



Llywodraeth Cymru
Welsh Government

PUBLICATION

Part 1 claims: A465 section 2 Gilwern to Brynmawr

You can claim from the 21 November 2022 to 21 November 2028 for land depreciation as a result of the altered highway.

First published: 20 January 2022

Last updated: 20 January 2022

Land Compensation Act 1973

A465: section 2 Gilwern to Brynmawr

1. The Welsh Ministers hereby give notice that the length of highway detailed in the Schedule below was opened to public traffic on 21 November 2021. That date is known as the "relevant date".
2. Under Part I of the Land Compensation Act 1973 (as amended) (from now on referred to as the Act), compensation can be claimed by anyone having a qualifying interest in land if the value of that interest has been depreciated by more than £50 by physical factors caused by the use of the altered highway.

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The physical factors are noise, vibration, smell, fumes, smoke and artificial lighting and the discharge on to the land of any solid or liquid substance.

3. The first day on which compensation can be claimed is the day after twelve months have expired from the relevant date and is known as the "first claim day". The first claim day for this altered highway is the 21 November 2022. Except for the circumstance described in paragraph 4 to this notice, a claim cannot be made before the first claim day.

4. A claim can be made during the period between the relevant date and the first claim day only where the claimant has made a contract to sell his/her interest in the property or, in the case of properties that are not dwellings, to grant a tenancy. The claim must be made between the making of the contract and before the sale is completed or the tenancy granted. The Welsh Ministers cannot accept a claim after the sale or grant of a tenancy has been completed. No compensation in respect of such a claim will be paid before the first claim day.

5. By virtue of section 19(2A) of the Act and under the Limitations Act 1980, a claim will become time-barred if within six years from and including the first claim day the claimant has not: a) Agreed in writing an offer of compensation (including any reasonable valuation and legal expenses) made by the Welsh Ministers in writing; or b) If agreement is not so reached, made a reference to the Lands Tribunal to have it determine the compensation. Where a claim has become time-barred under the Limitations Act 1980, the Welsh Ministers can no longer be required to pay compensation.

6. No compensation can be claimed under Part I of the Act where part of the property was acquired for the carrying out of the alterations to the highway. Instead, compensation for land acquired is paid under different rules.

7. To claim compensation under Part I of the Act, a qualifying interest in the land must have been acquired before the alterations were completed and first open to

public traffic. The qualifying interest must also be held by the claimant at the date of making a claim. The claimant must be able to produce evidence of his/her interest in the property when required to do so by the Welsh Ministers. Compensation will not be paid where a claimant's qualifying interest in the property cannot be verified. Interests in land qualifying for compensation are specified in section 2 of the Act.

8. Compensation is assessed by reference to property prices that are current on the first claim day. Account will be taken of the use of the altered highway, as it exists on the first claim day. Account will also be taken of any intensification that may then reasonably be expected of the use of the altered highway in the state it is on the first claim day.

9. Any person entitled to a qualifying interest who considers he/she has a claim under the said provisions may obtain further information and claim forms from, email: part1claims@gov.wales or by writing to the Part 1 Claims and Noise Team, Economic Infrastructure, Welsh Government, Cathays Park, Cardiff CF10 3NQ quoting reference BZ910182B-431-1.

10. This notice contains a summary of the law. It is not intended to be a complete and full statement of it. Anyone intending to make a claim should consider obtaining independent professional advice.

Schedule

8km of the A465 between the Glanbaiden junction at Gilwern and the Brynmawr roundabout has been converted into 2 lanes in each direction. Improving the A465 is critical to the social and economic regeneration of the Heads of the Valleys area.

A copy of this notice in larger print can be obtained by calling The Part 1 Claims and Noise Team on 03000 256475.

Sian Dawes
Compensation and Land Management

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