

CYNGOR SIR POWYS COUNTY COUNCIL
PORTFOLIO HOLDER DELEGATED DECISION
by
COUNTY COUNCILLOR HEULWEN HULME
(PORTFOLIO HOLDER FOR ENVIRONMENT)
DECEMBER 2019

REPORT AUTHOR: Traffic Engineer North, Highways & Technical Services

SUBJECT: On street waiting prohibitions, Llanrhaeadr-ym-Mochnant

REPORT FOR: Decision

1. Summary

- 1.1 Modified on street waiting prohibitions were proposed in April 2018 as a result of concerns raised by the community council and local residents regarding inconsiderate and obstructive on highway parking at locations along a number of roads within the village of Llanrhaeadr-ym-Mochnant. The original proposals are attached to this report at Appendix A.
- 1.2 A significant number of objections to the proposals were received during the public consultation period, which were reported back to the community council and the local county councillor for consideration. A copy of the redacted representations received during the consultation period are attached to this report at Appendix B.
- 1.3 The community council and the local member reconsidered the proposals in light of the objections received and agreed that some of the waiting prohibitions originally proposed could be deleted and/or relaxed. Modified proposals were therefore drawn up and the community council made these proposals available for further public comment, and tabled discussions regarding these proposals at a number of community meetings.
- 1.4 On the 29th November 2019, the community council and the local county councillor confirmed their support for the modified proposals attached to this report at Appendix C.

2. Proposal

- 2.1 The Portfolio Holder for Environment is requested to take into account the representations received during the public consultation period, and the modified lesser proposals that are now put forward for approval by both the community council and the local county councillor with the support of the County Council's area traffic engineer; and instruct the Traffic Engineer North

to make the Traffic Regulation Order for the revised no waiting prohibitions as identified on the modified proposal plan at the earliest opportunity.

3. Options Considered / Available

3.1 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: -

- a) Uphold some or all of the objections received, reduce the extent of the proposed no waiting prohibitions, and make the modified Order.
- b) Overrule the objections received and make the Traffic Regulation Order as originally proposed.
- c) Abandon the proposed Traffic Regulation Order.

4. Preferred Choice and Reasons

4.1 It would not be considered appropriate to abandon the Traffic Regulation Order altogether, as this would effectively disregard the problem that has been reported to and witnessed by the traffic engineer, and would represent a failure of the highway authority to reasonably address legitimate concerns and complaints which relate to obstructive and inconsiderate parking within the village at specific locations.

4.2 The community council and the local county councillor are of the opinion that there is scope to reduce the extent of the proposed waiting prohibitions as originally proposed, therefore the original proposal is not being pursued in its entirety in this instance.

4.3 The preferred option supported by the community council, the local county councillor and the area traffic engineer, is therefore to uphold some of the objections received, reduce the extent of the proposed no waiting prohibitions, and make the modified Order.

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 and local residents to identify highway safety concerns within the village of Llanrhaeadr-ym-Mochnant, and with the support of the community 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 Llanrhaeadr-ym-Mochnant.

7. Local Member

- 7.1 The proposal relates solely to the ward of Llanrhaeadr-ym-Mochnant, and the local member has expressed a view in support of the local community council that the original proposals be modified to lessen their effect as a result of the representations received during the public consultation period.

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 confirms it is within our powers to proceed as proposed.

- 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 (Section 151 Officer) notes the comments of the Finance Manager Place and Resources.

13.2 The Deputy 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.

Recommendation for Decision:	Reason for Decision:
To modify the proposals by removing and lessening the impact of certain waiting prohibitions identified on the original proposal after carefully considering the representations received during the public consultation period, and make the Traffic Regulation Order for the no waiting prohibitions as modified in accordance with the Local Authorities’ Traffic Orders (Procedure) (England and Wales) Regulations 1996.	To introduce necessary waiting prohibitions to eliminate parking within areas where safe vehicle and pedestrian movements would otherwise be compromised.

Relevant Policy:	On Street Parking Policy Version: 1 – January 2018		
Within Policy:	Y / N	Within Budget:	Y / N

Relevant Local Member(s):	Cllr Aled Wyn Davies, member for Llanrhaeadr-ym-Mochnant and Llansilin.
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Person(s) To Implement Decision:	Chris Lloyd
Date By When Decision To Be Implemented:	As soon as possible

Is a review of the impact of the decision required?	Y / N
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Background Papers used to prepare Report:

- **Appendix A – Original proposals agreed by Montgomeryshire Committee at their meeting of 6th September 2017.**
- **Appendix B – Redacted representations received during public consultation period.**
- **Appendix C – Modified waiting prohibition proposal.**

