



Cyngor Castell-nedd Port Talbot
Neath Port Talbot Council

NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

Environment, Regeneration and Streetscene Services Cabinet Board

14th September 2023

**Joint Report of the
Head of Engineering & Transport
(David W. Griffiths) and
Head of Streetcate
(Michael Roberts)**

Matter for Decision

Wards Affected: Neath North, Neath South, Cimla and Pelenna.

Amendment to byelaw prohibiting cycling at Neath Memorial Gates and along the path between the bottom pond and Cimla crescent.

Purpose of the Report:

To seek Members' approval to commence the legal process to amend the byelaw prohibiting cycling through the memorial gates, along the access to the bottom pond in the Gnoll and the path between the bottom pond and Cimla crescent.

Executive Summary:

This report is to seek approval to commence the process to amend an existing Byelaw which prohibits cycling along the path at the War Memorial Gates and in the Gnoll estate between the War Memorial Gates and Cimla Common. Amending the byelaw will allow the development of an active travel route (for walking and cycling) between Neath and Cimla.

Background:

In line with the Welsh Governments transport strategy, Llwybr Newydd, and the Active Travel (Wales) Act to create and encourage more sustainable modes of transport; a proposal is being considered to create a new active travel route between Neath and Cimla. The route will allow the residents of Cimla to access Neath town centre on foot or by bicycle. Improving access for all while encouraging a modal shift to help reduce carbon production.

The main transport route between Neath and Cimla is along the B4287 Cimla road & Afan Valley road. The speed limit on the route is 30mph for the majority of its length; with two 20mph zones near Crynallt Primary school and Cefn Saeson Comprehensive school. Traffic data captured in 2017 & 2019 and shows that on Cimla road, where the speed limit is 30mph the number of vehicles in a 24 hour period was 14,724 and 11,314 with the 85th percentile of traffic being 36 and 34 and the average speeds being 31 and 29.

The existing active travel provision along this road is poor especially for cyclists, with cyclists having little alternative but to cycle on road with the traffic. Given the speeds and volume of traffic and the gradient of the road, walking and cycling this route is unsuitable and unsafe for many people wanting to walk and cycle between Neath and Cimla.

Cimla road is often congested at the junction of Cimla road and Eastland road, and is an area being monitored for poor air quality. Encouraging a modal shift to active travel modes rather than private car could help alleviate some of the congestion in the area. There is land within the Cimla that has been proposed as part of the LDP as potential housing land; unfortunately due to the congestion in this area development within Cimla is restricted. Again providing an alternative safe and accessible active travel route will encourage residents to travel more sustainably rather than using their cars and could help ease the congestion.

THE PROPOSAL

An alternative route is being considered which follows the following route:

Forester Road, Woodland Road, Gnoll Drive through the memorial gates and along the lower access into the Gnoll estate towards the bottom pond, linking onto Cimla Crescent, along Cimla common across Afan Valley road and continues along to Afan Valley road (B4287) to Cefn Saeson Comprehensive school and the playing fields beyond. A location plan is included in **Appendix A** showing the alignment of the proposed route.

The route will not only allow the residents of Cimla to access the retail and employment areas in Neath town centre but will also connect to Crynallt Primary school and Cefn Saeson Comprehensive school making it safer for pupils to walk and cycle to school.

The new active travel route is being designed in accordance with the Active Travel Act Guidance and will involve a number of measures depending on the location. Measures include:

- off road shared use walking and cycling

- shared use walking and cycling adjacent to the carriageway
- off road walking routes with cycling on carriageway (for quiet streets only)
- Amendments to the gate at the Gnoll Gatehouse to allow an opening of 1.5m (as required in the Active Travel Act Guidance).
- Opening the main gate of the Memorial Gates to allow an opening of 1.5m (as required in the Active Travel Act Guidance). It is likely that the gates would need to be repaired to allow them to be opened.
- Removal of parking from Gnoll Avenue.

A plan is included in **Appendix B** showing the possible measures to construct the route.

PROHIBITION OF CYCLING WAR MEMORIAL GARDENS AND GNOLL GROUNDS

In 1975 a byelaw was implemented by the former Neath Borough Council setting out the rules of use of many of the pleasure grounds and public open spaces in the former Neath Borough including both the Gnoll Estate and The War Memorial Gardens. Section 7ii of the byelaw states “a person shall not except in the exercise of any lawful right or privilege ride any bicycle, tricycle or other similar machine in any part of the pleasure ground”.

In order to allow cycling on the proposed route above it will be necessary to amend the wording in the 1975 byelaw to permit cycling along the path at the War Memorial Gates and between the War Memorial Gates and Cimla Common on the designated active travel route.

The route is routinely used by cyclists and pedestrians the proposal will address safety issues within the Gnoll estate with the current infrastructure being used by pedestrians, cyclists and vehicles.

At this time it is proposed that the byelaw remains as written for the remaining areas within the Gnoll Estate and for the other pleasure grounds and public open spaces listed in schedules 1 and 2 of the Byelaw. A copy of the Byelaw can be found in **Appendix C**.

Legal services have advised that we would need to make a new byelaw which sets out the changes we wish to make. i.e in this particular case we would need to create a byelaw which has a provision declaring that section 7(ii) of the original byelaw does not apply to the proposed transport route.

SUMMARY

To enable the proposed Active Travel Route to be constructed the existing Byelaw needs to be amended to permit cycling along the path at the War Memorial Gates and in the Gnoll estate between the War Memorial Gates and Cimla Common. Permission is required to amend the wording of the Byelaw.

Financial Impacts:

Funding has been secured from Welsh Government/Transport for Wales to develop this proposal. Further funding applications will be made for delivery in future years subject to amending the wording of the Byelaw.

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 D, has indicated that a more in-depth assessment is not required. A summary is included below:-

The report is seeking approval to commence the process to amend the Byelaw prohibiting cycling at the memorial gates in Neath and between the memorial gates and Cimla Common.

Public and stakeholder consultation will be undertaken as part of the legal process to amend the byelaw.

The development of the scheme will be subject to a separate IIA.

Valleys Communities Impacts:

No implications.

Workforce Impacts:

No implications.

Legal Impacts:

The existing Byelaw will need to be amended to permit cycling along the path at the War Memorial Gates and in the Gnoll estate between the War Memorial Gates and Cimla Common.

Risk Management Impacts:

No implications.

Consultation:

There is no requirement for external consultation on this item at this time. Public consultation will be undertaken as part of the process to amend the Byelaw.

Recommendations:

It is recommended that approval is granted to allow officers to commence the process of amending the byelaw that presently prohibits cycling at the Neath memorial gates and within the Gnoll estate between the memorial gates and Cimla Common. This will allow the deployment of an active travel route linking Neath and Cimla.

Reasons for Proposed Decision:

To enable the development of an active travel route between Neath and Cimla facilitating travel for everyday journeys on foot or by bike rather than by private car.

Implementation of Decision:

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

Appendices:

Appendix A – FR-PT-SU027 LOCATION PLAN – showing the alignment of the proposed route

Appendix B - FR-PT-SU027 IMPROVEMENT PLAN – showing possible measures to construct the route. Appendix C - copy of the existing Byelaw
Appendix D - IIA

List of Background Papers

None.

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