

Aelod Portffolio – Priffyrdd, Ailgylchu ac Asedau

Man Cyfarfod

Dyddiad y Cyfarfod
Dydd Gwener, 1 Chwefror 2019

Amser y Cyfarfod
Amser heb ei nodi

I gael rhagor o wybodaeth cysylltwch â



Neuadd Y Sir
Llandrindod
Powys
LD1 5LG

Dyddiad Cyhoeddi

HYSBYSIAD O BENDERFYNIAD DIRPRWYEDIG AELOD PORTFFOLIO

Mae'r Aelod Portffolio wedi derbyn yr adroddiad canlynol i lunio penderfyniad arno dan bwerau a ddirprwywyd iddo. Bydd y penderfyniad yn cael ei lunio ar **29 Tachwedd 2018** (h.y. 3 diwrnod clir ar ôl diwrnod yr hysbysiad hwn). Bydd y penderfyniad yn cael ei gyhoeddi ar wefan y Cyngor, ond ni chaiff ei roi ar waith tan 5 diwrnod clir wedi dyddiad cyhoeddi'r penderfyniad) i gydymffurfio â'r broses galw i mewn a osodwyd yn Rheol 7.36 y Cyfansoddiad.

AGENDA

1.	ADOLYGU GWAHARDDIAD AROS A LLWYTHO AR Y STRYD, LLANFYLLIN
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(Tudalennau 1 - 22)

2.	GWAHARDDIADAU AROS AR Y STRYD, LLANDYSILIO (FOUR CROSSES)
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(Tudalennau 23 - 34)

3.	GORCHYMYN RHEOLI TRAFFIG MYNEDIAD YN UNIG, LONYDD HOLLIES A PHENLAN A GORCHYMYN RHEOLI TRAFFIG UNFFORDD, BRYN STREET AC UNION STREET, Y DRENEWYDD.
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(Tudalennau 35 - 52)

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

REPORT FOR: Decision

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 11th May 2018 and 4th June 2018, with the proposed traffic regulation order being advertised on site notices along the affected roads, in the 11th 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

Recommendation:	Reason for Recommendation:
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.

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

Relevant Local Member(s):	Cllr Peter Lewis, member for Llanfyllin
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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
Tel:	01686 611563

Email: chris.lloyd@powys.gov.uk

Background Papers used to prepare Report:

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

Mae'r dudalen hon wedi'i gadael yn wag yn fwriadol

CYNGOR SIR POWYS COUNTY COUNCIL

Montgomeryshire

7th March 2018**REPORT AUTHOR:** Chris Lloyd – (Traffic Engineer North)**SUBJECT:** On street waiting and loading prohibition review, Llanfyllin.

REPORT FOR: Decision

1. Parking Reviews

- 1.1. Following the introduction of Civil Parking Enforcement within Powys in April 2011 it was agreed that on street parking reviews would be carried out on a town/village by town/village basis as and where required and justified where funding allowed.
- 1.2. The April 2009 moratorium of Traffic Regulation Orders was partially lifted in September 2012 by Cabinet specifically to permit loading and waiting restrictions to be made or modified. A further decision to lift the moratorium completely was made on 14th December 2017 (effective as of 2nd January 2018), with the proviso that all Permanent Traffic Regulation Orders, including those for parking reviews, will be considered and ranked against other schemes/Orders within the Highways Transport and Recycling's core capital funding allocation for 'Road Safety and Traffic Management'. Permanent orders relating to structures or those part of a larger capital scheme will continue to be funded from their associated budgets. Orders required to facilitate a development will continue to be funded by the developer.
- 1.3. A Parking Policy was approved by the Council Cabinet on 9th January 2018, which included a provision that any time limited on street parking bays within Powys that are the subject of new or modified Traffic Regulation Orders will be restricted to either 30 minutes or 1 hour to ensure there is sufficient turnaround of on street parking spaces to provide sufficient chance for a short term visitor to be able to find a suitable space. The policy included a provision that permits different times to be considered to meet a local need in exceptional circumstances, however the maximum on street parking will be 1 hour.

2. Background

- 2.1. Members will recall that a review of the existing waiting and loading prohibitions on the county highways within the town of Llanfyllin has been requested by the local County Councillor and Llanfyllin Town Council.
- 2.2. A proposal for the review of the on street waiting and loading prohibitions was considered and approved by the Montgomeryshire Committee at the meeting of 6th September 2017. However the decision included a recommendation that the on street waiting period be amended to be limited to 2 hours waiting with no return within 1 hour, instead of the 1 hour waiting no return within 1 hour proposed by officers. It was agreed that the implementation of the decision be

deferred until such a time as the Cabinet had determined its position regarding the wider parking review. If the recommendation was at odds with the outcome of the wider review there would be further discussion with the town council and local member.

- 2.3. The county wide parking policy was approved by cabinet on 9th January 2018 (see paragraph 1.3 above), which is at odds with the shire committee recommendation of 6th September 2017; therefore the shire committee must reconsider the on street waiting limit period for Llanfyllin with regard to the approved parking policy.

3. Modified Waiting Period Request

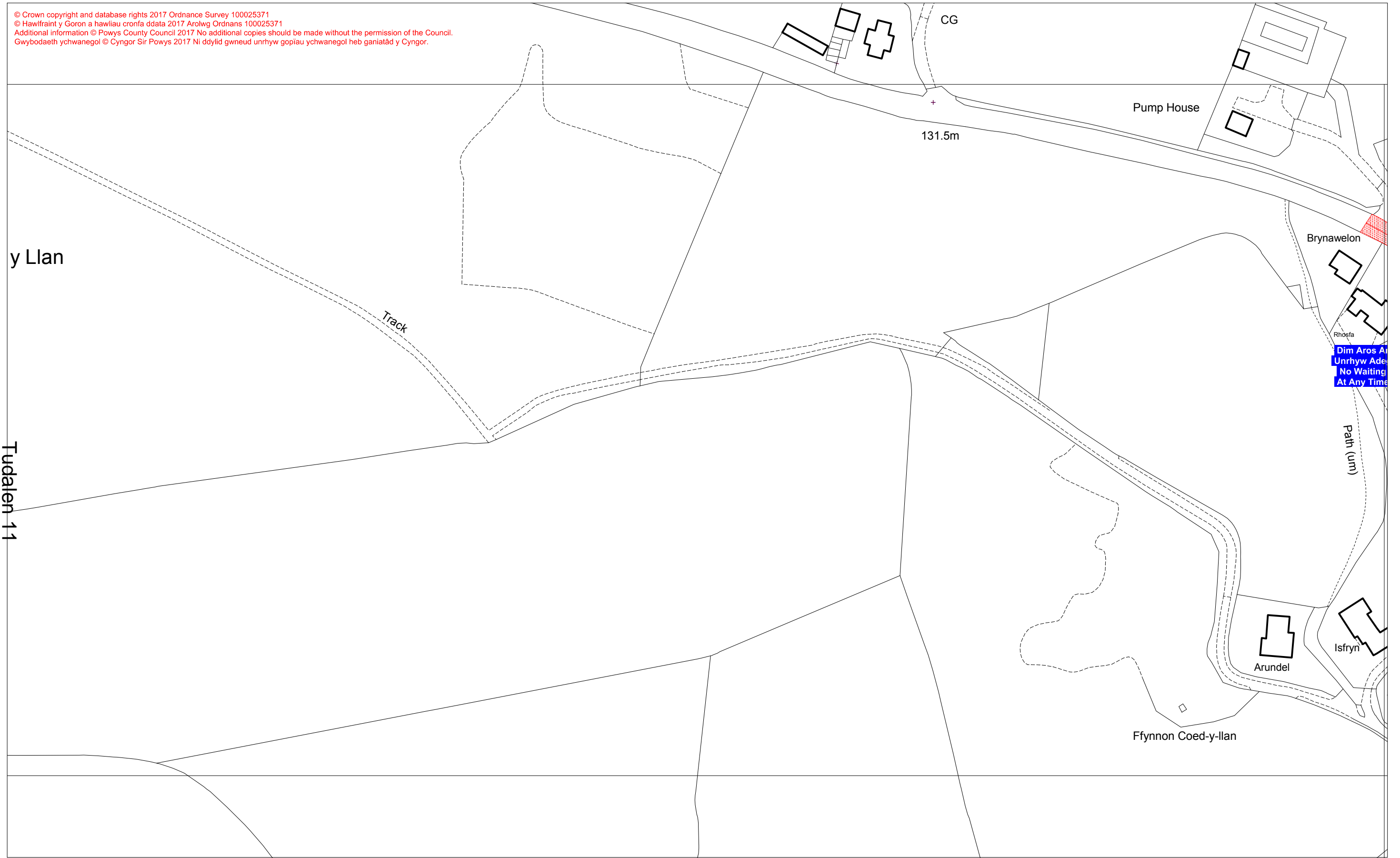
- 3.1. The local member has acknowledged that the 2 hour on street waiting limit cannot now be implemented, but has requested that designated 1 hour limited waiting no return within 1 hour parking bays be effective between the hours of 10am to 4pm (Monday to Saturday), as opposed to the original 8am to 6pm (Monday to Saturday) period as proposed by officers.
- 3.2. For the avoidance of any doubt, the extents of the proposed modified on street waiting and loading prohibitions within the town of Llanfyllin are to remain the same as those extents approved by the Montgomeryshire Committee at their meeting of 6th September 2017.

Recommendation:	Reason for Recommendation:
<p>Committee is asked to:-</p> <p>1) Revisit the previous recommendation with respect to the timed on street parking bays, and instruct officers to modify the proposed traffic regulation order whereby the timed on street waiting bays would be 1 hour limited waiting no return within 1 hour (Monday to Saturday, 10am to 4pm).</p> <p>and to;</p> <p>2) Authorise the local highway authority 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.</p>	<p>To manage traffic flows, and prohibit loading and waiting at locations on the public highway where safe vehicle and pedestrian movements would otherwise continue to be compromised.</p>

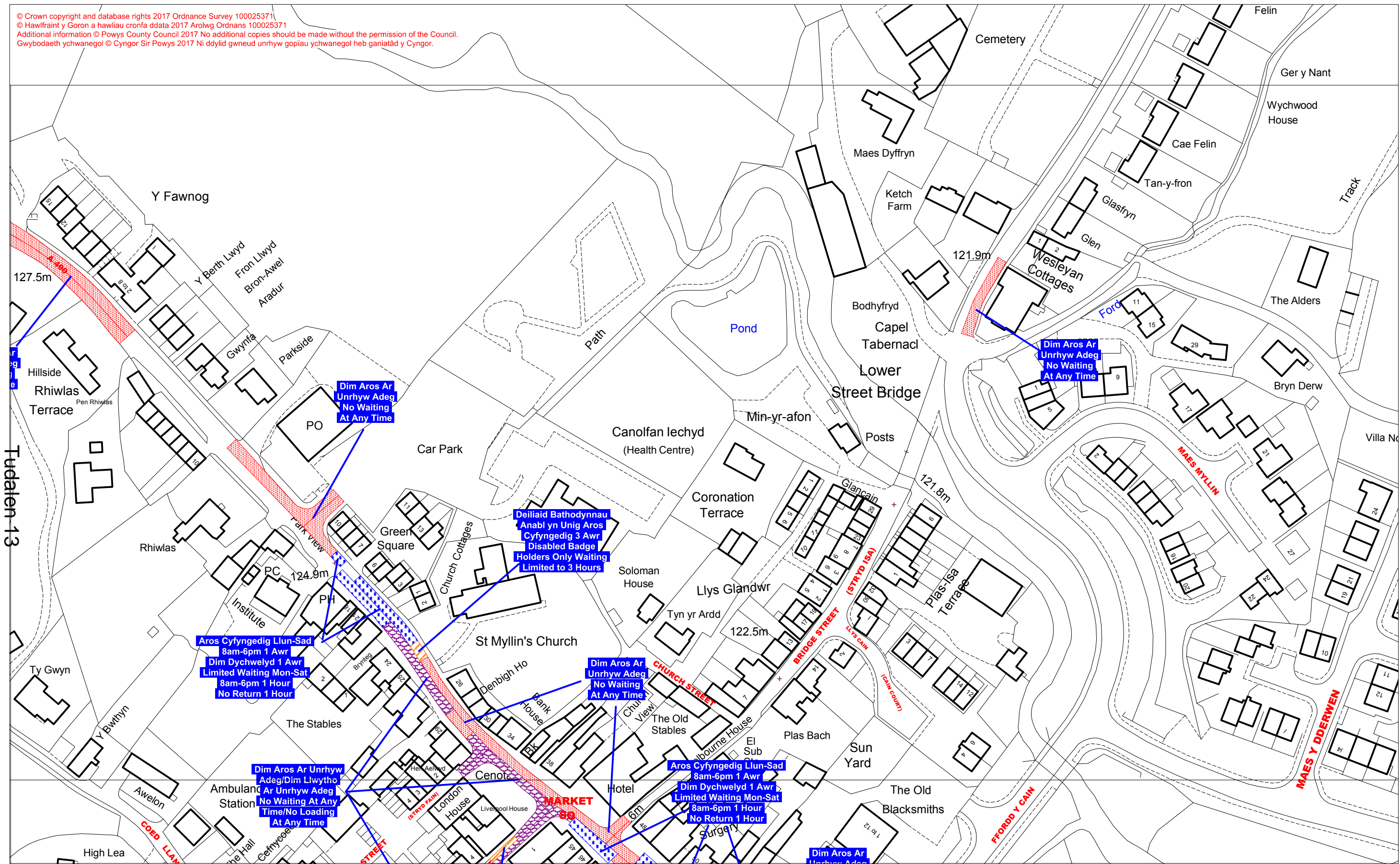
Relevant Policy (ies):	Local Transport Plan		
Within Policy:	Y	Within Budget:	Y
Relevant Local Member(s):	Cllr Peter Lewis		
Person(s) To Implement Decision:	Chris Lloyd – (Traffic Engineer North)		
Date By When Decision To Be Implemented:	As soon as possible		

Contact Officer Name:	Tel:	Fax:	Email:
Chris Lloyd	01686 611563	01686 611598	chris.lloyd@powys.gov.uk

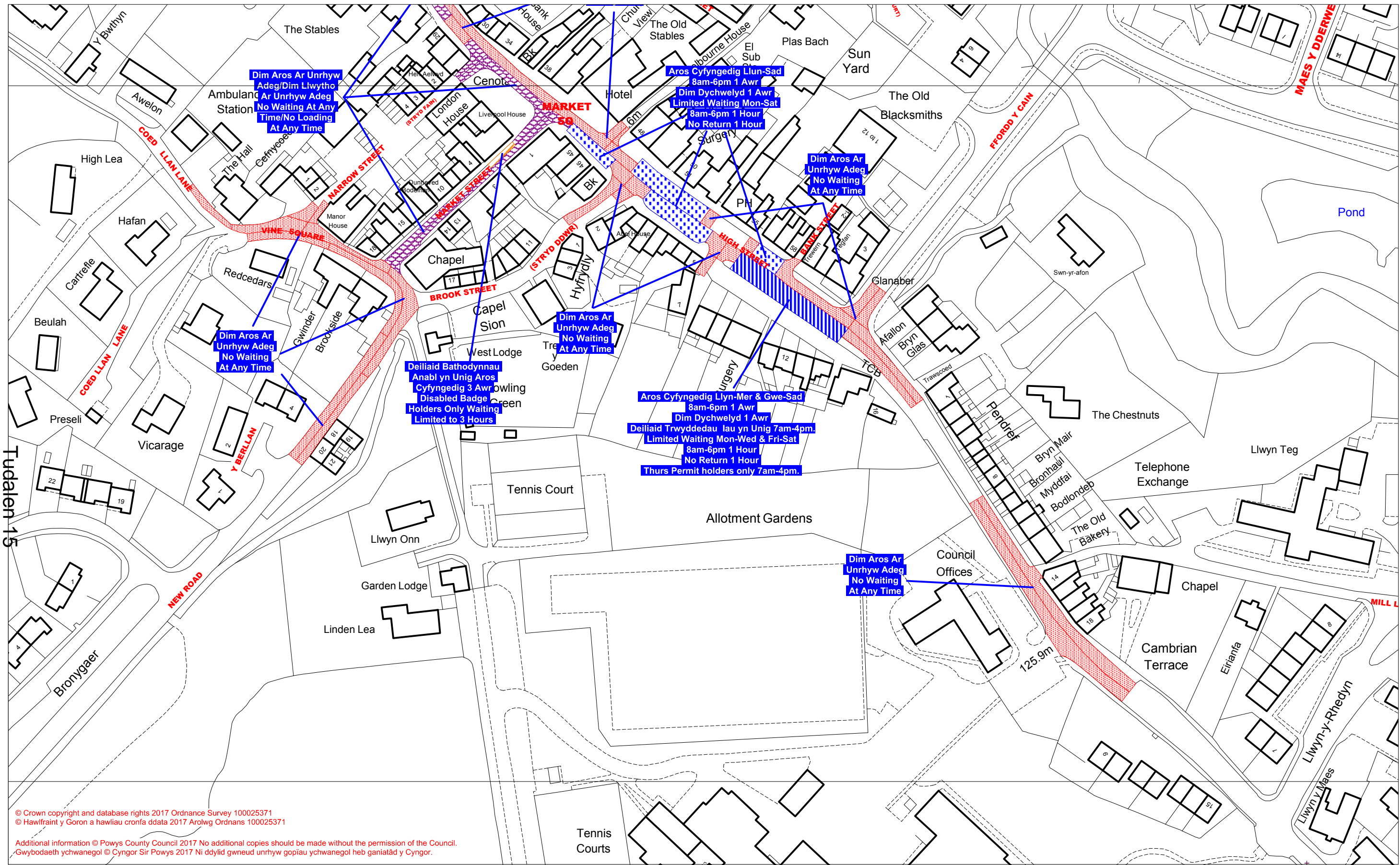
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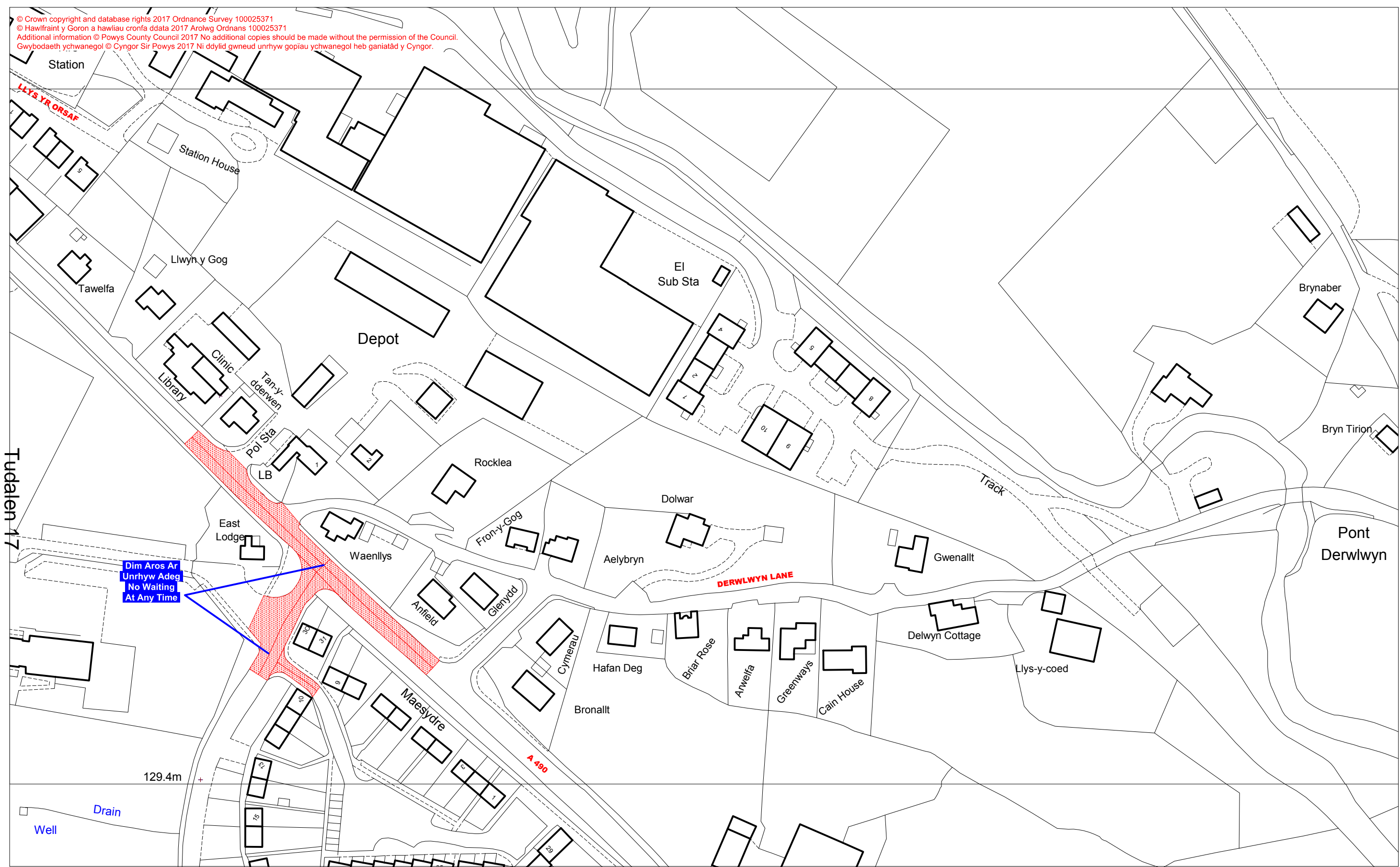
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Mae'r dudalen hon wedi'i gadael yn wag yn fwriadol

Prohibition of Waiting & Loading Review for Llanfyllin

Summary of Responses

Public Consultation Period 11 May 2018 to 4 June 2018

Representations of support received during consultation period.

- None
-

Representations of objection received during consultation period.

- **Ms M R Gray – 15 Market Street – submitted 19 May 2018**

Representation - Opportunity to park car outside property will no longer be available. Car park is too far to walk for an elderly resident. Request that residents' parking permits be considered, or leave parking along Market Street unchanged.

Officer comments – No residents or businesses have a right to park vehicles on the public highway, regardless of whether there are prohibitions of waiting or loading in place, unless the vehicles are parked within on street parking bays on the public highway in accordance with any restrictions that apply to those bays.

The proposal relating to Market Street seeks to slightly relocate that part of the street where waiting prohibitions do not already apply, and to create an additional dedicated blue badge disabled persons parking bay adjacent to the Market Square. The existing waiting prohibition along the remainder of Market Street is proposed to be replaced by a no loading prohibition.

The new proposal for Market Street is as a result of drivers leaving their vehicles on the existing double yellow lines without having due consideration for the needs of other highway users, forcing other vehicles to mount the footway to pass or completely obstructing the passage of larger and or emergency service vehicles.

Blue badge holders can park for up to 3 hours on a double yellow line where there is not a loading prohibition in force provided that the blue badge is correctly used and displayed in the vehicle, and drivers may also stop on a double yellow line where there is not a loading prohibition in force to drop off and pick up goods and passengers. This type of waiting and loading was proving to be problematic along Market Street.

The needs of blue badge holders was recognised as part of the review, resulting in the proposed provision of the 3 hour blue badge parking bay along Market Street.

The unregulated section of Market Street is not proposed to be marked out as an on street parking bay, therefore residents' parking permit spaces cannot be considered as a modification to the current proposal. Drivers choosing to park their vehicles along the unregulated section of Market Street should do so in accordance with the rules set out in the Highway Code and ensure that their vehicles do not cause a nuisance or obstruction to other highway users.

Officer recommendation - overrule objection and maintain current proposal.

- **Ms C Wike – 4 Penybryn – submitted 24 May 2018**

Representation – Proposals do not recognise that the centre of Llanfyllin is largely residential not commercial. Current and proposed waiting restrictions make no allowance for residents or business owners to park close to their properties for extended periods during the day. Request that residents' parking permits be considered, or all limited time for on street parking be removed.

Officer comments – There are conflicting demands between residents, businesses and visitors for on street parking within all town and village centres. However, no residents or businesses have a right to park vehicles on the public highway, regardless of whether there are prohibitions of waiting or loading in place, unless the vehicles are parked within on street parking bays on the public highway in accordance with any restrictions that apply to those bays.

The current 45 minute and 15 minute limited waiting along the main street through the town is to be relaxed to enable vehicles to be parked for an hour to promote business and encourage more visitors to frequent the town, and the town council have also secured a relaxation of the time periods during the day when these timing restrictions apply to permit residents to park their vehicles within the timed on street parking bays from 3pm to 11am the following day (and all day on a Sunday).

With the exception of the main shopping street and those roads which are too narrow to accommodate on street parking, the majority of the roads within the town centre can be utilised by residents to park their cars where they would not cause a nuisance or obstruction to other highway users.

The provision of residents' parking permits does not form part of the current proposal and cannot be considered as a modification to the current proposal without abandoning and recommencing the review.

Officer recommendation - overrule objection and maintain current proposal.

- **Mr Scott & Mrs Francis-Scott – 11 Lledan Terrace, Brook St – submitted 24 March 2016**

Representation – Object to proposals along New Road. Request Permit Parking near property to reserve spaces for residents of 18-21 New Road and prevent other car owners parking there. If proposals go ahead, it will cause chaos with overuse of the town car park and illegal parking on private land and lanes.

Officer comments – No residents have a right to park vehicles on the public highway, regardless of whether there are prohibitions of waiting or loading in place, unless the vehicles are parked within on street parking bays on the public highway in accordance with any restrictions that apply to those bays. It is also the case that individual property owners do not have the right to reserve on street car parking areas for their own private use outside their own properties.

The waiting prohibition was proposed at this location as the road is too narrow to permit vehicles to park whilst maintaining sufficient width for two vehicles to pass, or to permit larger vehicles and emergency appliances to travel along this no through road.

Blue badge holders can park for up to 3 hours on a double yellow line where there is not a loading prohibition in force and the vehicle would not obstruct the highway, provided that the blue badge is correctly used and displayed in the vehicle. Other drivers may also stop on a double yellow line where there is not a loading prohibition in force to drop off and pick up goods and passengers. These rules ensure that prohibitions of waiting do not adversely affect residents, businesses or those with mobility issues where a legitimate need exists to stop briefly on a double yellow line to load or unload goods and passengers.

Officer recommendation – overrule objection and maintain current proposal.

End of report.

Mae'r dudalen hon wedi'i gadael yn wag yn fwriadol

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: On street waiting prohibitions, Four Crosses

REPORT FOR: Decision

1. Summary

- 1.1 As a result of concerns raised by the community council regarding inconsiderate and obstructive on highway parking along a number of roads within the village of Four Crosses; discussions took place with the community council and the local county councillor to agree locations where on street waiting and/or loading prohibitions would be beneficial.
- 1.2 The proposals were considered by and supported by the Montgomeryshire Committee at their meeting of 8th November 2017, 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 at Appendix A.
- 1.3 The public consultation took place between the dates of 27th April 2018 and 20th May 2018, with the proposed traffic regulation order being advertised on site notices along the affected roads, in the 27th April 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 the Costcutter Garage, Four Crosses; and on the council's website.
- 1.4 A single objection was received during the public consultation period. A summary of the objection and officer comments/recommendation is attached to this report at Appendix B.
- 1.5 The community council and the local member have reviewed the objection summary report, and are of the opinion that the objection

should be overruled by the highway authority, and have requested 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 objection received during the public consultation period, and instruct the Traffic Engineer North to make the Traffic Regulation Order for the no waiting 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 objection received and reduce the extent of the proposed no waiting prohibitions in the vicinity of the objector's property. This option would fail to address the identified need to safeguard the safety of the nearby junction to Plas Foxen by removing on street parking from within the junction visibility area, and to reduce conflicts which currently occur at the nearby traffic calming features.
- 2.4 Overrule the objection received make the Traffic Regulation Order for the no waiting 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 village of Four Crosses.

4. Preferred Choice and Reasons

- 2.6 The proposal to overrule the objection 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 village of Four Crosses as identified by the community 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 community council and local residents to identify highway safety concerns within the village of Four Crosses, 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 four Crosses.

7. Local Member

- 2.7 The proposal relates solely to the ward of Llandysilio, and the local member has expressed a view that the objection 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 form and refer the matter to Cabinet for decision.

Recommendation:	Reason for Recommendation:
To overrule the objection received during the public consultation period, and make the Traffic Regulation Order for the no waiting prohibitions as originally proposed 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 (ies):	On Street Parking Policy Version: 1 – January 2018		
Within Policy:	Y /N	Within Budget:	Y /N

Relevant Local Member(s):	Cllr Arwel Jones, member for Llandysilio
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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
Tel:	01686 611563
Email:	chris.lloyd@powys.gov.uk

Background Papers used to prepare Report:

- **8th November 2017 Montgomeryshire Committee Report.**
- **Public Consultation Responses Review Summary document.**

CYNGOR SIR POWYS COUNTY COUNCIL

Montgomeryshire
8th November 2017

REPORT AUTHOR: Chris Lloyd – (Traffic Engineer North)

SUBJECT: On street waiting prohibitions, Four Crosses

REPORT FOR: Decision

1. Parking Reviews

- 1.1. Following the introduction of Civil Parking Enforcement in Powys it was agreed that on street parking reviews would be carried out on a town/village by town/village basis as and where required and justified.
- 1.2. The moratorium of Traffic Regulation Orders was partially lifted in September 2012 by Cabinet specifically to permit loading and waiting restrictions to be made or modified.

2. Background

- 2.1. There are currently no prohibitions of waiting or loading in force within the village of Four Crosses.
- 2.2. Inconsiderate and obstructive parking has been noted along a number of roads within the village by the community council, therefore discussions have taken place with the community council and the local county councillor to determine locations where on street waiting and/or loading prohibitions would be beneficial.
- 2.3. A number of problem locations were identified along the B4393 and the Foxen Manor estate road in the vicinity of the Foxen Manor/City Lane staggered crossroads junction; where inconsiderate on street parking occurs on a regular basis, which is considered to be detrimental to highway safety. It was noted that vehicles parked in this vicinity restrict the available visibility from the side road junctions, obstruct visibility to/from drivers negotiating the traffic calming chicanes, and obstruct the path of vehicles undertaking manoeuvres to safely negotiate these side road junctions and traffic calming measures.
- 2.4. Another problem location was identified along the minor road leading to the property known as "Summerfield" near the war memorial. This section of highway, being the route of the former trunk road prior to the construction of the Four Crosses bypass, has become used as a convenient area for people to park and leave their cars for extended periods, often on both sides of the road, which makes it difficult for local residents and land owners to access their property and fields.

- 2.5. It was agreed at the site meeting held with the community council that nobody has a right to park their vehicle on the public highway, and at locations where such parking causes a regular and genuine nuisance, hazard and/or obstruction to other road users, the making of a Traffic Regulation Order to impose waiting and/or loading prohibitions would be an appropriate method of dealing with such an issue.
- 2.6. Proposal plans to address these concerns have been drawn up and considered by the community council and the local member; and subsequently modified to accommodate requested revisions which were supported by the local highway authority.
- 2.7. The community council and the local member have expressed their support for the extents of the modified waiting proposals.
- 2.8. No requests for prohibitions of waiting or loading have been received with respect to that part of Four Crosses village which is situated in the ward of Llandrinio & Arddleen Community Council.

3. Proposal

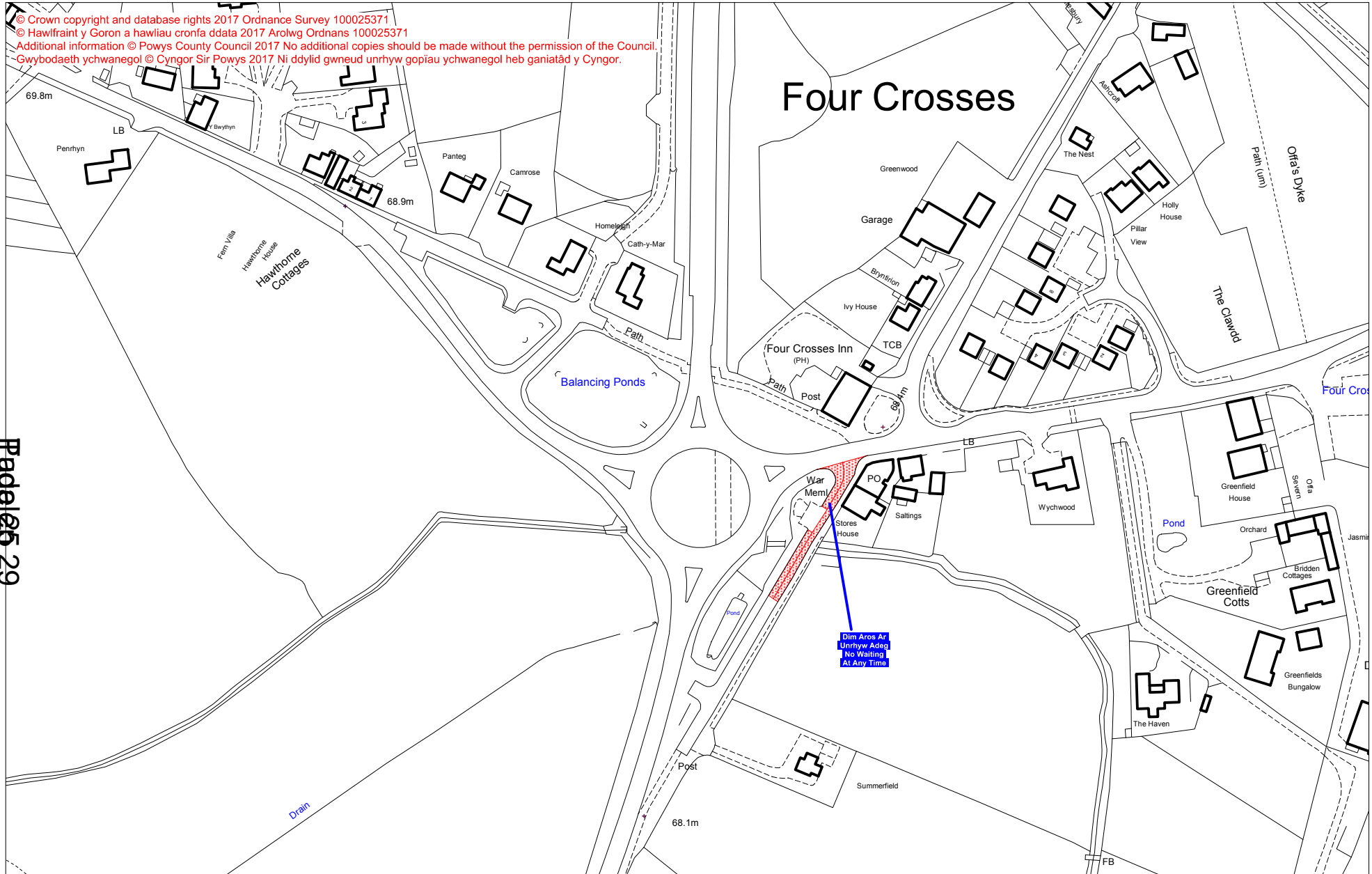
- 3.1. The proposed prohibition of waiting restrictions within the village of Four Crosses are identified on the attached plan.

Recommendation:	Reason for Recommendation:
<p>Committee is asked to:-</p> <p>1) Support the proposed waiting prohibitions on the county highways within Four Crosses as identified on the proposal plan.</p> <p>2) Authorise the local highway authority 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.</p>	<p>To manage traffic flows, and prohibit waiting at locations on the public highway where safe vehicle and pedestrian movements would otherwise be compromised.</p>

Relevant Policy (ies):	Local Transport Plan		
Within Policy:	Y	Within Budget:	Y
Relevant Local Member(s):	Cllr Arwel Jones and Cllr Lucy Roberts		
Person(s) To Implement Decision:	Chris Lloyd – (Traffic Engineer North)		
Date By When Decision To Be Implemented:	As soon as possible		
Contact Officer Name:	Tel:	Fax:	Email:
Chris Lloyd	01686 611563	01686 611598	chris.lloyd@powys.gov.uk

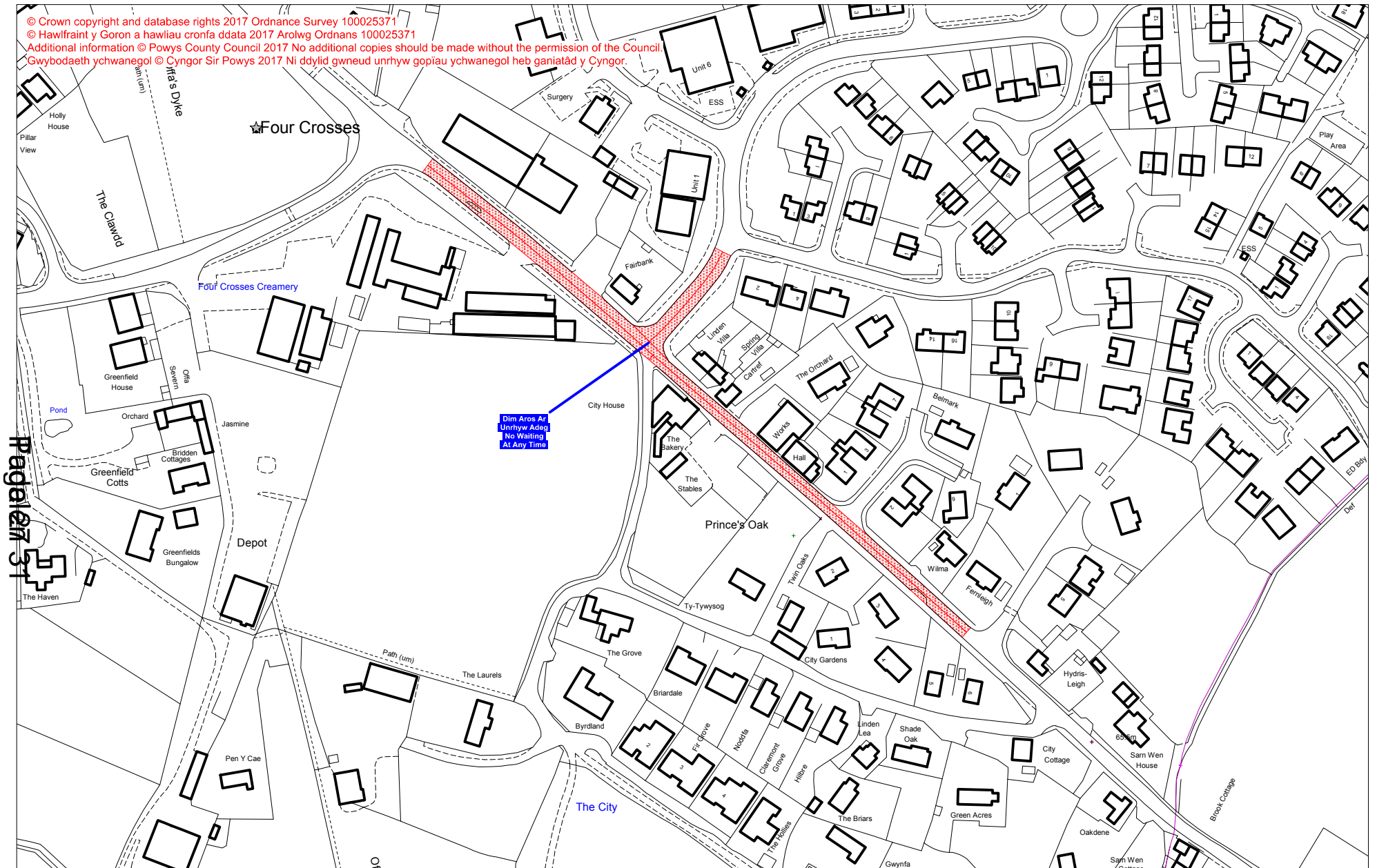
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Prohibition of Waiting Proposals Four Crosses

Summary of Responses

Public Consultation Period 27 April 2018 to 20 May 2018

Representations of support received during consultation period.

- None
-

Representations of objection received during consultation period.

- **R and C Jenkins – Linden Villa, Four Crosses – submitted 16 May 2018**

Representation - No attempt has been made by community council to resolve any perceived problems with residents. Extent of prohibitions proposed is disproportionate to existing on street parking problem, and not consistent with approach taken in other towns. Considers that prohibition extents should be limited to being within 10 metres of junctions. Proposal will disadvantage residential properties and businesses which do not have their own off street parking. Council should provide 3 new compensatory off street parking bays for properties and businesses on grassed area along Offas Dyke Road.

Officer comments – It is not appropriate to compare the introduction of prohibitions of waiting between one town/village and another, as the circumstances leading to the introduction of such prohibitions vary from one location to the next.

No residents or businesses have a right to park vehicles on the public highway, regardless of whether there are prohibitions of waiting or loading in place, unless the vehicles are parked within on street parking bays on the public highway in accordance with any restrictions that apply to those bays.

Rule 243 of The Highway Code advises drivers not to park opposite or within 10 metres of a junction, and also advises drivers of other locations along the public highway where it is not appropriate to park a vehicle. Whilst the collection of rules within the Highway Code are respected by many drivers, and are taken into consideration when considering the extents of waiting and loading prohibitions, the impact of displaced on street parking is also taken into account when considering the necessary extent of such prohibitions.

Whilst the highway authority has a duty to manage traffic flows along a public highway, and put in place any measures or prohibitions which are considered to be necessary

to comply with that duty; the highway authority has no obligation to provide compensatory off street or on street parking for any vehicles displaced by such measures or prohibitions.

It is noted that the objector could potentially apply for and, if permitted, construct a private access from Offas Dyke Road across the land maintained by the highway authority, to create an off street parking area within the rear garden area of the domestic curtilage of the property.

Blue badge holders can park for up to 3 hours on a double yellow line where there is not a loading prohibition in force provided that the blue badge is correctly used and displayed in the vehicle, and drivers may also stop on a double yellow line where there is not a loading prohibition in force to drop off and pick up goods and passengers. These rules ensure that prohibitions of waiting do not adversely affect businesses or those with mobility issues where a legitimate need exists to stop briefly on a double yellow line to load or unload goods and passengers.

Officer recommendation – The waiting prohibitions along the B4393 are proposed to address habitual/regular nuisance and obstructive on street parking, where vehicles parked would interfere with the safe negotiation of side road junctions, private accesses and traffic calming measures by other highway users.

Particular concern has been raised over a number of years regarding on street parking in the vicinity of the City Lane/Offas Dyke Road crossroads junction. The extent of the proposed waiting prohibitions was selected to ensure that this nuisance/obstructive parking was not simply displaced a little further along the B4393 where it would give rise to a similar hazard.

The highway authority is able to modify the proposal to reduce the extent of the proposed waiting prohibitions along the B4393 without recommencing the entire consultation process if the community council and the local county councillor consider that such action is appropriate in light of the objection received.

End of report.

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: Access Only Traffic Regulation Order Hollies and Penlan Lanes & One-Way Traffic Regulation Order Bryn and Union Streets, Newtown

REPORT FOR: Decision

1. Summary

- 1.1 The attached Statement of Reasons (see Appendix A) sets out the reasons for Powys County Council seeking to introduce the proposed prohibition of driving Traffic Regulation Order, which the Welsh Government have agreed to fund as part of the Newtown Bypass project.
- 1.2 The legal Order can only be introduced by Powys County Council, as the Welsh Government acting in their role as the Trunk Road Authority do not have legal powers to introduce traffic regulation orders on County roads.

2. Proposal

- 2.1 To introduce a prohibition of all motor vehicles (except for access) Traffic Regulation Order along the U2822, U2823 and U2825 County unclassified roads known as Hollies Lane and Penlan Lane.
- 2.2 To introduce a one-way Traffic Regulation Order along sections of the U4256 County unclassified roads known as Bryn Street and Union Street.
- 2.3 To revoke the existing 7.5 tonne amenity weight limit Traffic Regulation Order along Hollies Lane (see Appendix B).
- 2.4 The draft Traffic Regulation Order and accompanying plans are attached to this report for reference and information (see Appendix C).

3. Options Considered / Available

- 3.1 The option to introduce a stopping up Order to prevent all vehicular traffic (with no exceptions) from travelling along the lower section of Hollies Lane beneath the new bridge that carries the Newtown bypass was discussed with the Welsh Government as part of the Newtown bypass works. Whilst this option would have eliminated all rat running along Hollies and Penlan Lane and would be self-policing; the option was not pursued as it became readily apparent that the option would not be supported by local residents.

4. Preferred Choice and Reasons

- 4.1 The proposal is the only option to be considered.

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/community councils and local residents to identify highway safety concerns within the town of Newtown, and with the support of the local stakeholders and Welsh Government funding, are proposing to introduce 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 Newtown and for residents and visitors to park and frequent the residential properties and local facilities.

7. Local Member(s)

- 7.1 The local members for the affected wards of Newtown and Llanllwchaiarn West, Newtown South, Kerry and Mochdre have expressed support for the proposal. The proposals 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

Have they made a comment? Yes

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

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

10.1 Legal – Legal services has reviewed the document and supports the proposals.

10.2 Finance - The Finance Manager Environment and Resources notes the contents of the report, the service has advised that this will be paid for as an individual scheme by Welsh Government via the North and Mid Wales Trunk Road Agency.

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 from the Finance Manager.

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.

Recommendation:	Reason for Recommendation:
To authorise the local highway authority to commence the legal public consultation procedure for the proposed traffic regulation order set out in Appendix C 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 to eliminate inappropriate rat running along minor rural County unclassified roads as the result of the Newtown Bypass construction works, and to eliminate identified hazardous conflicting vehicle movements along urban town centre residential streets.

Relevant Policy (ies):	N/A		
Within Policy:	Y / N	Within Budget:	Y / N

Relevant Local Member(s):	Cllr Mark Barnes, member for Newtown and Llanllwchaiarn West Cllr Neil Morrison, member for Newtown South Cllr Kath Robert-Jones, member for Kerry Cllr Karl Lewis, member for Llandinam
----------------------------------	---

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
--	--------------

Contact Officer:	Chris Lloyd
Tel:	01686 611563
Email:	chris.lloyd@powys.gov.uk

Background Papers used to prepare Report:

- **Statement of Reasons.**
- **Existing 7.5 tonne amenity weight limit to be proposed for revocation.**
- **Draft Traffic Regulation Order and accompanying plans.**

DELEGATED DECISION REPORT TEMPLATE VERSION 6

**The County of Powys
(U4256 Bryn and Union Streets, Newtown)
(One-Way Traffic) (U2822, U2823, U2825 Hollies and Penlan Lanes,
Newtown) (Prohibition of Driving) Order 2019**

STATEMENT OF REASONS

- 1.1 During the construction of the Newtown Bypass, concerns have been raised by the Newtown Agricultural College and local residents that Hollies Lane and Penlan Lane are being used as rat runs by drivers seeking out ways to avoid queuing within Newtown.
- 1.2 Whilst it is likely that the degree of rat running along these roads will be significantly reduced once the bypass has been completed, the matter has been discussed with the Welsh Government who have agreed to fund the cost of a traffic regulation order and associated signage as part of the bypass costs. An initial proposal to permanently stop up the lower end of Hollies Lane to all vehicular traffic was not supported by the local residents along these lanes, as it is difficult during snow and ice conditions to access or leave their properties via the upper sections of these lanes from to the A483 trunk road.
- 1.3 With the above in mind, the proposal is to introduce a Permanent Traffic Regulation Order which would revoke the existing 7.5 tonne amenity weight limit (except for access) Traffic Regulation Order along Hollies Lane, and replace it with a prohibition of all motorised vehicles (except for access) Traffic Regulation Order along the entire lengths of Hollies Lane and Penlan Lane.
- 1.4 Initial enquiries with the police, the affected community councils and the local county councillors have shown that there is support in principle for the proposed Access Only Traffic Regulation Order to be proposed by Powys County Council. The only negative comments to the proposal have been received from Kerry Community Council, who have suggested that no prohibitions should be imposed along Penlan Lane. It should however be noted that Penlan Lane is not located within the Kerry Community Council ward.
- 1.5 A request has also been received from the local county councillor for the Newtown Llanllwchaiarn West ward, County Councillor Mark Barnes, that the Hollies and Penlan Lanes prohibition of driving except for access Order is expanded to include a one-way traffic prohibition Order along parts of Bryn Street and Union Street within his ward.
- 1.6 Councillor Barnes undertook a public consultation exercise during the last quarter of 2017 to consider options to improve traffic flows and address on street parking concerns on a number of town centre residential roads within his ward. One of the options considered during the consultation exercise was to make parts of Bryn Street and Union Street one-way, thereby maximising the available on street parking along those roads, and eliminating the reversing manoeuvres which regularly occur as two-

way traffic attempts to negotiate these narrow streets where parked vehicles reduce the carriageway width to a single lane.

- 1.7 The consultation exercise showed that the majority of residents who responded to the consultation exercise were in favour of the one-way traffic order proposal.
- 1.8 The Welsh Government have indicated that they have no objection to the access only Traffic Regulation Order for Hollies and Penlan Lanes being expanded to incorporate the proposed one-way Traffic Regulation Order for Bryn Street and Union Street, on the condition that all signage for this order is funded by Powys County Council, and on the additional proviso that any objections received with respect to the proposed one-way Order during the public consultation phase will not unduly delay the introduction of the proposed access only Order.
- 1.9 The extents, prohibition and exemptions relating to the access only and one-way Order are identified on the accompanying draft Traffic Regulation Order and plans.

THE COUNTY OF POWYS
(MONTGOMERYSHIRE)

(HOLLIES LANE, MOCHDRE) (AMENITY WEIGHT RESTRICTION) ORDER 2002

POWYS COUNTY COUNCIL in exercise of its powers under Sections 1(1) and 2(1) and (2) 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. This Order shall come into operation on the 8th day of April 2002 and may be cited as The County of Powys (Montgomeryshire) (Hollies Lane, Mochdre) (Amenity Weight Restriction) Order 2002.
2. In this Order:
the term 'maximum gross weight' shall have the same meaning as in the Traffic Signs Regulations and General Directions 1994.
3. Save as provided in Article 4 of this Order no person shall cause any vehicle the maximum gross weight of which exceeds 7.5 tonnes to proceed in any of those lengths of the County unclassified roads numbered U2822 U2823 and U2825 which together form the route known as Hollies Lane Mochdre and which are described more fully in the Schedule to this Order.
4. Nothing in Article 3 of this Order shall prevent any person from causing any vehicle to proceed in the lengths of road specified in that Article if the vehicle is being used:
 - (a) for the purpose of gaining access to or egress from any premises situated on or adjacent to those lengths of road or
 - (b) for fire brigade police or ambulance purposes or
 - (c) in connection with the carrying out on or on premises situated on or adjacent to those lengths of road of any of the following operations namely:
 - (i) the removal of obstructions to traffic;
 - (ii) the maintenance improvement or reconstruction of those lengths of road and
 - (iii) the laying erection alteration or repair in or in land adjacent to those lengths of road of any sewer or any main pipe or apparatus for the supply of water gas or electricity or any telegraphic line as defined in the Telecommunications Act 1984.
5. The plan annexed hereto is for the purposes of identification only.

SCHEDULE

Hollies Lane, Mochdre (County Unclassified Roads Numbers U2822 U2823 and U2825)

(i) **County Unclassified Road Number U2822**

That length in the Community of Newtown and Llanllwchaiarn which extends from its junction with the C2025 Mochdre Lane for a distance of approximately 250 metres in a generally southerly direction to its junction with the County Unclassified Road Number U2823 at Ordnance Survey Grid Reference Number SO 088897.

(ii) **County Unclassified Road Number U2823**

That length in the Communities of Newtown and Llanllwchaiarn Mochdre and Kerry which extends from its junction with the said County Unclassified Road Number U2822 for a distance of approximately 1090 metres in a generally south south-westerly direction to its junction with the County Unclassified Road Number U2825 near Cwm Graig Bungalow.

(iii) **County Unclassified Road Number U2825**

That length in the Communities of Mochdre and Kerry which extends from its junction with the County Unclassified Road Number U2823 near Cwm Graig Bungalow for a distance of approximately 400 metres in a generally south-easterly direction to its junction with the A483 Trunk Road near Glascoed Dolfor.

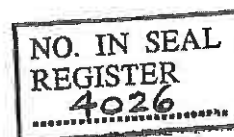
GIVEN under the Common Seal of Powys County Council this 4th day of April 2002

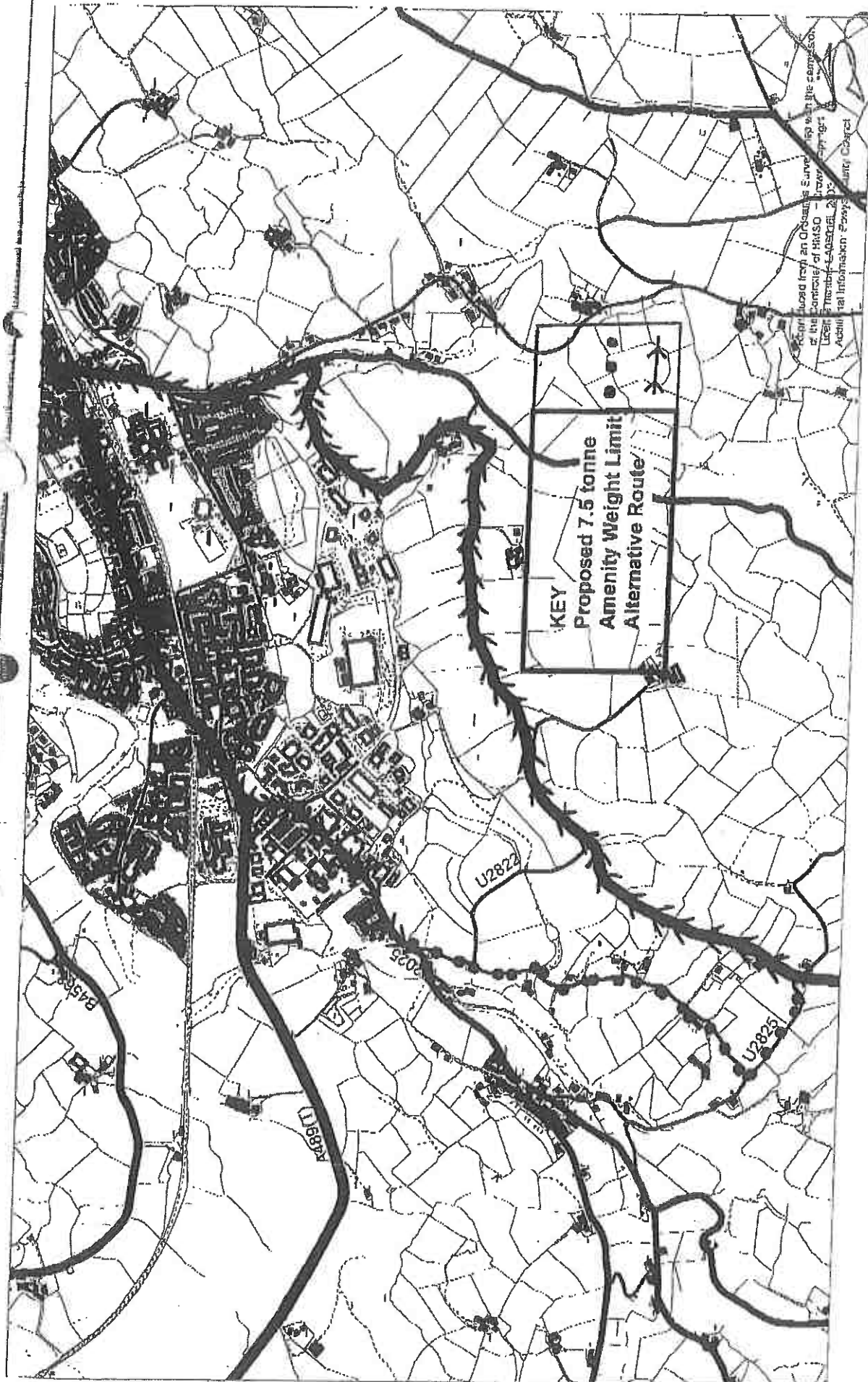
THE COMMON SEAL of POWYS)
COUNTY COUNCIL was hereunto)
affixed in the presence of:)



Head of Legal Services

Orders\081001 - Hollies Lane, Mochdre





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Highways, Transport & Property
Prifysydd, Trafnidiaeth ac Eiddo
Group:
John Owen, B. Sc., C. Eng., M.I.C.E., M.I.H.T.,
Director of Highways, Transport & Property
Cyfarwyddwr Pafffyrdd, Trafnidiaeth ac Eiddo

U2822, U2823, U2825 Hollies Lane, Mochdre

Proposed 7.5 tonne Amenity Weight Limit

Compiled by
Rob Grainger

Date
11 October 2001

Scale 1:17146

THE COUNTY OF POWYS
(U4256 BRYN AND UNION STREETS, NEWTOWN)
(ONE-WAY TRAFFIC) (U2822, U2823, U2825 HOLLIES AND PENLAN LANES,
NEWTOWN) (PROHIBITION OF DRIVING) ORDER 2019

POWYS COUNTY COUNCIL in exercise of its powers under Sections 1(1) and 2(1) and (2) of the Road Traffic Regulation Act 1984 as amended (“the Act”) and of all 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. No person shall cause any vehicle to proceed in any of those lengths of road specified in column 1 of Schedule I to this Order in a direction other than that specified in relation to that length of road in column 2 of the said Schedule.
2. Save as provided in Article 3 of this Order no person shall cause any motor vehicle to proceed in any of those lengths of road specified in column 1 of Schedule II to this Order.
3. Nothing in Article 2 of this Order shall apply so as to prevent any person from causing any motor vehicle to proceed in any of those lengths of road specified in column 1 of Schedule II to this Order if the vehicle is being used: -
 - (a) for the purpose of gaining access to or egress from premises situated on or adjacent to those lengths of road;
 - (b) for the fire brigade, police or ambulance purposes or
 - (c) in connection with the carrying out on premises situated on or adjacent to that length of road on any of the following operations namely: -
 - (i) the removal of obstructions to traffic
 - (ii) the maintenance, improvement or reconstruction of that length of road and
 - (iii) the laying, erection, alteration or repair in or in land adjacent to that length of road of any sewer or any main pipe or apparatus for the supply of water, gas or electricity or any electronic communications apparatus as defined in the Communications Act 2003.
4. This Order hereby revokes The County of Powys (Montgomeryshire) (Hollies Lane, Mochdre) (Amenity Weight Restriction) Order 2002.
5. This Order shall come into operation on the **XXXX** day of **XXXX** 2019 and may be cited as The County of Powys (U4256 Bryn and Union Streets, Newtown) (One-Way Traffic) (U2822, U2823, U2825 Hollies and Penlan Lanes, Newtown) (Prohibition of Driving) Order 2019.
6. The plans annexed hereto are for the purposes of identification only.

SCHEDULE I

1. <u>Lengths of road in the Community of Newtown</u>	2. <u>Direction of traffic flow</u>
That length of the U4256 County unclassified road known as Bryn Street, which extends from its junction with the B4568 County class II road known as Commercial Street for a distance of approximately 70 metres to its junction with the U4256 County unclassified road known as Union Street.	From its junction with Commercial Street in a generally north-westerly direction.
That length of the U4256 County unclassified road known as Union Street, which extends from its junction with the U4256 County unclassified road known as Bryn Street for a distance of approximately 55 metres to its junction with the U4256 County unclassified road known as Crescent Street.	From its junction with Bryn Street in a generally south-westerly direction.

SCHEDULE II

1. <u>Lengths of road in the Communities of Newtown, Kerry and Mochdre</u>
That length of the U2822 County unclassified road known as Hollies Lane and Penlan Lane, which extends from its junction with the C2025 County class III road known as Mochdre Lane for a distance of approximately 240 metres in a generally south-westerly direction to its junction with the U2823 County unclassified road, then for a distance of approximately 665 metres in a generally south-easterly direction to its junction with the A483 Trunk Road near Pen-y-banc Wood.
That length of the U2823 County unclassified road known as Hollies Lane, which extends from its junction with the said U2822 County unclassified road for a distance of approximately 1080 metres in a generally south-westerly direction to its junction with the U2825 County unclassified road near Cwm Craig Bungalow.
That length of the U2825 County unclassified road known as Hollies Lane, which extends from its junction with the A483 Trunk Road near Severn View for a distance of approximately 835 metres in a generally north-westerly direction past Cwm Graig Bungalow to its junction with the U2824 County unclassified road near Mochdre Mill.

GIVEN under the Common Seal of Powys County Council this **XXXX** day of **XXXX** two thousand and nineteen.

THE COMMON SEAL of **POWYS**)

COUNTY COUNCIL was hereunto)

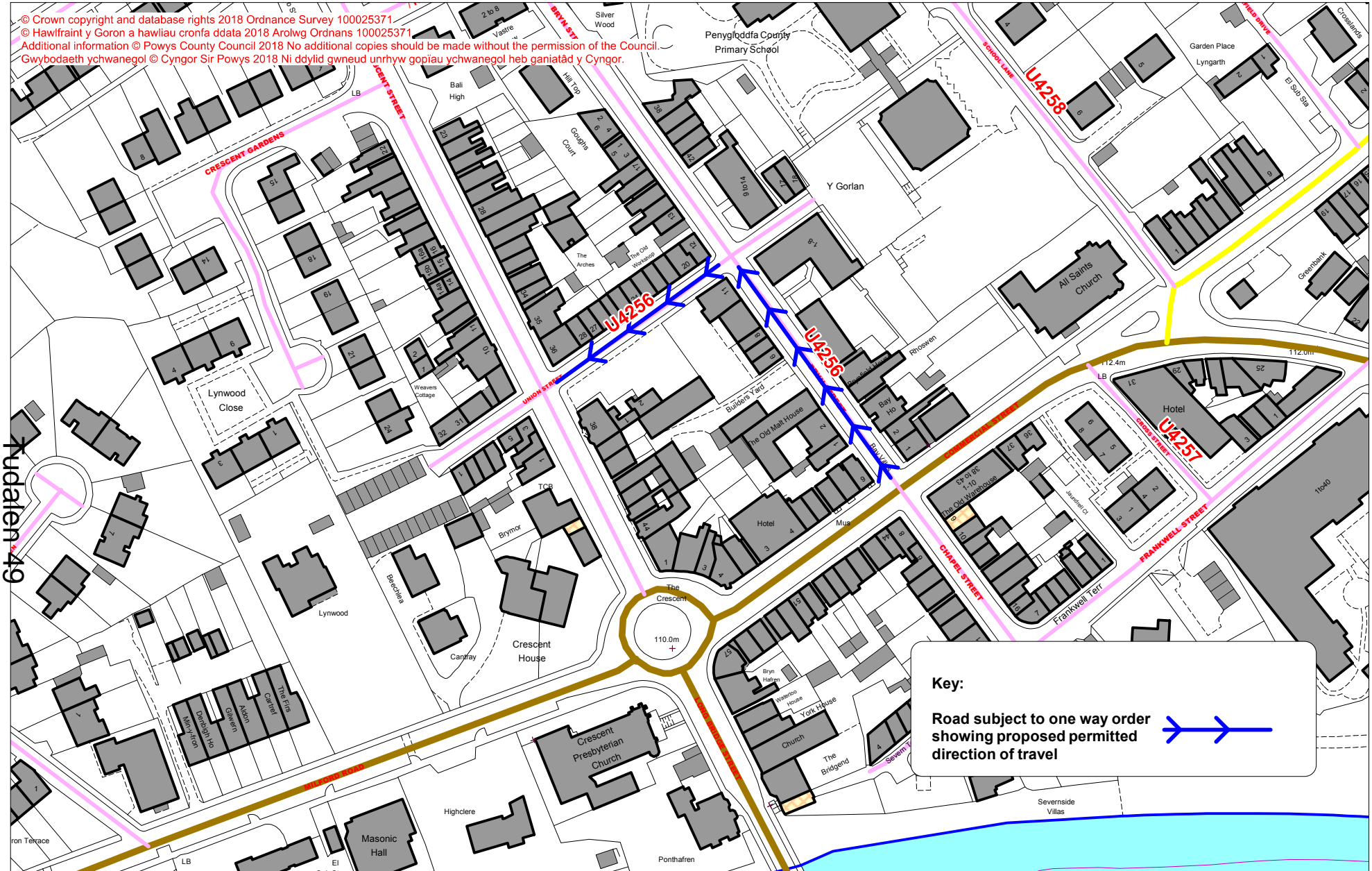
affixed in the presence of:-)

Solicitor to the Council

DRAFT

Mae'r dudalen hon wedi'i gadael yn wag yn fwriadol

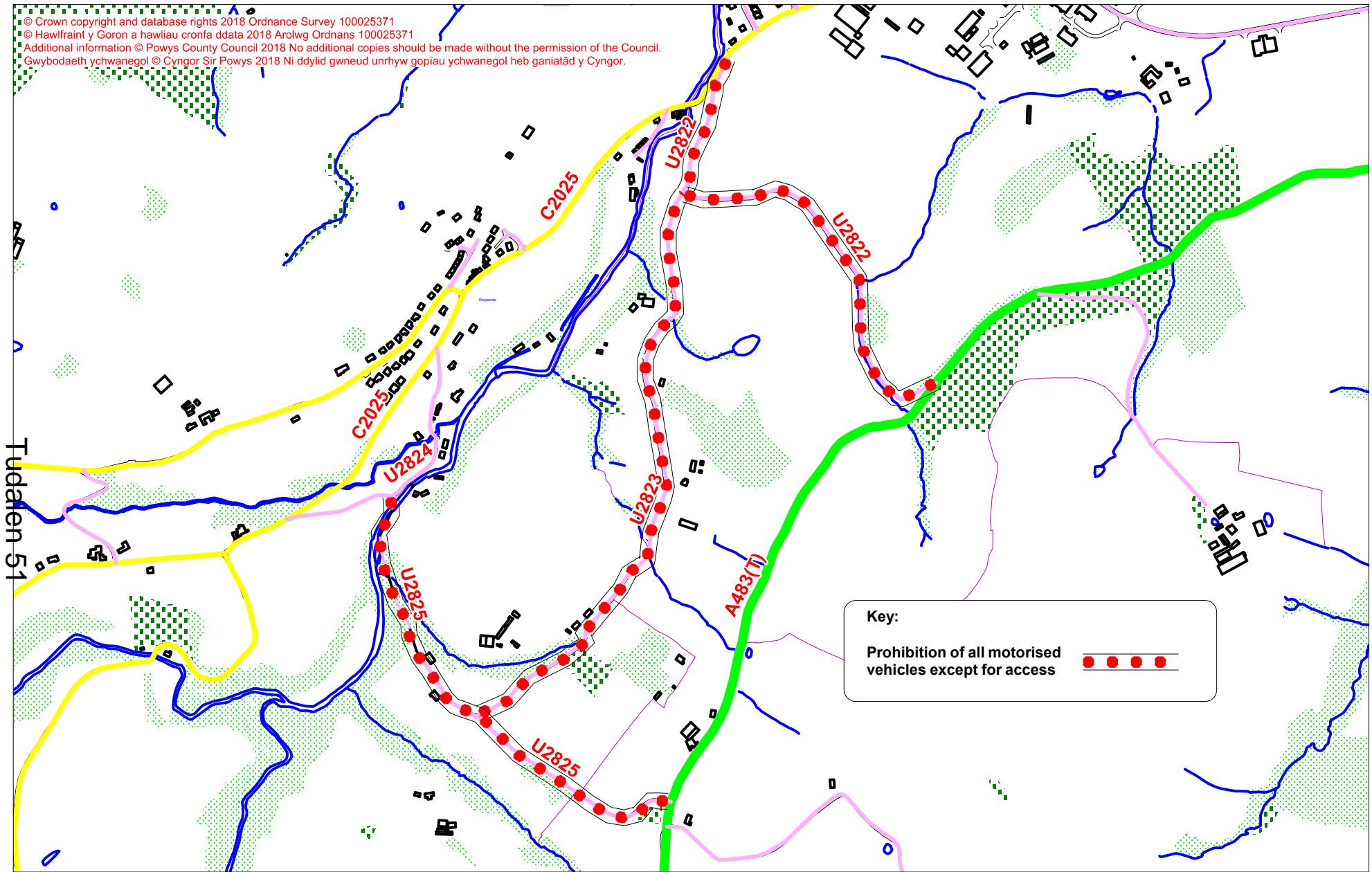
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Key:
Road subject to one way order showing proposed permitted direction of travel

Mae'r dudalen hon wedi'i gadael yn wag yn fwiadol

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