

**HIGHWAYS, WALES**

**2010 No.54**

**THE HIGHWAYS ACT 1980**

**THE CARDIFF TO GLAN CONWY TRUNK  
ROAD (A470) (GELLIGEMLYN  
IMPROVEMENT SIDE ROADS) ORDER 2010**

*Made 07 December 2010*

*Coming into force 16 December 2010*

The Welsh Ministers, in exercise of powers conferred by sections 14, 125 and 268 of the Highways Act 1980 (1) ('the 1980 Act') and of all other enabling powers (2) make this Order:

1. The Welsh Ministers are authorised, in relation to the trunk road at Gelligemlyn in the County of Gwynedd:-

- a. to stop up highways;
- b. to construct new highways;
- c. to stop up private means of access to premises; and
- d. to provide new means of access to premises.

2. (1) The works authorised by Article 1 are indicated in the Schedules numbered 1 to 2 to this Order and are shown on the site plans numbered 1 and 2 that are included in the deposited plan that accompanies this Order in the following manner:-

- a. lengths to be stopped up are described (all distances stated being approximate only) and are shown by zebra hatching;
- b. new highways to be constructed are indicated by the use of reference letters in the Schedules, which are given to those new highways on the deposited plan. Where a new highway is to be constructed in connection with the stopping up of a length of highway described in a Schedule, its reference letter is placed opposite to the description of that length and where a new highway is to be a footpath, the word "footpath" appears in brackets beneath the reference letter.

Routes of new highways to be constructed are shown by stipple and the centre line of each new highway is shown by an unbroken black line;

- c. lengths of private means of access to be stopped up are described (all distances stated being approximate only), and are given reference numbers shown on the deposited plan and are shown by solid black bands; and
- d. new means of access to be provided are indicated in the Schedules by the use of reference numbers which are given to those new means of access on the deposited plan, and where a new means of access is to be provided in connection with the stopping up of a length of private means of access described in the Schedules, its reference number is placed opposite to the description of that length. Routes of new private means of access are shown by diagonal hatching.

(2) The deposited plan marks the position of the trunk road in relation to the authorised works.

3. It is hereby declared that the Welsh Ministers are satisfied:-

- (1) as respects each length or area of highway the stopping up of which is authorised by this Order, that another reasonably convenient route is available or will be provided before that length of highway is stopped up, and
- (2) as respects each private means of access to premises the stopping up of which is authorised by this Order, that other reasonably convenient means of access to the relevant premises are available or will be provided before that private means of access is stopped up or that no new access to the relevant premises is reasonably required.

4. Each new highway is to be transferred to Gwynedd Council as indicated in the said Schedules, as from the date on which the Welsh Ministers notify the Council that it has been completed and is open for through traffic.

5. Immediately after the transfer of a new highway for which a classification is shown in the Schedules opposite to the reference letter of that new highway, that highway will be classified accordingly.

6. Where provision is made in this Order:

a. for transferring a new highway to Gwynedd Council or

b. for enabling the Welsh Ministers to alter a highway vested in Gwynedd Council

then there will (subject to the provisions of Section 268(3) of the 1980 Act) be transferred to Gwynedd Council on the date of transfer of the said highway or on completion of the works or alteration, or on the date of acquisition of the land by the Welsh Ministers in connection with the new highway or the alteration of a highway, if later, any property, rights or liabilities (other than loans or loan charges) vested in or incurred by the Welsh Ministers in connection with the new highway or the alteration of a highway as the case may be.

7. Where immediately before a length or area of highway is stopped up in pursuance of this Order there is under, in, on, over, along or across that highway any apparatus of statutory undertakers then, subject to section 21 of the 1980 Act, those undertakers shall continue to have the same rights as respects that apparatus after the stopping up takes place as they had immediately prior thereto.

8. In this Order:

(1) all measurements of distance are measured along the route of the relevant highway or means of access to premises, as the case may be;

(2) (a) 'the deposited plan' ('y plan a adnewwyd') means the plan containing the site plans numbered 1 and 2 contained in the plan folio numbered HA14/1 WAG5 and marked "The Cardiff to Glan Conwy Trunk Road (A470) (Gelligemlyn Improvement Side Roads) Order 2010" signed on behalf of the Welsh Ministers and deposited at the Welsh Assembly Government, Records Service, Cathays Park, Cardiff;

- (b) “the site plan” (‘y plan safle’) means one of the site plans numbered 1 and 2 in the plan folio numbered HA14/1 WAG5 and referred to as “the deposited plan” at paragraph (a ) above of this Article;
- (c) ‘new highway’ (‘priffordd newydd’) means a highway authorised by this Order to be constructed and ‘new highways’ will be construed accordingly;
- (d) ‘the trunk road’ (‘y gefnffordd’) means the Cardiff to Glan Conwy Trunk Road (A470).

9. This Order shall come into force on 16 January 2011 and its title will be ‘The Cardiff to Glan Conwy Trunk Road (A470) (Gelligemlyn Improvement Side Roads) Order 2010’.

Signed on behalf of the Welsh Ministers

Dated 07 December 2010

**J COLLINS**  
Deputy Director  
Infrastructure Delivery  
Welsh Assembly Government

(1) 1980 c.66

(2) 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.

## **HIGHWAYS ACT 1980**

### **THE CARDIFF TO GLAN CONWY TRUNK ROAD (A470) (GELLIGEMLYN IMPROVEMENT SIDE ROADS) ORDER 2010**

**NOTICE IS HEREBY GIVEN** that the Welsh Ministers have made an Order under sections 14, 125 and 268 of the Highways Act 1980 authorising the Welsh Ministers:-

- (a) to stop up highways;
- (b) to construct new highways;
- (c) to stop up private means of access to premises and

- (d) to provide new means of access to premises

all on, or in the vicinity of, the route of the Cardiff to Glan Conwy Trunk Road (A470) at Gelligemlyn in the County of Gwynedd, and providing for the transfer of the new highways to Gwynedd Council as from the date the Welsh Assembly Government notifies the Council that they have been completed and are open for through traffic.

Copies of the Order, relevant plan, Explanatory Statement, the Environmental Statement Non-Technical Summary, Determination Notice and Statement to Inform an Appropriate Assessment and public notice may be inspected free of charge, at all reasonable hours from 16 December 2010 to 27 January 2011 or within 6 weeks from the date of publication of this notice, whichever period expires later, at the following venues:

- TPG3, Transport Housing and Regeneration, Welsh Assembly Government, Cathays Park, Cardiff CF10 3NQ;
- Roads and Projects Division, Transport Housing and Regeneration, Welsh Assembly Government, Sarn Mynach, Llandudno Junction LL31 9RZ;
- Gwynedd Council Offices  
Meirionydd Area Office  
Cae Penarlâg, Dolgellau  
Gwynedd LL40 2YB.

Copies of the Order, the title of which is “The Cardiff to Glan Conwy Trunk Road (A470) (Gelligemlyn Improvement Side Roads) Order 2010” can be obtained from TPG3, Transport Housing and Regeneration, Welsh Assembly Government, Cathays Park, Cardiff CF10 3NQ.

Any person aggrieved by the making of the Order and desiring to question the validity thereof, or of any provision contained therein, on the grounds that it is not within the powers of the Highways Act 1980 or on the grounds that any requirement of that Act or of regulations made thereunder has not been complied with in relation to the Order may, within 6 weeks from the 16 December 2010, or within 6 weeks from the date of publication of this Notice, if such period shall expire later, apply to the High

Court for the suspension or quashing of the Order or of any provision contained therein.

A copy of the Side Roads Order and this Notice can be viewed at [www.wales.gov.uk](http://www.wales.gov.uk) Select (Legislation/Subordinate legislation/Non-Statutory Instruments/Transport, Wales/Highways Act Side Roads and Compulsory Purchase Orders/2010).

**A copy of this Notice in larger print can be obtained from TPG3, Transport Housing and Regeneration, Welsh Assembly Government, Cathays Park, Cardiff CF10 3NQ.**

**M D BURNELL**

Transport Planning and Governance Division 3  
Welsh Assembly Government