

2023 Rhif (Cy.)

2023 No. (W.)

TRAFFIG FFYRDD, CYMRU

ROAD TRAFFIC, WALES

Gorchymyn Cefnffordd yr A40
(Twneli Gibraltar, Trefynwy, Sir
Fynwy) (Gwaharddiadau a
Chyfyngiadau Traffig Dros Dro)
2023

The A40 Trunk Road (Gibraltar
Tunnels, Monmouth,
Monmouthshire) (Temporary
Traffic Prohibitions & Restrictions)
Order 2023

Gwnaed 4 Awst 2023

Made 4 August 2023

Yn dod i rym 11 Awst 2023

Coming into force 11 August 2023

Mae Gweinidogion Cymru, sef yr awdurdod traffig ar gyfer y darn perthnasol o gefnffordd yr A40, wedi eu bodloni y dylid cyfyngu ar draffig a/neu ei wahardd ar ddarnau penodedig o'r gefnffordd oherwydd gwaith y bwriedir ei wneud ar y ffordd neu gerllaw iddi.

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

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.

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.

Enwi a chychwyn

Title and commencement

1. Enw'r Gorchymyn hwn yw Gorchymyn Cefnffordd yr A40 (Twneli Gibraltar, Trefynwy, Sir Fynwy) (Gwaharddiadau a Chyfyngiadau Traffig Dros Dro) 2023 a daw'r Gorchymyn hwn i rym ar 11 Awst 2023.

1. The title of this Order is the A40 Trunk Road (Gibraltar Tunnels, Monmouth, Monmouthshire) (Temporary Traffic Prohibitions & Restrictions) Order 2023 and this Order comes into force on 11 August 2023.

Dehongli

Interpretation

2. Yn y Gorchymyn hwn—
ystyr "cerbyd esempt" ("exempted vehicle") yw:

2. In this Order—
"exempted vehicle" ("cerbyd esempt") means:

(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.

(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.

- (a) unrhyw gerbyd sy'n cael ei ddefnyddio at y dibenion a ddisgrifir yn adran 87 o Ddeddf Rheoleiddio Traffig Ffyrdd 1984(1);
- (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 11 Awst 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 “y gefnffordd” (“*the trunk road*”) yw cefnffordd yr A40 Casnewydd i Gaerwrangon;

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 ar gerbyttfordd tua'r dwyrain na cherbyttfordd tua'r gorllewin y darn o'r gefnffordd a bennir yn Atodlen 1 i'r Gorchymyn hwn.

4.—(1) Tra bo traffig yn cael ei wahardd rhag symud ar y gerbyttfordd tua'r dwyrain gan erthygl 3 ond, yn unol ag erthygl 8, nad yw'n cael ei wahardd rhag symud ar y gerbyttfordd tua'r gorllewin, ni chaiff neb yrru unrhyw gerbyd yn lôn allanol cerbyttfordd tua'r gorllewin y gefnffordd i unrhyw gyfeiriad ac eithrio tua'r dwyrain.

(2) Tra bo traffig yn cael ei wahardd rhag symud ar y gerbyttfordd tua'r gorllewin gan erthygl 3 ond, yn unol ag erthygl 8, nad yw'n cael ei wahardd rhag symud ar y gerbyttfordd tua'r dwyrain, ni chaiff neb yrru unrhyw gerbyd yn lôn allanol cerbyttfordd tua'r dwyrain y gefnffordd i unrhyw gyfeiriad ac eithrio tua'r gorllewin.

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

- (a) any vehicle being used for the purposes described in section 87 of the Road Traffic Regulation Act 1984(1);
- (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 road” (“*y gefnffordd*”) means the A40 Newport to Worcester trunk road;

“works period” (“*cyfnod y gwaith*”) means intermittent periods commencing at 20:00 hours on 11 August 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 on either the eastbound or westbound carriageway of the length of the trunk road specified in Schedule 1 to this Order.

4.—(1) Whilst movement of traffic is by article 3 prohibited in the eastbound carriageway but, pursuant to article 8, not prohibited in the westbound carriageway, no person may drive any vehicle in the offside lane of the westbound carriageway of the trunk road in any direction other than eastwards.

(2) Whilst movement of traffic is by article 3 prohibited in the westbound carriageway but, pursuant to article 8, not prohibited in the eastbound carriageway, no person may drive any vehicle in the offside lane of the eastbound carriageway of the trunk road in any direction other than westwards.

(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).

5. Ni chaiff neb, yn ystod cyfnod y gwaith, yrru unrhyw gerbyd ar y darnau o'r gefnffordd a bennir yn Atodlen 2 i'r Gorchymyn hwn.

6. Ni chaiff neb, yn ystod cyfnod y gwaith, yrru unrhyw gerbyd modur yn gyflymach na 30 milltir yr awr ar y darnau o'r gefnffordd a bennir yn Atodlen 3 i'r Gorchymyn hwn.

7. Ni chaiff neb, yn ystod cyfnod y gwaith, yrru unrhyw gerbyd modur yn gyflymach na 50 milltir yr awr ar y darnau o'r gefnffordd a bennir yn Atodlen 4 i'r Gorchymyn hwn.

Cymhwysio

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 derfyn 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 Atodlenni 3 a 4 i'r Gorchymyn hwn wedi eu hatal dros dro ar yr adegau hynny pan fo'r cyfyngiadau a bennir yn erthyglau 6 a 7 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, yn gweithredu o dan awdurdod y Gweinidog Newid Hinsawdd, un o Weinidogion Cymru.

Dyddiedig

4 Awst 2023

Nicci Hunter
Arweinydd Tîm Busnes
Llywodraeth Cymru

5. No person may, during the works period, drive any vehicle on the lengths of the trunk road specified in Schedule 2 to this Order.

6. No person may, during the works period, drive any motor vehicle at a speed exceeding 30 miles per hour on the length of the trunk road specified in Schedule 3 to this Order.

7. 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 road on the length of the trunk road specified in Schedule 4 to this Order.

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 lengths of the trunk road specified in Schedules 3 and 4 to this Order are suspended during such times as the restrictions specified in articles 6 and 7 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

4 August 2023

Nicci Hunter
Business Team Leader
Welsh Government

ATODLEN 1
Gwrthlif

Y darn o'r gefnffordd sy'n ymestyn o bwynt tua 800 metr i'r de o borth Twneli Gibraltar hyd at bwynt tua 50 metr i'r gogledd o borth y Twneli.

ATODLEN 2
Gwahardd cerbydau dros dro

Y darn o lôn ymwahanu'r A40 tua'r gogledd hyd at y B4293 Portal Road.

Y darn o ffordd ymadael tua'r de yr A40 hyd at ei chyffordd â'r rhan ddwyffordd o'r B4293 Beech Road.

ATODLEN 3
Terfyn cyflymder 30 mya dros dro

Y darn o'r gefnffordd sy'n ymestyn o'i chyffordd â'r A466 signalau traffig Pont Afon Gwy hyd at bwynt 2.25 o gilometrau i'r de o'r gyffordd honno.

ATODLEN 4
Terfyn cyflymder 50 mya dros dro

Y darn o gerbyttffordd tua'r gogledd y gefnffordd sy'n ymestyn o bwynt 4.2 o gilometrau i'r de o'i chyffordd â'r A466 signalau traffig Pont Afon Gwy hyd at bwynt 2.25 o gilometrau i'r de o'r signalau traffig hynny.

SCHEDULE 1
Contraflow

The length of the trunk road that extends from a point approximately 800 metres south of the portal to the Gibraltar Tunnels to a point approximately 50 metres north of the portal to the Tunnels.

SCHEDULE 2
Temporary prohibition of vehicles

The length of the A40 northbound diverge lane to the B4293 Portal Road.

The length of the A40 southbound exit slip road to its junction with the 2-way section of the B4293 Beech Road.

SCHEDULE 3
Temporary 30 mph speed limit

The length of the trunk road that extends from its junction with the A466 Wye Bridge traffic signals to a point 2.25 kilometres south of that junction.

SCHEDULE 4
Temporary 50 mph speed limit

The length of the northbound carriageway of the trunk road that extends from a point 4.2 kilometres south of its junction with the A466 Wye Bridge traffic signals to a point 2.25 kilometres south of those traffic signals.