

CYNGOR SIR POWYS COUNTY COUNCIL
CABINET MEMBER DELEGATED DECISION
by
COUNTY COUNCILLOR JACKIE CHARLTON
CABINET MEMBER FOR A GREENER POWYS
January 2024

REPORT AUTHOR: Traffic Engineer North, Highways & Technical Services

REPORT TITLE: Review of On Street Waiting and Loading Prohibitions at Llanidloes – Consideration of Representations

REPORT FOR: Decision

1. Purpose

- 1.1. The purpose of this report is to consider representations and objections received by members of the public during the public consultation stage, and representations received from the two county councillors for Llanidloes following the close of the public consultation period, with respect to the proposals by the local highway authority to make a traffic regulation order to modify existing and introduce new prohibitions of waiting and loading along various roads within the town of Llanidloes.

2. Background

- 1.1. The initially proposed traffic order waiting, loading and parking proposals are set out in the plans at Appendix A.
- 1.2. The existing traffic order waiting, loading and parking proposals are set out in the plans at Appendix B.
- 1.3. In a delegated decision dated the 14th March 2022 the Portfolio Holder for Environment approved the initiation of the Traffic Regulation Order consultation procedure in accordance with The Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996 – see <https://powys.moderngov.co.uk/ieListDocuments.aspx?CId=865&MIId=7169>
- 1.4. The proposed Traffic Regulation Order seeks to modify existing and introduce new prohibitions of waiting and loading along various roads within the town of Llanidloes following an initial request for such a review by Llanidloes Town Council. Discussions have been ongoing with the Town Council over an extended period of time, and proposal plans have been drawn up which seek to address nuisance parking problems identified by the Town Council, the local County Councillor, our Civil

Enforcement Officers, our Traffic Engineering team and members of the public.

- 1.5. The public consultation period took place between the 16th September 2022 and the 16th October 2022, during which time 5 representations were received raising concerns about certain elements of the proposals and 2 representations were received supporting the proposal. The summary of representations received during the public consultation period together with officer responses are set out in Appendix C.
- 1.6. It is noted from Llanidloes Town Council's public website page <https://www.llanidloestowncouncil.co.uk/documents> that the town council were due to consider the traffic order proposal at item 16 of their meeting agenda on the 26th September 2022. The minutes of that meeting recorded a decision to invite Mr Chris Lloyd and Mr Tony Caine to a meeting to discuss further, and an email was received on 28th September 2022 from the town council to request a meeting to discuss other areas of the town where the town council had concerns which were not previously considered. The town council were advised on 28th September 2022 that it was too late to make additions to the proposals, and that they could only comment on the proposals set out in the public consultation documents. No objection was received from Llanidloes Town Council during the public consultation period with respect to the traffic order proposal.
- 1.7. Following the close of the public consultation period, a site meeting took place on 17th November 2022 attended by the Cabinet Member for A Greener Powys (Councillor Jackie Charlton), the county councillors for Llanidloes (Councillors Gareth Morgan and Glyn Preston), and Powys County Council highway officers Matt Perry and Tony Caine. The meeting was called to consider local objections and opinions received during the consultation period and additional representations by the County councillors for Llanidloes following the close of the public consultation period.

2. Advice and Guidance

- 2.1. As a consequence of the 17th November 2022 meeting with the county councillors for Llanidloes the local highway authority concluded that certain sections of the no waiting at any time prohibitions originally proposed were no longer required and could therefore be removed from the proposals. The summary of the representations received from the county councillors for Llanidloes following the close of the public consultation period together with officer responses are set out in Appendix D and identified within that spreadsheet as county councillor representation numbers CC1 to CC8.
- 2.2. The county councillor representation numbers CC6 and CC8 cannot be supported as there is no legal scope to add additional or more onerous

waiting, loading or parking restrictions to the original traffic order proposal which was approved for public consultation.

- 2.3. The county councillor representation number CC7 expresses support for an objection submitted by the resident of 38 Garden Suburb. The resident's objection will be considered by the cabinet member alongside all other objections received during the public consultation period.
- 2.4. The highway project team were in support of the county councillor representation numbers CC1, CC3 and CC5 and the modified traffic order proposal plans based on decisions taken at that meeting are attached at Appendix E
- 2.5. The representations of support and other suggestions received during the public consultation period have been anonymised and summarised within the Appendix C spreadsheet where those representations have allocated representor numbers 4 and 6. Comments by the highway authority project team have been included within the spreadsheet with respect to those representations. As these are not objections, there is no decision to be made by the cabinet member with respect to those representations.
- 2.6. The objections received during the public consultation period have been anonymised and summarised within the Appendix C spreadsheet where the objectors have allocated representor numbers 1, 2, 3, 5 and 7. Reasoned responses to the objections by the highway authority project team have been included within the spreadsheet in addition to the highway project team recommendation to the cabinet member.
- 2.7. The objections received during the public consultation period primarily relate to proposed waiting restrictions outside individual properties raising concerns how those waiting restrictions would affect the on-street parking choices made by persons living at or visiting those properties. One objection questioned the demonstrable need for a review of the current on-street waiting, parking and loading controls within the town and suggested that the existing civil enforcement activities undertaken by Powys County Council are inadequate.
- 2.8. The highway authority project team's recommendation to the cabinet member is to overrule all the objections received from representor numbers 1, 2, 3, 5 and 7.
- 2.9. The Cabinet Member for A Greener Powys is therefore requested to determine whether to either: -
 - i) overrule all the objections from representor numbers 1, 2, 3, 5 and 7 and county councillor representation numbers CC2 and CC4; and instruct highway officers to make the Order in accordance with the modified proposal plans at Appendix E; or

- ii) to uphold one or more of the objections from representor numbers 1, 3, 5 and 7 and/or the county councillor representation numbers CC2 and CC4; and to instruct highway officers to make the Order in accordance with the modified proposal plans at Appendix E with one of more of the further modifications identified as representations 1, 3, 5, 7, CC2 and CC4 on the plans at Appendix F; or
- iii) to abandon the traffic regulation order proposal in its entirety.

3. Resource Implications

- 4.1 The decision to fund all costs associated with this Traffic Regulation Order including press adverts, the manufacture/erection of the associated signage, and carriageway markings from existing revenue budgets was made when the Portfolio Holder for Environment took the delegated decision dated 14th March 2022 to “Authorise the local highway authority to commence the legal public consultation procedure for the proposed traffic regulation order relating to modified and new waiting and loading and on street parking controls within Llanidloes identified at Appendix A 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.” The decisions made within this report do not fundamentally alter the scheme therefore, as originally approved, costs will still be able to be met within existing revenue budgets.
- 4.2 The Head of Financial Services (Section 151 Officer) notes the above.

5. Legal implications

- 5.1. The Property Lawyer North has reviewed the report and appendices and the proposals appear appropriate, with necessary correct procedures to follow the decision reached.
- 5.2. The Head of Legal and Democratic Services (Monitoring Officer) comment:- I note the legal comment and support the recommendations.

6. Climate Change & Nature Implications

- 1.2. As the proposal relates purely to the introduction of alternative on street waiting, loading and parking restrictions within the town, the proposal will have no negative impact with respect to the Council’s Climate and Nature emergency declarations.

7. Data Protection

- 3.1. All personal data collected as part of the consultation will be processed in accordance with the Council's privacy notice published on our website <https://en.powys.gov.uk/trafficconsult>
- 3.2. The Data Protection Officer notes the processing of personal data under the given privacy notice and has no further comments to make.

8. Comment from local members

- 3.3. The requests, comments and observations from County Councillors Gareth Morgan and Glyn Preston received during and after the site meeting with the Cabinet Member and the Traffic Manager on the 17th November 2022 are incorporated within this report.

9. Impact Assessment

- 3.4. An impact assessment is not required.

Recommendation:	Reason for Recommendation:
<p>1. That the objections are noted but the Traffic Regulation Order relating to the modified and new waiting and loading and on street parking controls within Llanidloes as identified at Appendix E to the report be made and implemented in accordance with the Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996; or</p> <p>2. That the objections are partially upheld, and directs that the traffic regulation order plans identified at Appendix E to the report be modified to exclude some or all of those sections of no waiting at any time prohibitions identified as numbers 1, 3, 5, 7, CC2 and CC4 on the plans at Appendix F (those sections to be modified being specified in the Cabinet Member's decision). Those modified and new waiting and loading and on street parking controls to be made and implemented in accordance with the Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996.</p>	<p>To manage traffic flows and control loading and waiting and parking at locations on the public highway where the free flow of traffic and the safety of vulnerable highway users would otherwise continue to be compromised.</p>

Relevant Policy:	Powys County Council Parking Policy – Version 1 (Approved 9th January 2018)		
Within Policy:	Y / N	Within Budget:	Y / N

Relevant Local Member(s):	Cllrs Gareth Morgan and Glyn Preston - Llanidloes ward.
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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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Contact Officer:	Chris Lloyd
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Head of Service:	Matt Perry
Interim Corporate Director:	Matt Perry

Background Papers used to prepare Report:

- **Initially Proposed Traffic Regulation Order plans (Appendix A)**
- **Existing Traffic Regulation Order plans (Appendix B)**
- **Summary of representations received during the public consultation period together with officer responses (Appendix C)**
- **Summary of representations received from the county councillors for Llanidloes following the close of the public consultation period together with officer responses (Appendix D)**
- **Modified Proposed Traffic Regulation Order plans further to site meeting of 17th November 2022 (Appendix E)**
- **Further modifications to the Proposed Traffic Regulation Order plans as suggested by objectors during the public consultation period (Appendix F)**