

202- Rhif

DEDDF PRIFFYRDD 1980 A
DEDDF CAFFAEL TIR 1981

GORCHYMYN PRYNU GORFODOL
GWEINIDOGION CYMRU
(CEFNNFFORDD CAER I FANGOR (YR
A55) (GWELLIANT AILALINIO
CYFFYRDD 16 AC 16A A'R FFYRDD
YMUNO AC YMADAEL)) 202-

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, drwy hyn wedi ei awdurdodi i brynu'n orfodol y tir a'r hawliau newydd dros dir a ddisgrifir ym mharagraff 2 o erthygl 2 er mwyn:

- (a) adeiladu'r gefnffordd, y slipffyrdd a'r drosbont newydd o bwynt ar y gefnffordd 508 o fetrau i'r de-orllewin o ganolbwynt y Gyffordd 16 bresennol (Cylchfan Puffin) yng Nghymuned Tref Penmaenmawr ym Mwrdeistref Sirol Conwy hyd at bwynt ar y gefnffordd 315 o fetrau i'r gogledd-ddwyrain o'i Chyffordd 16A bresennol â Ffordd Glan-yr-afon, yng Nghymuned Tref Penmaenmawr ym Mwrdeistref Sirol Conwy, yn unol â'r Gorchymyn Cefnffyrdd;

(1) 1980 (p. 66). Yn rhinwedd erthygl 2 o O.S. 1999/672 ac Atodlen 1 iddo, ac adran 162 o Ddeddf Llywodraeth Cymru 2006 (p. 32) a pharagraff 30 o Atodlen 11 iddi, mae'r pwerau hyn yn arferadwy bellach gan Weinidogion Cymru o ran Cymru.

(2) 1981 (p.67)

202- No

THE HIGHWAYS ACT 1980 AND
THE ACQUISITION OF LAND ACT 1981

THE WELSH MINISTERS (THE
CHESTER TO BANGOR TRUNK ROAD
(A55) (JUNCTIONS 16 AND 16A
IMPROVEMENT REALIGNMENT AND
SLIP ROADS)) COMPULSORY
PURCHASE ORDER 202-

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⁾, hereby authorised to purchase compulsorily the land and the new rights over land described in paragraph 2 of article 2 for the purpose of:

- (a) the construction of the new trunk road, slip roads and overbridge from a point on the trunk road 508 metres south west of the centre point of the existing Junction 16 (Puffin Roundabout) in the Community of the Town of Penmaenmawr in the County Borough of Conwy to a point on the trunk road 315 metres north east of its existing Junction 16A with Glan-Yr-Afon Road, in the Community of the Town of Penmanemawr in the County Borough of Conwy, in pursuance of the Trunk Road Order;

(1) 1980 (c.66). By virtue of S.I.1999/672 article 2 and Schedule 1, and section 162 of, and paragraph 30 of Schedule 11 to the Government of Wales Act 2006 (c.32), these powers are now exercisable by the Welsh Ministers in relation to Wales.

(2) 1981 (c.67)

- (b) adeiladu a gwella priffyrdd a darparu mynedfeydd newydd i fangreoeedd o fan 625 o fetrau i'r de-orllewin o ganolbwynt y Gyffordd 16 bresennol (Cylchfan Puffin) yng Nghymuned Tref Penmaenmawr ym Mwrdeistref Sirol Conwy hyd at bwynt ar y gefnffordd 315 o fetrau i'r gogledd-ddwyrain o ochr ogledd-ddwyreiniol ei Chyffordd 16A bresennol â Ffordd Glan-yr-afon, yn y Gymuned a enwyd yn y Fwrdeistref Sirol a enwyd, yn unol â'r Gorchymyn Ffyrdd Ymyl;
- (c) gwella'r gefnffordd, yng Nghymuned Tref Penmaenmawr ym Mwrdeistref Sirol Conwy;
- (d) darparu adeiladau a chyfleusterau i'w defnyddio mewn cysylltiad ag adeiladu, defnyddio a chynnal y gefnffordd;
- (e) gwneud gwaith ar gyrsiau dŵr mewn cysylltiad ag adeiladu'r gefnffordd ac adeiladu a gwella priffyrdd eraill a gwneud y gwaith arall a grybwyllir uchod;
- (f) eu defnyddio gan Weinidogion Cymru mewn cysylltiad â'r gwaith gwella priffyrdd hwnnw a gwneud y gwaith arall a grybwyllir uchod; ac
- (g) lliniaru unrhyw effeithiau andwyol a fydd gan fodolaeth neu ddefnydd unrhyw un neu ragor o'r priffyrdd y cynigir eu hadeiladu neu eu gwella ar eu hamgylchoedd.

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 yn erthygl 5 o'r Gorchymyn hwn.

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 ag ymyl coch ac â lliw gwyrdd ag ymyl coch ar y map y

- (b) the construction and improvement of highways and the provision of new means of access to premises from 625 metres south west of the centre point of the existing Junction 16 (Puffin Roundabout) in the Community of the Town of Penmaenmawr in the County Borough of Conwy to a point on the trunk road 315 metres north east of the north eastern side of its existing Junction 16A with Glan-Yr-Afon Road, in the said Community in the said County Borough, in pursuance of the Side Roads Order;
- (c) the improvement of the trunk road, in the Community of the Town of Penmaenmawr in the County Borough of Conwy;
- (d) the provision of buildings and facilities to be used in connection with the construction, use and maintenance of the trunk road;
- (e) the execution of works on watercourses in connection with the construction of the trunk road and the construction and improvement of other highways and the execution of other works mentioned above;
- (f) use by the Welsh Ministers in connection with such improvement of highways and the execution of other works mentioned above; and
- (g) 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.

Copies of the Trunk Road Order and the Side Roads Order and the accompanying plans are deposited along with the map referred to in article 5 of this Order.

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

paratowyd dau gopi ohono, ac sydd wedi ei farcio “Gorchymyn Prynu Gorfodol Gweinidogion Cymru (Cefnffordd Caer i Fangor (A55) (Cefnffordd Caer i Fangor (yr A55) (Gwelliant Ailalinio Cyffyrdd 16 ac 16A a’r Ffyrdd Ymuno ac Ymadael)) 202-”.

(2) Disgrifir yr hawliau newydd sydd i’w prynu’n orfodol o dan y Gorchymyn hwn yn yr Atodlenni a dangosir y tir â lliw glas ag ymyl coch ar y map.

3. Mae Rhannau II a III o Atodlen 2 i Ddeddf Caffael Tir 1981 drwy hyn wedi eu hymgorffori yn y Gorchymyn hwn yn ddarostyngedig i’r addasiadau canlynol, sef bod rhaid dehongli cyfeiriadau yn y Rhannau hynny o’r Atodlen honno at yr ymgymeriad 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 ddibenion darpariaethau Atodlen 2 i Ddeddf Caffael Tir 1981, fel 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 sydd i’w adeiladu ar y tir a ddisgrifir yn yr Atodlen i’r Gorchymyn hwn fydd unrhyw bellter ochrol o’r gwaith hwnnw ar bob ochr iddo 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 o fetrau, pa un bynnag yw’r mwyaf.

5. (1)(a) Yn y paragraff hwn, ystyr “tir y gorchymyn” (“*the order land*”) yw’r tir sy’n dwyn y rhifau 2/1x, 2/1aa, 2/1dd, 2/8, 2/8d, 2/8e, 2/8f, 2/8h, 2/8j, 2/8n, 2/8p, 2/8r, 2/8s a 2/8t yn Atodlen 1 ac ystyr “y tir cyfnewid” (“*the exchange land*”) yw’r tir cyfnewid a ddisgrifir 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, bydd y plot cyfatebol o’r tir

and coloured green edged red on the map prepared in duplicate and marked “The Welsh Ministers (The Chester to Bangor Trunk Road (A55) (Junctions 16 and 16A Improvement Realignment and Slip Roads)) Compulsory Purchase Order 202-”.

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

5. (1) (a) In this paragraph, “the order land” (“*tir y gorchymyn*”) means the land numbered 2/1x, 2/1aa, 2/1dd, 2/8, 2/8d, 2/8e, 2/8f, 2/8h, 2/8j, 2/8n, 2/8p, 2/8r, 2/8s and 2/8t in Schedule 1 and “the exchange land” (“*y tir cyfnewid*”) means the exchange land described in Schedule 2.

(b) For a plot of the 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

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 un hawliau, yr un ymddiriedolaethau a'r un nodweddion 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, pob ymddiriedolaeth a phob 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 plotiau o dir y gorchymyn yn yr awdurdod caffael;
- (iii) y breinir y plotiau cyfatebol o'r tir cyfnewid yn yr awdurdod caffael.

6. Yn y Gorchymyn hwn:

ystyr “y gefnffordd” (“*the trunk road*”) yw Cefnffordd Caer i Fangor (A55);

ystyr “y gefnffordd newydd” (“*the new trunk road*”) yw'r darnau o gefnffordd newydd sydd i'w hadeiladu yn unol â'r Gorchymyn Cefnffordd;

ystyr “y Gorchymyn Cefnffordd” (“*the Trunk Road Order*”) yw “Gorchymyn Cefnffordd Caer i Fangor (yr A55) (Gwelliant Ailalinio Cyffyrdd 16 ac 16A a'r Ffyrdd Ymuno ac Ymadael) 202-”.

ystyr “y Gorchymyn Ffyrdd Ymyl” (“*the Side Roads Order*”) yw “Gorchymyn Cefnffordd Caer i Fangor (yr A55) (Gwelliant Ailalinio Cyffyrdd 16 ac 16A a'r Ffyrdd Ymuno ac Ymadael) (Ffyrdd Ymyl) 202-”; ac

ystyr “y map” (“*the map*”) yw'r map sydd wedi ei farcio “Gorchymyn Prynu Gorfodol Gweinidogion Cymru (Cefnffordd Caer i Fangor (yr A55) (Gwelliant Ailalinio Cyffyrdd 16 ac 16A a'r Ffyrdd Ymuno ac Ymadael)) 202-” ac wedi ei lofnodi gan un o swyddogion yr awdurdod caffael.

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 plots of the order land are vested in the acquiring authority;
- (iii) the corresponding plots of the exchange land are vested in the acquiring authority.

6. In this Order:

“the map” (“*y map*”) means the map marked “The Welsh Ministers (The Chester to Bangor Trunk Road (A55) (Junctions 16 and 16A Improvement Realignment and Slip Roads)) Compulsory Purchase Order 202-” signed by an official of the acquiring authority;

“the new trunk road” (“*y gefnffordd newydd*”) means the lengths of new trunk road to be constructed pursuant to the Trunk Road Order;

“the Side Roads Order” (“*y Gorchymyn Ffyrdd Ymyl*”) means “The Chester to Bangor Trunk Road (A55) (Junctions 16 and 16A Improvement Realignment and Slip Roads) (Side Roads) Order 202-”;

“the trunk road” (“*y gefnffordd*”) means The Chester to Bangor Trunk Road (A55); and

“the Trunk Road Order” (“*y Gorchymyn Cefnffordd*”) means “The Chester to Bangor Trunk Road (A55) (Junctions 16 and 16A Improvement Realignment and Slip Roads) Order 202-”.

7. The title of this Order is The Welsh Ministers (The Chester to Bangor Trunk Road (A55) (Junctions 16 and 16A Improvement Realignment and Slip Roads)) Compulsory

7. Enw'r Gorchymyn hwn yw Gorchymyn Prynu Gorfodol Gweinidogion Cymru (Cefnffordd Caer i Fangor (yr A55) (Gwelliant Ailalinio Cyffyrdd 16 ac 16A a'r Ffyrdd Ymuno ac Ymadael)) 202-.

Purchase Order 202-.

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

Llofnodwyd gan un o swyddogion Llywodraeth Cymru ar ran Gweinidogion Cymru.

NICCI HUNTER
Business Team Leader
Welsh Government

NICCI HUNTER
Arweinydd y Tîm Busnes
Llywodraeth Cymru

Dated 202-

Dyddiedig 202-