

ACQUISITION OF LAND, HIGHWAYS, WALES

200- No.

**THE WELSH MINISTERS
(THE CARDIFF TO GLAN CONWY TRUNK
ROAD (A470) - PENLOYN TO TAN LAN
IMPROVEMENT) COMPULSORY PURCHASE
ORDER 200-**

**THE HIGHWAYS ACT 1980 and
THE ACQUISITION OF LAND ACT 1981**

Made 200-

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 north of Llanrwst between Penloyn and Tan Lan in the Communities of Llanrwst and Llanddoged and Maenan in the County Borough of Conwy in pursuance of the Cardiff to Glan Conwy Trunk Road (A470) (Penloyn to Tan Lan Improvement) Order 200-;
- (b) the construction and improvement of highways and the provision of new means of access to premises in the Community of Llanddoged and Maenan and the County Borough of Conwy in pursuance of the Cardiff to Glan Conwy Trunk Road (A470) (Penloyn to Tan Lan Improvement, Side Roads) Order 200-;
- (c) the execution of works on watercourses in connection with the construction of the new trunk road and the construction and

(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.

improvement of other highways and the execution of other works mentioned above;

- (d) use by the Welsh Ministers in connection with such improvement of highways and the execution of other works mentioned above; and
- (e) the mitigation of any adverse effects which the existence or use of certain of the highways proposed to be constructed or improved will have on the surroundings thereof.

2. (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 and sealed with the common seal of the acquiring authority and marked 'Map referred to in The Welsh Ministers (The Cardiff to Glan Conwy Trunk Road (A470) - Penloyn to Tan Lan Improvement) Compulsory Purchase Order 200-'.

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

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

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 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 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 (The Cardiff to Glan Conwy Trunk Road (A470) - Penloyn to Tan Lan Improvement) Compulsory Purchase Order 200-’ 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’ (‘y gefnffordd’) means the Cardiff to Glan Conwy Trunk Road (A470);

‘the Trunk Road Order’ (‘y Gorchymyn Cefnffordd’) means ‘The Cardiff to Glan Conwy Trunk Road (A470) (Penloyn to Tan Lan Improvement) Order 200-’;

‘the Side Roads Order’ (‘y Gorchymyn Ffyrdd Ymyl’) means ‘The Cardiff to Glan Conwy Trunk Road (A470) (Penloyn to Tan Lan Improvement, Side Roads) Order 200-’.

7. The title of this Order is ‘The Welsh Ministers (The Cardiff to Glan Conwy Trunk Road (A470) - Penloyn to Tan Lan Improvement) Compulsory Purchase Order 200-’.

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

Signed by an official of the Welsh Assembly Government on behalf of the Welsh Ministers.

Dated

200-

**THE WELSH MINISTERS (THE CARDIFF TO
GLAN CONWY TRUNK ROAD (A470) -
PENLOYN TO TAN LAN IMPROVEMENT)
COMPULSORY PURCHASE ORDER 200-**

**COMPULSORY PURCHASE OF LAND AND
NEW RIGHTS BETWEEN PENLOYN AND TAN
LAN NORTH OF LLANRWST.**

NOTICE IS HEREBY GIVEN that the Welsh Ministers have prepared in draft ‘The Welsh Ministers (The Cardiff to Glan Conwy Trunk Road (A470) - Penloyn to Tan Lan Improvement) Compulsory Purchase Order 200-’ under sections 239, 240, 246, 250 and 260 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 Welsh Ministers are about to make this Order and if made the Order will authorise the Welsh Ministers to purchase compulsorily the land and new rights described below for the purpose of: -

- (f) the construction of the new trunk road north of Llanrwst between Penloyn and Tan Lan in the Communities of Llanrwst and Llanddaged and Maenan in the County Borough of Conwy in pursuance of the Cardiff to Glan Conwy Trunk Road (A470) (Penloyn to Tan Lan Improvement) Order 200-;
- (g) the construction and improvement of highways and the provision of new means of access to premises in the Community of Llanddaged and Maenan and the County Borough of Conwy in pursuance of the Cardiff to Glan Conwy Trunk Road (A470) (Penloyn to Tan Lan Improvement, Side Roads) Order 200-;
- (h) the execution of works on watercourses in connection with the construction of the new trunk road and the construction and improvement of other highways and the execution of other works mentioned above;
- (i) use by the Welsh Ministers in connection with such improvement of highways and the execution of other works mentioned above; and
- (j) the mitigation of any adverse effects which the existence or use of certain of the highways proposed to be constructed or

improved will have on the surroundings thereof.

A copy of the draft Order and the accompanying map may be seen at all reasonable hours from 5 July 2007 to 26 July 2007 at the following venues:

- Orders Branch, Transport Planning and Administration Division, Transport Wales, Welsh Assembly Government, Cathays Park, Cardiff;
- Transport Wales, Welsh Assembly Government, Government Buildings, Dinerth Road, Colwyn Bay; and
- Llanrwst Library, Plas yn Dre, Station Road, Llanrwst.

Any objection to the draft Order must be made in writing to the Orders Branch, Transport Planning and Administration Division, Transport Wales, Welsh Assembly Government, Cathays Park, Cardiff CF10 3NQ before 26 July 2007 and should state the title of the Order, the reference BZ 780030-312-1, the grounds of objection and the objector's address and interests in the land. In the preparation of an objection and the statement of the ground of objection it should be borne in mind that the substance of any objection or representation may be communicated to other people who may be affected by it.

A copy of the draft Order and public notice can be viewed at www.wales.gov.uk/index.htm (select 'Welsh Assembly Government, Legislation, Draft Legislation, Draft Non-Statutory Instruments, Highways Act Compulsory Purchase Orders').

A copy of this Notice in larger print can be obtained from the Orders Branch, Transport Planning and Administration Division, Transport Wales, Welsh Assembly Government, 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 draft 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 draft Order and are stated only for the purpose of identification of the land.

In the Community of Llanrwst

Pastureland and sheep pen west of the Trunk Road (A470) and south of the property known as Plas Madoc Lodge; half-width of the Trunk Road (A470) south of the property known as Plas Madoc Lodge; all in the ownership of Mrs. E. Owen (Plots 1, 2 and 2a).

Part of railway embankment slope and culvert west of the Trunk Road (A470) and south of the property known as Plas Madoc Lodge; all in the ownership of Network Rail (Plot 3).

In the Community of Llanddoged and Maenan

Part of the half-width of the Trunk Road (A470) and adjacent scrubland west of the Trunk Road (A470) and south of the property known as Plas Madoc Lodge; all in the ownership of Mrs. E. Owen (Plot 2b).

Part of railway embankment slope, culverts and beds and banks of unnamed streams west of the Trunk Road (A470) and between the properties known as Plas Madoc Lodge and Tan Lan Crossing; all in the ownership of Network Rail (Plot 3a).

Part of the garden of the property known as Plas Madoc Lodge and part of the half-width of the Trunk Road (A470); part of Plas Madoc Historic Park and Garden east of the Trunk Road (A470) and part of the half width of the Trunk Road (A470) north of the property known as Plas Madoc Lodge; half-width of the Trunk Road (A470) alongside the Plas Madoc Historic Park and Garden and south of the Environment Agency Depot; all in the ownership of Dr. P. Higson (Plots 4, 4a, 5 and 6).

Part of the half-width of the Trunk Road (A470), woodland and bed and banks of the unnamed stream west of the Trunk Road (A470) and north of the property known as Plas Madoc Lodge; all in unknown ownership (Plot 7).

Part of the half-width of the Trunk Road (A470), woodland, pastureland and bed and banks of the unnamed stream west of the Trunk Road (A470) and south of the property known as Tan Lan Crossing; all in the ownership of Mrs. L. M. Jones and Mr. G. L. Williams (Plots 8, 8a, 9, 9a and 9b).

Pastureland west of the Trunk Road (A470) and south of the property known as Tan Lan Crossing;

wasteland, surfaced area and the half-width of the unadopted highway and co-existent public footpath leading to Tan Lan Level Crossing, south-west of the junction between the unadopted highway leading to Tan Lan Level Crossing and the Trunk Road (A470); all in the ownership of Dwr Cymru (Plots 10, 12, 12a and 12b).

Part of the detached garden of the property known as 2 Tan Lan Cottages between the existing Trunk Road (A470) and the Blaenau Ffestiniog to Llandudno Junction Railway Line and south of the property known as Tan Lan Crossing; all in the ownership of Mr. A. and Mrs. L. Williams (Plots 11 and 11a).

Garage access south of the unadopted highway leading to Tan Lan Level Crossing; half-width of the unadopted highway and co-existent public footpath leading to Tan Lan Level Crossing and part of the detached garden of the property known as 3 Tan Lan Cottages, south of the unadopted highway leading to Tan Lan Level Crossing; all in the ownership of Mr. J. A. and Mrs. A. Taylor (Plots 13 and 13a).

Part of the half-width of the unadopted highway and co-existent public footpath leading to Tan Lan Level Crossing together with the access from the unadopted highway leading to Tan Lan Level Crossing to the field to the north of the property known as Tan Lan Crossing; part of the car park north of the unadopted highway leading to Tan Lan Level Crossing; all in the ownership of Plas Madoc Fishing Association (Plots 14, 14a and 14b).

All interests in part of the half-width of the unadopted highway and co-existent public footpath leading to Tan Lan Level Crossing together with land used as an animal holding pen north-west of the junction between the unadopted highway leading to Tan Lan Level Crossing and the Trunk Road (A470) except those owned by the Welsh Ministers; all in the ownership of the Welsh Ministers (Plots 15 and 15a).

Pastureland west of the Trunk Road (A470) and north of the property known as Tan Lan Crossing; the right to enter upon pastureland west of the Trunk Road (A470) and north of the property known as Tan Lan Crossing for all known purposes connected with the construction and maintenance of an embankment and the maintenance of an adjacent drainage ditch; the right to enter upon pastureland west of the Trunk Road (A470) and north of the property known as Tan Lan Crossing for all known purposes connected with the construction and maintenance of 135 linear metres of open drainage ditch; all in the ownership of Mr. T. T. and Mrs M. O. Williams (Plots 16, 16a, 16b, 16c, 16d, 16e, 16f, 16g, 16h and 17).

Arable land, pastureland, woodland, and part of the unadopted highway leading to Tyn Ddol Level Crossing, the corrugated steel shed and part of the half-width of the bank and bed of the unnamed stream between the Trunk Road (A470) and the Blaenau Ffestiniog to Llandudno Junction Railway Line, west of the property known as Tyn Ddol; unadopted highway leading to Tyn Ddol Level Crossing, together with part of adjacent woodland and arable land; the right to enter upon arable land and pastureland between the Trunk Road (A470) and the Blaenau Ffestiniog to Llandudno Junction Railway Line, south west of the property known as Tyn Ddol for all known purposes connected with the construction and maintenance of an embankment; the right to enter upon arable land, pastureland, woodland and part of the unadopted highway leading to Tyn Ddol Level Crossing between the Trunk Road (A470) and the Blaenau Ffestiniog to Llandudno Junction Railway Line, west of the property known as Tyn Ddol for all known purposes connected with the construction and maintenance of an embankment and the maintenance of an adjacent drainage ditch; the right to enter upon arable land, pastureland, the unadopted highway leading to Tyn Ddol Level Crossing and the half width of the bank and bed of an unnamed stream between the Trunk Road (A470) and the Blaenau Ffestiniog to Llandudno Junction Railway Line, west of the property known as Tyn Ddol for all known purposes connected with the construction and maintenance of a culvert and 400 linear metres of open drainage ditch and for the connection of the new ditch to the existing unnamed stream; the right to enter upon arable land and pastureland to the north of the unadopted highway leading to Tyn Ddol Level Crossing for all known purposes connected with the construction and maintenance of an embankment; the right to enter upon arable land and pastureland between the Trunk Road (A470) and the Blaenau Ffestiniog to Llandudno Junction Railway Line, north-west of the property known as Tyn Ddol for all known purposes connected with the construction and maintenance of an embankment and an otter-proof fence; the right to enter upon arable land, pastureland and the half-width of a bank and bed of an unnamed stream between the Trunk Road (A470) and the Blaenau Ffestiniog to Llandudno Junction Railway Line, north-west of the property known as Tyn Ddol for all known purposes connected with the construction and maintenance of an embankment, culvert and otter-proof fence; all in the ownership of Mrs G. W. Evans and Mr I Evans (Plots 18, 18a, 18b, 18c, 18d, 18e, 18f, 18g, 18h and 18i).

Pastureland and the half-width of the bed and bank of the unnamed stream west of the Trunk Road (A470), north of the property known as Tyn Ddol; pastureland

west of the Trunk Road (A470) and north of the property known as Tyn Ddol; the right to enter upon pastureland and the half-width of a bank and bed of an unnamed stream west the Trunk Road (A470) and north of the property known as Tyn Ddol for all known purposes connected with the construction and maintenance of an embankment, culvert and otter-proof fence and the maintenance of an adjacent drainage ditch; the right to enter upon pastureland and the half-width of the bank and bed of an unnamed stream west of the Trunk Road (A470) and north of the property known as Tyn Ddol for all known purposes connected with the construction and maintenance of 85 linear metres of open drainage ditch and the connection of the ditch to the unnamed stream; the right to enter upon pastureland west of the Trunk Road (A470) and north of the property known as Tyn Ddol for all known purposes connected with the construction and maintenance of an embankment; the right to enter upon pastureland west of the Trunk Road (A470) and north of the property known as Tyn Ddol for all known purposes connected with the construction and maintenance of an embankment and a shallow ditch; all in the ownership of Mr. G. Jones (Plots 19, 19a, 19b, 19c, 19d, 19e, 19f, 19g, 19h, 19i and 19j).

**M D BURNELL
TRANSPORT PLANNING
AND ADMINISTRATION DIVISION
WELSH ASSEMBLY GOVERNMENT**

**THE WELSH MINISTERS (THE CARDIFF TO
GLAN CONWY TRUNK ROAD (A470) -
PENLOYN TO TAN LAN IMPROVEMENT)
COMPULSORY PURCHASE ORDER 200-**

**THE HIGHWAYS ACT 1980 and
THE ACQUISITION OF LAND ACT 1981**

**TO: THE OWNERS OR REPUTED OWNERS,
LESSEES OR REPUTED LESSEES, TENANTS
OR REPUTED TENANTS, OCCUPIERS AND
OTHER QUALIFYING INTERESTS**

OF: THE LAND DESCRIBED BELOW.

1. The Welsh Ministers have prepared in draft 'The Welsh Ministers (The Cardiff to Glan Conwy Trunk Road (A470) - Penloyn to Tan Lan Improvement) Compulsory Purchase Order 200-', under sections 239, 240, 250 and 260 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. They are about to make this Order and if made the Order will authorise the Welsh Ministers to purchase compulsorily the land and new rights described below for the purpose of: -

- (k) the construction of the new trunk road north of Llanrwst between Penloyn and Tan Lan in the Communities of Llanrwst and Llanddoged and Maenan in the County Borough of Conwy in pursuance of the Cardiff to Glan Conwy Trunk Road (A470) (Penloyn to Tan Lan Improvement) Order 200-;
- (l) the construction and improvement of highways and the provision of new means of access to premises in the Community of Llanddoged and Maenan and the County Borough of Conwy in pursuance of the Cardiff to Glan Conwy Trunk Road (A470) (Penloyn to Tan Lan Improvement, Side Roads) Order 200-;
- (m) the execution of works on watercourses in connection with the construction of the new trunk road and the construction and improvement of other highways and the execution of other works mentioned above;
- (n) use by the Welsh Ministers in connection with such improvement of highways and the execution of other works mentioned above; and
- (o) the mitigation of any adverse effects which the existence or use of certain of the highways proposed to be constructed or improved will have on the surroundings thereof.

2. A copy of the draft Order and accompanying map have been deposited and may be seen at all reasonable hours from 5 July 2007 to 26 July 2007 at the following venues:

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- Transport Wales, Welsh Assembly Government, Government Buildings, Dinerth Road, Colwyn Bay; and
- Llanrwst Library, Plas yn Dre, Station Road, Llanrwst.

3. If no relevant objection (as defined in paragraph 4(6) of Schedule 1 to the Acquisition of Land Act 1981) is made, or if all objections so made are withdrawn, or if the Welsh Ministers are satisfied that every objection so made relates to matters of compensation which can be dealt with by the Lands Tribunal, the Welsh Ministers may make the Compulsory Purchase Order with or without modifications.

4. In any other case where a relevant objection has been made which has not been withdrawn or disregarded the Welsh Ministers are required, before making the Order, either to

- (i) cause a Public Local Inquiry to be held;
- (ii) afford to the objector an opportunity of appearing before and being heard by a person appointed by the Welsh Ministers for the purpose; or
- (iii) with the consent of the objector, follow a written representations procedure.

5. The Welsh Ministers may then, after considering the objection and the report of the person who held the Inquiry or hearing or considered the written representations, make the Order with or without modifications.

6. Any objection to the draft Order must be made in writing and addressed to the Orders Branch, Transport Planning and Administration Division, Transport Wales, Welsh Assembly Government, Cathays Park, Cardiff CF10 3NQ before 26 July 2007 and should state the title of the Order, the reference BZ 780030-312-1, the grounds of objection and the objector's address and interests in the land. In the preparation of an objection and the statement of the grounds of objection it should be borne in mind that the substance of any objection or representation may be communicated to other people who may be affected by it.

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8. A copy of this Notice in larger print can be obtained from the Orders Branch, Transport Planning and Administration Division, Transport Wales, Welsh Assembly Government, Cathays Park, Cardiff CF10 3NQ.

DESCRIPTION OF THE LAND

NOTE

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

In the Community of Llanddoged and Maenan

Part of the half-width of the Trunk Road (A470), woodland and bed and banks of the unnamed stream west of the Trunk Road (A470) and north of the property known as Plas Madoc Lodge; all in unknown ownership (Plot 7).

Dated 2 July 2007

**M D BURNELL
TRANSPORT PLANNING AND
ADMINISTRATION DIVISION
WELSH ASSEMBLY GOVERNMENT**