

HIGHWAYS, WALES

2009 No.4

THE HIGHWAYS ACT 1980 and THE ACQUISITION OF LAND ACT 1981

THE WELSH MINISTERS (SWANSEA TO MANCHESTER TRUNK ROAD (A483) FOUR CROSSES IMPROVEMENT) COMPULSORY PURCHASE ORDER 2009

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 and 250 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 3 for the purpose of:

- (a) the construction of the new trunk road from a point on the existing trunk road approximately 181 metres south of the centre of the B4393/A483 junction and extending in a generally northerly direction, finishing at a point approximately 32 metres north of the centre of the access to the property known as ‘The Crest’, in the Community of Llandysilio in the County of Powys, in pursuance of the Line Order;
- (b) the construction and improvement of highways and the provision of new means of access to premises in the said Community and County, in pursuance of the Side Roads Order;
- (c) use by the acquiring authority in connection with such improvement of

highways and the execution of other works mentioned above, and

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

2. Copies of the Line Order and the Side Roads Order and the accompanying maps are deposited along with the map referred to in Article 6.

3. (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 sealed with the common seal of the acquiring authority and marked 'Map referred to in the Welsh Ministers (Swansea to Manchester Trunk Road (A483) Four Crosses Improvement) Compulsory Purchase Order 2009.'

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

4. 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.

5. For the purpose of the provisions of Schedule 2 to the Acquisition of Land Act 1981, as incorporated in the 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.

6. In this Order:

‘the map’ (*y map*) means the map marked ‘The Welsh Ministers (Swansea to Manchester Trunk Road (A483) Four Crosses Improvement) Compulsory Purchase Order 2009’ signed by an official of the acquiring authority, sealed with the common seal of the acquiring authority and deposited at the Welsh Assembly Government, Record Storage And Retrieval Unit (RSRU), Neptune Point, Ocean Way, Cardiff;

‘the trunk road’ means the Swansea to Manchester Trunk Road (A483);

‘the Line Order’ means ‘The Swansea to Manchester Trunk Road (A483) (Four Crosses Improvement) Order 2009’, and

‘the Side Roads Order’ means ‘The Swansea to Manchester Trunk Road (A483) (Four Crosses Improvement Side Roads) Order 2009’.

7. The title of this Order is ‘The Welsh Ministers (Swansea to Manchester Trunk Road (A483) Four Crosses Improvement) Compulsory Purchase Order 2009’.

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

Signed by an official of the Welsh Assembly Government.

Dated 3 January 2009

- (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.

**THE WELSH MINISTERS (SWANSEA TO
MANCHESTER TRUNK ROAD (A483)
FOUR CROSSES IMPROVEMENT)
COMPULSORY PURCHASE ORDER
2009**

**COMPULSORY PURCHASE OF LAND
AND NEW RIGHTS AT FOUR CROSSES,
POWYS.**

NOTICE IS HEREBY GIVEN that the Welsh Ministers have on the 3 January 2009 made ‘The Welsh Ministers (Swansea to Manchester Trunk Road (A483) Four Crosses Improvement) Compulsory Purchase Order 2009’, under sections 239, 240, 246 and 250 of the Highways Act 1980 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. The Order will authorise the Welsh Ministers to purchase compulsorily the land and new rights described below for the purpose of:-

- (a) the construction of the new trunk road from a point on the existing trunk road approximately 181

metres south of the centre of the B4393/A483 junction to a point approximately 32 metres north of the centre of the access to the property known as 'The Crest' in the Community of Llandysilio in the County of Powys, in pursuance of the related Line Order;

- (b) the construction and improvement of highways and the provision of new means of access to premises in the said Community and County, in pursuance of the related Side Roads Order;
- (c) use by the Welsh Ministers in connection with such improvement of highways and the execution of other works mentioned above, and
- (d) the mitigation of any adverse effects which the existence or use of certain of the highways proposed to be improved will have on the surroundings thereof.

A copy of the Order as made and of the accompanying map may be seen at all reasonable hours from 16 January 2009 to 27 February 2009 at the offices of Powys County Council, Mid Wales Trunk Road Agency, Autopalace, Fiveways, Llandrindod Wells, Powys LD1 5HU, Welshpool Library, Brook Street, Welshpool, Powys SY21 7PH, the Post Office, Spar Shop, Four Crosses, Powys and the Welsh Assembly Government, Transport and Strategic Regeneration, Transport Planning and Governance Division 3, Cathays Park, Cardiff CF10 3NQ.

The Order as made comes into force on the date on which this Notice is first published but a person aggrieved by the Order may, by application to the High Court within 6 weeks

from the operative date, question its validity on the grounds –

- a. that the authorisation granted by the Order is not empowered to be granted, or
- b. that his/her interests have been substantially prejudiced by failure to comply with any statutory requirement relating to the Order.

A copy of the Order and public notice can be viewed at www.wales.gov.uk/index.htm (Select ‘Welsh Assembly Government’, ‘Legislation’, ‘Subordinate Legislation’, ‘Non-Statutory Instruments’, ‘Transport, Wales’, ‘Compulsory Purchase Orders’, ‘2009’).

A copy of this Notice in larger print can be obtained from the Welsh Assembly Government, Transport and Strategic Regeneration, Transport Planning and Governance Division 3, Cathays Park, Cardiff CF10 3NQ.

DESCRIPTION OF THE LAND AND THE NEW RIGHTS

NOTE

- a. the land comprised in each item below is identified on the map referred to in the Order by means of the number or numbers against that item below.
- b. references to ownership are references to ownership or reputed ownership at the time of preparation of the Order and are stated only for the purpose of identification of the land.

In the Community of Llandysilio:-

Part of the A483 Trunk Road and part of the pastureland west of the A483 Trunk Road; Part of the pastureland to the west of the A483 Trunk Road; Part of the A483 trunk road, part of the B4393 Canal Road and part of the pastureland to the west of the A483 Trunk Road; Part of the pastureland to the south of the

B4393 Canal Road; all in the ownership of Mr J R Wingfield (Plots 1, 1a, 1b, 1c, 1d and 1e).

Part of the pastureland to the east of the A483 Trunk Road, all in the ownership of Mr C M Pryce & Mrs E Pryce (Plots 2, 2a, 2b and 2c).

Part of the A483 Trunk Road, B4393 and war memorial grounds, in the ownership of Llandysilio Community Council (Plot 3).

Part of the B4393 in the ownership of Mr M Riley (Plot 4).

Part of the pastureland north of the B4393; Part of the A483 Trunk Road, south of the B4393 Canal Road; Part of the A483 Trunk Road, north of U2228 Parsons Lane; all in the ownership of the Welsh Ministers (Plots 5, 5a and 5b).

Part of the B4393 and part of the access road to Cath-Y-Mar and Homeleigh, in the ownership of Mr R B Bayliss & Mrs M J Bayliss (Plot 6).

Part of the B4393 and part of the access road to Cath-Y-Mar and Homeleigh, in the ownership of Mr C Roberts & Mrs J Roberts (Plot 7).

Part of the B4393, in the ownership of Mr S W Jary (Plot 8).

Part of the B4393, in the ownership of Mr S W Godspell & Miss S M Brooks (Plot 9).

Part of the B4393, in the ownership of Mr P Hendry & Mrs S Hendry (Plot 10).

Part of the B4393, in the ownership of Mr R F Lightfoot & Mrs J Lightfoot (Plot 11).

Part of the B4393, in the ownership of Mr G Breeze & and Mrs C Breeze (Plot 12).

Part of the B4393, in the ownership of Mr G F Cliffe & Mrs J H Cliffe (Plot 13).

Part of the B4393, in the ownership of Mrs S M Jay (Plot 14).

Part of the B4393, in the ownership of Mrs B Jones (Plot 15).

Part of scrub land to the rear of Cath y Mar, all in the ownership of Holtite Limited (Plots 16, 16a and 16b).

Part of the pastureland lying to the west of the A483 Trunk Road; the right to enter to construct and maintain highway earthworks and drainage over pastureland lying to the west of the A483 Trunk Road; the right to enter to construct and maintain the new highway and badger fence over pastureland to the west of the A483 Trunk Road; all in the ownership of Mr M W Jones (Plots 17, 17a, 17b, 17c, 17d, 17e, 17f and 17g).

Part of the pastureland lying to the west of the A483 Trunk Road; the right to enter to construct and maintain the new highway earthworks and drainage over pastureland to the west of the A483 Trunk Road; the right to enter to construct and maintain highway earthworks and drainage over pastureland to the west of the A483 Trunk Road; all in the ownership of Mr W S Turner & Miss O Turner (Plots 18, 18a, 18b, 18c, 18d, 18e, 18f, 18g, 18h, 18j, 18k and 18m).

Part of the pastureland lying to the west of the A483 Trunk Road; the right to enter to construct and maintain highway earthworks and drainage over pastureland to the west of the A483 Trunk Road; all in the ownership of Mr D M Foulkes (Plots 19, 19b, 19c, 19d, 19e, 19f, 19g, 19h and 19j).

Part of the pastureland lying to the west of the A483 Trunk Road; the right to enter to construct and maintain highway earthworks and drainage over pastureland to the west of the A483 Trunk Road; all in the ownership of Mr R G Jones & Mrs I V Jones (Plots 20, 20a, 20b, 20c and 20d).

Part of the U2228 Parsons Lane, pastureland and farm holding lying to the west of the A483 Trunk Road; part of the pastureland and farm holding lying to the west of the A483 Trunk

Road; part of pastureland to south of the U2228 Parsons Lane; part of the pastureland lying to the west of the A483 Trunk Road; part of the U2228 Parsons Lane; the right to enter to construct and maintain highway earthworks and drainage over pastureland to the west of the A483 Trunk Road; the right to enter to construct and maintain new highway earthworks and drainage over pastureland and farm holding lying to the west of the A483 Trunk Road; all in the ownership of Powys County Council (Plots 21, 21a, 21b, 21c, 21d, 21e, 21f, 21g, 21h and 21j).

Part of the A483 Trunk Road and pastureland lying to the west of the A483 Trunk Road; part of U2229 Church Lane and pastureland lying to the west of the A483 Trunk Road; Part of the pastureland lying north of U2228 Parsons lane and to the west of the A483 Trunk Road; the right to enter to construct and maintain highway earthworks and drainage over pastureland to the west of the A483 Trunk Road; all in the ownership of Mr G Doulby (Plots 22, 22a, 22c, 22d, 22e, 22f, 22g, 22h, 22j, 22k, 22m and 22n).

Part of the A483 Trunk Road and part of the pastureland lying to the east of the A483 Trunk Road; part of the pastureland lying to the west of the A483 Trunk Road; the right to enter to construct and maintain highway earthworks and drainage over pastureland to the east of the A483 Trunk Road; the right to enter to construct and maintain flood compensation and highway drainage over pastureland to the east of the A483 Trunk Road; all in the ownership of Mr P Davies & Mrs C E Davies (Plots 23, 23a, 23b, 23c and 23d).

Part of the U2229 Church Lane; the right to enter to construct and maintain the new highway earthworks and drainage over pastureland to the west of the A483 Trunk Road; all in the ownership of Mr D Cooper & Mrs A Cooper (Plots 24, 24a and 24b).

Part of the A483 Trunk Road and part of the pastureland lying to the east of the A483 Trunk Road; the right to enter to construct and maintain highway earthworks and drainage over

pastureland to the east of the A483 Trunk Road;
all in the ownership of Mr M Pugh & Mrs R
Pugh (Plots 25 and 25a).

M D BURNELL
TRANSPORT PLANNING AND
GOVERNANCE DIVISION
WELSH ASSEMBLY GOVERNMENT