

PRIFYRDD, CYMRU

2016 RHIF 29

DEDDF CYNLLUNIO GWLAD A THREF 1990

GORCHYMYN CAU PRIFYRDD (Y DROETFFORDD RHWNG Ffordd DARBY A LONG LANE YN HEN SAFLE BRYNTEG INN, 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 (Y Droetffordd rhwng Ffordd Darby a Long Lane yn Hen Safle Brynteg Inn, 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 Cau Priffyrdd (Y Droetffordd rhwng Ffordd Darby a Long Lane yn Hen Safle Brynteg Inn, 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 dam 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

HIGHWAYS, WALES

2016 NO. 29

TOWN AND COUNTRY PLANNING ACT 1990

THE STOPPING UP OF HIGHWAYS (FOOTWAY BETWEEN DARBY ROAD AND LONG LANE AT THE FORMER BRYNTEG INN SITE, 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 (Footway Between Darby Road and Long Lane at the Former Brynteg Inn Site, 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 (Footway Between Darby Road and Long Lane at the Former Brynteg Inn Site, 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

caniatâd cynllunio a roddwyd o dan Ran III o Ddeddf 1990 gan y Cyngor ar 12 Tachwedd 2015 o dan y cyfeirnod BRO P/2014/0613 ac a ddisgrifir yn Atodlen 3 i'r Gorchymyn hwn.

Priffordd Newydd

3. Rhaid creu, er boddhad rhesymol y Cyngor, y rhan newydd o briffordd a ddisgrifir yn Atodlen 2 i'r Gorchymyn hwn, a ddangosir â dotwaith ar y plan a adnewyd, ac a fydd yn briffordd sydd, at ddibenion Deddf Priffyrdd 1980(2), i'w chynnal ar draul y pwrs cyhoeddus. Y Cyngor fydd yr awdurdod priffyrdd cyfrifol ar gyfer y darn newydd o'r briffordd.

Y Darpariaethau sy'n Angenrheidiol neu'n Hwylus cyn Cau Priffordd ac ar gyfer Darparu'r Briffordd Newydd

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

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

(b) hyd nes y bydd y datblygwr wedi darparu'r rhannau newydd o'r briffordd a ddisgrifir yn Atodlen 2 i'r Gorchymyn hwn er boddhad rhesymol y Cyngor;

(c) hyd nes y bydd y datblygiad a ddisgrifir yn Atodlen 3 wedi ei ddechrau a bod y datblygwr wedi hysbysu'r Cyngor yn ysgrifenedig ei bod yn angenrheidiol cau'r briffordd er mwyn i'r datblygiad 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.

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 rhan 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.

Cyfnod Para'r Gorchymyn hwn

6. Os na fydd y datblygiad 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.

development to be carried out in accordance with planning permission granted under Part III of the 1990 Act by the Council on 12 November 2015 under reference number BRO P/2014/0613 and described in Schedule 3 to this Order.

New Highway

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

Provisions Necessary or Expedient before Stopping Up and for the Provision of the New Highway

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

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

(b) the developer has provided the new length of highway as described in Schedule 2 to this Order to the reasonable satisfaction of the Council;

(c) the development described 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 area 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 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 that period, this Order ceases to have effect.

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

(Bras amcan yw pob mesuriad)

ATODLEN 1

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

Rhan o briffordd sef y droetffordd sy'n cysylltu Ffordd Darby a Long Lane, a'i hyd ar y mwyaf yn 28.45 o fetrau a'i lled ar y mwyaf yn 1.8 metr yn Hen Safle Brynteg Inn, Wrecsam ac y rhoddir y cyfeirnod 'A' iddi ar y plan a adneuwyd.

ATODLEN 2

Disgrifiad o'r rhan o briffordd newydd sydd i'w darparu

Rhan o briffordd newydd sef troetffordd i gysylltu Ffordd Darby a Long Lane i'r gorllewin o'r droetffordd bresennol, a'i hyd ar y mwyaf yn 21.4 o fetrau, a'i lled ar y mwyaf yn 1.2 metr ac y rhoddir y cyfeirnod 'B' iddi ar y plan a adneuwyd.

ATODLEN 3

Y Datblygiad

Dymchwel Brynteg Inn ac adeiladu 8 tŷ gan gynnwys mynediad, lleoedd parcio a gwaith allanol perthnasol.

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

- (2) 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

(All measurements are approximate)

SCHEDULE 1

Description of the length of highway to be stopped up under this Order

An area of highway being the footway that links Darby Road and Long Lane, having a maximum length of 28.45 metres and a maximum width of 1.8 metres situated at the Former Brynteg Inn Site, Wrexham and given the reference 'A' on the deposited plan.

SCHEDULE 2

Description of the area of new highway to be provided

An area of new highway being a footway to link Darby Road and Long Lane to the west of the existing footway, having a maximum length of 21.4 metres and a maximum width of 1.2 metres and given the reference 'B' on the deposited plan.

SCHEDULE 3

The Development

Demolition of Brynteg Inn and construction of 8 houses including associated access, parking and external works.

DEDDF CYNLLUNIO GWLAD A THREF 1990

GORCHYMYN CAU PRIFFYRDD (Y DROETFFORDD RHWNG FFORDD DARBY A LONG LANE YN HEN SAFLE BRYNTEG INN, 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 rhan o briffordd a ddisgrifir yn Atodlen 1 i'r Hysbysiad hwn ac i ddarparu ar gyfer y rhan newydd o briffordd fel y'i disgrifir yn Atodlen 2 i'r Hysbysiad hwn er mwyn gwneud y datblygiad a ddisgrifir yn Atodlen 3. Bydd Gorchymyn Cau Priffyrdd (Y Droetffordd rhwng Ffordd Darby a Long Lane yn Hen Safle Brynteg Inn, Wrecsam) 2016 ("y Gorchymyn"), yn peidio â chael effaith os daw'r caniatâd cynllunio ar gyfer y datblygiad i ben neu os caiff ei ddirymu.

Gellir edrych ar gopïau o'r Gorchymyn a'r plan a adnewwyd yn rhad ac am ddim yn ystod oriau swyddfa arferol yn swyddfeydd Cyngor Bwrdeistref Sirol Wrecsam, Yr Adran Gynllunio, 16 Stryt yr Arglwydd, Wrecsam, LL11 1LG neu gellir eu cael yn rhad ac am ddim o'r cyfeiriad isod, gan ddyfynnu'r cyfeirnod qA1243650.

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 (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 (FOOTWAY BETWEEN DARBY ROAD AND LONG LANE AT THE FORMER BRYNTEG INN SITE, 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 area of highway described in Schedule 1 to this Notice, to provide for the new area of highway as described in Schedule 2 to this Notice, to enable the development described in Schedule 3 to be carried out. The Stopping Up of Highways (Footway Between Darby Road and Long Lane at the Former Brynteg Inn Site, 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 at the offices of 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 qA1243650.

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 (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

(Bras amcan yw pob mesuriad)

ATODLEN 1

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

Darn o briffordd sef y droetffordd sy'n cysylltu Ffordd Darby a Long Lane, a'i hyd ar y mwyaf yn 28.45 o fetrau a'i lled ar y mwyaf yn 1.8 metr yn Hen Safle Brynteg Inn, Wrexham ac y rhoddir y cyfeirnod 'A' iddi ar y plan a adnewwyd.

ATODLEN 2

Disgrifiad o'r rhan o briffordd newydd sydd i'w darparu

Rhan o briffordd newydd sef troetffordd i gysylltu Ffordd Darby a Long Lane i'r gorllewin o'r droetffordd bresennol, a'i hyd ar y mwyaf yn 21.4 o fetrau, a'i lled ar y mwyaf yn 1.2 metr ac y rhoddir y cyfeirnod 'B' iddi ar y plan a adnewwyd.

ATODLEN 3

Y Datblygiad

Dymchwel Brynteg Inn ac adeiladu 8 tŷ gan gynnwys mynediad, lleoedd parcio a gwaith allanol perthnasol yn unol â'r caniatâd cynllunio a roddwyd o dan Ran III o'r Ddeddf gan Gyngor Bwrdeistref Sirol Wrexham ar 12 Tachwedd 2015 o dan y cyfeirnod BRO P/2014/6013.

SCHEDULES

(All measurements are approximate)

SCHEDULE 1

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

A length of highway being the footway that links Darby Road and Long Lane, having a maximum length of 28.45 metres and a maximum width of 1.8 metres situated at the Former Brynteg Inn Site, Wrexham and given the reference 'A' on the deposited plan.

SCHEDULE 2

Description of the area of new highway to be provided

An area of new highway being a footway to link Darby Road and Long Lane to the west of the existing footway, having a maximum length of 21.4 metres and a maximum width of 1.2 metres and given the reference 'B' on the deposited plan.

SCHEDULE 3

The Development

Demolition of Brynteg Inn and the construction of 8 houses including associated access, parking and external works in accordance with planning permission granted under Part III of the Act by Wrexham County Borough Council on 12 November 2015 under reference BRO P/2014/6013.

