

# HIGHWAYS, WALES

2015 No 42

## THE HIGHWAYS ACT 1980

### THE SWANSEA TO MANCHESTER TRUNK ROAD (A483) AND THE NEWTOWN TO ABERYSTWYTH TRUNK ROAD (A489) (NEWTOWN BYPASS SIDE ROADS) ORDER 2015

*Made* 8 December 2015

*Coming into force* 18 December 2015

The Welsh Ministers in exercise of powers conferred by sections 12, 14, 125 and 268 of the Highways Act 1980<sup>(1)</sup> ('the 1980 Act') and of all other enabling powers<sup>(2)</sup> make this Order.

#### **The Authorised Works**

1. The Welsh Ministers are authorised, in relation to the A483 Trunk Road and the A489 Trunk Road at Newtown in the County of Powys:

- a. to carry out the improvement of highways;
- b. to stop up highways or areas of highways;
- c. to construct new highways;
- d. to stop up private means of access to premises, and
- e. to provide new means of access to premises,
- f. to construct temporarily lengths of highway, and
- g. to close lengths of highway temporarily.

2. (1) The works authorised by Article 1 are indicated in the Schedules numbered 1 to 4 to this Order and are shown on the site plans numbered 1 to 4 that are included in the deposited plan that accompanies this Order in the following manner:-

- a. highways to be improved are named in the Schedules and are shown by cross hatching on the deposited plan;
- b. lengths and areas of highways to be stopped up are described in the Schedules (all distances stated being approximate only) and are shown by zebra hatching on the deposited plan;
- c. 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 or an area of highway described in a Schedule, its reference letter is placed opposite to the description of that length or area and, where a new highway is to be a footpath or bridleway, the word 'footpath' or 'bridleway' (as the case may be) 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 on the deposited plan;
- d. lengths of private means of access to be stopped up are described in the Schedules (all distances stated being approximate only), and are given the reference numbers shown on the deposited plan and are shown by solid black bands;
- e. new means of access to be provided are indicated by the use of reference numbers and letters in the Schedules which are given to those new means of access on the deposited plan. 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 that Schedule, its reference number and letter is placed opposite to the description of that length. Routes of new means of access to be provided are shown by diagonal hatching on the deposited plan.

- f. lengths of highway to be provided temporarily are shown by thin chevron hatching and the centre line of the temporary highways is shown by an unbroken black line on the deposited plan and are indicated by the use of reference numbers and letters in the Schedules; and
- g. lengths of highway to be closed temporarily are described (all distances being approximate only) and are shown by bold chevron hatching on the deposited plan.

(2) The deposited plan marks the position of the trunk road and the route of the new trunk road in relation to the authorised works shown on the deposited plan.

(3) Where the area of a highway to be stopped up coincides with the route of an authorised work consisting of a new highway or a new means of access that area is not shown on the deposited plan by zebra hatching.

### **Stopping Up of Highways and Private Means of Access**

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

- (1) as respects each length of highway the stopping up of which is authorised by this Order, that either 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 premises is available or will be provided before that private means of access is stopped up or that no access to the relevant premises is reasonably required.

**Transfer of New Highways (to highway boundary)**

4. Each new highway is to be transferred to the County Council of Powys as indicated in the said Schedules, as from the date when the Welsh Government notifies 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 relevant Schedule 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 the County Council of Powys or
- b. for enabling the Welsh Ministers to alter a highway vested in the County Council of Powys,

then there will (subject to the provisions of section 268(3) of the 1980 Act) be transferred to the County Council of Powys 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.

## **Statutory Undertakers and Providers**

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

## **Interpretation**

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) (i.) 'improvement' (*'gwella'*) in relation to a highway includes raising, lowering or otherwise altering that highway and 'improved' (*'i'w gwella'*) shall be construed accordingly;

(ii.) 'new highway' (*'priffordd newydd'*) means a highway authorised by this Order to be constructed, and 'new highways' shall be construed accordingly;

(iii.) 'principal road' (*'prifffordd'*) as a classification for a new highway, means that the highway is a principal road for the purposes of enactments or instruments which refer to highways classified as principal roads and is also classified for the purpose of every other enactment and instrument which refers to highways classified by the Welsh Ministers;

(iv.) 'the deposited plan' (*'y plan a adnewydd'*) means the plan containing the site plans numbered 1 to 4 contained in the plan folio numbered HA14/1 WG11 and marked 'The Swansea to Manchester Trunk Road (A483) and the Newtown to Aberystwyth Trunk Road (A489) (Newtown Bypass Side Roads) Order 2015' signed on behalf of the Welsh Ministers and deposited (ref:

qA1180058) at the Welsh Government, Information and Records Management Unit, Cathays Park, Cardiff;

(v.) ‘the site plan’ (*‘y plan safle’*) means one of the site plans numbered 1 to 4 contained in the plan folio numbered HA14/1 WG11 and referred to as ‘the deposited plan’ at paragraph (iv.) above of this Article;

(vi.) ‘the trunk road (A483)’ (*‘y gefnffordd (A483)’*) means The Swansea to Manchester Trunk Road (A483) and ‘the trunk road (A489)’ (*‘y gefnffordd (A489)’*) means the Newtown to Aberystwyth Trunk Road (A489);

(vii.) ‘the new trunk road’ (*‘y gefnffordd newydd’*) means the trunk road to be constructed in pursuance of the ‘The Swansea to Manchester Trunk Road (A483) and the Newtown to Aberystwyth Trunk Road (A489) (Newtown Bypass and De-Trunking) Order 2015’;

(viii.) ‘classified road’ (*‘ffordd ddosbarthiadol’*) as a classification for a new highway, means that the highway is not a principal road for the purposes of enactments or instruments which refer to highways classified as principal roads but is a classified road for the purpose of every enactment and instrument which refers to highways classified by the Welsh Ministers and which does not specifically refer to their classification as principal roads;

(ix.) ‘unclassified road’ (*‘ffordd ddiddosbarth’*) means a highway that is not a principal road or a classified road or a footpath or a cycle track or a bridleway or a restricted byway and has no formal classification;

### **Title and Commencement**

9. This Order shall come into force on 20 November 2015 and its title will be ‘The Swansea to Manchester Trunk Road (A483) and the Newtown to Aberystwyth Trunk Road (A489) (Newtown Bypass Side Roads) Order 2015’.

Signed on behalf of the Welsh Ministers

Date 8 December 2015

*R Morgan*

**RICHARD MORGAN**  
Head of Asset Management and Standards  
Welsh 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 exercisable by the Welsh Ministers in relation to Wales.

**THE HIGHWAYS ACT 1980**

**THE SWANSEA TO MANCHESTER TRUNK  
ROAD (A483) AND THE NEWTOWN TO  
ABERYSTWYTH TRUNK ROAD (A489)  
(NEWTOWN BYPASS AND DE-TRUNKING)  
ORDER 2015**

**AND**

**THE SWANSEA TO MANCHESTER TRUNK  
ROAD (A483) AND THE NEWTOWN TO  
ABERYSTWYTH TRUNK ROAD (A489)  
(NEWTOWN BYPASS SIDE ROADS) ORDER  
2015**

**NOTICE IS HEREBY GIVEN** that the Welsh Ministers have made the following Orders:-

1. an Order under sections 10 and 12 of the Highways Act 1980 providing that:-
  - a. a road commencing at a point on the existing A483 Trunk Road approximately 70 metres northwest of the existing Black Hall access centreline connection to the A483 Trunk Road and extending in a generally north easterly direction for a distance of approximately 4.03 kilometres to a point on the existing A483 Trunk Road approximately 756 metres

east of the existing Dyffryn Industrial Estate access centreline connection with the A483 Trunk Road; and

b. a road commencing at a point on the existing A489 Trunk Road approximately 345 metres southwest of its existing junction with the unnamed access road leading to the properties known as Glanrhyd and Glanhafren Hall and extending in a generally easterly direction for a distance of approximately 2.50 kilometres to a point approximately 208 metres northwest of the existing Black Hall access centreline connection with the A483 Trunk Road,

shall be constructed at Newtown in the County of Powys and become trunk roads as from the date when the Order comes into force; and that:-

c. the existing A483 Trunk Road commencing at a point approximately 122 metres northwest of its existing junction with Middle Dolfor Road and extending in a generally north easterly direction for a distance of approximately 3.41 kilometres to a point on the A483 Trunk Road approximately 440 metres east of the Dyffryn Industrial Estate access centreline connection with the A483 Trunk Road;

d. the existing A483 Trunk Road commencing at a point on the A483 Trunk Road approximately 7 metres west of its existing junction with Middle Dolfor Road and extending in a generally north westerly direction for a distance of approximately 0.06 kilometres to a point on the A483 Trunk Road approximately 53 metres northwest of its existing junction with Middle Dolfor Road; and

e. the existing A489 Trunk Road commencing at a point on the A489 Trunk Road approximately 102 metres northeast of its existing junction with the unnamed access road leading to the properties known as Glanrhyd and Glanhafren Hall and extending in a generally north-easterly direction for a distance of approximately 2.42 kilometres to a point at the existing junction formed where the A489 Trunk Road connects with the A483 Trunk Road,

shall cease to be trunk roads and shall become classified roads as from the date on which notice is given by the Welsh Government to Powys County Council (who will become the highway authority for those lengths)

2. an Order under sections 12, 14, 125 and 268 of the Highways Act 1980 which will authorise them:-

a. to carry out the improvement of highways;



- b. to stop up highways or areas of highways;
- c. to construct new highways;
- d. to close lengths of highways temporarily;
- e. to construct lengths of highways temporarily;
- f. to stop up private means of access to premises, and
- g. to provide new means of access to premises.

all on, or in the vicinity of, the route of the above-mentioned new trunk roads, aforesaid; and

providing for the transfer of the new highways to Powys County Council as from the date the Welsh Government notifies the Council that they have been completed and are open for through traffic.

COPIES of the Orders and accompanying plans may be inspected free of charge at all reasonable hours from 18 December 2015 until 29 January 2016, or within 6 weeks from the date of publication of this notice, whichever period expires later, at the following venues:

- Welsh Government Offices, Cathays Park, Cardiff, CF10 3NQ;
- Welsh Government Offices, Ladywell House, Newtown, Powys SY16 1JB;
- Powys County Council, County Hall, Llandrindod Wells, Powys, LD1 5LG;
- Powys County Council, Neuadd Maldwyn, Severn Road, Welshpool, Powys SY21 7AS, and
- Newtown Library, Park Lane, Newtown, Powys SY16 1EJ.

Copies of the Order, the title of which is 'The Swansea to Manchester Trunk Road (A483) and the Newtown to Aberystwyth Trunk Road (A489) (Newtown Bypass and De-Trunking) Order 2015' SI 2015 No. 2016 (W. 305) is published by TSO (The Stationery Office) and can be purchased online from [www.tsoshop.co.uk](http://www.tsoshop.co.uk) or TSO @ Blackwell; [www.tso.co.uk/contact/bookshops/agents/cardiff/](http://www.tso.co.uk/contact/bookshops/agents/cardiff/) and other Accredited Agents.

Copies of the Order, the title of which is 'The Swansea To Manchester Trunk Road (A483) And The Newtown To Aberystwyth Trunk Road (A489) (Newtown Bypass Side Roads) Order 2015' can be obtained from the Welsh Government, Orders Branch,

Transport, Cathays Park, Cardiff CF10 3NQ.

If any person aggrieved by the Line Order or Side Roads Order desires to question the validity of them, or of any of the provisions contained in them, on the ground that:

- a. it is not within the powers of the Highways Act 1980; or
- b. that any requirement of the Act or of regulations made under it has not been complied with,

that person may, within 6 weeks of them becoming operative make an application for the purpose to the High Court.

A copy of the Line Order and Notice can be viewed at <http://wales.gov.uk/?lang=en> (select 'Legislation', 'Subordinate legislation', 'Local Statutory Instruments', 'Highways Act Line Orders', '2015').

A copy of the Side Roads Order and Notice can be viewed at <http://wales.gov.uk/?lang=en> (select 'Legislation', 'Subordinate legislation', 'Non-Statutory Instruments', 'Transport Wales', 'Highways Act Side Roads and Compulsory Purchase Orders', '2015').

**A copy of this Notice in larger print can be obtained from the Orders Branch, Transport, Welsh Government, Cathays Park, Cardiff CF10 3NQ.**

**M D BURNELL**  
Transport  
Welsh Government