

## Portfolio Holder for Highways, Recycling and Assets



County Hall  
Llandrindod Wells  
Powys  
LD1 5LG  
4 February 2019

For further information please contact

Stephen Boyd  
[steve.boyd@powys.gov.uk](mailto:steve.boyd@powys.gov.uk)  
01597 826374

### **NOTICE OF INTENDED PORTFOLIO HOLDER DELEGATED DECISION**

The Portfolio Holder has received the following report for a decision to be taken under delegated authority. The decision will be taken on **8 February 2019** (i.e. 3 clear days after the date of this note). The decision will be published on the Council's website but will not be implemented until 5 clear days after the date of publication of the decision) to comply with the call-in process set out in Rule 7.36 of the Constitution.

1.	<b>MODIFICATION OF 7.5 TONNE MAXIMUM GROSS WEIGHT ORDER FOR NEW BRIDGE VYRNWY, LLANYMYNECH TO REMOVE PROHIBITION OF RIGHT TURN MOVEMENTS</b>
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**CYNGOR SIR POWYS COUNTY COUNCIL**  
**PORTFOLIO HOLDER DELEGATED DECISION**  
**by**  
**COUNTY COUNCILLOR PHYL DAVIES**  
**(PORTFOLIO HOLDER FOR HIGHWAYS, RECYCLING & ASSETS)**  
**FEBRUARY 2019**

**REPORT AUTHOR:** Traffic Engineer North, Highways & Technical Services

**SUBJECT:** Modification of 7.5 tonne Maximum Gross Weight Order for New Bridge Vyrnwy, Llanymynech to remove prohibition of right turn movements

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**REPORT FOR:** Decision

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**1. Summary**

1.1 The attached Statement of Reasons at Appendix A sets out the reasons for Powys County Council seeking to introduce the modified proposed prohibition of driving Traffic Regulation Order, which is to be funded as part of the ongoing bridge repair project.

**2. Proposal**

2.1 To introduce a traffic regulation Order which revokes the existing prohibition of right turn movements from the B4393 onto the B4398, whilst retaining the necessary 7.5 tonne structural weight limit until such time that the strengthening works to the flood arches are completed.

2.2 The draft replacement Traffic Regulation Order and accompanying plan are attached at Appendix B.

**3. Options Considered / Available**

3.1 The only other available option is to retain the existing Traffic Regulation Order that includes the structural weight limit and the prohibition of right turning movements from the B4393 onto the bridge along the B4398. Whilst this option would represent a minimal cost saving to the overall bridge repair scheme, it would retain a traffic prohibition which is no longer required and potentially bring the entire traffic regulation order into disrepute.

**4. Preferred Choice and Reasons**

4.1 The proposal is the only option to be considered, as it will ensure that the prohibitions relating to the bridge are relevant and legally enforceable.

**5. Impact Assessment**

5.1 Is an impact assessment required? No

**6. Corporate Improvement Plan**

6.1 Powys County Council has actively engaged with the community council to bring about the repairs to this bridge in a timely fashion, and to ensure that any traffic prohibitions associated with the project are continually reviewed and only introduced/retained as necessary at the various stages of the bridge repair project to address relevant highway safety concerns and to protect the structural integrity of the bridge as the project progresses. The proposals support the CIP priority of improving our transport infrastructure by making it safer for people to use the highways within Powys and for residents and visitors to access residential properties and local facilities.

**7. Local Member**

7.1 The local member for the affected communities of Carreghofa and Llandysilio has expressed support for the proposal. The proposal will not have a significant wider effect on local members in other wards.

**8. Other Front Line Services**

Does the recommendation impact on other services run by the Council or on behalf of the Council? No

**9. Communications**

Have Communications seen a copy of this report? Yes

Communications comment: The report is of public interest and requires use of a news release and appropriate social media to publicise the recommendation/decision.

**10. Support Services (Legal, Finance, Corporate Property, HR, ICT, Business Services)**

10.1 Legal - In the circumstances, the amendment is appropriate.

10.2 Finance - The Finance Manager Place and Resources notes the contents of the report and that the costs will be funded from the budget available for the ongoing bridge works.

**11. Scrutiny**

Has this report been scrutinised? No

**12. Data Protection**

If the proposal involves the processing of personal data, then the Data Protection Officer must be consulted and their comments set out below. N/A

**13. Statutory Officers**

13.1 The S151 Officer notes the comments made by finance.

13.2 The Solicitor to the Council (Monitoring Officer) commented as follows :  
 "I note the legal comments and have nothing to add to the report."

**14. Members' Interests**

The Monitoring Officer is not aware of any specific interests that may arise in relation to this report. If the Portfolio Holder has an interest, he/she should declare it, complete the relevant notification form and refer the matter to Cabinet for decision.

<b>Recommendation:</b>	<b>Reason for Recommendation:</b>
To authorise the local highway authority to commence the legal public consultation procedure for the proposed traffic regulation order set out in Appendix B to the report, and if no substantive objections are received implement the prohibition of driving Order in accordance with the Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996.	To introduce necessary traffic prohibition orders which are commensurate with and appropriate to the current phase of the ongoing bridge repair project.

<b>Relevant Policy:</b>	N/A		
<b>Within Policy:</b>	Y / N	<b>Within Budget:</b>	Y / N

<b>Relevant Local Member:</b>	Cllr Arwel Jones
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<b>Person(s) To Implement Decision:</b>	Chris Lloyd
<b>Date By When Decision To Be Implemented:</b>	As soon as possible

<b>Is a review of the impact of the decision required?</b>	Y / N
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<b>Contact Officer:</b>	Chris Lloyd
<b>Tel:</b>	01686 611563
<b>Email:</b>	chris.lloyd@powys.gov.uk

**Background Papers used to prepare Report:**

- **Statement of Reasons.**
- **Draft Traffic Regulation Order and accompanying plans.**

DELEGATED DECISION REPORT TEMPLATE VERSION 6

**The County of Powys  
(B4398 New Bridge Vyrnwy, Llanymynech)  
(7.5 Tonne Maximum Gross Weight Restriction) Order 2019**

**STATEMENT OF REASONS**

The County of Powys (B4393 & B4398, New Bridge Vyrnwy, Llanymynech) (7.5 tonne Maximum Gross Weight Restriction & Prohibition of Right Turn Movements) Order 2015 was made by Powys County Council on 5<sup>th</sup> January 2015.

The Order was made to minimise further structural damage to the bridge, improve highway safety by eliminating hazardous traffic movements, whilst reducing traffic disruption to a minimum.

Part of the bridge repair works have now been completed, to the extent that two-way traffic movements can now be accommodated over the bridge; therefore, the right turn prohibition from the B4393 is no longer required.

The 7.5 tonne maximum gross weight restriction is still required over the bridge until such time that the structural repairs to the flood arches are completed. These works are anticipated to be carried out before October 2019, after which time the structural weight limit can be removed.

In the meantime, the Council needs to modify the existing Order to remove the reference to the right turn prohibition but maintain the structural weight limit.

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**THE COUNTY OF POWYS**  
**(B4398 NEW BRIDGE VYRNWY, LLANYMYNECH)**  
**(7.5 TONNE MAXIMUM GROSS WEIGHT RESTRICTION) ORDER 2019**

**WHEREAS** POWYS COUNTY COUNCIL (“The Council”) being the highway authority for the length of road described in Article 2 of this Order is satisfied that the weight and movements of all vehicles passing along the said length of road should be restricted by virtue of safety; and weaknesses in the structural condition of the undermentioned bridge which carries that length of the B4398.

**NOW THEREFORE** the Council in exercise of its powers under Sections 1(1) and 2(1) and (2) and Part IV of Schedule 9 of the Road Traffic Regulation Act 1984 (“the Act”) and of all other enabling powers and after consultation with the Chief Officer of Police in accordance with Part III of Schedule 9 to the Act hereby makes the following Order:

1. In this Order the term “maximum gross weight” shall have the same meaning as in The Traffic Signs Regulations and General Directions 2016.
2. No person shall cause any vehicle the maximum gross weight of which exceeds seven and a half tonnes to proceed in that length of the County Classified Road Number B4398 in the Communities of Carreghofa and Llandysilio which is carried by New Bridge over the River Vyrnwy (Ordnance Survey Grid Reference SJ 25329 19635).
4. The County of Powys (B4393 & B4398, New Bridge Vyrnwy, Llanymynech) (7.5 tonne Maximum Gross Weight Restriction & Prohibition of Right Turn Movements) Order 2015 is hereby revoked.
4. This Order shall come into operation on the XXX<sup>th</sup> day of XXX 2019 and may be sited as The County of Powys (B4398 New Bridge Vyrnwy, Llanymynech) (7.5 tonne Maximum Gross Weight Restriction) Order 2019.
5. The plan annexed hereto is for the purposes of identification only.

**GIVEN** under the Common Seal of Powys County Council this XXX<sup>th</sup> day of XXX two thousand and nineteen.

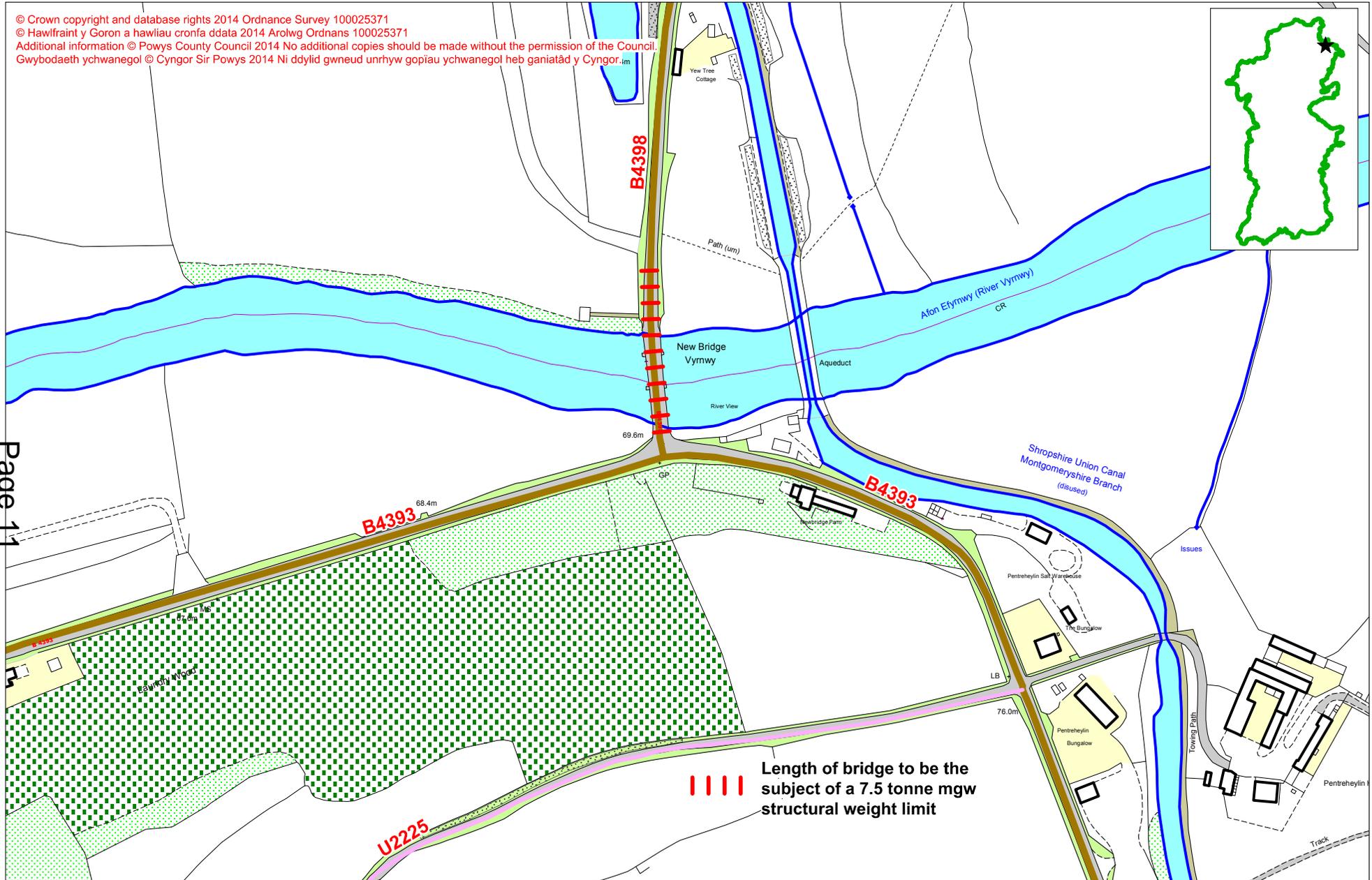
**THE COMMON SEAL** of **POWYS** )  
**COUNTY COUNCIL** was hereunto )  
affixed in the presence of:- )

Solicitor to the Council

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||||| Length of bridge to be the subject of a 7.5 tonne mgw structural weight limit

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