

**29 DECEMBER 2021**

**TO: THE CABINET MEMBER FOR ENVIRONMENT**

I HEREBY SUMMON YOU TO ATTEND A MEETING OF THE **CABINET MEMBER DECISIONS MEETING FOR ENVIRONMENT** WHICH WILL BE HELD IN **VIRTUAL MEETING**, AT **10.00 AM**, ON **FRIDAY, 3<sup>RD</sup> DECEMBER, 2021** FOR THE TRANSACTION OF THE BUSINESS OUTLINED ON THE ATTACHED AGENDA.

*Wendy Walters*

**CHIEF EXECUTIVE**

<b>Democratic Officer:</b>	<b>Janine Owen</b>
<b>Telephone (direct line):</b>	<b>01267 224030</b>
<b>E-Mail:</b>	<b>JanineOwen@carmarthenshire.gov.uk</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. DECLARATIONS OF INTEREST</b>  |                |
| <b>2. DECISIONS RECORD - 13<sup>TH</sup> OCTOBER 2021</b>                                 | <b>3 - 6</b>   |
| <b>3. STOPPING UP OF PUBLIC HIGHWAY AT<br/>DYFFRYN FARM, BYNEA</b>                        | <b>7 - 14</b>  |
| <b>4. STOPPING UP OF PUBLIC HIGHWAY AT<br/>B4300 NR. THE POLLEN, NANTGAREDIG</b>          | <b>15 - 22</b> |
| <b>5. STOPPING UP OF PUBLIC HIGHWAY AT<br/>GLANRHYDSAESON FARM, MANORDEILO, LLANDEILO</b> | <b>23 - 30</b> |

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

## CABINET MEMBER DECISIONS MEETING FOR ENVIRONMENT

13 OCTOBER 2021

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

The following officers were in attendance:

R. S. Waters, Highways and Transportation Services Manager;

M. Jacob, Traffic and Road Safety Manager;

J. Owen, Democratic Services Officer.

**Virtual Meeting: 2:30pm - 2:50pm**

### 1. DECLARATIONS OF INTEREST

There were no declarations of personal interest.

### 2. DECISIONS RECORD - 25<sup>TH</sup> JUNE 2021

**RESOLVED that the decision record of the meeting of the Executive Board Member for Environment held on the 25<sup>th</sup> June, 2021 be signed as a correct record.**

### 3. TRAFFIC REGULATION ORDER FOR LLANELLI WAITING RESTRICTIONS AND STREET PARKING PLACES (VARIATION ORDER NO 38)

The Cabinet Member considered a report detailing objections to the Council's proposal to make an Order to amend The County of Carmarthenshire (Carmarthen) (Waiting Restriction and Street Parking Places) Consolidation (Variation No.38) Order 2020. The purpose of which was fulfil to the authority's statutory duty of securing the expeditious movement of traffic and to improve road safety. The locations in Llanelli were indicated in the proposed schedule and plans appended to the report.

It was reported that during the consultation period the Council's Head of Administration and Law received ten objections related to four of the streets advertised.

The Cabinet Member considered the proposals along with the associated objections received, officer comments and recommendations which were presented on as follows:-

- Pen yr Heol Drive, Llanelli;
- Llanelli Indoor Market, Llanelli;
- Min y Mor, Llanelli;
- Bres Road, Llanelli.

**RESOLVED that:**

**3.1 the objections as detailed in the report be noted;**

**3.2 recommendations 2.1, 2.2, 2.3, and 2.4 as detailed within the report be approved.**

**4. TRAFFIC REGULATION ORDER FOR LLANELLI WAITING RESTRICTIONS AND STREET PARKING (VARIATION ORDER NO 39) AND RESIDENTIAL PARKING PLACES (VARIATION ORDER NO 8)**

The Cabinet Member considered a report detailing objections to the Council's proposal to make an Order to amend:-

- The County of Carmarthenshire (Llanelli) (Waiting Restriction and Street Parking Places) Consolidation (Variation No 39) Order 2021 and
- The County of Carmarthenshire (Llanelli) Special Parking Area (Residential) Parking Places (Variation Order No 8) 2021.

The report related to both of the Orders above, in recognition that a number of streets impacted contain proposed changes as outlined within both Orders. The locations in Llanelli were indicated in the proposed schedule and plans appended to the report.

It was reported that the objections received related to both Orders and that during the consultation period the Council's Head of Administration and Law received twenty-four objections related to four of the streets advertised.

The Cabinet Member considered the proposals along with the associated objections received, officer comments and recommendations which were presented on as follows:-

- Prospect Place, Llanelli;
- Albert street, Llanelli;
- James Street & Glenalla Road, Llanelli;
- Coleshill Terrace, Llanelli;
- Andrew Street & Andrew Terrace.

**RESOLVED that:**

**4.1 the objections as detailed in the report be noted;**

**4.2 recommendations 2.1, 2.2, 2.3, 2.4, 2.5 and 2.6 as detailed within the report be approved.**

## 5. CARMARTHEN SHOPMOBILITY

The Cabinet Member considered a report to support Carmarthen Shopmobility with a further grant of £19,650 for 12 months from September 2021, and £5,000 to cover the loss of income during the on-going covid pandemic which included the normal operational sum of £14,650 which would be funded from the County Council's Community Transport element of the Bus Services Support Grant.

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.

The Cabinet Member noted that the scheme provided a valuable service for the mobility impaired and had been successful with a pre-covid usage of around 1,289 customers per annum. During the recent pandemic lockdown restrictions had forced Shopmobility to close in March 2020, however through the good work of staff and Trustees the operation reopened in November 2020.

Furthermore, in recognising that whilst the footfall in the town had slowly started to recover, it was acknowledged that the impact of covid having significantly reduced the customer base, a full recovery to pre-covid levels may not be realised in the 2021/22 year to September 2022.

**RESOLVED that Carmarthen Shopmobility be supported with a further grant of £19,650 for a further twelve-month period commencing September 2021, subject to the conditions detailed in the report.**

## 6. LLANELLI SHOPMOBILITY

The Cabinet Member considered a report to support Llanelli Shopmobility with a further grant of £14,650 for 12 months from August 2021.

It was reported 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.

The Cabinet Member noted that Shopmobility was one of many initiatives being encouraged by the Authority to support Llanelli town and was an important element of ensuring access to shops, businesses and services within Llanelli are inclusive and cater for those with mobility impairments.

**RESOLVED that Llanelli Shopmobility be supported with a further grant of £14,650 for a further twelve-month period commencing September 2021, subject to the conditions detailed in the report.**

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CABINET MEMBER

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DATE

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## CABINET MEMBER DECISIONS MEETING FOR ENVIRONMENT

3<sup>RD</sup> DECEMBER 2021

<b>Cabinet Member:</b> Cllr. Hazel Evans	<b>Portfolio:</b> Environment
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### STOPPING UP OF PUBLIC HIGHWAY AT DYFFRYN FARM, BYNEA

**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 highway under the provision of Section 116, Highways Act 1980. Upon completion of a successful order at Magistrates Court, the land would revert to the adjoining landowner for legal registration

Directorate Name of Head of Service: Stephen Pilliner	Designation Head of Transportation and Highways	E-mail SGPilliner@carmarthenshire.gov.uk
Report Author: Nigel Skinner	Transport Strategy and Infrastructure Engineer	E Mail Address: NJSkinner@carmarthenshire.gov.uk

**Declaration of Personal Interest (if any):**

None

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

N/A

**DECISION MADE:**

Signed: \_\_\_\_\_ DATE: \_\_\_\_\_  
CABINET 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

### CABINET MEMBER DECISIONS MEETING FOR ENVIRONMENT

3<sup>RD</sup> DECEMBER 2021

#### STOPPING UP OF PUBLIC HIGHWAY AT DYFFRYN FARM, BYNEA

An improvement scheme undertaken many years ago provided a new access to the Welsh Water Sewage Treatment Plant and Travellers Site. There was a commitment given by Llanelli Borough Council to the then owner of Dyffryn Cottage, to stop up the former highway and return the land back to Dyffryn Farm.

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 land registration. In this instance, the land would revert to adjoining landowner at Dyffryn Farm. The adjoining landowner has 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 borne 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.

REPORT ATTACHED?

NO

Attached is a location map showing area of public highway to be stopped up

# 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.G.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.

## 6. Physical Assets

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.

## CONSULTATIONS

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

Signed: : S.G.Pilliner

Head of Transportation and Highways

### 1. Scrutiny Committee - N/A

### 2. Local Member(s)

Cllr. Derek Cundy - approval

### 3. Community / Town Council

Llanelli Rural Council - approval

### 4. Relevant Partners

Area Manager - approval

### 5. Staff Side Representatives and other Organisations

Network Rail – no comment

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:

**THERE ARE NONE**

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## CABINET MEMBER DECISIONS MEETING FOR ENVIRONMENT

3<sup>RD</sup> DECEMBER 2021

<b>Cabinet Member:</b> Cllr. Hazel Evans	<b>Portfolio:</b> Environment
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### STOPPING UP OF PUBLIC HIGHWAY AT B4300 Nr. THE POLLEN, NANTGAREDIG

**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 highway under the provision of Section 116, Highways Act 1980. Upon completion of a successful order at Magistrates Court, the land would revert to the adjoining landowner for legal registration

Directorate Name of Head of Service: Stephen Pilliner	Designation Head of Transportation and Highways	E-mail SGPilliner@carmarthenshire.gov.uk
Report Author: Nigel Skinner	Transport Strategy and Infrastructure Engineer	E Mail Address: NJSkinner@carmarthenshire.gov.uk

**Declaration of Personal Interest (if any):**

None

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

N/A

**DECISION MADE:**

Signed: \_\_\_\_\_ DATE: \_\_\_\_\_  
CABINET 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

### CABINET MEMBER DECISIONS MEETING FOR ENVIRONMENT

3<sup>RD</sup> DECEMBER 2021

#### STOPPING UP OF PUBLIC HIGHWAY AT B4300 Nr. THE POLLEN, NANTGAREDIG

A former highway improvement scheme has rendered the section of cul-de-sac highway redundant and surplus to requirement. I have liaised with the Area Manager who has confirmed the length of old road is no longer required for operational purposes.

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 land registration. In this instance, the land would revert to the two adjoining landowners. The 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 borne by the applicant with an advance payment of £2500 to cover the costs.

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.

REPORT ATTACHED?

NO

Attached is a location map showing area of public highway to be stopped up

# 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.G.Pilliner

Head of Transportation and Highways

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

## 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 the Cabinet Member 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. The landowner is covering the costs of this process.

## 7. Physical Assets

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.

## CONSULTATIONS

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

Signed: S.G.Pilliner

Head of Transportation and Highways

**1. Scrutiny Committee - N/A**

**2. Local Member(s)**

Cllr. Ann Davies - approval

**3. Community / Town Council**

Llanarthne Community Council – awaiting response

**4. Relevant Partners**

Area Manager - approval

**5. Staff Side Representatives and other Organisations**

Wales & West Utilities

Openreach BT

Western Power Distribution

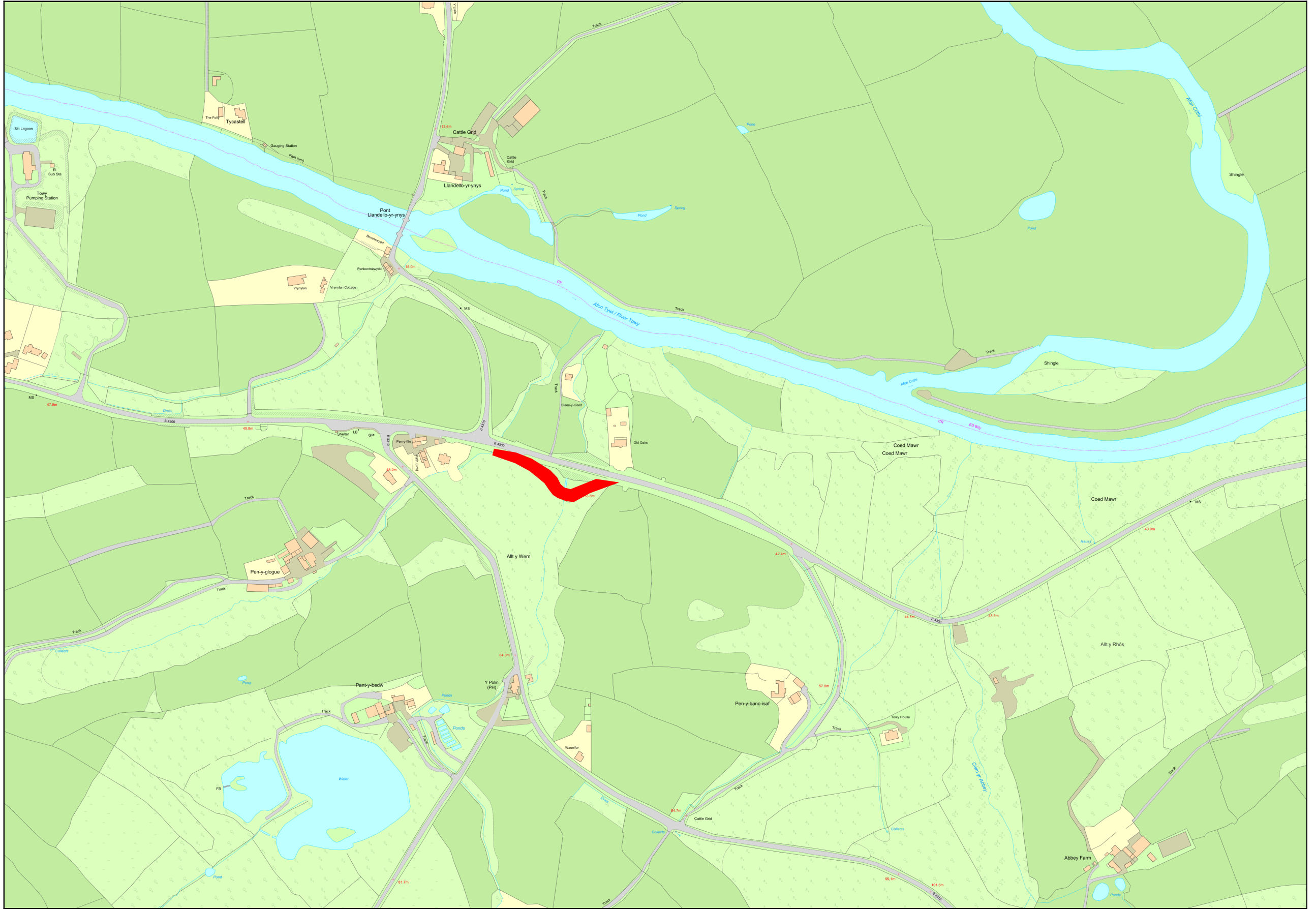
Welsh Water

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

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## CABINET MEMBER DECISIONS MEETING FOR ENVIRONMENT

**3<sup>RD</sup> DECEMBER 2021**

<b>Cabinet Member:</b> Cllr. Hazel Evans	<b>Portfolio:</b> Environment
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### STOPPING UP OF PUBLIC HIGHWAY AT GLANRHYDSAESON FARM, MANORDEILO, LLANDEILO

**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 highway under the provision of Section 116, Highways Act 1980. Upon completion of a successful order at Magistrates Court, the land would revert to the adjoining landowner for legal registration

Directorate Name of Head of Service: Stephen Pilliner	Designation Head of Transportation and Highways	E-mail SGPilliner@carmarthenshire.gov.uk
Report Author: Nigel Skinner	Transport Strategy and Infrastructure Engineer	E Mail Address: NJSkinner@carmarthenshire.gov.uk

**Declaration of Personal Interest (if any):**

None

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

N/A

**DECISION MADE:**

Signed: \_\_\_\_\_ DATE: \_\_\_\_\_  
CABINET 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

## CABINET MEMBER DECISIONS MEETING FOR ENVIRONMENT

3<sup>RD</sup> DECEMBER 2021

### STOPPING UP OF PUBLIC HIGHWAY AT GLANRHYDSAESON FARM, MANORDEILO, LLANDEILO

A request has been received from a landowner via Network Rail, to stop up a length of public highway as a consequence of closing an unsignalized level crossing under a NR national programme to reduce the number of crossing points along live railway lines. The link section of highway has been unmaintained for many years by CC and serves no strategic benefit to the authority. I have consulted with Cllr. Davies and Stuart Quick who both support the proposal. The costs for the stopping up order will be charged to Network Rail by way of an advance payment of £2500 with agreement to refund or recharge based on actual costs.

The adjoining landowner supports the proposal and I can further advise that the landowner abutting the highway to be stopped up will be further consulted as part of the statutory legal process. Objections received at this stage will be investigated with an intention to secure a retraction of the objection/s prior to the Court hearing.

The area of public highway would be stopped up by way of Order at Magistrates Court under Section 116 of the Highways Act 1980. In this instance, upon approval of the Order the land will revert to the adjoining landowner for Land Registry registration.

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

REPORT ATTACHED?

NO

Attached is a location map showing area of public highway to be stopped up

# 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.G.Pilliner

Head of Transportation and Highways

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

## 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 Cabinet Member 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. Network Rail are covering the full cost of the road closure.

## 7. Physical Assets

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.

## CONSULTATIONS

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

Signed: S.G.Pilliner

Head of Transportation and Highways

### 1. Scrutiny Committee - N/A

### 2. Local Member(s)

Cllr. Joseph Davies – in support of the proposal

### 3. Community / Town Council

Manordeilo and Salem Community Council – in support of the proposal

### 4. Relevant Partners

Area Manager - approval

### 5. Staff Side Representatives and other Organisations

Network Rail

Wales & West Utilities

Openreach BT

Western Power Distribution

Welsh Water

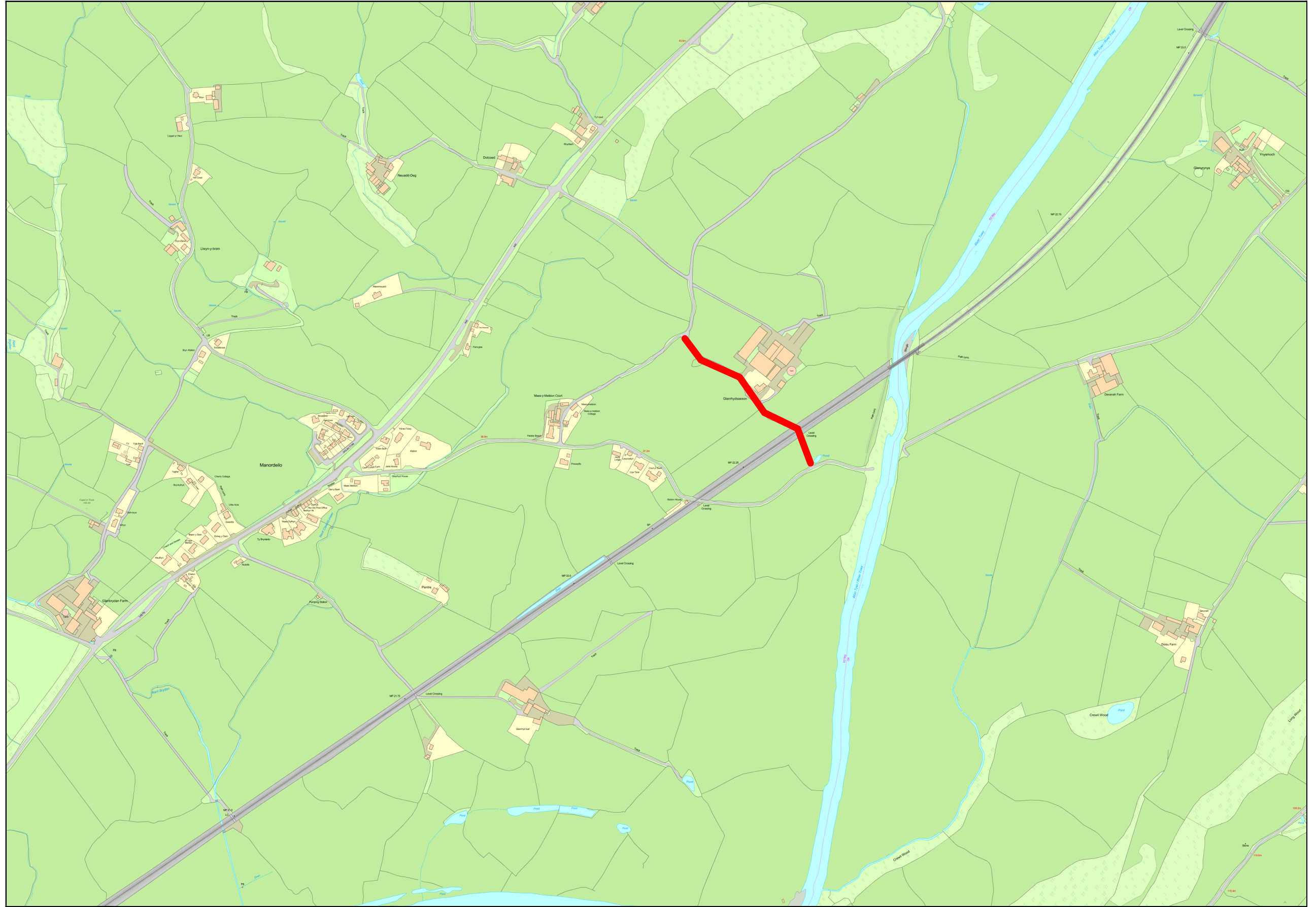
Dyfed Powys Police, Mid & West Wales Fire Brigade, NHS

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