

Cabinet Scrutiny Committee

(Via Microsoft Teams)

Members Present:

1 September 2021

Chairperson: Councillor S.Rahaman

Vice Chairperson: Councillor S.E.Freeguard

Councillors: N.T.Hunt, S.K.Hunt, D.Keogh, A.Llewelyn, S.Miller, R.Mizen, S.Paddison, L.M.Purcell, S.M.Penry, S.H.Reynolds, A.N.Woolcock and W.F.Griffiths

Officers In Attendance K.Jones, A.Jarrett, A.Thomas, N.Pearce, H.Jenkins, C.Griffiths, C.Jones, J.Woodman-Ralph, H.Hasan, C.Plowman and C.Davies

Cabinet Invitees: Councillors C.Clement-Williams, M.Harvey, D.Jones, L.Jones, E.V.Latham, A.R.Lockyer, P.A.Rees, P.D.Richards and A.Wingrave

1. Pre-decision Scrutiny

The Committee scrutinised the following Cabinet Board items:

Management of Risk and Liabilities of disused Mine and Quarry Tips within the Authority and the future management of Coal Tip Safety.

Members were advised of the risks and liabilities associated with the historic coal and quarry waste tips within the Authority. Members were also update on the work of the Welsh Government Coal Tip Safety Task Force and the Law Commissions consultation exercise on the future management of Coal Tip Safety in Wales, as detailed within the circulated report.

Members shared concerns around the responsibilities that now lay with private owners and the Local Authority. It was felt that the purpose of the Coal authority were to manage these sites, however the land owners were now required to maintain these spoils which

have an impact on cost. It was asked that these concerns be raised with the Law Commission. Officers understood the concerns raised by members and reassured members that they had also raised the same concerns with Welsh Government. It was noted that discussions had taken place around potential funding that maybe available to help fund these costings imposed on the private land owners.

Members expressed that they would like consideration to be given in writing to the Law commission, raising the concerns around the responsibilities around monitoring and maintenance that now lie with the land owners.

Members asked what monitoring were in place around the spoil tips of open cast mining. It was noted that the large open cast mines within the County Borough are designed to be stable, copies of the plans of the mines were sent to National Resources Wales (NRW) and the Coal Authority to ensure the safety for future generations.

Confirmation was sought around whether Category C and D tips that weren't included in the bids would still be inspected. Reassurance was provided and officers confirmed that inspections of all Category C and D tips would continue dependant on future funding.

Discussions took place around the 7% of tips that are unregistered and what monitoring would be required. Officers highlighted that the Council currently doesn't have a duty where it would be required to take responsibility. However, it was noted that the Council may well wish to step in on these occasions for preventative safety measures. Therefore, it was noted that within the consultation response officers would reiterate these concerns and ask that the responsibilities be reconsidered due to the lack of resources and experience with in the Council. Allowing responsibility to be with Welsh Government and the Coal Authority.

Members asked where the coal tips were located in Neath Port Talbot. Officers explained that there were 404 Coal Tips located all over Neath Port Talbot and explained that identification of the locations were unavailable at this time, however can be shown outside the meeting. Officers also explained the details of the categories of the Coal Tips.

Members discussed what monitoring was in place for the voids left from previous tips as there were concerns around the body

responsible for those. Officer explained that the responsibility is with the coal authority, however, they would raise this issue within the consultation response for clarity.

Members provided reassurance to officers that the concerns raised today would be lobbied to the local MP's to raise their awareness of these issues.

Following scrutiny, members were in support of the recommendations subject to the additional wording to point 35 of the recommendation detailed in the report and an additional recommendation, as detailed below:

- That due to the timescales involved in preparing NPT's response to the Law Commissions consultation, that delegated power be granted to the Director of Environment and Regeneration to prepare and submit a response to the Law Commissions consultation exercise in consultation with the Cabinet Member for Streetscene and Engineering. With such a response addressing concerns on the financial responsibility of the maintenance being passed to land owners.
- That the Consultation Response be submitted to the MP's in Neath and Port Talbot for consideration.

2. **Urgent Items**

Because of the need to deal now with the matter contained in Minute No 4 below, the Chairperson agreed these could be raised at today's meeting as urgent items pursuant to Section 100B (4) (b) of the Local Government Act 1972.

Reason:

Due to the time element.

3. **Access to Meetings**

RESOLVED: that pursuant to Section 100A(4) and (5) of the Local Government Act 1972, 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 12A to the above Act.

4. **Pre-decision Scrutiny**

The Committee scrutinised the following urgent Cabinet Board item:

NPTCBC Support of the United Kingdom's Afghan Relocation and Assistance Policy (ARAP)

Members discussed the urgent report and received information in respect of the implementation of the Afghan Relocation and Assistance Policy, as detailed within the private report.

Following Scrutiny, the Committee was supportive of the proposals to be considered by the Cabinet Board

CHAIRPERSON