

**PRIFFYRDD, CYMRU**

**2016 RHIF 28**

**DEDDF CYNLLUNIO GWLAD A THREF 1990**

**GORCHYMYN CAU PRIFFYRDD (CILFAN YN  
LÔN CAE GWILYM, CEFN MAWR,  
WRECSAM) 2016**

*Gwnaed* 2 Medi 2016

*Yn dod i rym* 9 Medi 2016

Mae Gweinidogion Cymru yn gwneud y Gorchymyn hwn drwy arfer eu pwerau o dan adran 247 o Ddeddf Cynllunio Gwlad a Thref 1990(1).

**Enwi, Dehongli a Chychwyn**

1. (1) Enw'r Gorchymyn hwn yw Gorchymyn Cau Priffyrdd (Cilfan yn Lôn Cae Gwilym, Cefn Mawr, Wrecsam) 2016.

(2) Yn y Gorchymyn hwn:-

ystyr "y Cyngor" ("*the Council*") yw Cyngor Bwrdeistref Sirol Wrecsam;

ystyr "y datblygwr" ("*the developer*") yw'r person sy'n gwneud y datblygiad y mae'r caniatâd cynllunio wedi ei roi ar ei gyfer;

ystyr "Deddf 1990" ("*the 1990 Act*") yw Deddf Cynllunio Gwlad a Thref 1990; ac

ystyr "y plan a adnewyd" ("*the deposited plan*") yw'r plan sy'n dwyn yr enw "Gorchymyn Priffyrdd (Cilfan yn Lôn Cae Gwilym, Cefn Mawr, Wrecsam) 2016" sy'n dod gyda'r Gorchymyn hwn.

(3) Daw'r Gorchymyn hwn i rym ar y dyddiad y cyhoeddir yr hysbysiad ei fod wedi ei wneud yn unol ag adran 252(10) o Ddeddf 1990.

**Cau Priffordd**

2. Yn ddarostyngedig i erthyglau 3, 4 5 a 6 mae Gweinidogion Cymru yn awdurdodi cau'r darn o briffordd a ddisgrifir yn Atodlen 1 ac a ddangosir â llinellau sebra ar y plan a adnewyd. Mae Gweinidogion Cymru wedi eu bodloni bod angen cau'r briffordd er mwyn gwneud y datblygiad yn unol â'r caniatâd cynllunio a roddwyd o dan Ran III o Ddeddf 1990 gan y Cyngor ar 21 Medi 2015 o dan y cyfeirnod CEF P/2015/0331 ac a ddisgrifir yn Atodlen 3 i'r Gorchymyn hwn.

**HIGHWAYS, WALES**

**2016 NO. 28**

**TOWN AND COUNTRY PLANNING ACT 1990**

**THE STOPPING UP OF HIGHWAYS (LAYBY  
AT CAE GWILYM LANE, CEFN MAWR,  
WREXHAM) ORDER 2016**

*Made* 2 September 2016

*Coming into Force* 9 September 2016

The Welsh Ministers make this Order in exercise of their powers under section 247 of the Town and Country Planning Act 1990(1).

**Title, Interpretation and Commencement**

1. (1) The title of this Order is The Stopping Up of Highways (Layby at Cae Gwilym Lane, Cefn Mawr, Wrexham) Order 2016.

(2) In this Order:-

"the Council" ("*y Cyngor*") means Wrexham County Borough Council

"the developer" ("*y datblygwr*") means the person carrying out the development for which the planning permission has been given;

"the deposited plan" ("*y plan a adnewyd*") means the plan entitled "The Stopping Up of Highways (Layby at Cae Gwilym Lane, Cefn Mawr, Wrexham) Order 2016" which accompanies this Order; and

"the 1990 Act" ("*Deddf 1990*") means the Town and Country Planning Act 1990.

(3) This Order comes into force on the date on which notice that it has been made is published in accordance with section 252(10) of the 1990 Act.

**Stopping Up**

2. Subject to articles 3, 4, 5 and 6 the Welsh Ministers authorise the stopping up of the length of highway described in Schedule 1 and shown by zebra hatching on the deposited plan. The Welsh Ministers are satisfied that the stopping up is necessary to enable development to be carried out in accordance with planning permissions granted under Part III of the 1990 Act by the Council on 21 September 2015 under reference number CEF P/2015/0331 and described in Schedule 3 to this Order.

### **Priffordd y Gwneir Gwelliannau Iddi**

3. Rhaid creu, er boddhad rhesymol y Cyngor, y darn o briffordd y gwneir gwelliannau iddi a ddisgrifir yn Atodlen 2 i'r Gorchymyn hwn, ac a ddangosir â chroeslinellau ar y plan a adnewwyd, a bydd y briffordd hon, at ddibenion Deddf Priffyrdd 1980(2), i'w chynnal ar draul y pwrw cyhoeddus.

### **Y Darpariaethau sy'n Angenrheidiol neu'n Hwylus cyn Cau Priffordd**

4. Ni chaniateir cau'r darn o briffordd yn Atodlen 1:-

(a) hyd nes y bydd y datblygwr wedi darparu, er boddhad rhesymol y Cyngor, y darn newydd o briffordd y gwneir gwelliannau iddi a ddisgrifir yn Atodlen 2;

(b) hyd nes y bydd y datblygwr wedi darparu, er boddhad rhesymol y Cyngor, blaniau sy'n dangos sut y mae'r darn o'r briffordd i'w gau;

(c) hyd nes y bydd y datblygiad yn Atodlen 3 wedi ei ddechrau a bod y datblygwr wedi hysbysu'r Cyngor yn ysgrifenedig ei bod yn angenrheidiol cau'r briffordd i alluogi'r datblygiad i fynd rhagddo; a

(d) hyd nes y bydd y Cyngor wedi ysgrifennu at y datblygwr i gadarnhau bod paragraffau (a), (b) ac (c) wedi eu bodloni.

### **Ymgymerydd Statudol a Darparwyr**

5. Pan fo gan ymgymerydd statudol neu ddarparwyr system gyfathrebu gyhoeddus unrhyw gyfarpar o dan y briffordd, ynddi, arni, drosti, ar ei hyd neu ar ei thraws yn union cyn cau'r darn o briffordd yna (yn ddarostyngedig i adran 261(4) o Ddeddf 1990), bydd gan yr ymgymerydd neu'r darparwyr yr un hawliau mewn cysylltiad â'r cyfarpar ag a oedd ganddynt cyn cau'r briffordd.

### **Cyfnod Para'r Gorchymyn hwn**

6. Os na fydd y datblygiad a ddisgrifir yn Atodlen 3 wedi ei ddechrau yn y cyfnod perthnasol a bennir yn Rhan III o Ddeddf 1990 fel cyfnod para'r caniatâd cynllunio, neu os caiff y caniatâd ei ddirymu cyn diwedd y cyfnod hwnnw, bydd y Gorchymyn hwn yn peidio â chael effaith pan ddaw'r caniatâd cynllunio i ben

### **Improved Highway**

3. There must be created, to the reasonable satisfaction of the Council, the improved length of highway described in Schedule 2 to this Order and shown by cross hatching on the deposited plan which is for the purposes of the Highways Act 1980(2) a highway maintainable at the public expense.

### **Provisions Necessary or Expedient before Stopping Up**

4. The length of highway in Schedule 1 must not be stopped up until:-

(a) the developer has provided, to the reasonable satisfaction of the Council, the length of improved highway described in Schedule 2;

(b) the developer has provided, to the reasonable satisfaction of the Council, plans showing how the length of highway is to be stopped up;

(c) the development in Schedule 3 has commenced and the developer has informed the Council in writing of the necessity to close the highway to allow the development to proceed; and

(d) the Council has confirmed in writing to the developer that paragraphs (a), (b) and (c) are satisfied.

### **Statutory Undertakers and Providers**

5. Where immediately before the length of highway is stopped up, there is under, in, on, over, along or across the highway any apparatus of statutory undertakers or public communications providers then (subject to section 261(4) of the 1990 Act) the undertakers or providers continue to have the same rights in respect of the apparatus as they had before the stopping up.

### **Duration of this Order**

6. If the development described in Schedule 3 has not begun within the relevant period specified in Part III of the 1990 Act as being the duration of the planning permission, or the permission is revoked before the end of such period, this Order ceases to have effect upon the cessation of the planning permission

Llofnodwyd o dan awdurdod Ysgrifennydd y Cabinet dros yr Economi a'r Seilwaith, un o Weinidogion Cymru.

Dyddiedig: 2 Medi 2016

*Nina Ley*

Pennaeth yr Uned Fusnes, Rheoli'r Rhwydwaith  
Llywodraeth Cymru

- (1) 1990 p. 8. Yn rhinwedd erthygl 2 o O.S. 1999/672, ac Atodlen 1 iddo, trosglwyddwyd swyddogaethau'r Ysgrifennydd Gwladol, i'r graddau yr oeddent yn arferadwy o ran Cymru, i Gynulliad Cenedlaethol Cymru ac maent yn arferadwy bellach gan Weinidogion Cymru yn rhinwedd adran 162 o Ddeddf Llywodraeth Cymru 2006 a pharagraff 30(2) o Atodlen 11 iddi.
- (2) 1980 p.66

## YR ATODLENNI

### ATODLEN 1

(Bras amcan yw pob mesuriad)

#### Disgrifiad o'r rhan o'r briffordd sydd i'w chau o dan y Gorchymyn hwn

Darn petryalog ei siâp o briffordd, sy'n rhan o'r gilfan a'r droetffordd rhwng 59-69 Lôn Cae Gwilym, Cefn Mawr, Wrecsam sy'n 29.4 o fetrau yn y man hiraf ac yn 3.4 metr o led yn y man lletaf ac y rhoddir y cyfeirnod 'A' iddo ar y plan a adnewwyd.

### ATODLEN 2

(Bras amcan yw pob mesuriad)

#### Disgrifiad o'r rhan o briffordd y gwneir gwelliannau iddi o dan y Gorchymyn hwn

Darn afreolaidd ei siâp o briffordd, sy'n rhan o'r gilfan a'r droetffordd rhwng yr eiddo a adnabyddir fel rhifau rhwng 59-69 Lôn Cae Gwilym, Cefn Mawr, Wrecsam, sy'n 34.1 o fetrau yn y man hiraf a thua 2.5 metr o led ac y rhoddir y cyfeirnod 'B' iddo ar y plan a adnewwyd.

### ATODLEN 3

#### Y Datblygiad

Darparu 6 thy newydd gyda lleoedd parcio cysylltiedig a mynediad yn Lôn Cae Gwilym, Cefn Mawr, Wrecsam.

Signed under authority of the Cabinet Secretary for Economy and Infrastructure, one of the Welsh Ministers.

Dated: 2 September 2016

*Nina Ley*

Head of Business Unit, Network Management  
Welsh Government

- (1) 1990 c. 8. By virtue of S.I. 1999/672, article 2 and Schedule 1, the functions of the Secretary of State, so far as exercisable in relation to Wales, were transferred to the National Assembly for Wales and are now exercisable by the Welsh Ministers by virtue of section 162 of and paragraph 30(2) of Schedule 11 to the Government of Wales Act 2006.
- (2) 1980 c.66

## SCHEDULES

### SCHEDULE 1

(All measurements are approximate)

#### Description of the area of highway to be stopped up under this Order

A rectangular shaped length of highway being part of the layby and footway between 59-69 Cae Gwilym Lane, Cefn Mawr, Wrexham with a maximum length of 29.4 metres and a maximum width of 3.4 metres and given the reference 'A' on the deposited plan.

### SCHEDULE 2

(All measurements are approximate)

#### Description of the area of highway to be improved under this Order

An irregular shaped length of highway being part of the layby and footway between the properties known as numbers 59-69 Cae Gwilym Lane, Cefn Mawr, Wrexham with a maximum length of 34.1 metres and an approximate width of 2.5 metres and given the reference 'B' on the deposited plan.

### SCHEDULE 3

#### The Development

Provision of 6 new houses with associated parking and access at Cae Gwilym Lane, Cefn Mawr, Wrexham.

## DEDDF CYNLLUNIO GWLAD A THREF 1990

### GORCHYMYN CAU PRIFFYRDD (CILFAN YN LÔN CAE GWILYM, CEFN MAWR, WRECSAM 2016

Mae Gweinidogion Cymru wedi gwneud Gorchymyn o dan adran 247 o Ddeddf Cynllunio Gwlad a Thref 1990 ("y Ddeddf") i awdurdodi cau'r darn o briffordd a ddisgrifir yn Atodlen 1 i'r Hysbysiad hwn er mwyn gwneud y datblygiad a ddisgrifir yn Atodlen 2. Bydd Gorchymyn Cau Priffyrdd (Cilfan yn Lôn Cae Gwilym, Cefn Mawr, Wrecsam) 2016 ("y Gorchymyn"), yn peidio â chael effaith os daw'r caniatâd cynllunio mewn cysylltiad â'r datblygiad i ben neu os caiff ei ddirymu.

Gellir edrych ar gopïau o'r Gorchymyn a'r plan a adnewyd yn rhad ac am ddim yn swyddfeydd Cyngor Bwrdeistref Sirol Wrecsam, yr Adran Gynllunio, 16 Lord Street, Wrecsam, LL11 1LG, yn ystod oriau swyddfa arferol, neu gellir eu cael yn rhad ac am ddim o'r cyfeiriad isod gan ddyfynnu'r cyfeirnod qA1243648.

Caiff unrhyw berson a dramgwyddir gan y Gorchymyn, ar y sail:

- a. nad yw o fewn pwerau'r Ddeddf; neu
- b. na chydymffurfwyd ag un o ofynion gweithdrefnol y Ddeddf;

o fewn 6 wythnos i 9 Medi 2016, wneud cais i'r Uchel Lys at y diben hwnnw.

Gellir gweld copi o'r Gorchymyn a'r Hysbysiad ar [www.llyw.cymru](http://www.llyw.cymru) (Detholer: Deddfwriaeth/Is-ddeddfwriaeth/Offerynnau Anstatudol/Trafnidiaeth/Deddf Cynllunio Gwlad a Thref: Gorchymynion Cau/2016).

**Gellir cael copi print bras o'r Hysbysiad hwn oddi wrth: Y Gangen Orchmynion, Trafnidiaeth, Llywodraeth Cymru, Parc Cathays, Caerdydd CF10 3NQ.**

**M D BURNELL**  
Trafnidiaeth  
Llywodraeth Cymru

## TOWN AND COUNTRY PLANNING ACT 1990

### THE STOPPING UP OF HIGHWAYS (LAYBY AT CAE GWILYM LANE, CEFN MAWR, WREXHAM) ORDER 2016

The Welsh Ministers have made an Order under section 247 of the Town and Country Planning Act 1990 ("the Act") to authorise the stopping up of the length of highway described in Schedule 1 to this Notice to enable the development described in Schedule 2 to be carried out. The Stopping Up of Highways (Layby at Cae Gwilym Lane, Cefn Mawr, Wrexham) Order 2016 ("the Order"), will cease to have effect if planning permission in respect of the development expires or is revoked.

Copies of the Order and the deposited plan may be inspected free of charge during normal office hours at the Wrexham County Borough Council, Planning Department, 16 Lord Street, Wrexham, LL11 1LG during normal office hours or may be obtained free of charge from the address below quoting reference qA1243648.

If a person is aggrieved by the Order, on the ground that:

- a. it is not within the powers of the Act; or
- b. a procedural requirement of the Act has not been complied with;

that person may, within 6 weeks of 9 September 2016 make an application for the purpose to the High Court.

A copy of the Order and Notice can be viewed at [www.gov.wales](http://www.gov.wales) (Select: Legislation/ Subordinate legislation/ Non-Statutory Instruments/ Transport / TCPA Stopping Up Orders/ 2016).

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

**M D BURNELL**  
Transport  
Welsh Government

## YR ATODLENNI

### ATODLEN 1

(Bras amcan yw pob mesuriad)

**Disgrifiad o'r rhan o'r briffordd sydd i'w chau o dan y Gorchymyn hwn**

Darn petryalog ei siâp o briffordd, sy'n rhan o'r gilfan a'r droetffordd rhwng 59-69 Lôn Cae Gwilym, Cefn Mawr, Wrecsam sy'n 29.4 o fetrau yn y man hiraf ac yn 3.4 metr o led yn y man lletaf ac y rhoddir y cyfeirnod 'A' iddo ar y plan a adnewwyd.

### ATODLEN 2

(Bras amcan yw pob mesuriad)

**Disgrifiad o'r rhan o briffordd y gwneir gwelliannau iddi o dan y Gorchymyn hwn**

Darn afreolaidd ei siâp o briffordd, sy'n rhan o'r gilfan a'r droetffordd rhwng yr eiddo a adnabyddir fel rhifau rhwng 59-69 Lôn Cae Gwilym, Cefn Mawr, Wrecsam, sy'n 34.1 o fetrau yn y man hiraf a thua 2.5 metr o led ac y rhoddir y cyfeirnod 'B' iddo ar y plan a adnewwyd.

### ATODLEN 3

**Y Datblygiad**

Darparu 6 thŷ newydd gyda pharcio cysylltiedig a mynediad yn Lôn Cae Gwilym, Cefn Mawr, Wrecsam yn unol â'r caniatâd cynllunio a roddwyd o dan Ran III o Ddeddf 1990 gan y Cyngor ar 21 Medi 2015 o dan y cyfeirnod CEF/P/2015/0331.

## SCHEDULES

### SCHEDULE 1

(All measurements are approximate)

**Description of the area of highway to be stopped up under this Order**

A rectangular shaped length of highway being part of the layby and footway between 59-69 Cae Gwilym Lane, Cefn Mawr, Wrexham with a maximum length of 29.4 metres and a maximum width of 3.4 metres and given the reference 'A' on the deposited plan.

### SCHEDULE 2

(All measurements are approximate)

**Description of the area of highway to be improved under this Order**

An irregular shaped length of highway being part of the layby and footway between the properties known as numbers 59-69 Cae Gwilym Lane, Cefn Mawr, Wrexham with a maximum length of 34.1 metres and an approximate width of 2.5 metres and given the reference 'B' on the deposited plan.

### SCHEDULE 3

**The Development**

Provision of 6 new houses with associated parking and access at Cae Gwilym Lane, Cefn Mawr, Wrexham in accordance with planning permission granted under Part III of the 1990 Act by the Council on 21 September 2015 under reference number CEF P/2015/0331.

