

CABINET MEMBER DECISIONS MEETING FOR ENVIRONMENT

3 DECEMBER 2021

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

The following officers were in attendance:

N. Skinner, Transport Strategy and Infrastructure Manager;
J. Owen, Democratic Services Officer.

Virtual Meeting:- 10:00am - 10:15am

1. DECLARATIONS OF INTEREST

There were no declarations of personal interest.

2. DECISIONS RECORD - 13TH OCTOBER 2021

RESOLVED that the decision record of the meeting of the Cabinet Member for Environment held on the 13th October 2021 be signed as a correct record.

3. STOPPING UP OF PUBLIC HIGHWAY AT DYFFRYN FARM, BYNEA

The Cabinet Member considered a report on proposals to stop up a short length of the public highway at Dyffryn Farm, Bynea, as highlighted on the plan appended to the report.

It was reported that 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. The land would revert to adjoining landowner at Dyffryn Farm. Whilst the cost of making the stopping up Order would be borne by Carmarthenshire County Council, it would benefit from the removal of future maintenance costs and public liabilities.

The Cabinet Member noted that the adjoining landowner had been consulted by Carmarthenshire County Council and would be further consulted under the statutory consultation to follow.

RESOLVED that the Head of Administration and Law be instructed to process the stopping up of a redundant length of public highway adjacent to Dyffryn Farm, Bynea under Section 116 of the Highways Act 1980.

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

The Cabinet Member considered a report on proposals to stop up a length of the public highway at B4300. Nr. The Pollen, Nantgaredig, as highlighted on the plan appended to the report.

In response to a query raised by the Cabinet Member the Transport Strategy and Infrastructure Manager confirmed that the location was at B4300, near to the restaurant 'Y Polyn'.

It was reported that the area of public highway was formerly part of a highway improvement scheme and had since rendered the section of cul-de-sac highway redundant and surplus to requirement. 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. The land would revert to the two adjoining landowners. Furthermore, it was reported that the cost associated with the stopping up Order would be borne by the applicant together with an advance payment of £2500 to cover costs. In addition, the financial implication associated with the stopping up order process would be borne by Carmarthenshire County Council, however it would benefit from the removal of future maintenance costs and public liabilities.

The Cabinet Member noted that the two adjoining landowners had been consulted by Carmarthenshire County Council and would be further consulted under the statutory consultation to follow.

RESOLVED that the Head of Administration and Law be instructed to process the stopping up of a redundant length of public highway adjacent to B4300 - Nr. Y Polyn, Nantgaredig under Section 116 of the Highways Act 1980.

5. STOPPING UP OF PUBLIC HIGHWAY AT GLANRHYDSAESON FARM, MANORDEILO, LLANDEILO

The Cabinet Member considered a report on proposals to stop up a length of public highway at Glanrhydsaeson Farm, Manordeilo, Llandeilo, as highlighted on the plan appended to the report.

It was reported a request had been received from a landowner via Network Rail, to stop up a length of public highway as a consequence of closing an unsignalised level crossing under a Network Rail national programme in order to reduce the number of crossing points along live railway lines. The link section of highway had been unmaintained for many years by Carmarthenshire County Council and served no strategic benefit to the Authority. 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. The land would revert to the two adjoining landowners. Furthermore, it was reported that the cost associated with the stopping up Order would be borne by the applicant together with an advance payment of £2500 to cover costs with agreement to refund or recharge based on actual costs.

In addition, the financial implication associated with the stopping up order process would be borne by Carmarthenshire County Council, however it would benefit from the removal of future maintenance costs and public liabilities.

The Cabinet Member noted that the landowner abutting the highway to be stopped would be further consulted as part of the statutory legal process and that any objections received at this stage would be investigated with an intention to secure a retraction of the objection/s prior to the Court hearing.

RESOLVED that the Head of Administration and Law be instructed to process the stopping up of a redundant length of public highway adjacent to Glanrhydsaeson Farm, Manordeilo, Llandeilo under Section 116 of the Highways Act 1980.

CABINET MEMBER

DATE