PRIFFYRDD, CYMRU

LLC24-

DEDDF CYNLLUNIO GWLAD A THREF 1990

GORCHYMYN CAU PRIFFYRDD (LLWYBR TROED O FEWN GWAITH SMENT PADESWOOD, CHESTER ROAD, YR WYDDGRUG, SIR Y FFLINT) 202-

Gwnaed *202-*

Yn dod i rym *202-*

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 (Llwybr Troed o fewn Gwaith Sment Padeswood, Chester Road, yr Wyddgrug, Sir y Fflint) 202- a daw i rym ar ***** 202-.

Dehongli

2.Yn y Gorchymyn hwn—

ystyr "y Cyngor" ("*the Council*") yw Cyngor Sir y Fflint;

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

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

ystyr "y planiau a adneuwyd" ("*the deposited plans*") yw'r plan sy'n dwyn yr enw "Gorchymyn Cau Priffyrdd (Llwybr Troed o fewn Gwaith Sment Padeswood, Chester Road, yr Wyddgrug, Sir y Fflint) 202-" o dan y cyfeirnod qA2100294 sy'n dod gyda'r Gorchymyn hwn.

Cau Priffordd

3.Yn ddarostyngedig i erthyglau 4, 5 a 6 o'r Gorchymyn hwn, mae Gweinidogion Cymru yn awdurdodi cau'r darn o briffordd a ddisgrifir yn Atodlen 1 i'r Gorchymyn hwn. Mae Gweinidogion Cymru wedi eu bodloni bod angen cau'r briffordd er mwyn gwneud y datblygiad yn unol â'r caniatâd

(**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 pwerau hyn yn arferadwy bellach gan Weinidogion Cymru o ran Cymru.

HIGHWAYS, WALES

WG24-

TOWN AND COUNTRY PLANNING ACT 1990

THE STOPPING UP OF HIGHWAYS (FOOTPATH WITHIN PADESWOOD CEMENT WORKS, CHESTER ROAD, MOLD, FLINTSHIRE) ORDER 202-

Made *202-*

Coming into force *202-*

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 (Footpath within Padeswood Cement Works, Chester Road, Mold, Flintshire) Order 202- and it comes into force on ***** 202-.

Interpretation

2.In this Order—

"the Council" *("y Cyngor")* means Flintshire County Council;

"the deposited plans" *("y planiau a adneuwyd")* means the plan entitled "The Stopping Up of Highways (Footpath within Padeswood Cement Works, Chester Road, Mold, Flintshire) Order 202-" with reference qA2100294 which accompanies this Order;

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

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

Stopping Up

3. Subject to articles 4, 5, and 6 of this Order the Welsh Ministers authorise the stopping up of the length of highway described in Schedule 1 to this Order. The Welsh Ministers are satisfied that the stopping up is necessary to enable development to be carried out in accordance with planning permission

(**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 powers are now exercisable by the Welsh Ministers in relation to Wales.

cynllunio a roddwyd o dan Ran III o Ddeddf 1990 gan Weinidogion Cymru ar ******* o dan y cyfeirnod DNS CAS-02009-W1R1Z7 ac a ddisgrifir yn Atodlen 3 i'r Gorchymyn hwn.

Priffordd Newydd

4.Rhaid creu, er boddhad rhesymol y Cyngor, y darn newydd o briffordd a ddisgrifir yn Atodlen 2 i'r Gorchymyn hwn, sy'n briffordd i'w chynnal ar draul y pwrs cyhoeddus at ddibenion Deddf Priffyrdd 1980(**1**). Y Cyngor fydd yr awdurdod priffyrdd sy'n gyfrifol amdani.

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

5.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, blaniau sy'n dangos sut y mae'r darn o briffordd i'w gau;

(b) hyd nes y bydd y datblygwr wedi darparu'r darn newydd o 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 i'r Gorchymyn hwn 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.

Ymgymerwyr a Darparwyr

6.Pan fo gan ymgymerwyr 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 darnau o briffordd yna (yn ddarostyngedig i adran 261(4) o Ddeddf 1990) bydd gan yr ymgymerwyr 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

Nicci Hunter
Arweinydd y Tîm Busnes
Llywodraeth Cymru

(**1**) 1980 p. 66.

granted under Part III of the 1990 Act by the Welsh Minsters on ******** with reference number DNS CAS-02009-W1R1Z7 and described in Schedule 3 to this Order.

New Highways

4. There must be created, to the reasonable satisfaction of the Council, the new length of highway described in Schedule 2 to this Order, which is highway maintainable at the public expense for the purposes of the Highways Act 1980(**1**) and the Council is to be the highway authority responsible for them.

Provisions Necessary or Expedient before Stopping Up

5. The lengths 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, plans showing how the lengths of highway is stopped up;

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

(c) the development described in Schedule 3 to this Order has commenced and the developer has informed the Council in writing of the necessity to stop up 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.

Undertakers and Providers

6. Where immediately before the lengths of highway are 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

Nicci Hunter
Business Team Leader
Welsh Government

(**1**) 1980 c. 66

ATODLEN 1
(bras amcan yw pob mesuriad)
Y darn o briffordd sydd i'w gau

Darn o lwybr troed i'r de o Waith Sment Padeswood, a elwir yn PROW 301/56/20 yn yr Wyddgrug, Sir y Fflint, sy'n 437.7 o fetrau yn y man hiraf ac yn 2 fetr yn y man lletaf, sy'n ymestyn o bwyntiau A i B a ddangosir ar y planiau a adneuwyd.

ATODLEN 2
(bras amcan yw pob mesuriad)
Y darn o briffordd sydd i'w ddarparu

Darn o lwybr troed i'r de o Waith Sment Padeswood, Chester Road, yr Wyddgrug, Sir y Fflint sy'n 385.3 o fetrau yn y man hiraf ac yn 2 fetr yn y man lletaf, sy'n ymestyn o bwyntiau D i C a ddangosir ar y planiau a adneuwyd.

ATODLEN 3
Y Datblygiad

Codi safle dal carbon ôl-hylosgi ynghyd â safle gwres a phŵer cyfunedig a safleoedd a strwythurau cysylltiedig eraill yng Ngwaith Sment Padeswood, Chester Road, yr Wyddgrug, Sir y Fflint. Mae gwaith dros dro a pharhaol yn ofynnol i hwyluso'r datblygiad arfaethedig gan gynnwys mynedfeydd, draenio, ardaloedd adeiladu dros dro, swyddfeydd safle, canolfan reoli, maes parcio, tirlunio, ardaloedd gwella ecolegol a seilwaith ategol arall. Dymchwel strwythurau ac adeiladau presennol o fewn ffin y safle i hwyluso'r datblygiad arfaethedig gan gynnwys un eiddo preswyl a Padeswood Hall (adfail).

SCHEDULE 1
(all measurements are approximate)
Length of highway to be stopped up

A length of footpath that is located to the south of Padeswood Cement Works, known as PROW 301/56/20 in Mold, Flintshire, with a maximum length of 437.7 metres and a maximum width of 2 metres, which extends from points A to B shown on the deposited plans.

SCHEDULE 2
(all measurements are approximate)
Length of highway to be provided

A length of footpath located to the south of Padeswood Cement Works, Chester Road, Mold, Flintshire with a maximum length of 385.3 metres and a minimum width of 2 metres, extending from points D to C shown on the deposited plans.

SCHEDULE 3
The Development

The erection of a post combustion carbon capture plant together with a combined heat and power plant and other associated plant and structures at Padeswood Cement Works, Chester Road, Mold, Flintshire. Temporary and permanent works are required to facilitate the proposed development including accesses, drainage, temporary construction areas, site offices, control centre, car parking, landscaping, ecological enhancement areas and other ancillary infrastructure. Demolition of existing structures and buildings within the site boundary to facilitate the proposed development including one residential property and Padeswood Hall (derelict).