

Deddf Cynllunio Gwlad a Thref 1990 a Deddf Caffael Tir 1981

The Town and Country Planning Act 1990 and the Acquisition of Land Act 1981

- Hysbysir drwy hyn fod Gweinidogion Cymru, drwy arfer eu pwerau o dan y Deddfau uchod, ar 2 Tachwedd 2015 wedi cadarnhau Gorchymyn Prynu Gorfodol 2015 Cyngor Bwrdeistref Sirol Conwy (12, 16 a 18 Lawson Road) a gyflwynwyd gan Gyngor Bwrdeistref Sirol Conwy.
- Mae'r gorchymyn fel y'i cadarnhawyd yn darparu ar gyfer prynu at ddibenion gwella a datblygu safle ym Mae Colwyn ar y tir a ddisgrifir yn yr Atodlen.
- Mae copi o'r gorchymyn a gadarnhawyd gan Weinidogion Cymru, a'r map y cyfeirir ato ar gael ym Modlondeb, Conwy, LL32 8DU, a gellir eu gweld ar adegau rhesymol.
- Bydd y gorchymyn fel y'i cadarnhawyd yn weithredol ar y dyddiad y cyhoeddir yr hysbysiad hwn am y tro cyntaf. Gall y person a dramgwyddir gan y gorchymyn, wneud cais i'r Uchel Lys o fewn 6 wythnos o'r dyddiad hwnnw, yn herio'i ddilysrwydd o dan adran 23 o Ddeddf Caffael Tir 1981. Gellir gweld y seiliau ar gyfer herio bod yr awdurdodiad a roddwyd gan y gorchymyn yn grymuso i gael ei roi neu y bu methiant i gydymffurfio ag unrhyw ofyniad statudol perthnasol sy'n ymwneud â'r gorchymyn.

- Notice is hereby given that the Welsh Ministers, in exercise of their powers under the above Acts, on 2 November 2015 confirmed the Conwy County Borough Council (12, 16 and 18 Lawson Road) Compulsory Purchase Order 2015 submitted by the Conwy County Borough Council.
- The order as confirmed provides for the purchase for the purpose of the improvement and development of a site in Colwyn Bay of the land described in the Schedule hereto.
- A copy of the order as confirmed by the Welsh Ministers, and of the map referred to therein, have been deposited at Bodlondeb, Conwy, LL32 8DU and may be seen at all reasonable hours.
- The order as confirmed becomes operative on the date on which this notice is first published. A person aggrieved by the order may, by application to the High Court within 6 weeks from that date, challenge its validity under section 23 of the Acquisition of Land Act 1981. The grounds for challenge can be that the authorisation granted by the order is not empowered to be granted or that there has been a failure to comply with any relevant statutory requirement relating to the order.

ATODLEN

TIR SYDD YN Y GORCHYMYN WEDI'I GADARNHAU

Pob buddiant yn 12 Lawson Road, Bae Colwyn (sydd ag arwynebedd o 243.8 m²) ac eithrio buddiannau sydd eisoes ym meddiant yr awdurdod caffael

Pob buddiant yn 16 Lawson Road, Bae Colwyn (sydd ag arwynebedd o 236.1 m²) ac eithrio buddiannau sydd eisoes ym meddiant Cymdeithas Tai Clwyd Alyn

Pob buddiant yn 18 Lawson Road, Bae Colwyn (sydd ag arwynebedd o 242.3 m²)

FFURF Y DATGANIAD O EFFAITH RHANNAU II A III O'R DDEDDF PRYNU GORFODOL (DATGANIADAU BREINIO) 1981

SCHEDULE

LAND COMPRISED IN THE ORDER AS CONFIRMED

All interests in 12 Lawson Road, Colwyn Bay (having an area of 243.8 m²) except interests already owned by the acquiring authority

All interests in 16 Lawson Road, Colwyn Bay (having an area of 236.1 m²) except interests already owned by Clwyd Alyn Housing Association

All interests in 18 Lawson Road, Colwyn Bay (having an area of 242.3 m²)

FORM OF STATEMENT OF EFFECT OF PARTS II AND III OF THE COMPULSORY PURCHASE (VESTING DECLARATIONS) ACT 1981

Pŵer i wneud Datganiad Breinio Cyffredinol

- Efallai y bydd Cyngor Bwrdeistref Sirol Conwy (a elwir wedi hyn "y Cyngor") yn caffael unrhyw ran o'r tir a ddisgrifir yn yr Atodlen uchod drwy wneud Datganiad Breinio Cyffredinol o dan adran 4 o Ddeddf Prynu Gorfodol (Datganiadau Breinio) 1981. Effaith hyn, yn ddarostyngedig i baragraff 4 isod, yw breinio'r tir yn y Cyngor ar ddiwedd cyfnod a grybwyllir ym mharagraff 2 isod. Ni ellir gwneud Datganiad cyn diwedd cyfnod o ddaud fis o ddyddiad cyhoeddi'r hysbysiad gyntaf sy'n cynnwys y datganiad hwn ac eithrio gyda chaniatâd ysgrifenedig pob meddiannydd tir yr effeithir arno.

Power to make General Vesting Declaration

- The Conwy County Borough Council (hereinafter called "the Council") may acquire any of the land described in the Schedule above by making a General Vesting Declaration under section 4 of the Compulsory Purchase (Vesting Declarations) Act 1981. This has the effect, subject to paragraph 4 below, of vesting the land in the Council at the end of the period mentioned in paragraph 2 below. A Declaration may not be made before the end of a period of two months from the first publication of a notice which includes this statement except with the consent in writing of every occupier of the land affected.

Hysbysiaidau ynghylch Datganiad Breinio Cyffredinol

- Cyn gynted ag y gellir ar ôl i'r Cyngor wneud Datganiad Breinio Cyffredinol, rhaid iddynt gyflwyno rhybudd ohono ar bob feddiannydd o unrhyw ran o'r tir a bennwyd yn y Datganiad (ac eithrio tir lle ceir un o'r tenantiaethau a ddisgrifir ym mharagraff 3) ac ar bob person sy'n rhoi gwybodaeth sy'n ymwneud â'r tir yn unol â'r gwahoddiad a gynhwysir mewn unrhyw hysbysiad iddynt. Pan fydd cyflwyno hysbysiaidau o'r Datganiad Breinio Cyffredinol yn cael ei gwblhau, bydd cyfnod pellach yn dechrau. Bydd y cyfnod hwn, y mae'n rhaid iddo fod yn o leiaf wyth ar hugain o ddiwrnodau, gael ei nodi yn y Datganiad. Ar y diwrnod cyntaf ar ôl diwedd y cyfnod hwn ("y dyddiad breinio") bydd y tir a ddisgrifir yn y Datganiad, yn amodol ar yr hyn a ddywedir ym mharagraff 4, yn breinio yn y Cyngor, ynghyd â'r hawl i fynd ar y tir a chymryd meddiant ohono. Mae pob person y gallai'r Cyngor fod wedi cyflwyno Rhybudd i Drin mewn perthynas â'i fuddiant yn y tir (ac eithrio tenant o dan un o'r tenantiaethau a ddisgrifir ym mharagraff 3) gyda'r hawl i wneud cais am iawndal ar gyfer caffael ei ddiddordeb yn yr tir, gyda llog ar yr iawndal o'r dyddiad breinio.

Notices concerning General Vesting Declaration

- As soon as may be after the Council make a General Vesting Declaration, they must serve notice of it on every occupier of any of the land specified in the Declaration (except land where there is one of the tenancies described in paragraph 3) and on every person who gives them information relating to the land in pursuance of the invitation contained in any notice. When the service of notices of the General Vesting Declaration is completed, a further period begins to run. This period, which must not be less than twenty eight days, will be specified in the Declaration. On the first day after the end of this period ("the vesting date") the land described in the Declaration will, subject to what is said in paragraph 4, vest in the Council together with the right to enter on the land and take possession of it. Every person on whom the Council could have served a Notice to Treat in respect of his interest in the land (other than a tenant under one of the tenancies described in paragraph 3) will be entitled to claim compensation for the acquisition of his interest in the land, with interest on the compensation from the vesting date.

Addasiadau mewn perthynas â rhai tenantiaethau

- Yn yr achos o rai tenantiaethau, mae'r sefyllfa a nodir uchod yn ddarostyngedig i addasiadau. Mae'r addasiadau yn gymwys pan fydd y denantiaeth yn naill ai "fân denantiaeth", hy tenantiaeth am flwyddyn neu denantiaeth flynyddol neu log llai, neu'n "denantiaeth hir sydd ar fin dod i ben". Mae'r ymadrodd olaf yn golygu tenantiaeth a roddwyd am log sy'n fwy na mân denantiaeth ond gyda chynnod ar y dyddiad breinio yn dal i redeg nad yw'n fwy na'r cyfnod a bennir yn y Datganiad ar gyfer y diben hwn (y mae'n rhaid iddo fod yn fwy na blwyddyn). Wrth gyfrifo pa mor hir sydd gan denantiaeth ar ôl, os oes unrhyw opsiwn i adnewyddu neu i derfynu ei fod ar gael i'r naill ochr neu'r llall, bydd yn cymryd yn ganiataol y bydd y landlord yn cymryd pob cyfle yn agored iddo i derfynu'r denantiaeth tra bydd y tenant yn defnyddio pob cyfle i gadw neu adnewyddu ei ddiddordeb.

Modifications with respect to certain tenancies

- In the case of certain tenancies, the position stated above is subject to modifications. The modifications apply where the tenancy is either a "minor tenancy", i.e. a tenancy for a year or a yearly tenancy or a lesser interest, or "a long tenancy which is about to expire". The latter expression means a tenancy granted for an interest greater than a minor tenancy but having on the vesting date a period still to run which is not more than the period specified in the Declaration for this purpose (which must be more than a year). In calculating how long a tenancy has still to run, where any option to renew or to terminate it is available to either party, it shall be assumed that the landlord will take every opportunity open to him to terminate the tenancy while the tenant will use every opportunity to retain or renew his interest.

- Mae'r addasiadau na fydd y Cyngor yn ymarfer yr hawl mynediad y cyfeirir ato ym mharagraff 2 o ran pwnc tir i denantiaeth a ddisgrifir ym mharagraff 3 oni bai eu bod yn cyflwyno Hysbysiad i Drin i ddechrau mewn perthynas â'r denantiaeth, ac yna'n cyflwyno pob meddiannydd tir â hysbysiad o'u bwriad i fynd i mewn a chymryd meddiant ar ôl y cyfnod (heb fod yn llai na phedwar diwrnod ar ddeg o gyflwyno'r hysbysiad) a bennir yn yr hysbysiad. Bydd hawl mynediad yn arferadwy ar ddiwedd y cyfnod hwnnw. Bydd breinio'r tir yn amodol ar y denantiaeth tan ddiwedd y cyfnod hwnnw neu hyd nes y daw'r denantiaeth i ben, pa un bynnag sy'n digwydd gyntaf.

- The modifications are that the Council may not exercise the right of entry referred to in paragraph 2 in respect of land subject to a tenancy described in paragraph 3 unless they first serve Notice to Treat in respect of the tenancy and then serve every occupier of the land with a notice of their intention to enter and take possession after the period (not less than fourteen days from the service of the notice) specified in the notice. The right of entry will be exercisable at the end of that period. The vesting of the land will be subject to the tenancy until the end of that period or until the tenancy comes to an end, whichever happens first.

Mae gan bob person, os yw Datganiad Breinio Cyffredinol wedi ei weithredu mewn perthynas â'r holl dir a gynhwysir yn y Gorchymyn (heblaw tir mewn perthynas â rhybudd i drafod telerau wedi'i gyflwyno), yr hawl i wneud cais am iawndal mewn perthynas ag unrhyw dir o'r fath yn cael eu gwahodd i roi gwybodaeth i'r Cyngor ar fuffr a ragnodir o ran ei enw a'i gyfeiriad a'r tir o dan sylw. Mae'r ffurflen a ragnodir perthnasol wedi'i nodi isod.

Every person who, if a General Vesting Declaration were executed in respect of all of the land comprised in the Order (other than land in respect of which notice to treat has been served), would be entitled to claim compensation in respect of any such land is invited to give information to the Council in the prescribed form with respect to his name and address and the land in question. The relevant prescribed form is set out below.

CYNGOR BWRDEISTREF SIROL CONWY
(12, 16 A 18 LAWSON ROAD, BAE COLWYN)
GORCHYMYN PRYNU GORFODOL 2015

THE CONWY COUNTY BOROUGH COUNCIL
(12, 16 AND 18 LAWSON ROAD, COLWYN BAY)
COMPULSORY PURCHASE ORDER 2015

At: Gareth Peters, DipSurv MRICS, Prif Reolwr Eiddo, Bodlondeb, Conwy LL32 8DU

To: Gareth Peters, DipSurv MRICS, Principal Property Manager, Bodlondeb, Conwy LL32 8DU

[Rwyf] [Rydym] yn [berson] [pobl] sydd, os yw Datganiad Breinio Cyffredinol wedi'i wneud o dan Adran 4 o Ddeddf Prynu Gorfodol (Datganiadau Breinio) 1981 mewn perthynas â'r holl dir a gynhwysir yn y Gorchymyn Prynu Gorfodol a nodwyd uchod mewn perthynas â Rhybudd i Drin sydd heb ei roi hyd yn hyn, gyda'r hawl i wneud cais am iawndal mewn perthynas â [holl] [rhan] o'r tir hwnnw, gan roi'r wybodaeth ganlynol i chi, yn unol â darpariaethau Adran 3 o'r Ddeddf honno.

[I] [We] being [a person] [persons] who, if a General Vesting Declaration were made under Section 4 of the Compulsory Purchase (Vesting Declarations) Act 1981 in respect of all the land comprised in the Compulsory Purchase Order cited above in respect of which Notice to Treat has not yet been given, would be entitled to claim compensation in respect of [all] [part of] that land, give you the following information, pursuant to the provisions of Section 3 of that Act.

- Enw a chyfeiriad yr hysbyswr [hysbyswyr] (i).....
- Tir sydd gan hysbyswr [hysbyswyr] ddiddordeb ynddo (ii).....
- Natur y diddordeb (iii).....

- Name and address of informant[s] (i)
- Land in which an interest is held by informant[s] (ii).....
- Nature of interest (iii).....

Llofnodwyd

Signed

[Ar ran].....

[on behalf of].....

Dyddiad

Date

- (i) Mewn achos o gyd-ddiddordeb nodwch enwau a chyfeiriadau'r holl hysbyswyr.
- (ii) Dylid rhoi disgrifiad manwl o'r tir.
- (iii) Os mai diddordeb mewn lesdaliad a geir, dylid nodi dyddiad cychwyn a hyd y lesdaliad. Os yw'r tir yn amodol ar fargais neu lyfethair arall, dylid rhoi manylion, h.y. enw Cymdeithas Adeiladu a Rhif Cyfrif.

- (i) In the case of a joint interest insert the names and addresses of all the informants.
- (ii) The land should be described concisely.
- (iii) If the interest is leasehold, the date of commencement and length of term should be given. If the land is subject to a mortgage or other incumbrance, details should be given, e.g. name of Building Society and Roll Number.

DYDDIEDIG: 6 Ionawr 2016

DATED: 6 January 2016

Delyth Jones
Pennaeth y Gyfraith a Llywodraethu

Delyth Jones
Head of Law and Governance



Cyngor Bwrdeistref Sirol Conwy
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