

PRIFFYRDD, CYMRU

LLC24-16

DEDDF CYNLLUNIO GWLAD A THREF 1990

GORCHYMYN CAU PRIFFYRDD (EAST BANK ROAD, CASNEWYDD) 2024

Gwnaed 12 Ebrill 2024

Yn dod i rym 23 Ebrill 2024

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

Enwi a Chychwyn

1. Enw'r Gorchymyn hwn yw Gorchymyn Cau Priffyrdd (East Bank Road, Casnewydd) 2024 a daw i rym ar 23 Ebrill 2024.

Dehongli

2. Yn y Gorchymyn hwn—

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 “y Cyngor” (“*the Council*”) yw Cyngor Dinas Casnewydd;

ystyr “Deddf 1990” (“*the 1990 Act*”) yw Deddf Cynllunio Gwlad a Thref 1990;

ystyr “y plan a adneuwyd” (“*the deposited plan*”) yw'r plan sy'n dwyn yr enw “Gorchymyn Cau Priffyrdd (East Bank Road, Casnewydd) 2024” o dan y cyfeirnod qA1992603 sy'n dod gyda'r Gorchymyn hwn.

Cau Priffyrdd

3. Yn ddarostyngedig i erthyglau 4 a 5 o'r Gorchymyn hwn mae Gweinidogion Cymru yn awdurdodi cau'r darn o briffordd a ddisgrifir yn Atodlen 1 i'r Gorchymyn hwn a ddangosir â llinellau sebra ar y plan a adneuwyd. Mae Gweinidogion Cymru wedi eu bodloni bod angen cau'r darn o briffordd er mwyn gwneud y datblygiad yn unol â'r caniatâd cynllunio a roddwyd o dan Ran 3 o Ddeddf 1990 gan y

(1) 1990 p. 8; diwygiwyd adran 247 gan adran 20(4) o Ddeddf Llywodraeth Leol (Cymru) 1994 (p. 19) a pharagraff 24 o Atodlen 6 iddi. Yn rhinwedd O.S. 1999/672, ac adran 162 o Ddeddf Llywodraeth Cymru 2006 (p. 32) a pharagraff 30 o Atodlen 11 iddi, mae'r swyddogaethau hyn yn arferadwy bellach gan Weinidogion Cymru o ran Cymru.

HIGHWAYS, WALES

WG24-16

TOWN AND COUNTRY PLANNING ACT 1990

THE STOPPING UP OF HIGHWAYS (EAST BANK ROAD, NEWPORT) ORDER 2024

Made 12 April 2024

Coming into force 23 April 2024

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

Title and Commencement

1. The title of this Order is the Stopping Up of Highways (East Bank Road, Newport) Order 2024 and it comes into force on 23 April 2024.

Interpretation

2. In this Order—

“the Council” (“*y Cyngor*”) means Newport City Council;

“the deposited plan” (“*y plan a adneuwyd*”) means the plan entitled “The Stopping Up of Highways (East Bank Road, Newport) Order 2024” with reference qA1992603 which accompanies this Order;

“the developer” (“*y datblygwr*”) means the person carrying out the development for which the planning permission has been granted;

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

Stopping Up

3. Subject to article 4 and 5 of this Order the Welsh Ministers authorise the stopping up of the length of highway described in Schedule 1 to this Order and shown by zebra hatching on the deposited plan. The Welsh Ministers are satisfied that the stopping up is necessary to enable a development to be carried out in accordance with planning permission granted under Part 3 of the 1990 Act by the Council on 3 November 2021 with reference 21/0718 and described in Schedule 2 to this Order.

(1) 1990 c. 8; section 247 was amended by section 20(4) of, and paragraph 24 of Schedule 6 to, the Local Government (Wales) Act 1994 (c. 19). By virtue of S.I. 1999/672, and section 162 of, and paragraph 30 of Schedule 11 to, the Government of Wales Act 2006 (c. 32), these functions are now exercisable by the Welsh Ministers in relation to Wales.

Cyngor ar 3 Tachwedd 2021 o dan y cyfeirnod 21/0718 ac a ddisgrifir yn Atodlen 2 i'r Gorchymyn hwn.

Y Darpariaethau sy'n Angenrheidiol neu'n Hwylus cyn Cau'r Darn o Briffordd

4. Ni chaniateir cau'r darn o briffordd a ddisgrifir yn Atodlen 1 i'r Gorchymyn hwn—

- (a) hyd nes y bydd y datblygwr wedi darparu, er boddhad rhesymol y Cyngor, blun sy'n dangos sut y mae'r darn o briffordd i'w gau;
- (b) hyd nes y bydd y datblygiad a ddisgrifir yn Atodlen 2 i'r Gorchymyn hwn wedi ei ddechrau a bod y datblygwr wedi hysbysu'r Cyngor yn ysgrifenedig ei bod yn angenrheidiol cau'r darn o briffordd er mwyn i'r datblygiad fynd rhagddo; ac
- (c) hyd nes y bydd y Cyngor wedi ysgrifennu at y datblygwr i gadarnhau bod paragraffau (a) a (b) wedi eu bodloni.

Ymgwymerwyr Statudol a Darparwyr

5. Pan fo gan ymgwymerwyr 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 ymgwymerwyr neu'r darparwyr yr un hawliau mewn cysylltiad â'r cyfarpar ag a oedd ganddynt cyn cau'r briffordd.

Llofnodwyd ar ran Ysgrifennydd y Cabinet dros Ogledd Cymru a Thrafnidiaeth, un o Weinidogion Cymru.

Dyddiedig 12 Ebrill 2024



Nicci Hunter
Arweinydd y Tîm Busnes
Llywodraeth Cymru

ATODLEN 1 (Bras amcan yw pob mesuriad)

Y darn o briffordd sydd i'w gau

Darn afreolaidd ei siâp o briffordd ym mhen deheuol East Bank Road, Casnewydd, NP19 4PP, sy'n 3 metr yn y man hiraf ac yn 14 o fetrau yn y man lletaf ac a ddangosir â llinellau zebra ar y plan a adnewwyd.

Provisions Necessary or Expedient before Stopping Up

4. The length of highway described in Schedule 1 to this Order must not be stopped up until—

- (a) the developer has provided, to the reasonable satisfaction of the Council, a plan showing how the length of highway is to be stopped up;
- (b) the development described in Schedule 2 to this Order has commenced and the developer has informed the Council in writing of the necessity to stop up the length of highway to allow the development to proceed; and
- (c) the Council has confirmed in writing to the developer that paragraphs (a) and (b) 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.

Signed on behalf of the Cabinet Secretary for North Wales and Transport, one of the Welsh Ministers.

Dated 12 April 2024



Nicci Hunter
Business Team Leader
Welsh Government

SCHEDULE 1 (All measurements are approximate)

Length of highway to be stopped up

An irregular-shaped length of highway located to the south of East Bank Road, Newport, NP19 4PP, with a maximum length of 3 metres and a maximum width of 14 metres and marked with zebra hatching on the deposited plan.

ATODLEN 2
Y Datblygiad

Adeiladu 6 mur llifogydd, argloddiau wedi eu hadnewyddu a llwybrau, gan gynnwys Llwybr Arfordir Cymru, llifddor priffordd a gwaith cysylltiedig i leihau'r perygl o lifogydd llanw o Afon Wysg, yn ogystal â gwaith tirlunio ar hyd y llwybr ac ym Mharc Coronation, Casnewydd.

SCHEDULE 2
The Development

Construction of 6 flood walls, refurbished embankments and paths, including the Wales Coastal Path, a highway flood gate and associated works to reduce the chance of tidal flood risk from the river Usk, as well as landscaping works along the route and at Coronation Park, Newport.