

HIGHWAYS, WALES

2012 No.8

THE HIGHWAYS ACT 1980

**THE CARDIFF TO GLAN CONWY
TRUNK ROAD (A470) (MAES YR
HELMAU TO CROSS FOXES
IMPROVEMENT SIDE ROADS) ORDER
2012**

Made 23 January 2012

Coming into force 2 February 2012

The Welsh Ministers in exercise of powers conferred by sections 12, 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 between Maes yr Helmau and Cross Foxes in the County of Gwynedd:

- 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.

2. 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 to 2 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. 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 shown by solid black bands;
 - e. new means of access to be provided are indicated by the use of reference numbers in the Schedules 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 that schedule, its reference number 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.

3. 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.

4. 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.

5. 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.

6. Each new highway is to be transferred to the Gwynedd Council 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.

7. 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.

8. Where provision is made in this Order:-

- a. for transferring a new highway to the Gwynedd Council
- or
- b. for enabling the Welsh Ministers to alter a highway vested in the Gwynedd Council,

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

9. 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.

10. In this Order:-

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

(i). “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;

(ii). “unclassified road” (*“ffordd ddiddosbarth”*) means a highway that is not a classified road or a footpath or a cycle track or a bridleway and has no formal classification;

(iii). “the trunk road” (*“y gefnffordd”*) means the Cardiff to Glan Conwy Trunk Road (A470);

(iv). “the new trunk road” (*“y gefnffordd newydd”*) means the trunk road to be

constructed in pursuance of ‘The Cardiff to Glan Conwy Trunk Road (A470) (Maes yr Helmau to Cross Foxes Improvement and De-Trunking) Order 2012’;

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

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

(vii). “the deposited plan” (“*y plan a adnewydd*”) means the plan contained in the plan folio numbered HA14/1 WAG6 and marked “The Cardiff to Glan Conwy Trunk Road (A470) (Maes yr Helmau to Cross Foxes Improvement Side Roads) Order 2012” signed on behalf of the Welsh Ministers;

(viii). “the site plan” (“*y plan safle*”) means one of the site plans numbered 1 to 2 contained in the plan folio numbered HA14/1 WAG6 and referred to as the “the deposited plan” at paragraph (vii) above of this Article, and

(ix). “restricted byway” (“*cilffordd gyfyngedig*”) means a highway over which the public have a right of way on foot, on horseback, or leading a horse, cycling and for any vehicles other than mechanically propelled vehicles.

11. This Order comes into force on 2 February 2012 and its title is The Cardiff to Glan Conwy Trunk Road (A470) (Maes yr Helmau to Cross Foxes Improvement Side Roads) Order 2012.

Signed on behalf of the Welsh Ministers

Date 23 January 2012

G R Morgan

GARETH MORGAN
Head of Infrastructure Specialist Services
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 CARDIFF TO GLAN CONWY TRUNK
ROAD (A470) (MAES YR HELMAU TO CROSS
FOXES IMPROVEMENT AND DE-TRUNKING)
ORDER 2012**

AND

**THE CARDIFF TO GLAN CONWY TRUNK
ROAD (A470) (MAES YR HELMAU TO CROSS
FOXES IMPROVEMENT SIDE ROADS) ORDER
2012**

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 approximately 0.64 kilometres in length commencing at a point on the existing trunk road approximately 130 metres south east of the southern corner of the property known as 'The Lodge' and extending in a generally south easterly direction to a point on the existing trunk road approximately 397 metres south of the south western corner of the property known as 'R Efail'; and

b. a road approximately 0.35 kilometres in length commencing at a point on the existing trunk road approximately 643 metres north of the northern corner of the property known as 'Rhiwspardyn' and extending in a generally southerly direction to a point on the existing trunk road approximately 353 metres

north west of the north western corner of the property known as ‘Rhiwspardyn’,

shall be constructed between Maes yr Helmau and Cross Foxes in the County of Gwynedd and become trunk roads as from the date when the Order comes into force; and

that that length of the Cardiff to Glan Conwy Trunk Road (A470) between Dolgellau and Dinas Mawddwy in the County of Gwynedd, commencing at a point on the existing trunk road approximately 67 metres west of the south western corner of the property known as ‘‘R Efail’ and extending in a generally south easterly direction for a distance of approximately 0.13 kilometres to a point on the existing trunk road approximately 14 metres south of its junction with the B4416 road to Brithdir, shall cease to be a trunk road and shall become a classified road as from the date on which notice is given by the Welsh Government to Gwynedd Council (who will become the highway authority for that length).

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 stop up private means of access to premises, and
- e. to provide new means of access to premises.

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

providing for the transfer of the new highways to Gwynedd 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 2 February 2012 until 15 March 2012 or within 6 weeks from the date of publication of this notice, whichever period expires later, at the following venues:

- Gwynedd Council, Meirionnydd Area Office, Cae Penarlâg, Dolgellau, Gwynedd LL40 2YB;
- The Welsh Government, Roads and Projects Division, Sarn Mynach, Llandudno Junction, Conwy LL31 9RZ, and
- The Welsh Government, Orders Branch, Transport, Cathays Park, Cardiff CF10 3NQ.

Copies of the Order, the title of which is ‘The Cardiff to Glan Conwy Trunk Road (A470) (Maes yr Helmau to Cross Foxes Improvement and De-Trunking) Order 2012’ SI 2012 No. 157 (W.21) is published by TSO (The Stationery Office) and can be purchased online from www.tsoshop.co.uk or TSO @ Blackwell; www.tso.co.uk/contact/bookshops/agents/cardiff/ and other Accredited Agents.

Copies of the Order, the title of which is ‘The Cardiff to Glan Conwy Trunk Road (A470) (Maes yr Helmau to Cross Foxes Improvement Side Roads) Order 2012’ can be obtained from the Welsh Government, Orders Branch, Transport, Cathays Park, Cardiff CF10 3NQ.

Any person aggrieved by the making of either of the Orders 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 Orders may, within 6 weeks from the 2 February 2012, 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 Orders or of any provision contained therein.

A copy of the draft 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’, ‘2012’).

A copy of the draft 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’, ‘2012’).

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

M D Burnell

M D BURNELL
Transport
Welsh Government