

**HIGHWAYS, WALES**

**2013 No. 21**

**TOWN AND COUNTRY PLANNING ACT 1990**

**THE STOPPING UP OF HIGHWAYS  
(VARIOUS ROADS, PORTHCAWL  
HARBOURSIDE, BRIDGEND) ORDER 2013**

*Made* 25 July 2013

*Coming into force* 1 August 2013

The Welsh Ministers make this Order in exercise of their powers under section 247 of the Town and Country Planning Act 1990(1).

**Title, Interpretation and Commencement**

**1.** (1) The title of this Order is The Stopping Up of Highways (Various Roads, Porthcawl Harbourside, Bridgend) Order 2013.

(2) In this Order:-

“the Council” (“*y Cyngor*”) means Bridgend County Borough Council;

“the developer” (“*y datblygwr*”) means the person carrying out the development for which the planning permission has been given.

“the deposited plan” (“*y plan a adnewyd*”) means the plan entitled “The Stopping Up Of Highways (Various Roads, Porthcawl Harbourside, Bridgend) Order 2013” which accompanies this Order;

“the 1990 Act” (“*Y Ddeddf 1990*”) means the Town and Country Planning Act 1990.

(3) This Order comes into force on the date on which notice that it has been made is published in accordance with section 252(10) of the 1990 Act.

**Stopping Up**

**2.** Subject to articles 3, 4, 5 and 6, the Welsh Ministers authorise the stopping up of the areas of highway described in Schedule 1 shown by zebra hatching on the deposited plan. The Welsh Ministers are satisfied that the stopping up is necessary to enable development to be carried out in accordance with planning permission granted under Part 3 of the 1990 Act by the Council on 19 October 2012 under reference P/12/605/BCB and described in Schedule 4

to this Order

**New/Improved highway(s)**

3. There shall be created, to the reasonable satisfaction of the Council, the new highways described in Schedule 2 and shown by stipple marking on the deposited plan and the improved highways described in Schedule 3 and shown by cross hatching on the deposited plan, which are highways that, for the purposes of the Highways Act 1980(2) are highways maintainable at the public expense and the Council will be the highway authority for them.

**Provisions Necessary or Expedient before Stopping Up and for the Provision or Improvement of the Highways**

4. The areas of highway in Schedule 1 must not be stopped up until:-

- (a) the developer has provided to the reasonable satisfaction of the Council, plans showing the means whereby the areas of highway are to be stopped up;
- (b) the developer has provided the new and improved highways described in Schedules 2 and 3 to the reasonable satisfaction of the Council;
- (c) the development in Schedule 4 has commenced and the developer has informed the Council in writing of the necessity to close the highways to allow the development to proceed; and
- (d) the Council has confirmed in writing to the developer that paragraphs (a), (b) and (c) are satisfied.

**Statutory Undertakers and Providers**

5. Where immediately before the area of highway is stopped up, there is under, in, on, over, along or across the highway any apparatus of statutory undertakers or public communications providers then, (subject to section 261(4) of the 1990 Act), the undertakers or providers continue to have the same rights in respect of the apparatus as they had before the stopping up.

**Duration of this Order**

6. If the development in Schedule 4 has not begun within the relevant period specified in Part 3 of the 1990 Act as being the duration of the planning

permission, or the permission is revoked before the end of such period, this Order ceases to have effect upon the cessation of the planning permission.

Signed under authority of the Minister for Economy, Science and Transport, one of the Welsh Ministers.

Dated 25 July 2013

*R Morgan*

**RICHARD MORGAN**  
Head of Asset Management and Standards  
Welsh Government

- (1) 1990 c.8. By virtue of S.I.1999/672, article 2 and Schedule 1 and paragraph 30(1) of Schedule 11 to the Government of Wales Act 2006, these powers are now exercisable by the Welsh Ministers in relation to Wales.
- (2) 1980 c.66

## **SCHEDULES**

**(All measurements are approximate)**

### **SCHEDULE 1**

#### **Description of the areas of highway to be stopped up under this Order**

An irregularly shaped area of highway known as the Portway (C254) extending in a northerly direction from its junction with the Eastern Promenade (unclassified). It has a maximum distance of 70 metres, maximum width of 9 metres and a total area of 609 square metres and is indicated by '1' on the deposited plan.

An irregularly shaped area of highway known as the Portway (C254) including part of the Portway Roundabout (A4106) extending in a northerly direction from a point adjacent to the footpath entrance to 'The Square' and the 'Glamorgan Holiday Home'. It has a maximum distance of 318 metres, maximum width of 120 metres and a total area of 14,894 square metres and is indicated by '2' on the deposited plan.

An irregularly shaped area of unnamed highway (C255) extending in an easterly direction from the Portway Roundabout to the Eastern Promenade (unclassified). It has a maximum distance of 143

metres, maximum width of 11 metres and a total area of 1,028 square metres and is indicated by '3' on the deposited plan.

An irregularly shaped area of highway known as Eastern Promenade (unclassified) extending in south westerly direction from a point 20 metres south west of the southern edge of its junction with the 'Sandy Bay Promenade'. It has a maximum distance of 243 metres, maximum width of 7 metres and a total area of 1,198 square metres and is indicated by '4' on the deposited plan.

An irregularly shaped area of highway known as Eastern Promenade (unclassified) extending in a generally north eastern direction from its junction with the Portway (C254). It has a maximum distance of 180 metres, maximum width of 17 metres and a total area of 2,540 square metres and is indicated by '5' on the deposited plan.

## **SCHEDULE 2**

### **Description of the new highways to be provided**

A new length of Eastern Promenade (unclassified) extending in a westerly direction from a point 119 metres north east of the north eastern corner of Porthcawl harbour wall to tie in with The Portway (C254). It has a maximum distance of 108 metres, maximum width of 14 metres and a total area of 1,486 square metres and is indicated by 'A' on the deposited plan.

A new length of highway adjacent to the new roundabout at the junction of Eastern Promenade (unclassified) extending in an easterly direction to form a stub end for future development. It has a maximum distance of 54 metres, maximum width of 42 metres and a total area of 915 square metres and is indicated by 'B' on the deposited plan.

## **SCHEDULE 3**

### **Description of the highways to be improved**

An irregularly shaped area of highway known as the Portway (C254) extending in a north easterly direction from a point adjacent to the footpath entrance to 'The Square' and the 'Glamorgan Holiday Home'. It has a maximum distance of 50 metres, maximum width of 17 metres and a total area of 649 square metres and is indicated by 'AA' on the deposited plan.

An irregularly shaped area of highway known as the Portway Roundabout (A4106) extending in a

southerly direction from a point 28 metres north east of the north east corner of Porthcawl Police Station, to provide a new roundabout junction linking the A4106, Lias Road and the proposed West Link Road. It has a maximum distance of 98 metres, maximum width of 65 metres and a total area of 4,761 square metres and is indicated by 'BB' on the deposited plan.

An irregularly shaped area of unnamed highway (C255) extending in an easterly direction from the south east corner of Porthcawl Police Station Roundabout to the Eastern Promenade (unclassified), to provide a new link road. It has a maximum distance of 172 metres, maximum width of 32 metres and a total area of 2,974 square metres and is indicated by 'CC' on the deposited plan.

An irregularly shaped area of highway known as Eastern Promenade (unclassified) extending in a southerly direction from its junction with the unnamed highway (C255) to the new section of Eastern Promenade (unclassified) indicated by 'A' on the deposited plan, and includes a link from its junction with the unnamed highway (C255) in a northerly direction. It has a maximum distance of 420 metres, maximum width of 20 metres and a total area of 6,703 square metres and is indicated by 'DD' on the deposited plan.

#### **SCHEDULE 4**

##### **The Development**

Porthcawl Harbourside, Porthcawl Waterfront.  
Mixed-use regeneration of Porthcawl Harbourside including provision of new retail/commercial units, residential units, community uses, public realm improvements, leisure building, car parking and associated internal access.

#### **TOWN AND COUNTRY PLANNING ACT 1990**

##### **THE STOPPING UP OF HIGHWAYS (VARIOUS ROADS, PORTHCAWL HARBOURSIDE, BRIDGEND) ORDER 2013**

**NOTICE IS HEREBY GIVEN** that the Welsh Ministers have made an Order under section 247 of the Town and Country Planning Act 1990 to authorise the stopping up of the areas of highway described in Schedule 1 to this Notice, to provide for the new areas of highway as described in Schedule 2 and to improve the areas of highway as described in Schedule 3.

The stopping up is authorised to enable the development described in Schedule 4 to be carried out. The Stopping Up of Highways (Various Roads, Porthcawl Harbourside, Bridgend) Order 2013 (“the Order”), if made, will cease to have effect if planning permission in respect of the development expires or is revoked.

Copies of the Order and the deposited plan may be inspected free of charge during normal office hours at Bridgend County Borough Council, Legal and Regulatory Services, Civic Offices, Angel Street, Bridgend, CF31 4WB or may be obtained free of charge from the address below quoting reference qA1037440.

If a person is aggrieved by the Order, on the grounds that:

- a. it is not within the powers of the Act; or
- b. a procedural requirement of the Act has not been complied with;

that person may, within 6 weeks of 1 August 2013 make an application for the purpose to the High Court.

A copy of the Order and Notice can be viewed at [www.wales.gov.uk](http://www.wales.gov.uk) (select ‘Legislation’, ‘Subordinate legislation’, ‘Non-Statutory Instruments’, ‘Transport Wales’, ‘TCPA Stopping Up Orders’, ‘2013’).

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

*M D Burnell*

**M D BURNELL**  
Transport  
Welsh Government

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