

## Aelod Portffolio – Priffyrdd, Ailgylchu ac Asedau

Man Cyfarfod

Dyddiad y Cyfarfod  
**Dydd Mawrth, 19 Mawrth 2019**

Amser y Cyfarfod  
**Amser heb ei nodi**



Neuadd Y Sir  
Llandrindod  
Powys  
LD1 5LG

I gael rhagor o wybodaeth cysylltwch â

13/3/19

### **HYSBYSIAD O BENDERFYNIAID 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 **13 Mawrth 2019** (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.	<b>DIWYGIO GORCHYMYN TERFYN PWYSAU (AMWYNDER) O RAN AMRYWIOL FFYRDD Y SIR YN Y DRENEWYDD O GANLYNIAD I FFORDD OSGOI'R DRENEWYDD.</b>
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(Tudalennau 1 - 18)

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)**  
**MARCH 2019**

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

**SUBJECT:** Modification of Amenity Weight Limit Order relating to various county roads in Newtown as a consequence of the Newtown Bypass

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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 modifications to the existing 7.5 tonne amenity weight limit Traffic Regulation Orders affecting Heol Treowen, Plantation Lane, Maesyrrhandir Estate Road, Lon Gerylli and Middle Dolfor Road within the town of Newtown, which are considered to be necessary as a result of the construction of Newtown Bypass.

**2. Proposal**

2.1 The proposed Order essentially seeks to remove the existing exemption for high sided vehicles with a height in excess of 13 feet and 3 inches along the main distributor roads Heol Treowen, Plantation Lane, Maesyrrhandir Estate Road and Lon Gerylli; and to modify the extent of the existing amenity weight limit along Middle Dolfor Road to reflect the new northern termination point of that road with the Lower Dolfor Road Roundabout.

2.2 High sided vehicles which are too tall to pass beneath the Dolfor Road and Nantoer railway bridges along the former trunk roads within Newtown are currently permitted to utilise the estate roads identified above to avoid these low bridges. With the opening of the Newtown Bypass, these high sided vehicles can utilise the bypass to avoid travelling beneath these bridges, so the exemption to the amenity weight limit along these estate roads can be removed.

2.3 The existing Traffic Regulation Orders are attached at Appendix B for reference.

2.4 The proposed Traffic Regulation Order and Plans are attached at Appendix C for reference.

2.5 Funding for the Traffic Regulation Order will be from the sum of money granted to Powys County Council from the Welsh Government specifically for the necessary de-trunking works associated with the construction of the Newtown Bypass.

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

3.1 Having discussed the proposal with the representatives of the Welsh Government who are dealing with the Newtown Bypass project, Powys County Council as the local highway authority is of the opinion that no other options are appropriate in this instance.

### **4. Impact Assessment**

4.1 Is an impact assessment required? No

### **5. Corporate Improvement Plan**

5.1 Powys County Council has engaged with the town council and the police to publicise the proposal and invite comments/observations. The proposal will result in a decrease in the volume of high sided vehicles travelling past the residential properties, the schools and the recreational facilities located along the residential estate roads which are currently utilised/signed as the high sided vehicle bridge avoidance route. 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.

### **6. Local Members**

6.1 All the local members for the affected communities of Newtown and Kerry have been consulted on the proposal, and none have expressed any comments other than support for the proposal. The proposal will not have a significant wider effect on local members in other wards.

6.2 The proposal is also supported by Dyfed-Powys Police.

### **7. Other Front Line Services**

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

### **8. Communications**

Have Communications seen a copy of this report? Yes

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

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

- 9.1 Legal – Professional Lead notes the content of the report and supports the proposals.
- 9.2 Finance – The Finance Manager Place and Resources notes the contents of the report; the works will be funded by Welsh Government as noted in the report.

**10. Scrutiny**

Has this report been scrutinised? No

**11. 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

**12. Statutory Officers**

- 12.1 The Section 151 Officer notes the comments made by Finance.
- 12.2 The Deputy Monitoring Officer notes the proposals and recommendations.

**13. Members' Interests**

The Deputy 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)	To introduce the necessary traffic prohibition orders which are required as a result of the construction of the Newtown Bypass.

<b>Regulations 1996.</b>	
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Relevant Policy (ies):	N/A		
Within Policy:	Y / <del>N</del>	Within Budget:	Y / <del>N</del>

<b>Relevant Local Member(s):</b>	<b>Cllr Mark Barnes (Newtown Llanllwchaiarn West)</b> <b>Cllr Joy Jones (Newtown East)</b> <b>Cllr Neil Morrison (Newtown South)</b> <b>Cllr Daniel Rowlands (Newtown Llanllwchaiarn North)</b> <b>Cllr David Selby (Newtown Central)</b> <b>Cllr Kath Roberts-Jones (Kerry)</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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<b>Contact Officer:</b>	<b>Chris Lloyd</b>
<b>Tel:</b>	<b>01686 611563</b>
<b>Email:</b>	<b><a href="mailto:chris.lloyd@powys.gov.uk">chris.lloyd@powys.gov.uk</a></b>

#### **Background Papers used to prepare Report:**

- **Statement of Reasons (Appendix A)**
- **Existing Traffic Regulation Orders (Appendix B)**
- **Draft Traffic Regulation Order and plans (Appendix C)**

DELEGATED DECISION REPORT TEMPLATE VERSION **6**

**THE COUNTY OF POWYS**  
**(VARIOUS ROADS, NEWTOWN)**  
**(PROHIBITION OF HEAVY VEHICLES) ORDER 2019**

**Statement of Reasons**

**1.0 Background**

- 1.1 As a consequence of the construction of Newtown Bypass, heavy goods vehicles with a height in excess of 13 feet and 3 inches will no longer need to utilise the residential roads along Heol Treowen, Plantation Lane, Maesyrrhandir and Lon Gerylli to avoid the low railway bridges at Nantoer and Dolfor Road within Newtown. The existing 7.5 tonne amenity weight limit Order relating to these high sided vehicle diversion routes includes an exemption to permit goods vehicles above that height to travel along those routes to avoid the railway bridges. This exemption is no longer considered to be appropriate as high sided vehicles can utilise the bypass to avoid the railway bridges, unless the bypass is closed for emergency reasons.
- 1.2 The removal of this height exemption will reduce the volume of high sided heavy goods vehicles travelling along these residential roads past the residential properties, education and recreational facilities located along the route.
- 1.3 The existing high sided vehicle diversion signage located along Pool Road, Kerry Road, Dolfor Road and Llanidloes Road will be removed once the new Order has been made. Alternative high sided vehicle diversion signage will be put in place to divert high sided vehicles via the bypass.
- 1.4 The northern end of Middle Dolfor Road has also been extended to the newly constructed Lower Dolfor Road roundabout as part of the bypass operations, therefore there is a need to modify the existing 7.5 tonne amenity weight limit along Middle Dolfor Road to incorporate this additional length of highway.
- 1.5 The Welsh Government has allocated additional funding to enable Powys County Council to carry out necessary modifications to the existing county maintained roads and their associated traffic regulation orders as a result of the completion of the bypass construction works.
- 1.6 Powys County Council has the authority and responsibility to make the necessary Traffic Regulation Order. The costs for introducing the permanent Traffic Regulation Order and associated signage will be funded from the additional monies allocated by the Welsh Government referred to above.

## **2.0 Proposal**

- 1.0 To introduce a permanent Traffic Regulation Order to modify the existing 7.5 tonne amenity weight limits associated with the roads detailed above. The Order will remove the 13 feet 3 inches height exemption (except for emergency situations if the bypass needs to be closed), and modify the extent of the Middle Dolfor Road prohibition to incorporate the additional length of that road.



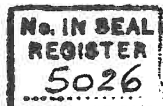
THE COUNTY OF POWYS  
(MIDDLE DOLFOR ROAD, NEWTOWN)  
(PROHIBITION OF HEAVY COMMERCIAL VEHICLES) ORDER 1990

THE COUNTY COUNCIL OF POWYS in exercise of its powers under Sections 1(1) and (2) and 2(1) and (2) of and Part IV of Schedule 9 to the Road Traffic Regulation Act 1984 and of all other enabling powers and in accordance with Regulation 20(1)(a)(2) and (3) of and Parts I IV and V of Schedule 5 to The Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1989 hereby makes the following Order:

1. In this Order the terms "operating weight" and "goods vehicle" have the same meanings as in Section 138(2) and (3) respectively of the Act or any statutory modification or re-enactment thereof.
2. Save as provided in Article 3 of this Order, no person shall except upon the direction or with the permission of a police constable in uniform or of a traffic warden cause any goods vehicle the operating weight of which exceeds seven and a half tonnes to proceed in those lengths of the County Classified Road number C61 known as Middle Dolfor Road in the Communities of Kerry and Newtown and Llanllwchaiarn which extend from its northern junction with the A483 trunk road near Garth Owen for a distance of approximately 1.75 miles in a generally southerly direction to its southern junction with the said A483 trunk road at Vicarage Corner, Dolfor.
3. Nothing in Article 2 of this Order shall render it unlawful to cause any goods vehicle to proceed in the lengths of road specified in that Article if the vehicle is being used:
  - (a) in connection with the conveyance of goods to or from any premises situated on or adjacent to those lengths of road;
  - (b) for the purposes of agriculture on any land adjacent to those lengths of road or for or in connection with the conveyance or haulage of timber felled upon such land;
  - (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) building industrial or demolition operations;
    - (ii) the removal of obstructions to traffic;

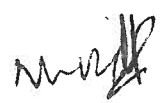
- (iii) the maintenance improvement or reconstruction of those lengths of road and
  - (iv) the laying erection alteration or repair in or in land adjacent to those lengths of road of any sewer or any main pipe or apparatus for the supply of water gas or electricity or any telegraphic line as defined in the Telecommunications Act 1984;
  - (d) for fire brigade, police or ambulance purposes;
  - (e) to gain access to or egress from any premises which are situated on or adjacent to those lengths of road and at which the vehicle is to be or has been garaged serviced or repaired;
  - (f) in the service of a local authority or a water undertaker or sewerage undertaker in pursuance of statutory powers or duties; or
  - (g) for the conveyance of goods for sale from the vehicle.
4. The County of Powys (Class III 61 Middle Dolfor Road, Newtown) (Prohibition of Commercial Vehicles of over 3 Tons) Order 1977 is hereby revoked.
5. This Order shall come into operation on the twelfth day of April One thousand nine hundred and ninety and may be cited as The County of Powys (Middle Dolfor Road, Newtown) (Prohibition of Heavy Commercial Vehicles) Order 1990.

GIVEN under the Common Seal of the County Council of Powys this eleventh day of April One thousand nine hundred and ninety



ORD1603H/U.6

( THE COMMON SEAL of THE  
( COUNTY COUNCIL OF POWYS  
( was hereunto affixed in  
( the presence of

  
County Solicitor

M231  
6530

**THE COUNTY OF POWYS**  
**(VARIOUS ROADS, NEWTOWN)(PROHIBITION OF HEAVY COMMERCIAL VEHICLES)**  
**ORDER 1994**

**THE COUNTY COUNCIL OF POWYS** in exercise of its powers under Sections 1(1) and 2(1) (2) and (4) 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 terms "heavy commercial vehicle" and "operating weight" have the same meanings as in Section 138(1) and (2) respectively of the Act or any statutory modification or re-enactment thereof.
2. Save as provided in Article 3 of this Order no person shall except upon the direction or with the permission of a police constable in uniform or of a traffic warden cause or permit any heavy commercial vehicle to proceed in any of the lengths of road specified in the Schedule to this Order.
3. Nothing in Article 2 of this Order shall render it unlawful to cause any heavy commercial vehicle to proceed in any of the lengths of road specified in the Schedule to this Order if the vehicle:
  - (a) is being used for the conveyance of persons, goods or merchandise to or from any premises situated on or adjacent to those lengths of road;
  - (b) is being used in connection with any building or industrial operation or demolition in or adjacent to those lengths of road, the removal of any obstruction to traffic or the maintenance improvement or reconstruction of those lengths of road or the laying erection alteration or repair in or adjacent to those lengths of road of any sewer or any main pipe or apparatus for the supply of gas water or electricity or any telegraphic line as defined in the Telecommunications Act 1984;
  - (c) is being used in an emergency for fire brigade police or ambulance purposes;
  - (d) is to be garaged serviced or repaired at any premises situated on or adjacent to those lengths of road;
  - (e) is being used in the service of a local authority or a water undertaker or sewerage undertaker in pursuance of statutory powers or duties;
  - (f) is being used for the conveyance of goods for sale from the vehicle or
  - (g) exceeds thirteen feet three inches in height.
4. This Order may be cited as The County of Powys (Various Roads, Newtown) (Prohibition of Heavy Commercial Vehicles) Order 1994 and shall come into operation on the fifth day of December one thousand nine hundred and ninety-four.



## SCHEDULE

### Lengths of Road in the Community of Newtown and Llanllwchaiam

(1) County Unclassified Road Number U4216: Heol Treowen

That length which extends from its junction with the A489 Principal Road Kerry Road for a distance of approximately three quarters of a mile (1.2 kilometres) in a south-westerly direction to its junction with the A483 Trunk Road Dolfor Road.

(2) County Unclassified Road Number U4206: Plantation Lane, Garth Owen

The length which extends from its junction with the A483 Dolfor Road for a distance of approximately 700 yards (640 metres) in a south-westerly direction to its junction with the County Unclassified Road Number U4204 known as Maesyrrhandir Estate Road.

(3) County Unclassified Road Number U4204: Maesyrrhandir Estate Road

That length which extends from its junction with Plantation Lane for a distance of approximately 750 yards (686 metres) in a north-westerly then south-westerly and finally south-easterly direction to its junction with Lon Gerylli, Maesyddail Estate.

(4) County Unclassified Road Number U4202: Lon Gerylli, Maesyddail Estate

That length which extends from its junction with Maesyrrhandir Estate Road for a distance of approximately 240 yards (219 metres) in a generally westerly direction to its junction with the A489 Trunk Road Llanidloes Road.

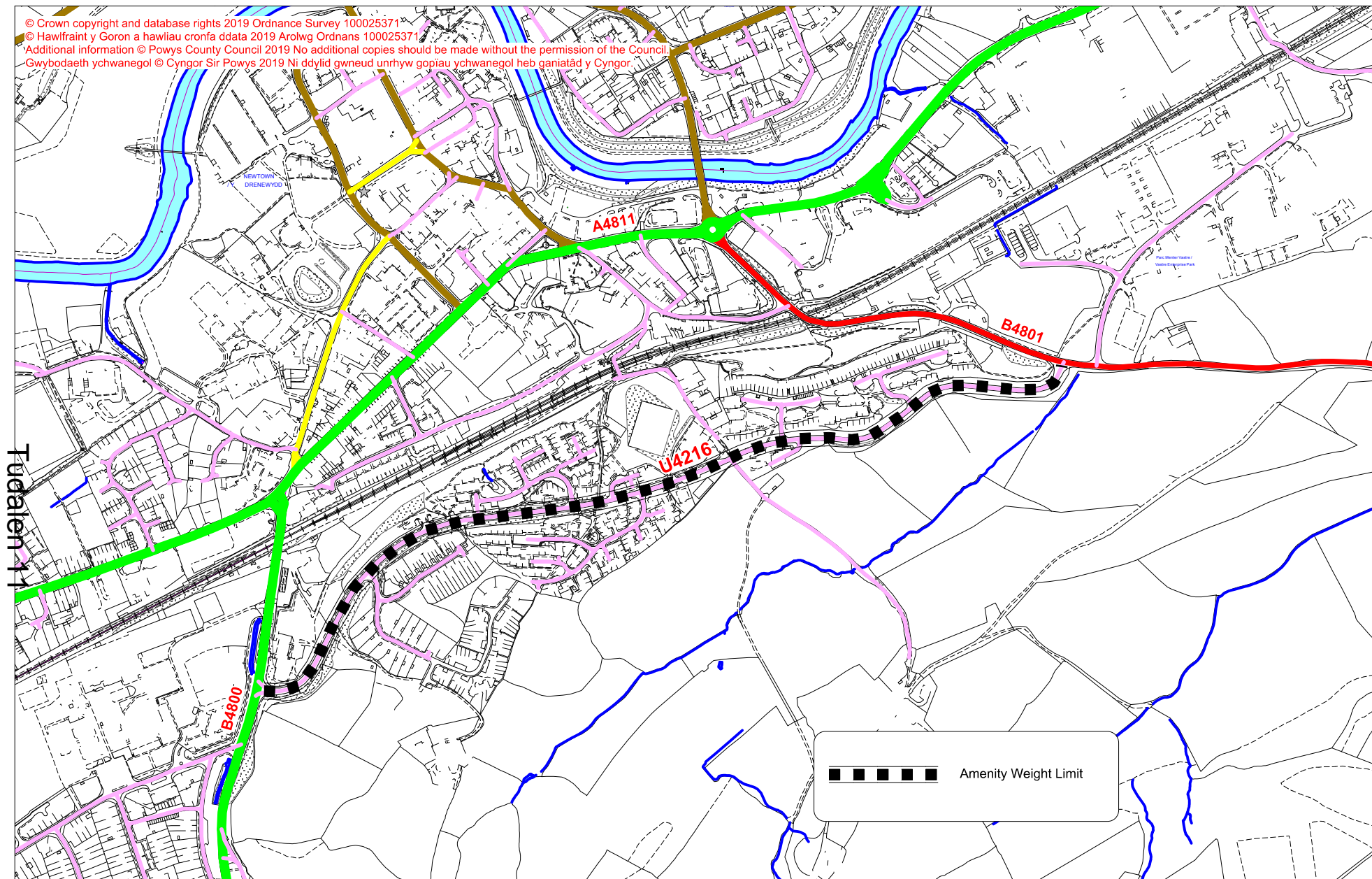
**GIVEN** under the Common Seal of the County Council of Powys this first day of December one thousand nine hundred and ninety-four

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

  
County Solicitor

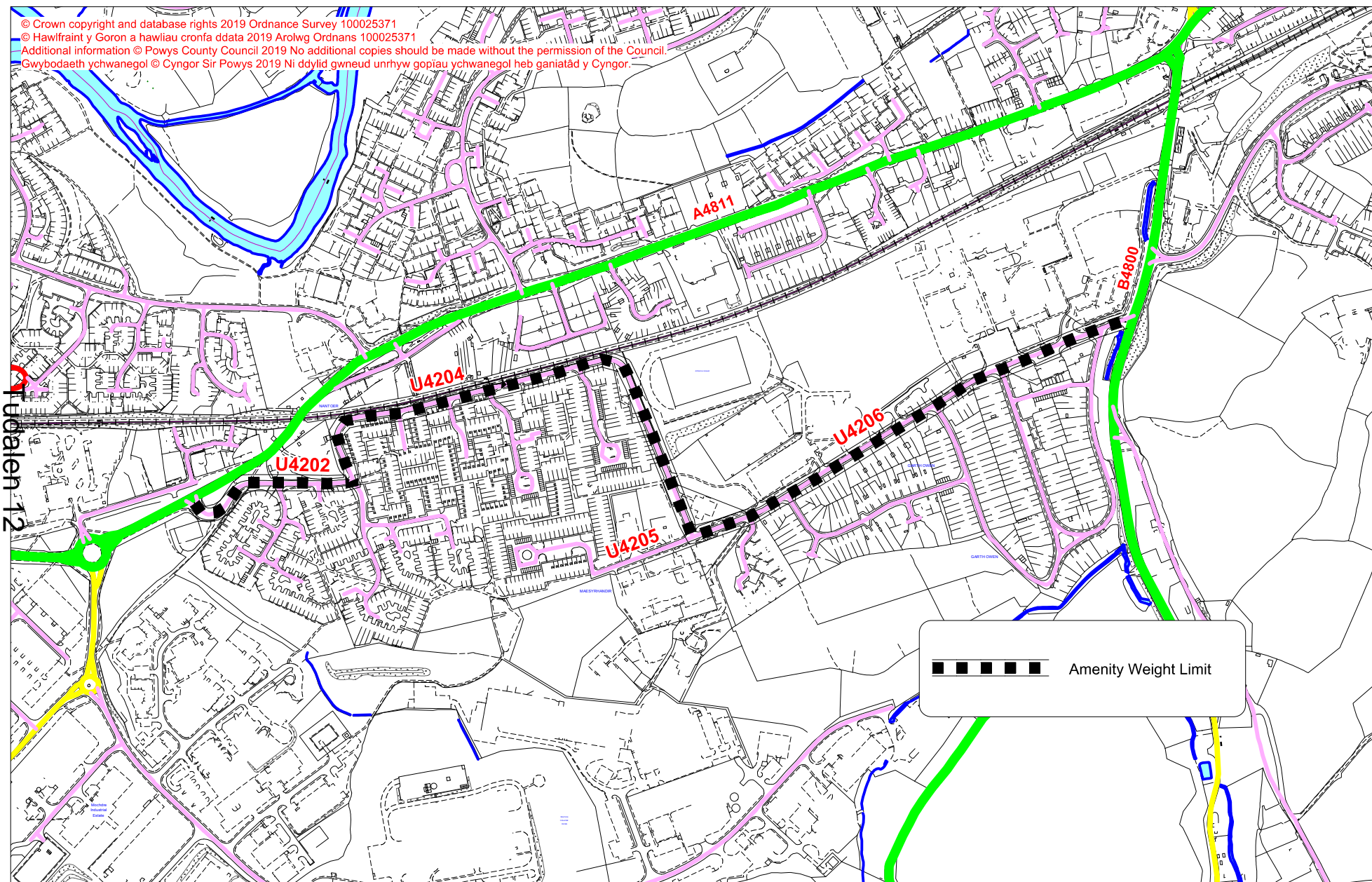


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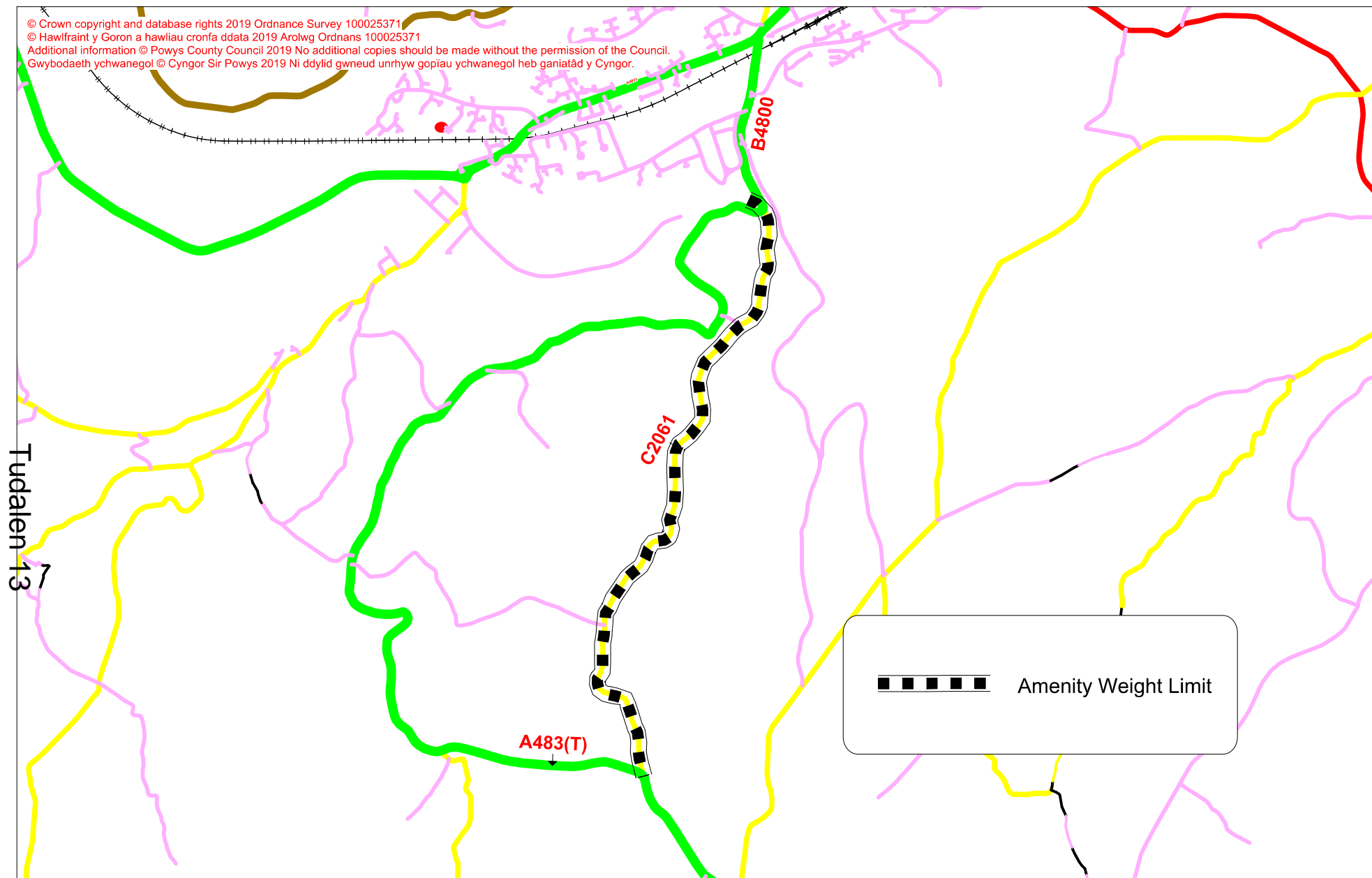




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Mae'r dudalen hon wedi'i gadael yn wag yn fwiadol



**The County of Powys  
(Various Roads, Newtown)  
(Prohibition of Heavy Vehicles) Order 2019**

**WHEREAS** **POWYS COUNTY COUNCIL** (“the Council”) being the highway authority for the lengths of road described in Article 2 of this Order is satisfied that due to public safety and environmental concerns, the weight of goods vehicles passing along the said lengths of road should be restricted.

**NOW THEREFORE** the Council in exercise of its powers under Sections 1(1) and (2) and 2(1) and (4) and Part IV of Schedule 9 to the Road Traffic Regulation Act 1984 (“the Act”) and in accordance with the Local Authorities’ Traffic Orders (Procedure) (England and Wales) Regulations 1996 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 terms “goods vehicle” and “maximum gross weight” shall have the same meaning as in the Traffic Signs Regulations and General Directions 2016.
- 2) Save as provided in Article 3 of this Order, no person shall except upon the direction or with the permission of a police constable in uniform or a traffic warden cause any goods vehicle the maximum gross weight of which exceeds seven and a half tonnes to proceed in any of the lengths of road specified in the Schedule to this Order.
- 3) Nothing in Article 2 of this Order shall render it unlawful to cause any goods vehicle to proceed in the lengths of road specified in the Schedule to this Order if the vehicle is being used:
  - (a) for the conveyance of persons goods or merchandise to and from premises situated on or adjacent to those lengths of road;
  - (b) in connection with the carrying out on or at premises situated on or adjacent to those lengths of road of any of the following operations namely:
    - (i) building industrial or demolition operations;
    - (ii) the removal of obstructions to traffic;
    - (iii) the maintenance improvement or reconstruction of those lengths of road; or
    - (iv) 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 gas water or electricity or any telegraphic line as defined in the Telecommunications Act 1984.

- (c) in the service of a local authority or a water undertaker or sewerage undertaker in pursuance of statutory powers or duties;
  - (d) for fire brigade, police or ambulance purposes;
  - (e) for the purposes of gaining access to or egress from any premises which are situated on or adjacent to any of those lengths of road and at which the vehicle is to be, or has been, garaged serviced or repaired;
  - (f) for the purposes of agriculture on any land adjacent to those lengths of road or for or in connection with the conveyance or haulage of timber felled upon such land;
  - (g) for the conveyance of goods for sale from the vehicle; or
  - (h) in instances where the height of the vehicle exceeds thirteen feet three inches in height, and is unable to proceed in any of those lengths of the A483(T) and the A489(T) trunk road known as Newtown Bypass because of an emergency road closure due to ice or snow conditions or other reason, and temporary diversion signage is in place to route high sided vehicles along any particular length of road specified in the Schedule to this Order.
- 4) The plans annexed hereto are for the purposes of identification only.
- 5) The County of Powys (Various Roads, Newtown) (Prohibition of Heavy Commercial Vehicles) Order 1994 is hereby revoked.
- 6) The County of Powys (Middle Dolfor Road, Newtown) (Prohibition of Heavy Commercial Vehicles) Order 1990 is hereby revoked.
- 7) This Order shall come into operation on the XXX<sup>th</sup> day of XXX 2019 and may be cited as The County of Powys (Various Roads, Newtown) (Prohibition of Heavy Vehicles) Order 2019.

## **SCHEDULE**

### **Lengths of Road in the Community of Newtown and Llanllwchaiarn and Kerry**

#### **i. County Unclassified Road Number U4216, Heol Treowen**

That length which extends from its junction with the B4801 County Classified Road, Kerry Road, for a distance of approximately 1.27 kilometres in a south-westerly direction to its junction with the B4800 County Classified Road, Dolfor Road.

#### **ii. County Unclassified Road Number U4206, Plantation Lane**

That length which extends from its junction with the B4800 County Classified Road, Dolfor Road, for a distance of approximately 630 metres in a south-westerly direction to its junction with the U4204 County Unclassified Road, Maesyrrhandir Estate Road.

**iii. County Unclassified Road Number U4204, Maesyrrhandir Estate Road**

That length which extends from its junction with the U4206 County Unclassified Road, Plantation Lane, for a distance of approximately 690 metres in a north-westerly direction then south-westerly direction then south-easterly direction to its junction with the U4202 County Unclassified Road, Lon Gerylli.

**iv. County Unclassified Road Number U4202, Lon Gerylli**

That length which extends from its junction with the U4204 County Unclassified Road, Maesyrrhandir Estate Road, for a distance of approximately 230 metres in a generally westerly direction to its junction with the A4811 County Classified Road, Llanidloes Road.

**v. County Classified Road Number C2061, Middle Dolfor Road**

That length which extends from its northern junction with the B4800 County Classified Road roundabout near Garth Owen, for a distance of approximately 3.22 kilometres in a southerly direction to its junction with the A483 Trunk Road at Vicarage Corner, Dolfor.

**GIVEN** under the Common Seal of Powys County Council this **XXX**<sup>rd</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

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