OFFERYNNAU STATUDOL CYMRU

2023 Rhif (Cy.)

TRAFFIG FFYRDD, CYMRU

Gorchymyn Cefnffyrdd yr A449 a'r A40 (Cyfnewidfa Coldra, Casnewydd i Ffin Cymru/Lloegr, Sir Fynwy) (Gwaharddiadau a Chyfyngiadau Traffig Dros Dro) 2023

Gwnaed	*14 Chwefror 2023*
Yn dod i rym	*20 Chwefror 2023*

Mae Gweinidogion Cymru, sef yr awdurdod traffig ar gyfer y darnau perthnasol o gefnffyrdd yr A449 a'r A40, wedi eu bodloni y dylid cyfyngu ar draffig a/neu ei wahardd ar ddarnau penodedig o'r cefnffyrdd oherwydd gwaith y bwriedir ei wneud ar y ffyrdd neu gerllaw iddynt.

Mae Gweinidogion Cymru, felly, drwy arfer y pwerau a roddir iddynt gan adran 14(1), (4) a (7) o Ddeddf Rheoleiddio Traffig Ffyrdd 1984(**1**), yn gwneud y Gorchymyn hwn.

Enwi a chychwyn

1. Enw'r Gorchymyn hwn yw Gorchymyn Cefnffyrdd yr A449 a'r A40 (Cyfnewidfa Coldra, Casnewydd i Ffin Cymru/Lloegr, Sir Fynwy) (Gwaharddiadau a Chyfyngiadau Traffig Dros Dro) 2023 a daw'r Gorchymyn hwn i rym ar 20 Chwefror 2023.

Dehongli

2. Yn y Gorchymyn hwn—

(**1**) 1984 p. 27; amnewidiwyd adran 14 gan adran 1(1) o Ddeddf Traffig Ffyrdd (Cyfyngiadau Dros Dro) 1991 (p. 26) ac Atodlen 1 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.

WELSH STATUTORY INSTRUMENTS

2023 No. (W.)

ROAD TRAFFIC, WALES

The A449 & A40 Trunk Roads (Coldra Interchange, Newport to the Wales/England Border, Monmouthshire) (Temporary Traffic Prohibitions & Restrictions) Order 2023

Made	*14 February 2023*
Coming into force	*20 February 2023*

The Welsh Ministers, as traffic authority for the relevant lengths of the A449 and A40 trunk roads, are satisfied that traffic on specified lengths of the trunk roads should be prohibited and/or restricted because of works proposed on or near the road.

The Welsh Ministers, therefore, in exercise of the powers conferred upon them by section 14(1), (4) and (7) of the Road Traffic Regulation Act 1984(**1**), make this Order.

Title and commencement

1. The title of this Order is the A449 & A40 Trunk Roads (Coldra Interchange, Newport to the Wales/England Border, Monmouthshire) (Temporary Traffic Prohibitions & Restrictions) Order 2023 and this Order comes into force on 20 February 2023.

Interpretation

2. In this Order—

(**1**) 1984 c. 27; section 14 was substituted by the Road Traffic (Temporary Restrictions) Act 1991 (c. 26), section 1(1) and Schedule 1. 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.

ystyr “y cefnffyrdd” (“*the trunk roads*”) yw cefnffyrdd yr A449 a’r A40 Casnewydd i Gaerwrangon;

ystyr “cerbyd esempt” (“*exempted vehicle*”) yw:

(a) unrhyw gerbyd sy’n cael ei ddefnyddio at y dibenion a ddisgrifir yn adran 87 o Ddeddf Rheoleiddio Traffig Ffyrdd 1984(**1**); a

(b) unrhyw gerbyd sy’n cael ei ddefnyddio at ddibenion y llynges, y fyddin neu’r llu awyr ac sy’n cael ei yrru gan berson sydd am y tro yn ddarostyngedig i orchmynion aelod o luoedd arfog y Goron, sy’n aelod o’r lluoedd arbennig—

(i) ac sydd wedi ei hyfforddi i yrru ar gyflymderau uchel ac sy’n gweithredu wrth ymateb, neu wrth ymarfer ymateb, i argyfwng diogelwch gwladol: neu

(ii) at ddiben hyfforddi person i yrru cerbydau ar gyflymderau uchel;

ystyr “cyfnod y gwaith” (“*works period*”) yw cyfnodau ysbeidiol sy’n dechrau am 20:00 o’r gloch ar 20 Chwefror 2023 ac sy’n dod i ben pan gaiff yr arwyddion traffig dros dro ar gyfer pob cyfnod o’r gwaith eu symud ymaith;

ystyr “lluoedd arbennig” (“*special forces*”) yw’r unedau hynny o’r lluoedd arfog y mae Cyfarwyddwr y Lluoedd Arbennig yn gyfrifol am gynnal eu galluoedd neu sydd am y tro yn ddarostyngedig i reolaeth weithredol y Cyfarwyddwr hwnnw.

Gwaharddiadau a chyfyngiadau

3. Ni chaiff neb, yn ystod cyfnod y gwaith, yrru unrhyw gerbyd, ac eithrio cerbyd esempt, ar y darnau o’r gefnffordd a bennir yn Atodlen 1 i’r Gorchymyn hwn.

4. Ni chaiff neb, yn ystod cyfnod y gwaith, yrru unrhyw gerbyd modur yn gyflymach na 50 milltir yr awr ar y darn o’r cefnffyrdd a bennir yn Atodlen 2 i’r Gorchymyn hwn.

5. Ni chaiff neb, yn ystod cyfnod y gwaith, yrru unrhyw gerbyd modur yn gyflymach na 40 milltir yr awr ar y darn o’r cefnffyrdd a bennir yn Atodlen 2 i’r Gorchymyn hwn.

(**1**) Diwygiwyd adran 87 gan baragraff 55 o Atodlen 1 i Ddeddf Gwasanaethau Tân ac Achub 2004 (p. 21), paragraff 42 o Atodlen 4 i Ddeddf Troseddu Cyfundrefnol Difrifol a’r Heddlu 2005 (p. 15), paragraff 29(2) o Atodlen 8 i Ddeddf Troseddu a’r Llysoedd 2013 (p. 22) ac adran 50(4) a (5) o Ddeddf Dadreoleiddio 2015 (p. 20).

“exempted vehicle” (“*cerbyd esempt*”) means:

(a) any vehicle being used for the purposes described in section 87 of the Road Traffic Regulation Act 1984(**1**); and

(b) any vehicle being used for naval, military or air force purposes and being driven by a person for the time being subject to the orders of a member of the armed forces of the Crown, who is a member of the special forces—

(i) in response, or for practice in responding, to a national security emergency by a person who has been trained in driving at high speeds; or

(ii) for the purpose of training a person in driving vehicles at high speeds;

“special forces” (“*lluoedd arbennig*”) means those units of the armed forces the maintenance of whose capabilities is the responsibility of the Director of Special Forces or which are for the time being subject to the operational command of that Director;

“the trunk roads” (“*y cefnffyrdd*”) means the A449 and A40 Newport to Worcester trunk roads;

“works period” (“*cyfnod y gwaith*”) means intermittent periods commencing at 20:00 hours on 20 February 2023 and ending when the temporary traffic signs for each period of works are removed.

Prohibitions and restrictions

3. No person may, during the works period, drive any vehicle, other than an exempted vehicle, on the lengths of the trunk road specified in Schedule 1 to this Order.

4. No person may, during the works period, drive any motor vehicle at a speed exceeding 50 miles per hour on the length of the trunk roads specified in Schedule 2 to this Order.

5. No person may, during the works period, drive any motor vehicle at a speed exceeding 40 miles per hour on the length of the trunk roads specified in Schedule 2 to this Order.

(**1**) Section 87 was amended by the Fire and Rescue Services Act 2004 (c. 21), Schedule 1, paragraph 55, the Serious Organised Crime and Police Act 2005 (c. 15), Schedule 4, paragraph 42, the Crime and Courts Act 2013 (c. 22), Schedule 8, paragraph 29(2) and the Deregulation Act 2015 (c. 20), section 50(4) and (5).

6. Ni chaiff neb, yn ystod cyfnod y gwaith, yrru unrhyw gerbyd modur yn gyflymach na 10 milltir yr awr ar y darn o'r cefnffyrdd a bennir yn Atodlen 2 i'r Gorchymyn hwn.

7. Ni chaiff neb, yn ystod cyfnod y gwaith, ddefnyddio cerbyd na chaniatáu i gerbyd, ac eithrio cerbyd esempt, gael ei ddefnyddio yn y fath fodd fel ei fod yn goddiweddyd unrhyw gerbyd arall ar y darn o'r cefnffyrdd a bennir yn Atodlen 2 i'r Gorchymyn hwn ar yr adegau hynny pan fo'r cyfyngiad yn erthygl 6 yn weithredol.

Cymhwyso

8. —(1) Ni fydd y gwaharddiadau a'r cyfyngiadau yn erthyglau 3, 4, 5, 6 a 7 yn gymwys ond ar yr adegau hynny ac i'r graddau hynny y bydd arwyddion traffig yn eu dangos.

(2) Nid yw unrhyw derfynau cyflymder a osodir gan y Gorchymyn hwn yn gymwys i gerbyd esempt.

Atal dros dro

9. Mae unrhyw ddarpariaethau statudol sy'n cyfyngu ar gyflymder cerbydau ar y darnau o'r gefnffordd a bennir yn Atodlen 2 i'r Gorchymyn hwn wedi eu hatal dros dro ar yr adegau hynny pan fo'r cyfyngiadau a bennir yn erthyglau 4, 5 a 6 yn weithredol.

Cyfnod para'r Gorchymyn hwn

10. Bydd y Gorchymyn hwn yn para am 18 mis ar y mwyaf.

Llofnodwyd ar ran y Dirprwy Weinidog Newid Hinsawdd, wrth weithredu o dan awdurdod y Gweinidog Newid Hinsawdd, un o Weinidogion Cymru.

Dyddiedig 14 Chwefror 2023

Nicci Hunter
Arweinydd y Tîm Busnes
Llywodraeth Cymru

ATODLEN 1
Gwahardd cerbydau dros dro

Y darn o gefnffordd yr A449 sy'n ymestyn o'i chyffordd â cherbytffordd gylchredol Cyfnewidfa Coldra, Casnewydd (Cyffordd 24) hyd at ganolbwynt Cyfnewidfa Rhaglan yr A449 a'r A40, Sir Fynwy.

6. No person may, during the works period, drive any motor vehicle at a speed exceeding 10 miles per hour on the length of the trunk roads specified in Schedule 2 to this Order.

7. No person may, during the works period, use or permit the use of a vehicle, other than an exempted vehicle, in such a way that it overtakes any other vehicle on the length of the trunk roads specified in Schedule 2 to this Order during such times as the restriction in article 6 is in operation.

Application

8. —(1) The prohibitions and restrictions in articles 3, 4, 5, 6 and 7 apply only during such times and to such extent as indicated by traffic signs.

(2) No speed limits imposed by this Order apply to an exempted vehicle.

Suspension

9. Any statutory provisions restricting the speed of vehicles on the length of the trunk road specified in Schedule 2 to this Order are suspended during such times as the restrictions specified in articles 4, 5 and 6 are in operation.

Duration of this Order

10. The maximum duration of this Order is 18 months.

Signed on behalf of the Deputy Minister for Climate Change, acting under the authority of the Minister for Climate Change, one of the Welsh Ministers.

Dated 14 February 2023

Nicci Hunter
Business Team Leader
Welsh Government

SCHEDULE 1
Temporary prohibition of vehicles

The length of the A449 trunk road that extends from its junction with the circulatory carriageway of Coldra Interchange, Newport (Junction 24) to the centre-point of the A449 and A40 Raglan Interchange, Monmouthshire.

Y darnau o ffyrdd ymuno ac ymadael tua'r gogledd a thua'r de yr A449 wrth Gyfnewidfa Brynbuga, Sir Fynwy.

Y darnau o ffyrdd ymuno ac ymadael tua'r gogledd a thua'r de yr A449/A40 wrth Gyfnewidfa Rhaglan, Sir Fynwy.

ATODLEN 2
Terfynau cyflymder dros dro o 50 mya, 40 mya neu 10 mya a dim goddiweddyd

Y darn o gefnffyrdd yr A449 a'r A40 sy'n ymestyn o'u cyffordd â cherbytffordd gylchredol Cyfnewidfa Coldra, Casnewydd (Cyffordd 24 yr M4) hyd at ganolbwynt trosbont Chapel Lane, i'r gogledd o Drefynwy.

The lengths of the A449 northbound and southbound exit and entry slip roads at Usk Interchange, Monmouthshire.

The lengths of the A449/A40 northbound and southbound exit and entry slip roads at Raglan Interchange, Monmouthshire.

SCHEDULE 2
Temporary 50 mph, 40 mph or 10 mph speed limits and no overtaking

The length of the A449 and A40 trunk roads that extends from its junction with the circulatory carriageway of Coldra Interchange, Newport (M4 Junction 24) to the centre-point of the access to Chapel Farm, north of Monmouth.