

HIGHWAYS, WALES

200- No.

THE HIGHWAYS ACT 1980

**THE CARDIFF TO GLAN CONWY TRUNK
ROAD (A470) (PENLOYN TO TAN LAN
IMPROVEMENT, SIDE ROADS) ORDER 200-**

Made 200-

Coming into force 200-

The Welsh Ministers make this Order in exercise of powers conferred by sections 14, 125 and 268 of the Highways Act 1980(1) ('the 1980 Act') and of all other enabling powers (2) :

1. The Welsh Ministers are authorised, in relation to the trunk road north of Llanrwst from Penloyn to Tan Lan in the County Borough of Conwy:-

- a. to carry out the improvement of highways;
- b. to stop up 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. (1) The works authorised by Article 1 are indicated in the Schedule to this Order and are shown on the deposited plan that accompanies this Order in the following manner:-

- a. highways to be improved are shown by cross hatching;
- b. lengths and areas of highway to be stopped up are described (all distances stated being approximate only) and are shown by zebra hatching;

(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 transferred to the Welsh Ministers in relation to Wales

- c. new highways to be constructed are indicated by the use of reference letters in the Schedule, 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 the 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;
- d. lengths of private means of access to be stopped up are described (all distances stated being approximate only), and are given reference numbers shown on the deposited plan and are shown by solid black bands; and
- e. new means of access to be provided are indicated in the Schedule by the use of reference numbers 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 the Schedule, its reference number is placed opposite to the description of that length. Routes of new private means of access are shown by diagonal hatching.

(2) The deposited plan marks the position of the trunk road and the route of the new trunk road in relation to the authorised works.

(3) 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 or the route of a new trunk road that area is not shown on the deposited plan by zebra hatching.

3. It is hereby declared that the Welsh Ministers are satisfied:-

- (1) as respects each length or area of highway the stopping up of which is authorised by this Order, that 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 the relevant premises are available or will be provided before that private means of access is stopped up or that no new access to the relevant premises is reasonably required.

4. Each new highway is to be transferred to the County Borough Council of Conwy as indicated in the said Schedule, as from the date on which the Welsh Assembly Government notifies the Council that it has been completed and is open for through traffic.

5. Immediately after the transfer of a new highway for which a classification is shown in the Schedule opposite to the reference letter of that new highway, that highway will be classified accordingly.

6. Where provision is made in this Order:

a. for transferring a new highway to the County Borough Council of Conwy or

b. for enabling the Welsh Ministers to alter a highway vested in the County Borough Council of Conwy

then there will (subject to the provisions of Section 268(3) of the 1980 Act) be transferred to the County Borough Council of Conwy 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.

7. Where immediately before a length or area of highway is stopped up in pursuance of this Order there is under, in, on, over, along or across that highway any apparatus of statutory undertakers then, subject to section 21 of the 1980 Act, those undertakers shall continue to have the same rights as respects that apparatus after the stopping up takes place as they had immediately prior thereto.

8. In this Order:

(1) all measurements of distance are measured along the route of the

relevant highway or means of access to premises, as the case may be;

- (2) (i) ‘unclassified road’ (‘ffordd ddi-ddosbarth’) means a highway that is not a classified road or a footpath or a cycle track and has no formal classification;
- (ii) ‘the deposited plan’ (‘y plan a adnewyd’) means the plan contained in the plan folio numbered HA14/1 NAFW34 and marked ‘The Cardiff To Glan Conwy Trunk Road (A470) (Penloyn To Tan Lan Improvement, Side Roads) Order 200-’ signed on behalf of the Welsh Ministers and deposited at the Welsh Assembly Government, Record Storage and Retrieval Unit (RSRU), Neptune Point, Ocean Way, Cardiff;
- (iii) ‘improvement’ (‘gwella’) in relation to a highway, includes raising, lowering or otherwise altering that highway, and ‘improved’ will be construed accordingly;
- (iv) ‘new highway’ (‘priffordd newydd’) means a highway authorised by this Order to be constructed and ‘new highways’ will be construed accordingly;
- (v) ‘the trunk road’ (‘y gefnffordd’) means the Cardiff to Glan Conwy Trunk Road (A470)
- (vi) ‘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) (Penloyn to Tan Lan Improvement) Order 200-

9. This Order shall come into force on 200- and its title will be 'The Cardiff To Glan Conwy Trunk Road (A470) (Penloyn To Tan Lan Improvement, Side Roads) Order 200-'.

Signed on behalf of the Welsh Ministers

Dated 200-

S C SHOULER

Director, Transport Planning and Administration
Welsh Assembly Government