

2023 Rhif (Cy.)

2023 No. (W.)

TRAFFIG FFYRDD, CYMRU

ROAD TRAFFIC, WALES

Gorchymyn Cefnffordd yr A465
(Hereford Road, y Fenni, Sir
Fynwy) (Gwaharddiad a
Chyfyngiad Traffig Dros Dro) 2023

The A465 Trunk Road (Hereford
Road, Abergavenny,
Monmouthshire) (Temporary
Traffic Prohibition & Restriction)
Order 2023

Gwnaed 24 Tachwedd 2023

Made 24 November 2023

Yn dod i rym 30 Tachwedd 2023

Coming into force 30 November 2023

Mae Gweinidogion Cymru, sef yr awdurdod traffig ar gyfer y darn perthnasol o gefnffordd yr A465, wedi eu bodloni y dylid gwahardd traffig a/neu gyfyngu arno 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 A465 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 A465 (Hereford Road, y Fenni, Sir Fynwy) (Gwaharddiad a Chyfyngiad Traffig Dros Dro) 2023 a daw'r Gorchymyn hwn i rym ar 30 Tachwedd 2023.

1. The title of this Order is the A465 Trunk Road (Hereford Road, Abergavenny, Monmouthshire) (Temporary Traffic Prohibition & Restriction) Order 2023 and this Order comes into force on 30 November 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;
- (c) unrhyw gerbyd sy'n cael ei ddefnyddio mewn cysylltiad â'r gwaith sy'n arwain at y Gorchymyn hwn;

ystyr “cyfnod y gwaith” (“*works period*”) yw'r cyfnod sy'n dechrau am 00:01 o'r gloch ar 30 Tachwedd 2023 ac sy'n dod i ben pan gaiff yr arwyddion traffig dros dro eu symud ymaith yn barhaol;

ystyr “y gefnffordd” (“*the trunk road*”) yw cefnffordd yr A465 Casnewydd i'r Amwythig;

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

Gwaharddiad a chyfyngiad

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

4. Ni chaiff neb yrru unrhyw gerbyd modur, ac eithrio cerbyd esempt a bennir yn erthygl 2 (a) a (b) o'r Gorchymyn hwn, yn gyflymach nag 40 milltir yr awr ar y darn o gefnffordd a bennir yn Atodlen 2 i'r Gorchymyn hwn.

- (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;
- (c) any vehicle being used in connection with the works giving rise to this Order;

“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 A465 Newport to Shrewsbury trunk road;

“works period” (“*cyfnod y gwaith*”) means the period commencing at 00:01 hours on 30 November 2023 and ending when the temporary traffic signs are permanently removed.

Prohibition and restriction

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

4. No person may, during the works period, drive any motor vehicle, other than an exempted vehicle specified in article 2(a) and (b) of this Order, at a speed exceeding 40 miles per hour 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 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).

Cymhwyso

5. Ni fydd y gwaharddiad a'r cyfyngiad yn erthyglau 3 a 4 yn gymwys ond ar yr adegau hynny ac i'r graddau hynny y bydd arwyddion traffig yn eu dangos.

Atal dros dro

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

Cyfnod para'r Gorchymyn hwn

7. 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

24 Tachwedd 2023

Nicci Hunter
Arweinydd y Tîm Busnes
Llywodraeth Cymru

Application

5. The prohibition and restriction in articles 3 and 4 apply only during such times and to such extent as indicated by traffic signs.

Suspension

6. 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 restriction specified in article 4 is in operation.

Duration of this Order

7. 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

24 November 2023

Nicci Hunter
Business Team Leader
Welsh Government

ATODLEN 1 Gwahardd cerbydau dros dro

Hyd y gilfan gyfagos i'r gerbyttffordd tua'r gogledd ar y gefnffordd, gan gynnwys y lôn arafu sy'n arwain at y gilfan a'r lôn gyflymu sy'n arwain o'r gilfan, gyferbyn â'r fynedfa i Roc House Farm, Hereford Road, y Fenni, Sir Fynwy.

ATODLEN 2 Terfyn cyflymder 40 mya dros dro

Hyd y darn o gefnffordd sy'n ymestyn o bwynt 500 metr i'r de o ganolbwynt y gilfan gyfagos i'r gerbyttffordd tua'r gogledd o'r gefnffordd, gyferbyn â'r fynedfa i Roc House Farm, Hereford Road, y Fenni, i bwynt 460 metr i'r gogledd o ganolbwynt y gilfan honno.

SCHEDULE 1 Temporary prohibition of vehicles

The length of the lay-by adjacent to the northbound carriageway of the trunk road, including the deceleration lane leading to and acceleration lane leading from the lay-by, located opposite the access to Roc House Farm, Hereford Road, Abergavenny, Monmouthshire.

SCHEDULE 2 Temporary 40 mph speed limit

The length of the trunk road that extends from a point 500 metres south of the centre-point of the lay-by adjacent to the northbound carriageway of the trunk road, located opposite the access to Roc House Farm, Hereford Road, Abergavenny, to a point 460 metres north of the centre-point of that lay-by.