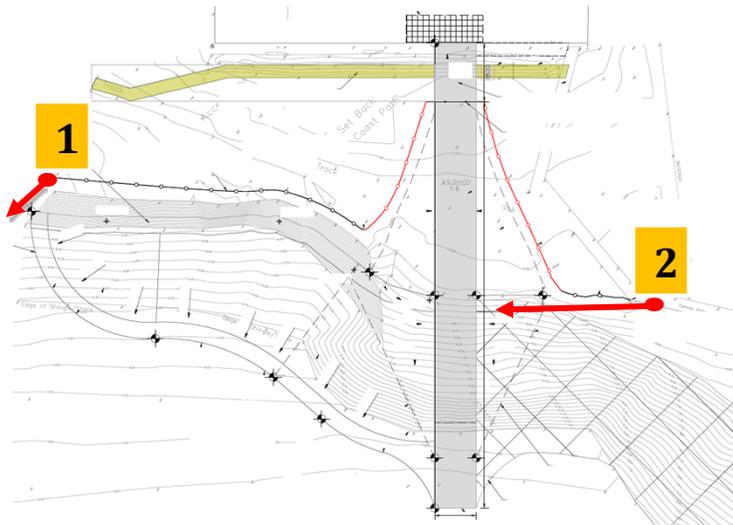


Figure 1 - Plan view of new slipway



Figure 2 - Pedestrian access to the beach at West end of weldmesh fence



*Figure 3 - Pedestrian access to the beach at East end of weldmesh fence*

## **Options**

Set out below are the options that the Council can consider implementing along with the associated risks.

### **Option 1 – Do Nothing**

To continue to provide a response in line with the reasons identified within the design statement and planning condition. The ramp will remain gated and locked and will only be accessible for maintenance and emergency operations.

Risks:

The Council may continue to receive correspondence and pressure to provide public access to the beach via the newly constructed ramp.

Pedestrians will continue to use the two routes identified in the previous section.

### **Option 2 – Pedestrian Gate**

Only allow access to the beach via the ramp through the pedestrian gate, keeping the main gate locked and only accessible for maintenance and emergency operations. The pedestrian gate (addition to the original design) will remain unlocked and useable as a point of access to the beach at the West end of the promenade.

Risks:

The ramp is not designed for pedestrian access (1 in 6 gradient) and will pose a slip, trip and fall hazard to those using it. However, it should be acknowledged that the ramp is the same gradient as that located in front of the RNLI building, which currently allows pedestrian access.

The pedestrian gate may be used by motorcyclists that wish to access the dune system to the West of the ramp.

The pedestrian gate may be used by wheelchair users for which the risks are foreseen as being very difficult to mitigate, those being manual handling of a wheelchair on a 1 in 6 slope and getting cut off by the tide if located east of the slipway on the beach.

**Option 3 – Pedestrian Gate + Access Barrier + Signage + Additional Disabled Car Parking close to DDA Ramp**

As Option 2 above, with the addition of some form of barrier to prevent wheelchair and motorcycle access. Installation of signage identifying that use of motorbikes on the dunes is illegal along with safety signage highlighting the risks of using the ramp for pedestrian access. In order to mitigate the risk associated with not allowing access to disabled individuals, additional car parking spaces to be provided near to the purpose built DDA access ramp. Remedial and upgrading of the DDA access ramp has just been delivered as part of the Aberavon Promenade Coastal Risk Management Scheme.

Risks:

The ramp is not designed for pedestrian access (1 in 6 gradient) and will pose a slip, trip and fall hazard to those using it. However, it should be acknowledged that the ramp has the same gradient as the ramp located in front of the RNLI building, which currently allows for

pedestrian access. Accordingly, there would be access issues for individuals with a protected characteristic under the Equality Act 2010

**Option 4 – extension of security fencing to restrict access**

Further restrict access to the ramp by extension of the weldmesh fencing to the East and West.

Risks:

The Council may continue to receive correspondence and pressure to provide public access to the beach via the newly constructed ramp. This is likely to be exacerbated further than in Option 1 due to the attempt to restrict access further.

Difficult to stipulate an end to the weldmesh fencing to the west. Will likely only achieve moving the route to the beach further along the cliff face and accordingly will likely not withhold access.

**Summary**

The Council has received limited further correspondence since that which was received initially upon completion of the scheme. Therefore, it is recommended that Option 1 is actioned initially and officers continue to monitor future correspondence and the situation on site.

Should further correspondence be received or new risks associated with Option 1 arise, then officers will review the position and bring back a further report to reconsider the need for Option 3.

It is noted the risk of potential injury associated with Option 2 is considered to be too great, whilst Option 4 does not offer any significant benefits.

## **Financial Impacts:**

- Option 1 – No additional expenditure envisaged.
- Option 2 – No additional expenditure envisaged.
- Option 3 – Costs of circa £7,500.00 to install restrictive barrier, signage and amend car parking.
- Option 4 – Costs will be dependent upon the scale of the extension of the weldmesh fencing.

## **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 1, has indicated that a more in-depth assessment is not required in respect of the recommendation. A summary is included below.

After completing the assessment it has been determined that the proposal to initially implement option 1 and to continue to monitor the situation does not require a full second stage Impact Assessment.

The proposal has no significant negative impact on service users and no adverse impact on people who share protected characteristics or on people's ability to use the Welsh language. Under Option 1 there will also be no impacts on biodiversity.

The initiative embraces the sustainable development principle, by contributing to the Council's three well-being objectives. It does so by improving the wellbeing of both children and adults within the community by ensuring a safe environment through either restricting access where safety issues are a concern, or by implementing

mitigation measures in order to reduce any risk associated with access to the beach via the ramp.

**Valleys Communities Impacts:**

No implications.

**Workforce Impacts:**

No implications.

**Legal Impacts:**

In considering any decision the Council must have regard to the provisions of the Equality Act 2010, the further detail of which will be set out in the Integrated Impact Screening Assessment.

**Risk Management Impacts:**

The risks associated with each proposal are considered in detail in the substantive section of this report.

**Consultation:**

There is no requirement for external consultation on this item.

**Recommendations:**

Having had due regard to the first stage Integrated Impact Assessment, it is recommended that:

No further changes are made to accessibility at the slipway access ramp at Scarlett Avenue car park and access be allowed for maintenance and emergency situations only as per Option 1 in the report.

Officers continue to monitor correspondence and the situation on site, and should issues arise that require the situation to be reviewed again, officer bring back a further report to reconsider the need for Option 3.

**Reasons for Proposed Decision:**

To determine any public access in relation to the newly constructed beach maintenance access ramp located at Scarlett Avenue car park.

**Implementation of Decision:**

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

**Appendices:**

Appendix 1 – First stage Integrated Impact assessment.

**List of Background Papers:**

None

**Officer Contact:**

Name: James Davies

Designation: Drainage Manager

Email: [j.davies19@npt.gov.uk](mailto:j.davies19@npt.gov.uk)

Direct dial: 01639 686408