




COFNOD O BENDERFYNIAD WEDI'I DDIRPRWYO GAN SWYDDOG
RECORD OF DELEGATED OFFICER DECISION

Penderfyniad Allweddol | Key Decision ✓

PWNC | SUBJECT: HIGHWAYS ACT 1980 – SECTION 115 – Permission to Place Planters on Footway Outside 6 High Street, Llantrisant

DIBEN YR ADRODDIAD | PURPOSE OF THE REPORT: In accordance with the Council's Scheme of Delegation, this report has been prepared to accompany the intended officer decision of the Director, Frontline Services, to give permission under Section 115X of the Highways Act 1980 to place and maintain planters on the footway outside no 6 High Street Llantrisant

PENDERFYNIAD WEDI'I DDIRPRWYO | DELEGATED DECISION:

 Llofnod y Prif Swyddog Chief Officer Signature	ROGER WATERS Enw (priflythrennau) Name (Print Name)	13.01.21 Dyddiad Date
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Mae'r penderfyniad yn cael ei wneud yn unol ag Adran 15 o Ddeddf Llywodraeth Leol 2000 (Swyddogaethau'r Corff Gweithredol) ac yn y cylch gorchwyl sy wedi'i nodi yn Adran 5 o Ran 3 o Gyfansoddiad y Cyngor.

The decision is taken in accordance with Section 15 of the Local Government Act, 2000 (Executive Functions) and in the terms set out in Section 5 of Part 3 of the Council's Constitution.

YMGYNGHORI | CONSULTATION

A. Morgan

13.01.21

LLOFNOD YR AELOD YMGYNGHOROL O'R CABINET
CONSULTEE CABINET MEMBER SIGNATURE

DYDDIAD | DATE

A. Griffiths

13.01.21

LLOFNOD SWYDDOG YMGYNGHOROL
CONSULTEE OFFICER SIGNATURE

DYDDIAD | DATE

WILL THIS DECISION HAVE AN IMPACT ON THE WARD?

YDY | YES

NAC YDY | NO ✓

Any further comments/Need for Local Member to be informed:

RHEOLAU'R WEITHDREFN GALW-I-MEWN | CALL IN PROCEDURE RULES.

A YW'R PENDERFYNIAD YN UN BRYN A HEB FOD YN DESTUN PROSES GALW-I-MEWN GAN Y PWYLLGOR TROSOLWG A CHRAFFU?:

IS THE DECISION DEEMED URGENT AND NOT SUBJECT TO CALL-IN BY THE OVERVIEW AND SCRUTINY COMMITTEE:

YDY | YES NAC YDY | NO ✓

Rheswm dros fod yn fater brys | Reason for Urgency:

Os yw'n cael ei ystyried yn fater brys - llofnod y Llywydd, y Dirprwy Lywydd neu Bennaeth y Gwasanaeth Cyflogedig yn cadarnhau cytundeb fod y penderfyniad arfaethedig yn rhesymol yn yr holl amgylchiadau iddo gael ei drin fel mater brys, yn unol â rheol gweithdrefn trosolwg a chraffu 17.2:

If deemed urgent - signature of Presiding Member or Deputy Presiding Member or Head of Paid Service confirming agreement that the proposed decision is reasonable in all the circumstances for it being treated as a matter of urgency, in accordance with the overview and scrutiny procedure rule 17.2:

.....
(Llywydd | Presiding Member) (Dyddiad | Date)

DS - Os yw hwn yn benderfyniad sy'n cael ei ail-ystyried yna does dim modd galw'r penderfyniad i mewn a bydd y penderfyniad yn dod i rym o'r dyddiad mae'r penderfyniad wedi'i lofnodi.

NB - If this is a reconsidered decision then the decision Cannot be Called In and the decision will take effect from the date the decision is signed.

AT DDEFNYDD Y SWYDDFA YN UNIG | FOR OFFICE USE ONLY

DYDDIADAU CYHOEDDI A GWEITHREDU | PUBLICATION & IMPLEMENTATION DATES

CYHOEDDI | PUBLICATION

Cyhoeddi ar Wefan y Cyngor | Publication on the Councils Website:- _ **13.01.21**_____

DYDDIAD | DATE

GWEITHREDU'R PENDERFYNIAD | IMPLEMENTATION OF THE DECISION

Nodwch: Fydd y penderfyniad hwn ddim yn dod i rym nac yn cael ei weithredu'n llawn nes cyn pen 3 diwrnod gwaith ar ôl ei gyhoeddi. Nod hyn yw ei alluogi i gael ei "Alw i Mewn" yn unol â Rheol 17.1, Rheolau Gweithdrefn Trosolwg a Chraffu.

Note: This decision will not come into force and may not be implemented until the expiry of 3 clear working days after its publication to enable it to be the subject to the Call-In Procedure in Rule 17.1 of the Overview and Scrutiny Procedure Rules.

Yn amodol ar y drefn "Galw i Mewn", caiff y penderfyniad ei roi ar waith ar / Subject to Call In the implementation date will be

_____ **19.01.21** _____
DYDDIAD / DATE

WEDI'I GYMERADWYO I'W GYHOEDDI: ✓ | APPROVED FOR PUBLICATION :✓

Rhagor o wybodaeth | Further Information:

Cyfadran Directorate:	Frontline Services
Enw'r Person Cyswllt Contact Name:	Dan Bond
Swydd Designation:	Highways Infrastructure Manager
Rhif Ffôn Telephone Number:	01443 494793

LOCAL GOVERNMENT ACT 1972

AS AMENDED BY

THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

REPORT TO ACCOMPANY A DECISION OF THE DIRECTOR FRONTLINE SERVICES

DATE 5TH January 2022

HIGHWAYS ACT 1980 – SECTION 115 Permission to Place Planters on the Footway Outside no 6 High Street, Llantrisant

AUTHOR(s): Mr Dan Bond, Highway Infrastructure Manager

1. PURPOSE OF THE REPORT

- 1.1 To consider granting permission to Mr D Gregory of 6 High Street, Llantrisant to place planters on the footway outside of his property pursuant to the powers contained in section 115 of the Highways Act 1980 (“the 1980 Act”) In accordance with the Constitution of the Council and the Council’s Scheme of Delegation this report has been prepared to accompany the decision of the Director of Frontline Services.

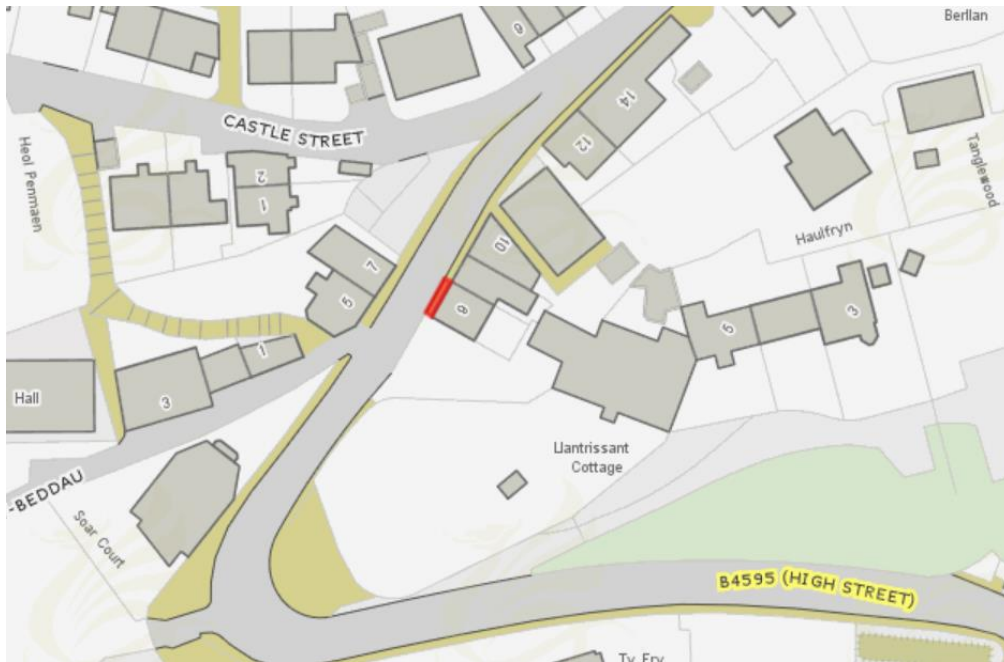
2. RECOMMENDATIONS

- 2.1 It is recommended that the Service Director Democratic Services and Communications take all steps as are necessary to grant permission to Mr D Gregory of 6 High Street, Llantrisant to place planters on the footway outside of his property under

3. REASONS FOR RECOMMENDATIONS

- 3.1 Mr Gregory has contacted the council requesting permission to place 3 no planters on the footway outside of his property.
- 3.2 The footway comes to an end immediately at the boundary of no 6 High Street, so any pedestrians would have to cross the road at this point to continue on the opposite footway. There is, therefore, no “through” footway traffic which would be obstructed

or inconvenienced by the proposed planters at this location as shown on the plan and photograph below



3.3 The planters would enhance the amenity of the area.

4. **BACKGROUND**

4.1 Powers are conferred on the Council as the highway authority under section 115B 1(b) of the 1980 Act to place objects or structures on, in or over a highway for the purpose of enhancing the amenity of the highway and its immediate surroundings.

4.2 Powers are conferred on the Council as the highway authority under section 115E (1)(a) of the 1980 Act to grant a person permission to do on, in or over a highway anything which the council could do on, in or over a highway under Section 115B(1) to (3).

5. **EQUALITY AND DIVERSITY IMPLICATIONS / SOCIO ECONOMIC DUTY**

5.1 An equality impact assessment has been carried out. There is no detrimental impact of the proposed placing of planters on any particular section of the public.

6. **CONSULTATION/ INVOLVEMENT**

Service Director Democratic Services and Communications
Service Director Highways and Engineering, Andrew Griffiths
The County Borough Councillor for the Llantrisant Ward is supportive of the request

7. **FINANCIAL IMPLICATION(S)**

As outlined below, the following financial implications may be witnessed.

7.1 The legal costs associated with preparation of an agreement.

8. **LINKS TO THE COUNCILS CORPORATE PLAN / OTHER CORPORATE PRIORITIES**

8.1 Placing of planters will contribute to the corporate priority of creating places where people are proud to live, work and play.

9. **LINKS TO THE WELL-BEING OF FUTURE GENERATIONS ACT.**

10. **LEGAL IMPLICATIONS OR LEGISLATION CONSIDERED**

10.1 The legislation and the legal implications are outlined in the body of the report.

11. **CONCLUSION**

11.1 Permission is given to grant to Mr Dewi Gregory of 6 High St, Llantrisant to place planters on the footway outside of his property pursuant to sections 115 B and 115E of the Highways Act 1980.