

HIGHWAYS, WALES

2010 No. 52

THE WELSH MINISTERS (THE CARDIFF TO GLAN CONWY TRUNK ROAD (A470) GELLIGEMLYN IMPROVEMENT) COMPULSORY PURCHASE ORDER 2010

THE HIGHWAYS ACT 1980 and THE ACQUISITION OF LAND ACT 1981

Made 07 December 2010

The Welsh Ministers (in this Order called ‘the acquiring authority’) make the following Order-

1. Subject to the provisions of this Order, the acquiring authority is, under sections 239, 240, 246, 250 and 260 of the Highways Act 1980⁽¹⁾ and under section 2 of, and paragraph 1(1) (b), (3) and (4) of Part 1 of Schedule 2 to, the Acquisition of Land Act 1981⁽²⁾, and all other enabling powers⁽³⁾, hereby authorised to purchase compulsorily the land and the new rights over land described in paragraph 2 for the purpose of:

- (a) the construction of highways and the provision of new means of access to premises in the Communities of Llanelltyd and Ganllwyd in the County of Gwynedd in pursuance of the Side Roads Order ;
- (b) the improvement of the trunk road in the said Communities and County;
- (c) use by the Welsh Ministers in connection with such improvement of highways and the execution of other works mentioned above; and

⁽¹⁾ 1980 c.66

⁽²⁾ 1981 c.67

⁽³⁾ By virtue of S.I. 1999/672 article 2 and Schedule 1, and paragraph 30 of Schedule 11 to the Government of Wales Act 2006, these powers are now transferred to the Welsh Ministers in relation to Wales.

- (d) the mitigation of any adverse effects which the existence or use of certain of the highways proposed to be constructed or improved will have on the surroundings thereof.

Copies of the Side Roads Order and its accompanying plans are deposited along with the map referred to in Article 5.

2. (1) The land authorised to be purchased compulsorily under this Order is the land described in the accompanying Schedule and delineated and shown coloured pink edged red on the map prepared in duplicate and sealed with the common seal of the acquiring authority and marked 'Map referred to in The Welsh Ministers (The Cardiff to Glan Conwy Trunk Road (A470) Gelligemlyn Improvement) Compulsory Purchase Order 2010'.

(2) The new rights to be purchased compulsorily over land under this Order are described in the Schedule and the land is shown coloured blue edged red on the said map.

3. Parts II and III of Schedule 2 to the Acquisition of Land Act 1981 are hereby incorporated with this Order subject to the modifications that references in the said Parts of the said Schedule to the undertaking shall be construed as references to the land authorised to be purchased and any buildings or works constructed or to be constructed thereon.

4. For the purpose of the provisions of Schedule 2 to the Acquisition of Land Act 1981, as incorporated in this Order, the prescribed distance in relation to any seam of minerals lying under land adjoining the works to be constructed upon the land described in the Schedule to this Order shall be such a lateral distance from the said works on every side thereof as is equal at every point along the said works to one half of the depth of the seam below the natural surface of the ground at that point or 37 metres whichever is the greater.

5. In this Order:

'the map' ('y map') means the map marked 'The Welsh Ministers (The Cardiff to Glan Conwy Trunk Road (A470) Gelligemlyn Improvement) Compulsory Purchase Order 2010' signed by an official of the acquiring authority, sealed with the common seal of the acquiring authority and deposited at the Welsh Assembly Government, Records Service, Cathays Park, Cardiff;

‘the trunk road’ (‘y gefnffordd’) means the Cardiff to Glan Conwy Trunk Road (A470);

‘the Side Roads Order’ (‘y Gorchymyn Ffyrdd Ymyl’) means ‘The Cardiff to Glan Conwy Trunk Road (A470) (Gelligemlyn Improvement Side Roads) Order 2010.

6. The title of this Order is ‘The Welsh Ministers (The Cardiff to Glan Conwy Trunk Road (A470) Gelligemlyn Improvement) Compulsory Purchase Order 2010’.

THE COMMON SEAL OF THE WELSH MINISTERS hereunto affixed is authenticated by

Signed by an official of the Welsh Assembly Government under authority of the Welsh Ministers.

J Collins
Deputy Director
Infrastructure Delivery

Dated 07 December 2010