

2018 Rhif (Cy.)

2018 No. (W.)

TRAFFIG FFYRDD, CYMRU

ROAD TRAFFIC, WALES

Gorchymyn Cefnffordd yr A40
(Heol Aberhonddu, Y Fenni, Sir
Fynwy) (Gwahardd Aros, Llwytho
a Dadlwytho) 2018

The A40 Trunk Road (Brecon
Road, Abergavenny,
Monmouthshire) (Prohibition of
Waiting, Loading and Unloading)
Order 2018

Gwnaed 10 Ionawr 2018

Made 10 January 2018

Yn dod i rym 16 Ionawr 2018

Coming into force 16 January 2018

Mae Gweinidogion Cymru, sef yr awdurdod traffig ar gyfer Cefnffordd yr A40 Rhaglan i Lanymddyfri drwy arfer y pwerau a roddir iddynt gan adrannau 1(1), 2(1), (2) a 4(2) o Ddeddf Rheoleiddio Traffig Ffyrdd 1984⁽¹⁾ (“Deddf 1984”) ac ar ôl ymgynghori â Phrif Swyddog Heddlu Gwent, yn gwneud y Gorchymyn hwn.

The Welsh Ministers, as traffic authority for the A40 Raglan to Llandoverly Trunk Road in exercise of the powers conferred upon them by sections 1(1), 2(1), (2) and 4(2) of the Road Traffic Regulation Act 1984⁽¹⁾ (“the 1984 Act”) and after consultation with the Chief Officer of Gwent Police, make this Order.

Enwi, Dehongli a Chychwyn

Title, Interpretation and Commencement

1. Daw'r Gorchymyn hwn i rym ar 16 Ionawr 2018 a'i enw yw Gorchymyn Cefnffordd yr A40 (Heol Aberhonddu, Y Fenni, Sir Fynwy) (Gwahardd Aros, Llwytho a Dadlwytho) 2018.

1. This Order comes into force on 16 January 2018 and its title is The A40 Trunk Road (Brecon Road, Abergavenny, Monmouthshire) (Prohibition of Waiting, Loading and Unloading) Order 2018.

2. Yn y Gorchymyn hwn ystyr “y gefnffordd” (“*the trunk road*”) yw Cefnffordd yr A40 Rhaglan i Lanymddyfri, Heol Aberhonddu, y Fenni yn Sir Fynwy.

2. In this Order “the trunk road” (“*y gefnffordd*”) means the A40 Raglan to Llandoverly Trunk Road, Brecon Road, Abergavenny in the County of Monmouthshire.

(1) 1984 p. 27; diwygiwyd adrannau 1(1), 2(1) a (2) gan Ddeddf Ffyrdd Newydd a Gwaith Stryd 1991 (p. 22), adran 168 ac Atodlen 8, paragraffau 17 a 18, diwygiwyd adran 1(1) gan baragraff 36(1) o Atodlen 22 i Ddeddf yr Amgylchedd 1995 (p. 25). Yn rhinwedd erthygl 2 o O.S. 1999/672 ac Atodlen 1 iddo, a pharagraff 30 o Atodlen 11 i Ddeddf Llywodraeth Cymru 2006, mae'r pwerau hyn yn arferadwy bellach gan Weinidogion Cymru o ran Cymru.

(1) 1984 c.27; sections 1(1), 2(1) and (2) were amended by the New Roads and Street Works Act 1991 (c.22), section 168 and Schedule 8, paragraphs 17 and 18, section 1(1) was amended by paragraph 36(1) of Schedule 22 to the Environment Act 1995 (c.25). By virtue of S.I. 1999/672, article 2 and Schedule 1, and paragraph 30 of Schedule 11 to the Government of Wales Act 2006, these powers are now exercisable by the Welsh Ministers in relation to Wales.

Gwahardd Aros ar unrhyw adeg

3. Ac eithrio fel a ddarperir yn erthygl 5, ni chaiff neb beri na chaniatáu i unrhyw gerbyd aros ar ochrau'r darnau o'r gefnffordd a bennir yn Atodlen 1 ar unrhyw adeg ar unrhyw ddiwrnod.

Gwahardd Llwytho a Dadlwytho ar unrhyw adeg

4. Ac eithrio fel a ddarperir yn erthygl 5, ni chaiff neb beri na chaniatáu i unrhyw gerbyd lwytho neu ddadlwytho ar ochrau'r darnau o'r gefnffordd a bennir yn Atodlen 2 ar unrhyw adeg ar unrhyw ddiwrnod.

Esemptiadau

5. Ni fydd dim yn erthyglau 3 a 4 yn ei gwneud yn anghyfreithlon i beri neu i ganiatáu i unrhyw gerbyd aros ar ochrau'r darnau o'r gefnffordd a bennir yn yr Atodlenni cyhyd ag sy'n angenrheidiol i alluogi:

(a) y cerbyd, os na ellir ei ddefnyddio'n hwylus at y diben hwnnw ar unrhyw ffordd arall, i gael ei ddefnyddio mewn cysylltiad ag unrhyw un neu ragor o'r gweithrediadau a ganlyn:

- (i) gwaith adeiladu, gwaith diwydiannol neu waith dymchwel;
- (ii) symud unrhyw rwystr i draffig;
- (iii) cynnal a chadw, gwella neu ailadeiladu'r darnau o'r gefnffordd; neu
- (iv) gosod, codi, addasu, neu atgyweirio yn y darnau hynny o'r gefnffordd, neu mewn tir cyfagos, unrhyw garthffos neu unrhyw brif bibell, unrhyw bibell neu unrhyw gyfarpar ar gyfer cyflenwi nwy, dŵr neu drydan neu unrhyw gyfarpar cyfathrebiadau electronig fel y'i diffinnir yn Neddf Telathrebu 1984(2);

(b) y cerbyd, os na ellir ei ddefnyddio'n hwylus at y dibenion hynny ar unrhyw ffordd arall, i gael ei ddefnyddio yng ngwasanaeth awdurdod lleol neu awdurdod dŵr yn unol â swyddogaethau statudol;

(c) y cerbyd i gymryd petrol, olew, dŵr neu aer o unrhyw garej ar y darnau hynny o'r gefnffordd neu'n gyfagos iddynt;

(d) y cerbyd i gael ei ddefnyddio at ddibenion y frigâd dân, y gwasanaeth ambiwlans neu'r heddlu; neu

Prohibition of Waiting at any time

3. Except as provided in article 5, no person shall cause or permit any vehicle to wait on the sides of the lengths of the trunk road specified in Schedule 1 at any time on any day.

Prohibition of Loading and Unloading at any time

4. Except as provided in article 5, no person shall cause or permit any vehicle to load or unload on the sides of the lengths of the trunk road specified in Schedule 2 at any time on any day.

Exemptions

5. Nothing in articles 3 and 4 shall render it unlawful to cause or permit any vehicle to remain on the sides of the lengths of the trunk road specified in the Schedules for so long as may be necessary to enable:

(a) the vehicle, if it cannot conveniently be used for such purpose in any other road, to be used in connection with any of the following operations:

- (i) building, industrial or demolition operations;
- (ii) the removal of any obstruction to traffic;
- (iii) the maintenance, improvement or reconstruction of the lengths of the trunk road; or
- (iv) the laying, erection, alteration, or repair in, or in land adjacent to the said lengths of the trunk road of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity or any electronic communications apparatus as defined in the Telecommunications Act 1984(2);

(b) the vehicle, if it cannot conveniently be used for such purposes in any other road, to be used in the service of a local authority or a water authority in pursuance of statutory functions;

(c) the vehicle to take petrol, oil, water or air from any garage situated on or adjacent to the lengths of the trunk road;

(d) the vehicle to be used for fire brigade, ambulance or police purposes; or

(2) 1984 (p. 12). Diwygiwyd Atodlen 2 gan baragraff 2(2) o Atodlen 3 i Ddeddf Cyfathrebiadau 2003 (p. 21).

(2) 1984 (c.12.). Schedule 2 was amended by paragraph 2(2) of Schedule 3 of the Communications Act 2003 (c21).

(e) y cerbyd i stopio pan fo'r person sydd â rheolaeth arno'n gwneud y canlynol:

- (i) pan fydd yn ofynnol yn ôl y gyfraith iddo stopio;
- (ii) pan fydd yn gorfod stopio er mwyn osgoi damwain;
- (iii) pan gaiff ei rwystro rhag mynd yn ei flaen; neu
- (iv) pan fydd yn gweithredu yn unol â chyfarwyddyd neu gyda chaniatâd cwnstabl heddlu, swyddog cymorth cymunedol yr heddlu neu swyddog gorfodi sifil.

Llofnodwyd o dan awdurdod Ysgrifennydd y Cabinet dros yr Economi a Thrafnidiaeth, un o Weinidogion Cymru.

Dyddiedig

10 Ionawr 2018

Nina Ley

Pennaeth yr Uned Fusnes, Rheoli'r Rhwydwaith
Llywodraeth Cymru

YR ATODLENNI

ATODLEN 1

Gwahardd aros ar unrhyw adeg

Y darnau hynny o ochrau gogleddol a deheuol y gefnffordd, Heol Aberhonddu, Y Fenni, sy'n ymestyn o bwynt 8 metr i'r gorllewin o ganol ei chyffordd â Red Barn Lane hyd at bwynt 79 o fetrau i'r dwyrain o ganol ei chyffordd ag Union Road West.

ATODLEN 2

Gwahardd llwytho a dadlwytho ar unrhyw adeg

Y darnau hynny o ochrau gogleddol a deheuol y gefnffordd, Heol Aberhonddu, Y Fenni, sy'n ymestyn o bwynt 27 o fetrau i'r gorllewin o ganol ei chyffordd ag Union Road West hyd at bwynt 8 metr i'r gorllewin o ganol ei chyffordd â Red Barn Lane.

(e) the vehicle to stop when the person in control of it:

- (i) is required by law to stop;
- (ii) is obliged to stop in order to avoid an accident;
- (iii) is prevented from proceeding; or
- (iv) is acting upon the direction or with the permission of a police constable, police community support officer or civil enforcement officer.

Signed under authority of the Cabinet Secretary for Economy and Transport, one of the Welsh Ministers.

Dated

10 January 2018

Nina Ley

Head of Business Unit, Network Management
Welsh Government

SCHEDULES

SCHEDULE 1

Prohibition of waiting at any time

Those lengths of the northern and southern sides of the trunk road, Brecon Road, Abergavenny, which extend from a point 8 metres west of the centre of its junction with Red Barn Lane to a point 79 metres east of the centre of its junction with Union Road West.

SCHEDULE 2

Prohibition of loading and unloading at any time

Those lengths of the northern and southern sides of the trunk road, Brecon Road, Abergavenny, which extend from a point 27 metres west of the centre of its junction with Union Road West to a point 8 metres west of the centre of its junction with Red Barn Lane.

**GORCHYMYN CEFNFFORDD YR A40 (HEOL
ABERHONDDU, Y FENNI, SIR FYNWY)
(GWAHARDD AROS, LLWYTHO A
DADLWYTHO)
2018**

Mae Gweinidogion Cymru wedi gwneud Gorchymyn drwy arfer eu pwerau o dan adrannau 1(1), 2(1), (2) a 4(2) o Ddeddf Rheoleiddio Traffig Ffyrdd 1984. Daw'r Gorchymyn i rym ar 16 Ionawr 2018.

Effaith y Gorchymyn fydd gwahardd aros, llwytho a dadlwytho ar ochrau'r darnau o Gefnffordd yr A40, Rhaglan i Lanymddyfri ("y gefnffordd") yn y Fenni yn Sir Fynwy, fel y'u pennir yn yr Atodlenni i'r Hysbysiad hwn.

Yn ystod cyfnod o 6 wythnos o 11 Ionawr 2018 ymlaen, gellir edrych ar gopi o'r Gorchymyn a'r plan, yn rhad ac am ddim, yn ystod oriau agor arferol yn Siop Un Stop y Fenni, Neuadd y Farchnad, Cross Street, Y Fenni NP7 5HD neu gellir eu cael yn rhad ac am ddim o'r cyfeiriad isod gan ddyfynnu'r cyfeirnod qA1284908.

Os yw unrhyw berson yn dymuno cwestiynu dilysrwydd y Gorchymyn, neu unrhyw ddarpariaeth sydd ynddo, ar y seiliau:

- a. nad yw o fewn pwerau perthnasol Deddf Rheoleiddio Traffig Ffyrdd 1984; neu
- b. na chydymffurfwyd ag unrhyw un neu ragor o'r gofynion perthnasol,

caiff y person hwnnw, o fewn 6 wythnos i 10 Ionawr 2018, wneud cais i'r Uchel Lys am atal dros dro neu ddiddymu'r Gorchymyn neu unrhyw ddarpariaeth sydd ynddo.

Gellir gweld copi o'r Gorchymyn a'r Hysbysiad ar wefan Llywodraeth Cymru ar www.llyw.cymru (detholer: Deddfwriaeth/ Is-ddeddfwriaeth/ Offerynnau Statudol Lleol/ Gorchymynion Traffig Parhaol/ 2018).

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

**THE A40 TRUNK ROAD (BRECON ROAD,
ABERGAVENNY, MONMOUTHSHIRE)
(PROHIBITION OF WAITING, LOADING AND
UNLOADING) ORDER
2018**

The Welsh Ministers have made an Order in exercise of their powers under sections 1(1), 2(1), (2) and 4(2) of the Road Traffic Regulation Act 1984. The Order comes into force on 16 January 2018.

The effect of the Order will be to prohibit waiting, loading and unloading on sides of the lengths of the A40 Raglan to Llandovery Trunk Road ("the trunk road") at Abergavenny in the County of Monmouthshire, as specified in the Schedules to this Notice.

During a period of 6 weeks from 11 January 2018 a copy of the Order and plan may be inspected, free of charge, during normal opening hours at Abergavenny One Stop Shop, Market Hall, Cross Street, Abergavenny NP7 5HD or may be obtained free of charge from the address below quoting reference number qA1284908.

If any person desires to question the validity of the Order, or of any provisions contained therein on the grounds:

- a. that it is not within the relevant powers of the Road Traffic Regulation Act 1984; or
- b. that any of the relevant requirements has not been complied with,

that person may, within 6 weeks of 10 January 2018, apply to the High Court for the suspension or quashing of the Order or of any provision contained therein.

A copy of the Order and Notice can be viewed on the Welsh Government's website at www.gov.wales (select: Legislation/ Subordinate Legislation/ Local Statutory Instruments/ Permanent Traffic Orders/ 2018).

A copy of this Notice in larger print can be obtained from Transport, Orders Branch, Welsh Government, Cathays Park, Cardiff CF10 3NQ.

M D BURNELL
Transport
Welsh Government

YR ATODLENNI

ATODLEN 1

Gwahardd aros ar unrhyw adeg

Y darnau hynny o ochrau gogleddol a deheuol y gefnffordd o'r enw Heol Aberhonddu sy'n ymestyn o bwynt 8 metr i'r gorllewin o ganol ei chyffordd â Red Barn Lane hyd at bwynt 79 o fetrau i'r dwyrain o ganol ei chyffordd ag Union Road West.

ATODLEN 2

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