

**THURSDAY, 21 JANUARY 2021**

**TO: THE EXECUTIVE BOARD MEMBER FOR ENVIRONMENT**

I HEREBY SUMMON YOU TO ATTEND A VIRTUAL MEETING OF THE **EXECUTIVE BOARD MEMBER DECISIONS MEETING FOR ENVIRONMENT** WHICH WILL BE HELD AT **10.00 AM**, ON **WEDNESDAY, 27TH JANUARY, 2021** FOR THE TRANSACTION OF THE BUSINESS OUTLINED ON THE ATTACHED AGENDA.

*Wendy Walters*

**CHIEF EXECUTIVE**



PLEASE RECYCLE

<b>Democratic Officer:</b>	<b>Kevin Thomas</b>
<b>Telephone (direct line):</b>	<b>01267 224027</b>
<b>E-Mail:</b>	<b><a href="mailto:kjthomas@carmarthenshire.gov.uk">kjthomas@carmarthenshire.gov.uk</a></b>

Wendy Walters Prif Weithredwr, *Chief Executive*,  
Neuadd y Sir, Caerfyrddin. SA31 1JP  
*County Hall, Carmarthen. SA31 1JP*

# **A G E N D A**

- |   |               |
|---|---------------|
| <b>1. DECLARATION OF PERSONAL INTEREST</b>                                      |               |
| <b>2. DECISION RECORD 20TH OCTOBER 2020</b>                                     | <b>3 - 4</b>  |
| <b>3. STOPPING UP OF PUBLIC HIGHWAY ADJACENT TO TROED Y<br/>BRYN, ALLTWALIS</b> | <b>5 - 12</b> |

*Note:- The press and public are not entitled to attend the meeting. The decision record will be published normally within 3 working days.*

## EXECUTIVE BOARD MEMBER DECISIONS MEETING FOR ENVIRONMENT

20 OCTOBER 2020

**PRESENT: Councillor:** H.A.L. Evans (Executive Board Member).

**The following officers were in attendance:**

R. S. Waters, Highways and Transportation Manager  
J. Owen, Democratic Services Officer

Virtual Meeting: 9:30am – 9:40am

### 1. **DECLARATION OF PERSONAL INTEREST**

There were no declarations of personal interest.

### 2. **DECISION RECORD - 8<sup>TH</sup> OCTOBER, 2020**

**RESOLVED** that the decision record of the meeting of the Executive Board Member for Environment held on the 8<sup>th</sup> October, 2020 be signed as a correct record.

### 3. **CARMARTHEN SHOPMOBILITY**

The Executive Board Member considered a report to support Carmarthen Shopmobility with a further grant of £19,650 for 12 months from September 2020, which includes the normal operational sum of £14,650 along with £5,000 to cover the loss of income during the Covid-19 pandemic.

It was acknowledged that Shopmobility had been supported by the Council since 2011 and had generated income from charges and fund raising, however it was mainly reliant on the Council's financial support. It was also noted that Shopmobility was one of the many initiatives being encouraged by the Authority to support the town and meets with its Parking Strategy Priorities.

**RESOLVED** that Carmarthen Shopmobility be supported with a further grant of £19,650 for a further twelve month period commencing September 2020, subject to the conditions detailed in the report.

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**EXECUTIVE BOARD MEMBER**

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**DATE**

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27 JANUARY 2021

<b>Executive Board Member:</b>	<b>Portfolio:</b>
<b>Cllr. Hazel Evans</b>	<b>Environment</b>

## Subject

**Purpose: STOPPING UP OF PUBLIC HIGHWAY ADJACENT TO TROED Y BRYN, ALLTWALIS**

## Recommendations / key decisions required:

TO INSTRUCT THE HEAD OF ADMINISTRATION AND LAW TO PROCESS THE STOPPING UP OF A REDUNDANT LENGTH OF PUBLIC HIGHWAY UNDER SECTION 116, HIGHWAYS ACT, 1980

## Reasons:

To stop up a short length of public highway under Section 116, Highway Act 1980. On successful completion of the order, the land will revert to the control of the adjoining landowner for legal registration.

Directorate Name of Head of Service: Stephen Pilliner Report Author: Nigel Skinner	Designation Head of Transportation and Highways	Tel No. E Mail Address: <a href="mailto:SGPilliner@carmarthenshire.gov.uk">SGPilliner@carmarthenshire.gov.uk</a>
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**Declaration of Personal Interest (if any):**

None

**Dispensation Granted to Make Decision (if any):**

N/A

**DECISION MADE:**

Signed:

DATE: \_\_\_\_\_

EXECUTIVE BOARD MEMBER

**The following section will be completed by the Democratic Services Officer in attendance at the meeting**

Recommendation of Officer adopted	YES / NO
Recommendation of the Officer was adopted <b>subject to the amendment(s) and reason(s) specified:</b>	
Reason(s) why the Officer's recommendation was <b>not adopted:</b>	

## EXECUTIVE SUMMARY

27<sup>th</sup> JANUARY 2021

### STOPPING UP OF PUBLIC HIGHWAY ADJACENT TO TROED Y BRYN, ALLTWALIS

The A485 Ceredigion Link Roads Improvement Scheme was completed circa 2001, Whilst split into phases, the scheme was implemented to improve highway alignment and safety along the A485 between Glangwili and Alltwallis.

The Highways Manager has requested that the old section of highway is stopped up to remove the public highway status and liability.

The area of public highway would be stopped up by way of Order at Magistrates Court under Section 116 of the Highways Act 1980. Upon a successful stopping up order, the land' under' the former public highway would revert to private control for registration. In this instance, the land would revert to adjoining landowners and Carmarthenshire County Council. Adjoining landowners have been consulted by CCC and will be further consulted under the statutory consultation to follow.

The costs associated with the stopping up order will be born by the Council to regularise the current situation.

It is therefore requested that the Head of Administration and Law is instructed to proceed with the Order to present at Magistrates Court at their earliest convenience.

DETAILED REPORT ATTACHED ?

NO

# IMPLICATIONS

I confirm that other than those implications which have been agreed with the appropriate Directors / Heads of Service and are referred to in detail below, there are no other implications associated with this report :

Signed: S. Pilliner

Head of Transportation and Highways

Policy and Crime & Disorder	Legal	Finance	ICT	Risk Management Issues	Organisational Development	Physical Assets
NONE	YES	YES	NONE	NONE	NONE	YES

## 2. Legal

An application to stop up a highway has to follow a defined process and under the Highways Act 1980 can only be made on two grounds, namely the length of highway is unnecessary or that there is a more commodious route. There is an initial consultation process to be undertaken by the Environment Department which includes (inter alia) corresponding with the Community Council seeking its views on the proposal.

Should Executive Board consent be forthcoming there is then a requirement to make an application to the Magistrates Court to seek an Order pursuant to section 116 of the Highways Act 1980 to stop-up the highway. It will be necessary for an officer from the Authority to present evidence at the hearing advising why the application is appropriate and that the granting of the Order is necessary.

## 3. Finance

The stopping up will carry a financial implication met by CCC to administer the order but will benefit from the removal of future maintenance and public liabilities.

## 7. Physical Assets

On successful completion of the Order the Asset register can be amended for the removal of the Public highway.



# CONSULTATIONS

I confirm that the appropriate consultations have taken in place and the outcomes are as detailed below

Signed: S. Pilliner

Head of Transportation and Highways

(Please specify the outcomes of consultations undertaken where they arise against the following headings)

## 1.Scrutiny Committee

N/A

## 2.Local Member(s)

Cllr. Dorian Williams – in support of the application to Magistrates Court

## 3.Community / Town Council

Llanllawddog Community Council – in support of the application

## 4.Relevant Partners

Assistant Area Manager, Western Division - in support.

## 5.Staff Side Representatives and other Organisations

Wales & West Utilities

Openreach BT

Western Power Distribution

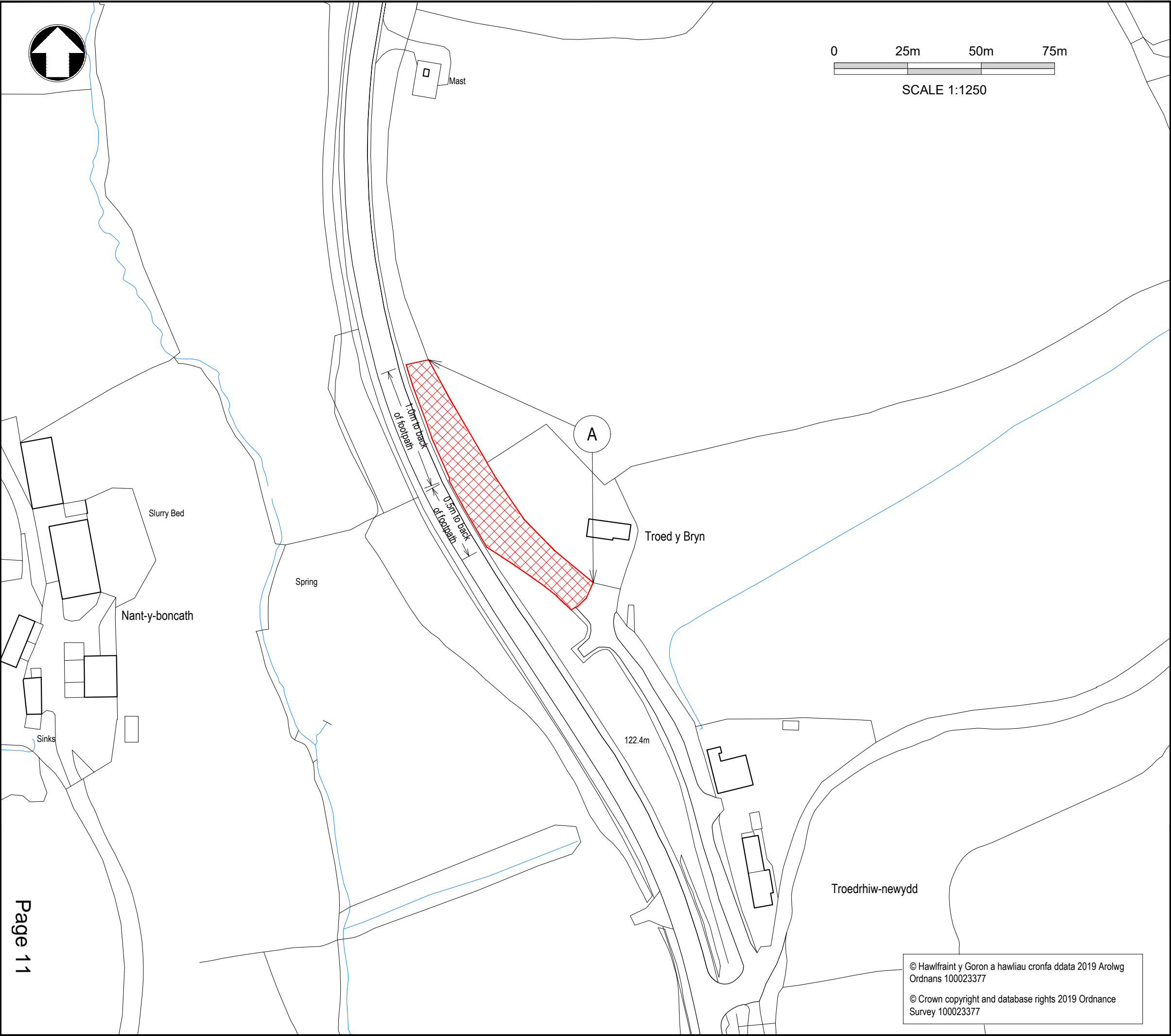
Welsh Water

Dyfed Powys Police, Mid & West Wales Fire Brigade, NHS

**Section 100D Local Government Act, 1972 – Access to Information**  
**List of Background Papers used in the preparation of this report:**

**THESE ARE DETAILED BELOW OR THERE ARE NONE** (Delete as applicable)

Title of Document	File Ref No.	Locations that the papers are available for public inspection
Location / Scheme Plan	R / 5 / 14	Electronic files



KEY:

- Highway to be stopped up

Schedule		
Reference Letter	Highway to be stopped up	Length of Highway
A	Unclassified Road (U5508) known as Troed Y Bryn Road (Old A485)	From entrance of Troed Y Bryn for a distance of approximately 101 metres in a north direction

REV	DATE	REVISION DESCRIPTION	REV BY	CHECKED	DATE CHD

Status INFORMATION ISSUED FOR THE PURPOSE SHOWN ONLY					
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**EICH CYNGOR arleinamdani**  
www.sirgari.llyw.cymru

**YOUR COUNCIL doitonline**  
www.carmarthenshire.gov.wales

**Stephen G Pilliner**

Pennaeth Trafnidiaeth a Pheirianneg,  
Adran Amgylchedd, Bloc 1,  
Parc Myrddin, Waun Dew,  
Caerfyrddin  
Sir Caerfyrddin SA31 1HQ

Head of Highways & Transport Environment  
Department, Block 1,  
Parc Myrddin, Richmond Terrace,  
Carmarthen,  
Carmarthenshire SA31 1HQ

Project

**TROED Y BRYN  
STOPPING UP ORDER**

Title

**STOPPING UP ORDER PLAN**

Made By	Date	Checked	Date	Authorised	Date
DR	09/05/19	VV	09/05/19	VP	31/05/19
Scale			Project no.		
1:1250			80/0040/448		
			Drawing no.	Revision	
			SUO_01	-	

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