

29 TACHWEDD 2021

**AT: YR AELOD O'R CABINET DROS YR AMGYLCHEDD**

YR WYF DRWY HYN YN EICH GALW I FYNYCHU RHITH-CYFARFOD O'R **CYFARFOD PENDERFYNIADAU AELOD Y CABINET DROS YR AMGYLCHEDD** A GYNHELIR AM **10.00 YB**, AR **DYDD GWENER, 3 RHAGFYR, 2021** ER MWYN CYFLAWNI'R MATERION A AMLINELLIR AR YR AGENDA ATODEDIG.

*Wendy Walters*

**PRIF WEITHREDWR**

<b>Swyddog Democrataidd:</b>	<b>Janine Owen</b>
<b>Ffôn (llinell uniongyrchol):</b>	<b>01267 224030</b>
<b>E-bost:</b>	<b>JanineOwen@sirgar.gov.uk</b>

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

# AGENDA

1. DATGANIADAU O FUDDIANT
2. COFNOD PENDERFYNIAD - 13 HYFRED 2021 3 - 6
3. CAU PRIFFORDD GYHOEDDUS GER 7 - 14  
DYFFRYN FARM, BYNEA
4. CAU PRIFFORDD GYHOEDDUS GER 15 - 22  
B4300 Nr. THE POLLEN, NANTGAREDIG
5. CAU PRIFFORDD GYHOEDDUS GER 23 - 30  
GLANRHYDSAESON FARM, MANORDEILO, LLANDEILO

*Sylwer: - Nid oes hawl gan y wasg a'r cyhoedd fynychu'r cyfarfod. Bydd y cofnod penderfyniad yn cael ei gyhoeddi fel arfer o fewn 3 diwrnod gwaith.*

## CYFARFOD PENDERFYNIADAU AELOD Y CABINET DROS YR AMGYLCHEDD

13 HYDREF 2021

**YN BRESENNOL: Y Cyngorydd:** H.A.L. Evans (Aelod o'r Cabinet)

**Roedd y swyddogion canlynol yn bresennol:**

R. S. Waters, Rheolwr Gwasanaethau Priffyrdd a Thrafnidiaeth;  
M. Jacob, Rheolwr Traffig a Diogelwch Ffyrdd ;  
J. Owen, Swyddog Gwasanaethau Democrataidd.

**Rhith-Gyfarfod: 2:30yp - 2:50yp**

**1. DATGANIADAU O FUDDIANT**

Ni ddatganwyd unrhyw fuddiannau personol.

**2. COFNOD PENDERFYNIAD - 25 MEHEFIN 2021**

**PENDERFYNWYD** llofnodi'r cofnod penderfyniadau o gyfarfod yr Aelod o'r Bwrdd Gweithredol dros yr Amgylchedd a gynhaliwyd ar 25 Mehefin, 2021 gan ei fod yn gofnod cywir.

**3. GORCHYMYN RHEOLEIDDIO TRAFFIG AR GYFER CYFYNGIADAU AROS A MANNAU PARCIO AR Y STRYD LLANELLI (AMRYWIAD GORCHYMYN RHIF 38)**

Ystyriodd yr Aelod Cabinet adroddiad a oedd yn manylu ar wrthwynebiadau i gynnig y Cyngor o ran gwneud Gorchymyn i ddiwygio Gorchymyn Cydgyfnerthu Sir Gaerfyrddin (Caerfyrddin) (Cyfyngu ar Aros a Mannau Parcio ar y Stryd) (Amrywiad Rhif 38) 2004. Diben y cynnig oedd cyflawni dyletswydd statudol yr awdurdod i sicrhau bod traffig yn symud yn hwylus ac i wella diogelwch ffyrdd. Nodwyd y lleoliadau yn Llanelli yn yr amserlen arfaethedig a'r cynlluniau a atodir i'r adroddiad.

Dywedwyd bod Pennaeth Gweinyddiaeth a Chyfraith y Cyngor wedi derbyn deg gwrthwynebiad yn ystod y cyfnod ymgynghori yn ymwneud â phedwar o'r strydoedd a hysbysebwyd.

Ystyriodd yr Aelod Cabinet y cynigion ynghyd â'r gwrthwynebiadau cysylltiedig a dderbyniwyd, sylwadau ac argymhellion y swyddogion a gyflwynwyd fel a ganlyn:-

- Lôn Penyrheol, Llanelli;
- Marchnad Dan Do Llanelli, Llanelli;
- Min y Môr, Llanelli;
- Heol Bres, Llanelli.

## **PENDERFYNWYD:**

**3.1 nodi'r gwrthwynebiadau, fel yr oeddent yn yr adroddiad;**

**3.2 cymeradwyo argymhellion 2.1, 2.2, 2.3, a 2.4 fel y nodir yn yr adroddiad.**

## **4. GORCHYMYN RHEOLEIDDIO TRAFFIG AR GYFER CYFYNGIADAU AROS (AMRYWIAD GORCHYMYN RHIF 39) A MANNAU PARCIO AR Y STRYD LLANELLI (AMRYWIAD GORCHYMYN RHIF 8)**

Ystyriodd yr Aelod Cabinet adroddiad yn manylu ar wrthwynebiadau i gynnig y Cyngor i wneud Gorchymyn i ddiwygio:-

- Gorchymyn Cydgyfnerthu Sir Gaerfyrddin (Llanelli) (Cyfyngu ar Aros a Mannau Parcio ar y Stryd) (Amrywiad Rhif 39) 2021 a
- Gorchymyn Sir Gaerfyrddin (Llanelli) Ardal Barcio Arbennig (Preswyl) Mannau Parcio (Gorchymyn Amrywio Rhif 8) 2021.

Roedd yr adroddiad yn ymwneud â'r ddau Orchymyn uchod, gan gydnabod bod nifer o strydoedd yr effeithiwyd arnynt yn cynnwys newidiadau arfaethedig fel yr amlinellir yn y ddau Orchymyn. Nodwyd y lleoliadau yn Llanelli yn yr amserlen arfaethedig a'r cynlluniau a atodir i'r adroddiad.

Dywedwyd bod y gwrthwynebiadau a gafwyd yn ymwneud â'r ddau Orchymyn a bod Pennaeth Gweinyddiaeth a Chyfraith y Cyngor wedi derbyn 24 o wrthwynebiadau yn ystod y cyfnod ymgynghori yn ymwneud â phedwar o'r strydoedd a hysbysebwyd.

Ystyriodd yr Aelod Cabinet y cynigion ynghyd â'r gwrthwynebiadau cysylltiedig a dderbyniwyd, sylwadau ac argymhellion y swyddogion a gyflwynwyd fel a ganlyn:-

- Prospect Place, Llanelli;
- Stryd Albert, Llanelli;
- Stryd Iago a Heol Glenalla, Llanelli;
- Teras Coleshill, Llanelli;
- Stryd Andrew ac Andrew Terrace

## **PENDERFYNWYD:**

**4.1 nodi'r gwrthwynebiadau, fel yr oeddent yn yr adroddiad;**

**4.2 cymeradwyo argymhellion 2.1, 2.2, 2.3, 2.4 a 2.5 fel y nodir yn yr adroddiad.**

## 5. SHOPMOBILITY CAERFYRDDIN

Ystyriodd yr Aelod Cabinet adroddiad ynghylch cefnogi Shopmobility Caerfyrddin drwy grant pellach o £19,650 am gyfnod o 12 mis o fis Medi 2021, a £5,000 i ddiogolledu'r incwm yn ystod pandemig covid sy'n parhau a oedd yn cynnwys y swm gweithredol arferol o £14,650 a fyddai'n cael ei ariannu o elfen Trafnidiaeth Gymunedol Grant Cynnal Gwasanaethau Bysiau Cyngor Sir Caerfyrddin.

Nodwyd bod Cyngor Sir Caerfyrddin wedi cefnogi cynllun Shopmobility ers 2011 a'i fod wedi cael incwm drwy godi tâl a thrwy gynnal gweithgareddau i godi arian. Fodd bynnag, roedd yn dibynnu'n bennaf ar gefnogaeth ariannol gan y Cyngor.

Nododd yr Aelod Cabinet fod y cynllun yn darparu gwasanaeth gwerthfawr i'r rhai sy'n cael anhawster i symud a'i fod wedi bod yn llwyddiannus cyn covid gydag oddeutu 1,289 o gwsmeriaid y flwyddyn. Yn ystod cyfyngiadau symud y pandemig diweddar, roedd y cyfyngiadau wedi gorfodi Shopmobility i gau ym mis Mawrth 2020, ond drwy waith da staff ac Ymddiriedolwyr ailagorodd ym mis Tachwedd 2020.

Yn ogystal, er bod nifer yr ymwelwyr yn y dref wedi dechrau gwella'n araf, cydnabuwyd bod effaith covid wedi lleihau'r sylfaen cwsmeriaid yn sylweddol, ac efallai na fydd adferiad llwyr i lefelau cyn covid yn cael ei wireddu yn y flwyddyn 2021/22 hyd at fis Medi 2022.

**PENDERFYNWYD rhoi grant pellach o £19,650 i gynorthwyo Shopmobility Caerfyrddin am gyfnod o 12 mis arall, gan gychwyn ym mis Medi 2021, yn amodol ar yr amodau yn yr adroddiad.**

## 6. SHOPMOBILITY LLANELLI

Ystyriodd yr Aelod Cabinet adroddiad ynghylch cefnogi Shopmobility Llanelli drwy grant pellach o £14,650 am 12 mis o fis Awst 2021.

Nodwyd bod Cyngor Sir Caerfyrddin wedi cefnogi cynllun Shopmobility ers 2011 a'i fod wedi cael incwm drwy godi tâl a thrwy gynnal gweithgareddau i godi arian. Fodd bynnag, roedd yn dibynnu'n bennaf ar gefnogaeth ariannol gan y Cyngor.

Nododd yr Aelod Cabinet fod Shopmobility yn un o nifer o fentrau a anogir gan yr Awdurdod i gefnogi tref Llanelli a'i fod yn elfen bwysig o sicrhau bod mynediad i siopau, busnesau a gwasanaethau yn Llanelli yn gynhwysol ac yn darparu ar gyfer y rhai sydd ag anabledau symud.

**PENDERFYNWYD rhoi grant pellach o £14,650 i gynorthwyo Shopmobility Llanelli am gyfnod o 12 mis arall, gan gychwyn ym mis Medi 2021, yn amodol ar yr amodau yn yr adroddiad.**

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AELOD O'R CABINET

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DYDDIAD

Mae'r dudalen hon yn wag yn fwriadol

**CYFARFOD PENDERFYNIADAU'R AELOD O'R BWRDD  
GWEITHREDOL DROS YR AMGYLCHEDD**

**3 RHAGFYR 2021**

<b>Yr Aelod Cabinet:</b>	<b>Y Portffolio:</b>
<b>Y Cynghorydd Hazel Evans</b>	<b>Yr Amgylchedd</b>

**CAU PRIFFORDD GYHOEDDUS GER DYFFRYN FARM, BYNEA**

**Yr argymhellion / penderfyniadau allweddol sydd eu hangen:**

Rhoi gorchymyn i'r pennaeth gweinyddiaeth a'r gyfraith gau darn o'r briffordd gyhoeddus nad yw'n cael ei ddefnyddio, o dan Adran 116 o Ddeddf Priffyrdd 1980.

**Y Rhesymau:**

Cau darn byr o'r briffordd gyhoeddus o dan Adran 116 o Ddeddf Priffyrdd 1980. Ar ôl i'r gorchymyn gael ei gwblhau'n llwyddiannus, bydd y tir yn cael ei drosglwyddo'n ôl i reolaeth y tiffeddiannwr cyfagos i'w gofrestru'n gyfreithiol.

Y Gyfarwyddiaeth Enw Pennaeth y Gwasanaeth: Stephen Pilliner	Swydd Pennaeth Trafnidiaeth a Phrifyrdd	Cyfeiriad e-bost: <a href="mailto:SGPilliner@sirgar.gov.uk">SGPilliner@sirgar.gov.uk</a>
Awdur yr Adroddiad: Nigel Skinner	Peiriannydd Strategaeth Trafnidiaeth a Seilwaith	Cyfeiriad e-bost: <a href="mailto:NJSkinner@sirgar.gov.uk">NJSkinner@sirgar.gov.uk</a>

**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 Highways and Transportation

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 Highways and Transportation

**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**

Mae'r dudalen hon yn wag yn fwriadol



Mae'r dudalen hon yn wag yn fwriadol

**CYFARFOD PENDERFYNIADAU'R AELOD O'R BWRDD  
GWEITHREDOL DROS YR AMGYLCHEDD**

**3 RHAGFYR 2021**

<b>Yr Aelod Cabinet:</b>	<b>Y Portffolio:</b>
<b>Y Cynghorydd Hazel Evans</b>	<b>Yr Amgylchedd</b>

**CAU PRIFFORDD GYHOEDDUS GER  
B4300 Nr. THE POLLEN, NANTGAREDIG**

**Yr argymhellion / penderfyniadau allweddol sydd eu hangen:**

Rhoi gorchymyn i'r pennaeth gweinyddiaeth a'r gyfraith gau darn o'r briffordd gyhoeddus nad yw'n cael ei ddefnyddio, o dan Adran 116 o Ddeddf Priffyrdd 1980.

**Y Rhesymau:**

Cau darn byr o'r briffordd gyhoeddus o dan Adran 116 o Ddeddf Priffyrdd 1980. Ar ôl i'r gorchymyn gael ei gwblhau'n llwyddiannus, bydd y tir yn cael ei drosglwyddo'n ôl i reolaeth y tîrfeiddiannwr cyfagos i'w gofrestru'n gyfreithiol.

Y Gyfarwyddiaeth Enw Pennaeth y Gwasanaeth: Stephen Pilliner	Swydd Pennaeth Trafnidiaeth a Phrifyrdd	Cyfeiriad e-bost: <a href="mailto:SGPilliner@sirgar.gov.uk">SGPilliner@sirgar.gov.uk</a>
Awdur yr Adroddiad: Nigel Skinner	Peiriannydd Strategaeth Trafnidiaeth a Seilwaith	Cyfeiriad e-bost: <a href="mailto:NJSkinner@sirgar.gov.uk">NJSkinner@sirgar.gov.uk</a>

**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
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 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

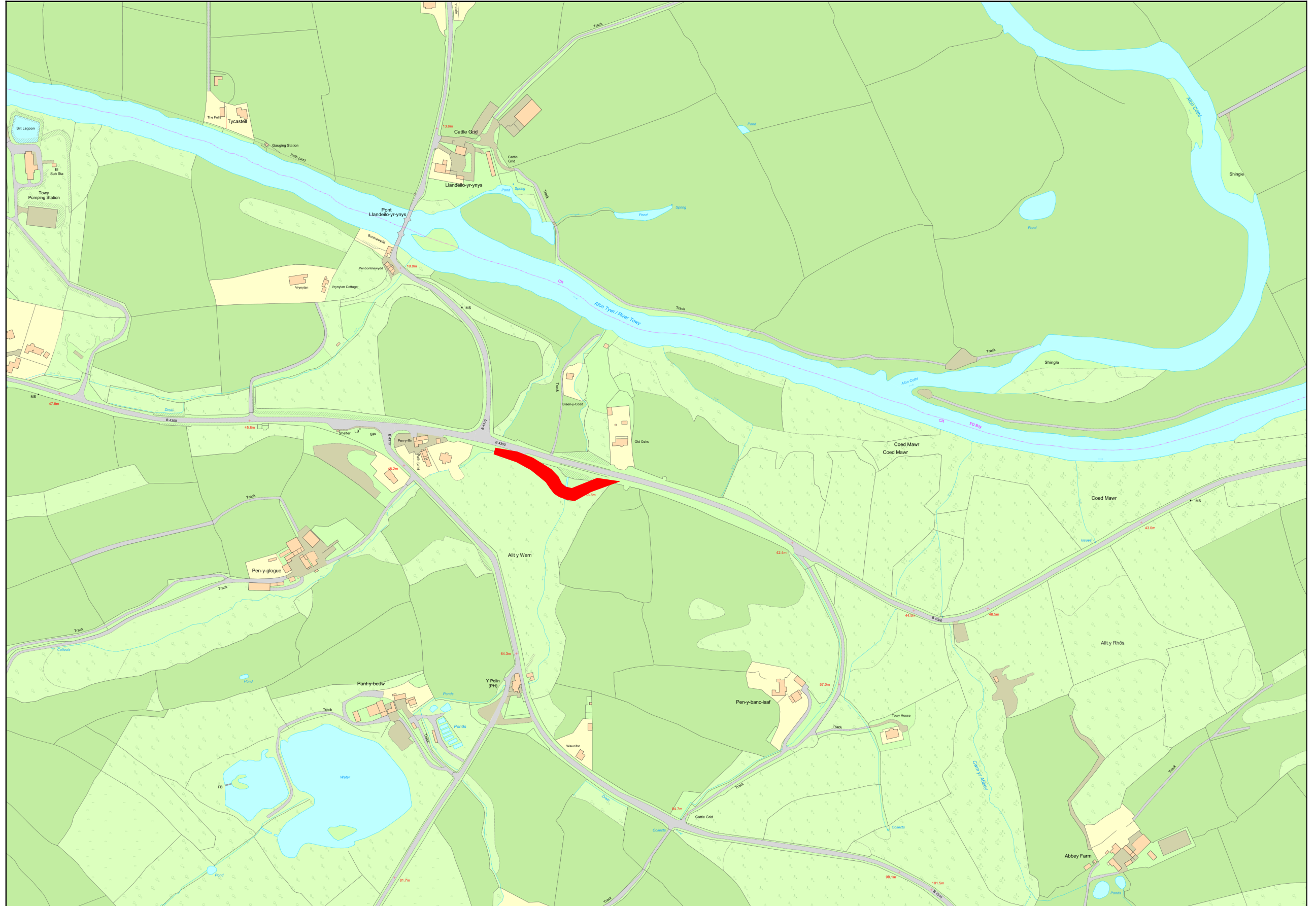
Welsh Water

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

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

**THERE ARE NONE**

Mae'r dudalen hon yn wag yn fwriadol



Tudalen 21

0 50 100 150m

Graddfa  
Scale 1:5000

Canol y Map  
Map Centre [249651.9,219992.5]

Dyddiad  
Date 21/02/2018

Mae'r dudalen hon yn wag yn fwriadol

**CYFARFOD PENDERFYNIADAU'R AELOD O'R BWRDD  
GWEITHREDOL DROS YR AMGYLCHEDD**

**3 RHAGFYR 2021**

<b>Yr Aelod Cabinet:</b>	<b>Y Portffolio:</b>
<b>Y Cynghorydd Hazel Evans</b>	<b>Yr Amgylchedd</b>

**CAU PRIFFORDD GYHOEDDUS GER  
GLANRHYDSAESON FARM, MANORDEILO, LLANDEILO**

**Yr argymhellion / penderfyniadau allweddol sydd eu hangen:**

Rhoi gorchymyn i'r pennaeth gweinyddiaeth a'r gyfraith gau darn o'r briffordd gyhoeddus nad yw'n cael ei ddefnyddio, o dan Adran 116 o Ddeddf Priffyrdd 1980.

**Y Rhesymau:**

Cau darn byr o'r briffordd gyhoeddus o dan Adran 116 o Ddeddf Priffyrdd 1980. Ar ôl i'r gorchymyn gael ei gwblhau'n llwyddiannus, bydd y tir yn cael ei drosglwyddo'n ôl i reolaeth y tîrfeddiannwr cyfagos i'w gofrestru'n gyfreithiol.

Y Gyfarwyddiaeth Enw Pennaeth y Gwasanaeth: Stephen Pilliner	Swydd Pennaeth Trafnidiaeth a Phriffyrdd	Cyfeiriad e-bost: <a href="mailto:SGPilliner@sirgar.gov.uk">SGPilliner@sirgar.gov.uk</a>
Awdur yr Adroddiad: Nigel Skinner	Peiriannydd Strategaeth Trafnidiaeth a Seilwaith	Cyfeiriad e-bost: <a href="mailto:NJSkinner@sirgar.gov.uk">NJSkinner@sirgar.gov.uk</a>

**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 RHAGFYR 2021

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

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
<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. Network Rail are covering the full cost of the road closure.

## 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. 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

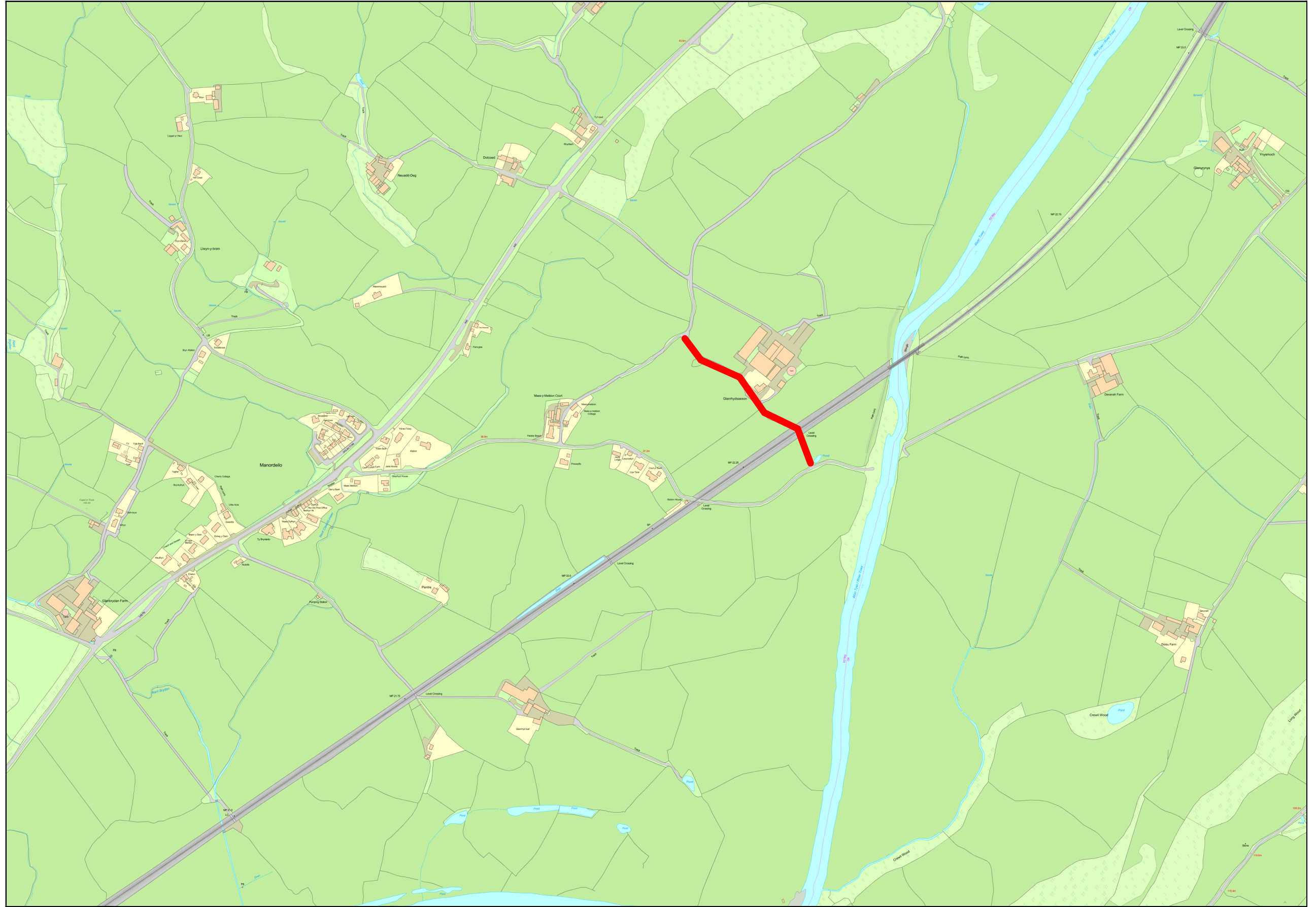
Dyfed Powys Police, Mid & West Wales Fire Brigade, NHS

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

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

**THERE ARE NONE**

Mae'r dudalen hon yn wag yn fwriadol



Tudalen 29

0 100 200 300m

Graddfa  
Scale 1:7500

Canol y Map  
Map Centre [268284,226749.3]

Dyddiad  
Date 26/11/2019

Mae'r dudalen hon yn wag yn fwriadol