

**CYNGOR SIR POWYS COUNTY COUNCIL**  
**PORTFOLIO HOLDER DELEGATED DECISION**  
**by**  
**COUNTY COUNCILLOR PHYL DAVIES**  
**(PORTFOLIO HOLDER FOR HIGHWAYS, RECYCLING & ASSETS)**  
**JANUARY 2019**

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

**SUBJECT:** On street waiting and loading prohibition review,  
Llanfyllin

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**REPORT FOR:** Decision

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**1. Summary**

- 1.1 As a result of concerns raised by the town council and local residents regarding inconsiderate and obstructive on highway parking along a number of roads within the town of Llanfyllin; discussions took place with the town council and the local county councillor to agree locations where on street waiting and/or loading prohibitions should be modified.
- 1.2 The final proposals were considered by and supported by the Montgomeryshire Committee at their meeting of 7th March 2018, at which time the local highway authority was instructed to commence the legal consultation procedures for the proposed traffic regulation order, and if no substantive objections are received, authorise the traffic engineer to implement the proposal. A copy of that committee report and accompanying plans are attached to this report for reference as Appendix A.
- 1.3 The public consultation took place between the dates of 11<sup>th</sup> May 2018 and 4<sup>th</sup> June 2018, with the proposed traffic regulation order being advertised on site notices along the affected roads, in the 11<sup>th</sup> May 2018 edition of the County Times, and on Powys County Council's public website. A copy of the proposal plans, the draft Order and the council's statement of reasons were placed on deposit at County Hall; at Llanfyllin Library; and on the council's website.
- 1.4 Representations were received from 4 local residents during the public consultation period. A summary of those representations and officer comments/recommendation is attached to this report at Appendix B.
- 1.5 The town council and the local member reviewed the representation summary report in June 2018, and were minded not to support the

representations, recommending that the traffic regulation order be made as originally proposed.

## **2. Proposal**

- 2.1 The Portfolio Holder for Highways, Recycling and Assets is requested to overrule the representations received during the public consultation period, and instruct the Traffic Engineer North to make the Traffic Regulation Order for the waiting and loading prohibitions as originally proposed at the earliest opportunity.

## **3. Options Considered / Available**

- 2.2 Traffic Regulation Orders of this type are considered and made in accordance with the *Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996* legislation. Where substantiated objections are received to such proposals, the legislation sets out the options that are available to the order making authority. These options are set out below.
- 2.3 Uphold the objections received and reduce the extent of the proposed waiting and loading prohibitions at those locations suggested by the representors. This option would fail to address the identified need to prohibit obstructive parking at those locations where parked vehicles would cause a hazardous obstruction, and would fail to provide an adequate turnaround of on street parking spaces for visitors and business customers to park along the main shopping street. Residents parking permits were not proposed as part of the scheme, so could not be included as part of the proposals without recommencing the entire on street waiting and loading review.
- 2.4 Overrule the objection received make the Traffic Regulation Order for the waiting and loading prohibitions as originally proposed. The preferred option.
- 2.5 Abandon the proposed Traffic Regulation Order. This would not address the identified need to control the inconsiderate and obstructive on highway parking which occurs along a number of roads within the town of Llanfyllin.

## **4. Preferred Choice and Reasons**

- 2.6 The proposal to overrule the representations received during the public consultation period, is the only option that would address the inconsiderate and obstructive on highway parking along a number of roads within the town of Llanfyllin and to secure the required turnaround of on street parking spaces along the main shopping street as requested by the town council.

## **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 town council and local residents to identify highway safety concerns within the town of Llanfyllin, and with the support of the town council have enabled the introduction a traffic regulation order to address those highway safety concerns. The proposals support the CIP priority of improving our transport infrastructure by making it safer for people to use the highways within Llanfyllin and for visitors to park and frequent the businesses within the main shopping street.

**7. Local Member**

2.7 The proposal relates solely to the ward of Llanfyllin, and the local member has expressed a view that the representations received during the public consultation period should be overruled.

**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

Have they made a comment? Yes

The report is of public interest and requires the use of news release and appropriate social media to publicise the decision.

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

10.1 Legal - The Highways and Enforcement Solicitor has reviewed the proposals and has no comment to make.

10.2 Finance - The Finance Manager Place and Resources notes the contents of the report, all costs associated with the recommendation will be funded from within the current available revenue budget of the service.

**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 Head of Financial Services (Deputy Section 151 Officer) notes the comments of the Finance Manager Place and Resources.

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 for and refer the matter to Cabinet for decision.

**15. Future Status of the Report**

N/A

<b>Recommendation:</b>	<b>Reason for Recommendation:</b>
To overrule the representations received during the public consultation period, and make the Traffic Regulation Order for the waiting and loading prohibitions as originally proposed in accordance with the Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996.	To introduce necessary waiting and loading prohibitions to eliminate parking within areas where safe vehicle and pedestrian movements would otherwise be compromised, and to secure an appropriate turnaround of on street parking spaces within the main shopping street.

<b>Relevant Policy (ies):</b>	<b>On Street Parking Policy Version: 1 – January 2018</b>		
<b>Within Policy:</b>	<b>Y / <del>N</del></b>	<b>Within Budget:</b>	<b>Y / <del>N</del></b>

<b>Relevant Local Member(s):</b>	<b>Cllr Peter Lewis, member for Llanfyllin</b>
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<b>Person(s) To Implement Decision:</b>	<b>Chris Lloyd</b>
<b>Date By When Decision To Be Implemented:</b>	<b>As soon as possible</b>

<b>Is a review of the impact of the decision required?</b>	<b><del>Y</del> / N</b>
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**Background Papers used to prepare Report:**

- **7<sup>th</sup> March 2018 Montgomeryshire Committee Report.**
- **Public Consultation Responses Review Summary document.**