

EXECUTIVE BOARD MEMBER DECISIONS MEETING FOR ENVIRONMENT

29TH NOVEMBER 2019

Executive Board Member:	Portfolio:
Cllr. Hazel Evans	Environment
STOPPING UP OF REDUNDANT PUBLIC HIGHWAY LEADING TO THE FORMER GALLT-Y-BERE BRIDGE, RHANDIRMWYN.	
Recommendations / key decisions required:	
To instruct the head of administration and law to process the stopping up of two short lengths of former highway under the highways act 1980 – section 116.	
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 landowners for legal registration.	
Directorate: Environment	
Name of Head of Service:	Designation:
Stephen G Pilliner	Head of Highways & Transport
Report Author:	
Nigel Skinner	Transport Strategy and Infrastructure Engineer
	Tel No/E Mail Address:
	01267 228150
	SGPilliner@Carmarthenshire.gov.uk
	01267 228179
	NJSkinner@carmarthenshire.gov.uk

Declaration of Personal Interest (if any):

None

Dispensation Granted to Make Decision (if any):

N/A

DECISION MADE:

Signed:

DATE: _____

EXECUTIVE BOARD MEMBER

Recommendation of Officer adopted	YES
Recommendation of the Officer was adopted subject to the amendment(s) and reason(s) specified:	
Reason(s) why the Officer's recommendation was not adopted:	

EXECUTIVE BOARD MEMBER DECISIONS MEETING FOR ENVIRONMENT

29TH NOVEMBER 2019

STOPPING UP OF REDUNDANT PUBLIC HIGHWAY LEADING TO THE FORMER GALLT-Y-BERE BRIDGE, RHANDIRMWYN.

BRIEF SUMMARY OF PURPOSE OF REPORT.

The construction of the new Galtt-Y-Bere Bridge has rendered the old bridge crossing route and associated highway links unnecessary. The old bridge was replaced due to structural concerns hence creating new highway links incorporated into the improvement scheme.

The stopping up of the disused route has been requested by the Principal Bridge Engineer. Costs will be met by the same.

The adjoining landowners are aware of the proposal and I can further advise that each landowner abutting the areas 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 landowners for Land Registry registration.

Please refer to Appendix 'A' identifying the area to be stopped up hatched in red.

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.

ATTACHMENTS?

APPENDIX A – Map – stopping up plan

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 Highways & Transport

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

1. 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.

2. Finance

The legal costs for processing the order will be met by the Structures and Bridges resource division. These costs will be in the region of £1500.

3. Physical Assets

The old bridge and associated highway links have been removed under the scheme contract with no future liabilities. The new bridge and highway links have become the new adopted highway.

CONSULTATIONS

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

Signed: S.G. Pilliner

Head of Highways & Transport

1. Scrutiny Committee - N/A

2. Local Members

Cllr. Handel Davies – Full support

Cllr. Arwel Davies – Full support

3. Community / Town Council

Llanfair-Ar-Y-Bryn Community Council

4. Relevant Partners

Assistant Area Manager – Eastern – in support

5. Staff Side Representatives and other Organisations

Wales and West Utilities

Openreach

Western Power Distribution

Welsh Water

Dyfed Powys Police

Mid and West Wales Fire

NHS

Section 100D Local Government Act, 1972 – Access to Information

List of Background Papers used in the preparation of this report:

THERE ARE NONE

APPENDIX A

