

PRIFFYRDD, CYMRU

2019 Rhif //.

DEDDF PRIFFYRDD 1980 a
DEDDF CAFFAEL TIR 1981

GORCHYMYN PRYNU GORFODOL
GWEINIDOGION CYMRU (CEFNFFORDD
CASTELL-NEDD I'R FENNI (YR A465)
(DEUOLI O'R FENNI I HIRWAUN A'R
FFYRDD YMUNO AC YMADAEL) A
CHEFNFFORDD MAN I'R DWYRAIN O
ABERCYNON I FAN I'R DWYRAIN O
DDOWLAIS (YR A4060) A CHEFNFFORDD
CAERDYDD I LANSANFFRAID GLAN
CONWY (YR A470) (FFYRDD CYSYLLTU)
(DOWLAIS TOP I HIRWAUN)) 2019

Gwnaed 17 Ebrill 2019

Yn dod i rym 30 Ebrill 2019

Mae Gweinidogion Cymru (a elwir yn y Gorchymyn hwn "yr awdurdod caffael") yn gwneud y Gorchymyn a ganlyn.

1. Yn ddarostyngedig i ddarpariaethau'r Gorchymyn hwn, mae'r awdurdod caffael, o dan adrannau 239, 240, 246, 250 a 260 o Ddeddf Priffyrdd 1980(1) ac o dan adran 2 o Ddeddf Caffael Tir 1981(2) a pharagraff 1(1)(b), (3) a (4) o Ran 1 o Atodlen 2 iddi, a phob pŵer galluogi arall(3), drwy hyn wedi ei awdurdodi i brynu'n orfodol y tir a'r hawliau newydd dros dir a ddisgrifir ym mharagraff 2 at ddiben:

- (a) adeiladu'r gefnffordd newydd, ffyrdd ymuno ac ymadael a ffyrdd cysylltu rhwng Dowlais Top a Hirwaun yng Nghymunedau Hirwaun, y Rhigos, Pen-y-waun, Gorllewin Aberdâr a Llwytgoed ym Mwrdeistref Sirol Rhondda Cynon Taf a Chymunedau Cyfarthfa, y Faenor, y Gurnos, Penydarren a Dowlais ym Mwrdeistref Sirol Merthyr Tudful ac yng Nghymuned Twyncarno ym Mwrdeistref Sirol Caerffili, yn unol â'r Gorchymyn Cefnffordd;
- (b) adeiladu a gwella priffyrdd a darparu mynedfeydd newydd rhwng Dowlais Top a Hirwaun yn y Cymunedau a enwyd, yn y Bwrdeistrefi Sirol a enwyd, yn unol â'r Gorchymyn Ffyrdd Ymyl;

(1) 1980 p. 66

(2) 1981 p. 67

(3) Yn rhinwedd O.S.1999/672, erthygl 2 ac Atodlen 1 a pharagraff 30 o Atodlen 11 i Ddeddf Llywodraeth Cymru 2006, mae'r pwerau hyn bellach yn arferadwy gan Weinidogion Cymru o ran Cymru.

HIGHWAYS, WALES

2019 No //.

THE HIGHWAYS ACT 1980 and
THE ACQUISITION OF LAND ACT 1981

THE WELSH MINISTERS (THE NEATH
TO ABERGAVENNY TRUNK ROAD (A465)
(ABERGAVENNY TO HIRWAUN
DUALLING AND SLIP ROADS) AND EAST
OF ABERCYNON TO EAST OF DOWLAIS
TRUNK ROAD (A4060) AND CARDIFF TO
GLAN CONWY TRUNK ROAD (A470)
(CONNECTING ROADS), (DOWLAIS TOP
TO HIRWAUN)) COMPULSORY
PURCHASE ORDER 2019

Made 17 April 2019

Coming into force 30 April 2019

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, 250 and 260 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 2 for the purpose of:

- (a) the construction of the new trunk road, slip roads and connecting roads between Dowlais Top and Hirwaun in the Communities of Hirwaun, Rhigos, Pen-y-Waun, Aberdare West and Llwydcoed in the County Borough of Rhondda Cynon Taf and the Communities of Cyfarthfa, Vaynor, Gurnos, Penydarren and Dowlais in the County Borough of Merthyr Tydfil and in the Community of Twyn Carno in the County Borough of Caerphilly, in pursuance of the Trunk Road Order;
- (b) the construction and improvement of highways and the provision of new means of access between Dowlais Top and Hirwaun in the said Communities in the said County Boroughs, in pursuance of the Side Roads Order;

(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 exercisable by the Welsh Ministers in relation to Wales.

- (c) gwella'r cefnffyrdd, yn y Cymunedau a enwyd ac yn y Bwrdeistrefi Sirol a enwyd;
- (d) gwneud gwaith ar gyrsiau dŵr mewn cysylltiad ag adeiladu'r cefnffyrdd newydd ac adeiladu a gwella priffyrdd eraill a gwneud y gwaith arall a grybwyllir uchod;
- (e) eu defnyddio gan Weinidogion Cymru mewn cysylltiad â'r cyfryw waith gwella priffyrdd ac â gwneud y gwaith arall a grybwyllir uchod; a
- (f) lliniaru unrhyw effeithiau andwyol ar eu hamgylchoedd, a achosir gan fodolaeth unrhyw rai o'r priffyrdd y cynigir eu gwella, neu gan y defnydd ohonynt.

Mae copïau o'r Gorchymyn Cefnffordd a'r Gorchymyn Ffyrdd Ymyl a'r planiau cysylltiedig wedi eu hadneuo ynghyd â'r map y cyfeirir ato ym mharagraff 6.

2. (1) Y tir yr awdurdodir ei brynu'n orfodol o dan y Gorchymyn hwn yw'r tir a ddisgrifir yn yr Atodlenni cysylltiedig ac a amlinellir ac a ddangosir â lliw pinc ac ymyl coch a lliw gwyrdd ac ymyl coch ar y map a luniwyd ar ffurf ddyblyg ac a farciwyd "Gorchymyn Prynu Gorfodol Gweinidogion Cymru (Cefnffordd Castell-nedd i'r Fenni (yr A465) (Deuoli o'r Fenni i Hirwaun a'r Ffyrdd Ymuno ac Ymadael) a Chefnffordd Man i'r Dwyrain o Abercynon i Fan i'r Dwyrain o Dowlais (yr A4060) a Chefnffordd Caerdydd i Lansanffraid Glan Conwy (yr A470) (Ffyrdd Cysylltu) (Dowlais Top i Hirwaun)) 2019".

(2) Disgrifir yr hawliau newydd sydd i'w prynu'n orfodol o dan y Gorchymyn hwn yn Atodlen 1, a dangosir y tir â lliw glas ac ymyl coch ar y map a enwyd.

3. Ymgorfforir drwy hyn Rannau II a III o Atodlen 2 i Ddeddf Caffael Tir 1981 yn y Gorchymyn hwn yn ddarostyngedig i'r addasiadau canlynol, sef bod rhaid dehongli cyfeiriadau at "the undertaking" yn y Rhannau hynny o'r Atodlen honno fel cyfeiriadau at y tir yr awdurdodir ei brynu ac at unrhyw adeiladau neu waith a adeiladwyd neu sydd i'w adeiladu arno.

4. At ddiben y darpariaethau yn Atodlen 2 i Ddeddf Caffael Tir 1981, y'u hymgorfforir yn y Gorchymyn hwn, y pellter a ragnodir mewn perthynas ag unrhyw wythïen o fwynau sy'n gorwedd o dan y tir sy'n cyffinio â'r gwaith a adeiledir ar y tir a ddisgrifir yn yr Atodlenni i'r Gorchymyn hwn, fydd y pellter ochrol o'r gwaith hwnnw ar bob ochr i'r gwaith

- (c) the improvement of the trunk roads, in the said Communities in the said County Boroughs;
- (d) the execution of works on watercourses in connection with the construction of the new trunk roads and the construction and improvement of other highways and the execution of other works mentioned above;
- (e) use by the Welsh Ministers in connection with such improvement of highways and the execution of other works mentioned above; and
- (f) 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.

Copies of the Trunk Road Order and the Side Roads Order and the accompanying plans are deposited along with the map referred to in paragraph 6.

2. (1) The land authorised to be purchased compulsorily under this Order is the land described in the accompanying Schedules and delineated and shown coloured pink edged red and coloured green edged red on the map prepared in duplicate and marked "The Welsh Ministers (The Neath to Abergavenny Trunk Road (A465) (Abergavenny to Hirwaun Dualling and Slip Roads) and East of Abercynon to East of Dowlais Trunk Road (A4060) and Cardiff to Glan Conwy Trunk Road (A470) (Connecting Roads) (Dowlais Top to Hirwaun) (Compulsory Purchase)) Order 2019".

(2) The new rights to be purchased compulsorily under this Order are described in Schedule 1 and the land is shown coloured blue edged red on the said map.

3. 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.

4. For the purpose of the provisions of Schedule 2 to the Acquisition of Land Act 1981, incorporated in this 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 Schedules to this Order shall be such a lateral distance

hwnnw ag sy'n gymesur, ar bob pwynt ar hyd y gwaith hwnnw, â hanner dyfnder yr wythïen o dan wyneb naturiol y ddaear ar y pwynt hwnnw, neu 37 metr, pa un bynnag fo'r mwyaf.

5. (1) (a) Yn y paragraff hwn, ystyr "tir y Gorchymyn" ("the Order land") yw'r tir sy'n dwyn y rhifau 11/1c, 9/1g, 9/1s, 9/1t, 9/4c, 9/4e, 9/4f, 9/4g, 9/4q, 9/4s, 9/4t, 9/4u, 9/4v, 9/4w a 9/4x yn Atodlen 1 ac ystyr "y tir cyfnewid" ("exchange land") yw'r tir cyfnewid yn Atodlen 2.

(b) Ar gyfer plot o dir cyfnewid, dangosir ei blot cyfatebol o dir y gorchymyn at ddibenion y paragraff hwn yng ngholofn olaf Tabl 2 yn Atodlen 2.

(2) O ran pob plot o dir y gorchymyn a'r plot cyfatebol i'r tir cyfnewid, o'r diweddaraf o'r dyddiadau a grybwyllir yn is-baragraff (3) o'r paragraff hwn ymlaen, bydd y plot cyfatebol o'r tir cyfnewid wedi ei freinio yn y personau yr oedd y plot hwnnw o dir y gorchymyn wedi ei freinio ynddynt yn union cyn ei freinio yn yr awdurdod caffael, yn ddarostyngedig i'r hawliau, yr ymddiriedolaethau a'r nodweddion cyffelyb a oedd ynghlwm wrth y plot hwnnw o dir y gorchymyn; ac ar hynny, bydd y plot hwnnw o dir y gorchymyn yn rhydd rhag pob hawl, ymddiriedolaeth a nodwedd yr oedd yn ddarostyngedig iddynt cyn hynny.

(3) Y dyddiadau y cyfeirir atynt yn is-baragraff (2) o'r paragraff hwn yw'r dyddiad-

- (i) y daw'r Gorchymyn hwn yn weithredol;
- (ii) y breinir y plot o dir y gorchymyn yn yr awdurdod caffael;
- (iii) y breinir y plot cyfatebol o'r tir cyfnewid yn yr awdurdod caffael.

6. Yn y Gorchymyn hwn:

ystyr "y gefnffordd" ("the trunk road") yw Cefnffordd Castell-nedd i'r Fenni (yr A465);

ystyr "y Gorchymyn Cefnffordd" ("the Trunk Road Order") yw "Gorchymyn Cefnffordd Castell-nedd - Y Fenni (A465) (Deuoli o'r Fenni i Hirwaun a'r Ffyrdd Ymuno ac Ymadael) a Ffordd Man i'r Dwyrain o Abercynon - Man i'r Dwyrain o Ddowlais (A4060), Cefnffordd Caerdydd - Glanconwy (A470) (Ffyrdd Cysylltu) 1999 fel y'i diwygiwyd gan Orchymyn Gorchymyn Cefnffordd Castell-nedd - Y Fenni (A465) (Deuoli o'r Fenni i Hirwaun a'r Ffyrdd Ymuno ac Ymadael) a Ffordd Man i'r Dwyrain o Abercynon - Man i'r Dwyrain o Ddowlais (A4060), Cefnffordd Caerdydd - Glanconwy (A470) (Ffyrdd Cysylltu) 1999 (Dowlais Top i Hirwaun) (Diwygio) 2019";

ystyr "y Gorchymyn Ffyrdd Ymyl" ("the Side Roads

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.

5. (1) (a) In this paragraph, "the Order land" ("tir y Gorchymyn") means the land numbered 11/1c, 9/1g, 9/1s, 9/1t, 9/4c, 9/4e, 9/4f, 9/4g, 9/4q, 9/4s, 9/4t, 9/4u, 9/4v, 9/4w and 9/4x in Schedule 1 and the "exchange land" ("y tir cyfnewid") means the exchange land in Schedule 2.

(b) For a plot of exchange land, its corresponding plot of the order land for the purposes of this paragraph is indicated in the last column of Table 2 in Schedule 2.

(2) In relation to each plot of the order land and the corresponding plot of the exchange land, as from the latest of the dates mentioned in sub-paragraph (3) of this paragraph, the corresponding plot of the exchange land will vest in the persons in whom that plot of the order land was vested immediately before it was vested in the acquiring authority, subject to the like rights, trusts and incidents as attached to that plot of the order land; and that plot of the order land will thereupon be discharged from all rights, trusts and incidents to which it was previously subject.

(3) the dates referred to in sub-paragraph (2) of this paragraph are the date on which-

- (i) this Order becomes operative;
- (ii) the plot of the order land is vested in the acquiring authority;
- (iii) the corresponding plot of the exchange land is vested in the acquiring authority.

6. In this Order:

"the map" ("y map") means the map marked "The Welsh Ministers (The Neath to Abergavenny Trunk Road (A465) (Abergavenny to Hirwaun Dualling and Slip Roads) and East of Abercynon to East of Dowlais Trunk Road (A4060) and Cardiff to Glan Conwy Trunk Road (A470) (Connecting Roads) (Dowlais Top to Hirwaun)) Compulsory Purchase Order 2019". signed by an official of the acquiring authority;

"the trunk road" ("y gefnffordd") means The Neath to Abergavenny Trunk Road (A465);

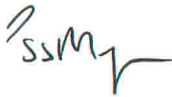
"the Trunk Road Order" ("y Gorchymyn Cefnffordd") means "The Neath to Abergavenny Trunk Road (A465) (Abergavenny to Hirwaun Dualling and Slip Roads) and East of Abercynon to East of Dowlais Trunk Road (A4060), Cardiff to Glan Conwy Trunk Road (A470) (Connecting Roads) Order 1999 as

Order) yw “Gorchymyn Cefnffordd Castell-nedd i’r Fenni (yr A465) (Deuoli o’r Fenni i Hirwaun a’r Ffyrdd Ymuno ac Ymadael) a Chefnffordd Man i’r Dwyrain o Abercynon i Fan i’r Dwyrain o Ddowlais (yr A4060) a Chefnffordd Caerdydd i Lansanffraid Glan Conwy (yr A470) (Ffyrdd Cysylltu) (Dowlais Top i Hirwaun) (Ffyrdd Ymyl) 2019”;

ystyr “y map” (“*the map*”) yw’r map a farciwyd “Gorchymyn Prynu Gorfodol Gweinidogion Cymru (Cefnffordd Castell-nedd i’r Fenni (yr A465) (Deuoli o’r Fenni i Hirwaun a’r Ffyrdd Ymuno ac Ymadael) a Chefnffordd Man i’r Dwyrain o Abercynon i Fan i’r Dwyrain o Ddowlais (yr A4060) a Chefnffordd Caerdydd i Lansanffraid Glan Conwy (yr A470) (Ffyrdd Cysylltu) (Dowlais Top i Hirwaun)) 2019” a llofnodwyd gan un o swyddogion yr awdurdod caffael.

7. Enw’r Gorchymyn hwn yw Gorchymyn Prynu Gorfodol Gweinidogion Cymru (Cefnffordd Castell-nedd i’r Fenni (yr A465) (Deuoli o’r Fenni i Hirwaun a’r Ffyrdd Ymuno ac Ymadael) a Chefnffordd Man i’r Dwyrain o Abercynon i Fan i’r Dwyrain o Ddowlais (yr A4060) a Chefnffordd Caerdydd i Lansanffraid Glan Conwy (yr A470) (Ffyrdd Cysylltu), (Dowlais Top i Hirwaun)) 2019.

Llofnodwyd o dan awdurdod Gweinidog yr Economi a Thrafnidiaeth, un o Weinidogion Cymru.



Richard Morgan
Pennaeth Cynllunio, Rheoli Asedau a Safonau
Llywodraeth Cymru

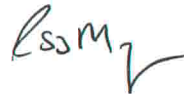
Dyddiedig 17 Ebrill 2019

amended by The Neath to Abergavenny Trunk Road (A465) (Abergavenny to Hirwaun Dualling and Slip Roads) and East of Abercynon to East of Dowlais Trunk Road (A4060), Cardiff to Glan Conwy Trunk Road (A470) (Connecting Roads) Order 1999, (Dowlais Top to Hirwaun) (Amendment) Order 2019”;

“the Side Roads Order” (“*y Gorchymyn Ffyrdd Ymyl*”) means “The Neath to Abergavenny Trunk Road (A465) (Abergavenny to Hirwaun Dualling and Slip Roads) and East of Abercynon to East of Dowlais Trunk Road (A4060), Cardiff to Glan Conwy Trunk Road (A470) (Connecting Roads), (Dowlais Top to Hirwaun) (Side Roads) Order 2019”.

7. The title of this Order is The Welsh Ministers (The Neath to Abergavenny Trunk Road (A465) (Abergavenny to Hirwaun Dualling and Slip Roads) and East of Abercynon to East of Dowlais Trunk Road (A4060), Cardiff to Glan Conwy Trunk Road (A470) (Connecting Roads), (Dowlais Top to Hirwaun)) Compulsory Purchase Order 2019.

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



Richard Morgan
Head of Planning, Asset Management and Standards
Welsh Government

Dated 17 April 2019