

**CITY OF CARDIFF COUNCIL  
CYNGOR DINAS CAERDYDD**

**PLANNING COMMITTEE MEETING**

**19 June 2019**

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**REPORT OF DIRECTOR OF PLANNING, TRANSPORT &  
ENVIRONMENT**

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**STOPPING UP ORDER, SECTION 116, HIGHWAYS ACT 1980  
Llandudno Road Flats, Rumney, Cardiff**

**Reason for this Report**

1. To request the Planning Committee direct Legal Services to make a Stopping Up Order under Section 116 Highways Act 1980 via the Magistrates Court..

**Background**

2. A Neighbourhood Regeneration scheme was undertaken and works completed without the necessary change of use under Section 247 Town and Country Planning Act being progressed.
3. WAG cannot retrospectively stop up highway ,therefore it is necessary for Highways to extinguish the live highway on the grounds that it is no longer needed since there has been a new design of the block of flats in the Housing Scheme layout.

**Issues**

4. Neighbourhood Regeneration changed the layout of the existing block of flats necessitating the extinguishment of the original highway layout.
5. The Highway needs to be stopped up to reflect the on-site layout of the highway in mapping form as the Authority maintains an adopted highway register.

**Local Member consultation (Rumney)**

6. No objections received from Statutory Consultees.
7. **Reason for Recommendations** To amend the adopted register and reflect the on-site layout and legal status of "live" Highway.

**Financial Implications**

8. Neighbourhood Regeneration has agreed to pay Legal Order fees.

**Legal Implications (including Equality Impact Assessment where appropriate)**

9. None

**HR Implications**

10. None

**RECOMMENDATIONS**

To instruct Legal Services to process the Section 116 Highways Act 1980 Stopping Up Order via the Magistrates Court.

**ANDREW GREGORY  
DIRECTOR – PLANNING, TRANSPORT & ENVIRONMENT**

*The following appendices are attached:*

- Map showing path hatched red to be extinguished.