

2023 Rhif (Cy.)

TRAFFIG FFYRDD, CYMRU

Gorchymyn Cefnffordd yr A40 (Cylchfan Robeston Wathen i Gyffordd Pengawse Hill, Sir Benfro) (Gwaharddiadau a Chyfngiadau Traffig Dros Dro) 2023

Gwnaed 20 Hydref 2023
Yn dod i rym 26 Hydref 2023

Mae Gweinidogion Cymru, sef yr awdurdod traffig ar gyfer cefnffordd yr A40, wedi eu bodloni y dylid gwahardd traffig a/neu gyfyngu arno ar ddarnau penodedig o'r gefnffordd oherwydd gwaith y bwriadir ei wneud ar y ffordd neu gerllaw iddi.

Mae Gweinidogion Cymru, felly, drwy arfer y pwerau a roddir iddynt gan adrannau 14(1), (4) a (7) a 124 o Ddeddf Rheoleiddio Traffig Ffyrd 1984(1), a pharagraff 27 o Atodlen 9 iddi, yn gwneud y Gorchymyn hwn.

Enwi a chychwyn

1. Enw'r Gorchymyn hwn yw Gorchymyn Cefnffordd yr A40 (Cylchfan Robeston Wathen i Gyffordd Pengawse Hill, Sir Benfro) (Gwaharddiadau a Chyfngiadau Traffig Dros Dro) 2023 a daw'r Gorchymyn hwn i rym ar 26 Hydref 2023.

Dehongli

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

(1) 1984 p. 27; amnewidiwyd adran 14 gan adran 1(1) o Ddeddf Traffig Ffyrdd (Cyfngiadau 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 pwerau hyn yn arferadwy bellach gan Weinidogion Cymru o ran Cymru.

2023 No. (W.)

ROAD TRAFFIC, WALES

The A40 Trunk Road (Robeston
Wathen Roundabout to Pengawse
Hill Junction, Pembrokeshire)
(Temporary Traffic Prohibitions
and Restrictions) Order
2023

Made 20 October 2023
Coming into force 26 October 2023

The Welsh Ministers, as traffic authority for 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.

The Welsh Ministers, therefore, in exercise of the powers conferred upon them by sections 14(1), (4), (7) and 124 of, and paragraph 27 of Schedule 9 to, the Road Traffic Regulation Act 1984(1), make this Order.

Title and commencement

1. The title of this Order is the A40 Trunk Road (Robeston Wathen Roundabout to Pengawse Hill Junction, Pembrokeshire) (Temporary Traffic Prohibitions and Restrictions) Order 2023 and this Order comes into force on 26 October 2023.

Interpretation

- ## **2. In this Order—**

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

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

- (a) unrhyw gerbyd sy'n cael ei ddefnyddio gan y gwasanaethau brys;
- (b) unrhyw gerbyd sy'n cael ei ddefnyddio at y dibenion a ddisgrifir yn adran 87 o Ddeddf Rheoleiddio Traffig Ffyrrd 1984(1);
- (c) 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 orchymynion aelod o luoedd arfog y Goron, sy'n aelod o'r luoedd 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 00:01 o'r gloch ar 26 Hydref 2023 ac sy'n dod i ben pan gaiff yr arwyddion traffig dros dro ar gyfer pob cyfnod gwaith eu symud ymaith yn barhaol;

ystyr “y gefnffordd” (“*the trunk road*”) yw cefnffordd yr A40 Llundain i Abergwaun;

ystyr “luoedd arbennig” (“*special forces*”) yw'r unedau hynny o'r luoedd 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 chyfngiadau

3. Ni chaiff neb, yn ystod cyfnod y gwaith, yrru unrhyw gerbyd, ac eithrio cerbyd esempt fel y pennir yn erthygl 2(a), ar y darn o'r gefnffordd a bennir yn Atodlen 1 i'r Gorchymyn hwn.

4. Ni chaiff neb, yn ystod cyfnod y gwaith, reidio unrhyw feic pedal ar y darn o'r gefnffordd a bennir yn Atodlen 2 i'r Gorchymyn hwn.

5. Ni chaiff neb, yn ystod cyfnod y gwaith, gerdded ar y darn o'r gefnffordd a bennir yn Atodlen 2 i'r Gorchymyn hwn.

- (a) any vehicle being used by the emergency services;
- (b) any vehicle being used for the purposes described in section 87 of the Road Traffic Regulation Act 1984(1);
- (c) 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” (“*luoedd 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 London to Fishguard trunk road;

“works period” (“*cyfnod y gwaith*”) means intermittent periods commencing at 00:01 hours on 26 October 2023 and ending when the temporary traffic signs for each period of works are permanently removed.

Prohibitions and restrictions

3. No person may, during the works period, drive any vehicle, other than an exempted vehicle as specified in article 2(a), on the length of the trunk road specified in Schedule 1 to this Order.

4. No person may, during the works period, ride any pedal cycle on the length of the trunk road specified in Schedule 2 to this Order.

5. No pedestrian may, during the works period, proceed on the length of the trunk road specified in Schedule 2 to this Order.

(1) Diwygiwyd 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 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).

(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, ac eithrio cerbyd esempt, yn gyflymach na 50, 40 neu 30 milltir yr awr ar y darn o'r gefnffordd a bennir yn Atodlen 1 i'r Gorchymyn hwn.

7. Ni chaiff neb, yn ystod cyfnod y gwaith, yrru unrhyw gerbyd modur, ac eithrio cerbyd esempt, yn gyflymach na 10 milltir yr awr ar y darn o'r gefnffordd a bennir yn Atodlen 3 i'r Gorchymyn hwn.

8. Ni chaiff neb, yn ystod cyfnod y gwaith, ddefnyddio cerbyd na chaniatáu i gerbyd, ac eithrio cerbyd esempt, gael ei ddefnyddio yn y fath fod fel ei fod yn goddiweddyd unrhyw gerbyd arall ar y darn o'r gefnffordd a bennir yn Atodlen 3 i'r Gorchymyn hwn ar yr adegau hynny pan fo'r cyfyngiadau y cyfeirir atynt yn erthyglau 6 a 7 yn weithredol.

9. Ni chaiff neb, yn ystod cyfnod y gwaith, ganiatáu i unrhyw gerbyd, ac eithrio cerbyd esempt, droi i'r dde neu i'r chwith ar y darnau o'r gefnffordd a bennir yn Atodlen 4 i'r Gorchymyn hwn.

10. Ni chaiff neb, yn ystod cyfnod y gwaith, ac eithrio yn ôl cyfarwyddyd neu â chaniatâd cwnstabl heddlu, swyddog cymorth cymunedol yr heddlu neu swyddog gorfodi sifil, beri na chaniatáu i unrhyw gerbyd aros ar y darn o'r gefnffordd a bennir yn Atodlen 1 i'r Gorchymyn hwn.

Atal Dros Dro

11. Mae unrhyw ddarpariaethau statudol sy'n cyfyngu ar gyflymder cerbydau ar y darn o'r gefnffordd a bennir yn Atodlen 1 a 3 wedi eu hatal dros dro ar yr adegau hynny pan fo'r cyfyngiadau a bennir yn erthyglau 6 a 7 yn weithredol.

Cymhwysyo

12.—(1) Ni fydd y gwaharddiadau a'r cyfyngiadau yn erthyglau 3, 4, 5, 6, 7, 8, 9 a 10 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.

Cyfnod Para'r Gorchymyn hwn

13. 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.

6. No person may, during the works period, drive any motor vehicle, other than an exempted vehicle, at a speed exceeding 50, 40 or 30 miles per hour on the length of the trunk road specified in Schedule 1 to this Order.

7. No person may, during the works period, drive any motor vehicle, other than an exempted vehicle, at a speed exceeding 10 miles per hour on the length of the trunk road specified in Schedule 3 to this Order.

8. 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 road specified in Schedule 3 to this Order during such times as the restrictions referred to in articles 6 and 7 are in operation.

9. No person may, during the works period, permit any vehicle, other than an exempted vehicle, to make a right hand turn or a left hand turn in the lengths of the trunk road specified in Schedule 4 to this Order.

10. No person may, during the works period, except upon the direction or with the permission of a police constable, police community support officer or civil enforcement officer, cause or permit any vehicle to wait on the length of the trunk road specified in Schedule 1 to this Order.

Suspension

11. Any statutory provisions restricting the speed of vehicles on the length of the trunk road specified in Schedules 1 and 3 are suspended during such times as the restrictions specified in articles 6 and 7 are in operation.

Application

12.—(1) The prohibitions and restrictions in articles 3, 4, 5, 6, 7, 8, 9 and 10 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.

Duration of this Order

13. The maximum duration for 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.

Nicci Hunter
Arweinydd y Tîm Busnes
Llywodraeth Cymru

Nicci Hunter
Business Team Leader
Welsh Government

ATODLEN 1

Gwahardd Cerbydau, Gwahardd Aros a Therfynau Cyflymder 50 mya, 40 mya neu 30 mya Dros Dro

Y darn o'r gefnffordd (ar hyd y lonydd aliniad presennol a lonydd aliniad newydd) sy'n ymestyn o Gylchfan Robeston Wathen hyd at ei chyffordd â'r ffordd ddiddosbarth sy'n arwain at Pengawse Hill, gan gynnwys pob cilfan ac eithrio'r gilfan sydd wedi ei lleoli ar y gerbytffordd tua'r dwyrain yn union i'r gorllewin o Gylchfan Penblewin a'r ardal orffwys ym Mhenblewin.

ATODLEN 2

Gwahardd Beicwyr a Cherddwyr Dros Dro

Y darn o gefnffordd yr A40 (ar hyd y lonydd aliniad presennol a lonydd aliniad newydd) sy'n ymestyn o'r ffordd ddiddosbarth sy'n arwain at yr anedd o'r enw Jacobs Park hyd at ei chyffordd â'r ffordd ddiddosbarth sy'n arwain at Pengawse Hill, gan gynnwys pob cilfan ac eithrio'r gilfan sydd wedi ei lleoli ar y gerbytffordd tua'r dwyrain yn union i'r gorllewin o Gylchfan Penblewin a'r ardal orffwys ym Mhenblewin.

ATODLEN 3

Terfyn Cyflymder 10 mya Dros Dro a Dim Goddiwedd yd

Y darn o gefnffordd yr A40 (ar hyd y lonydd aliniad presennol a lonydd aliniad newydd) sy'n ymestyn o Gylchfan Robeston Wathen hyd at bwynt 175 o fetrau i'r gorllewin o'r fynedfa i'r anedd o'r enw Maes-y-Ffynnon.

ATODLEN 4

Gwahardd Troi i'r Dde / i'r Chwith Dros Dro

Dim troi i'r dde o gerbytffordd tua'r dwyrain y gefnffordd i fynd ar y B4313 Redstone Road.

Dim troi i'r chwith o gerbytffordd tua'r gorllewin y gefnffordd i fynd ar y B4313 Redstone Road.

SCHEDULE 1

Temporary Prohibition of Vehicles, Prohibition of Waiting and 50 mph, 40 mph or 30 mph Speed Limits

The length of the trunk road (along existing and new alignment lanes) that extends from Robeston Wathen Roundabout to its junction with the unclassified road leading to Pengawse Hill, including all laybys with the exception of the layby situated on the eastbound carriageway immediately west of Penblewin Roundabout and the rest area at Penblewin.

SCHEDULE 2

Temporary Prohibition of Cyclists and Pedestrians

The length of the A40 trunk road (along existing and new alignment lanes) that extends from the unclassified road leading to the dwelling known as Jacobs Park to its junction with the unclassified road leading to Pengawse Hill, including all laybys with the exception of the layby situated on the eastbound carriageway immediately west of Penblewin Roundabout and the rest area at Penblewin.

SCHEDULE 3

Temporary 10 mph Speed Limit and No Overtaking

The length of the A40 trunk road (along existing and new alignment lanes) that extends from Robeston Wathen Roundabout to a point 175 metres west of the entrance to the dwelling known as Maes-Y-Ffynnon.

SCHEDULE 4

Temporary Prohibition of Right Hand/ Left Hand Turns

No right hand turn from the eastbound carriageway of the trunk road on to the B4313 Redstone Road.

No left hand turn from the westbound carriageway of the trunk road on to the B4313 Redstone Road.

