

2024 Rhif (Cy.)

2024 No. (W.)

TRAFFIG FFYRDD, CYMRU

ROAD TRAFFIC, WALES

Gorchymyn Traffordd yr M48
(Cyffordd 23 (Rogiet), Cas-gwent
i Gyffordd 2 (Cyfnewidfa
Newhouse), Sir Fynwy)
(Gwahardd Cerbydau Dros Dro a
Therfyn Cyflymder 40 mya) 2024

The M48 Motorway (Junction 23
(Rogiet), Chepstow to (Junction 2
(Newhouse Interchange),
Monmouthshire) (Temporary
Prohibition of Vehicles and 40 mph
Speed limit) Order 2024

Gwnaed 5 Ionawr 2024

Made 5 January 2024

Yn dod i rym 15 Ionawr 2024

Coming into force 15 January 2024

Mae Gweinidogion Cymru, sef yr awdurdod traffig ar gyfer y darnau perthnasol o draffordd yr M48, wedi eu bodloni y dylid gwahardd traffig a/neu gyfyngu arno ar ddarnau penodedig o'r draffordd oherwydd gwaith y bwriedir ei wneud ar y ffordd neu gerllaw iddi.

The Welsh Ministers, as traffic authority for the relevant length of the M48 motorway, are satisfied that traffic on specified lengths of the motorway 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 Traffordd yr M48 (Cyffordd 23 (Rogiet), Cas-gwent i Gyffordd 2 (Cyfnewidfa Newhouse), Sir Fynwy) (Gwahardd Cerbydau Dros Dro a Therfyn Cyflymder 40 mya) 2024 a daw'r Gorchymyn hwn i rym ar 15 Ionawr 2024.

1. The title of this Order is the M48 Motorway (Junction 23 (Rogiet), Chepstow to (Junction 2 (Newhouse Interchange), Monmouthshire) (Temporary Prohibition of Vehicles and 40 mph Speed Limit) Order 2024 and this Order comes into force on 15 January 2024.

Dehongli

Interpretation

2. Yn y Gorchymyn hwn—

2. In this Order—

ystyr "cerbyd esempt" ("exempted vehicle") yw—

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

- (a) unrhyw gerbyd sy'n cael ei ddefnyddio gan y gwasanaethau brys at y dibenion a ddisgrifir yn adran 87 o Ddeddf Rheoleiddio Traffig Ffyrdd 1984(1) neu mewn cysylltiad â'r gwaith sy'n arwain at y Gorchymyn hwn;
- (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'r cyfnod sy'n dechrau am 20:00 o'r gloch ar 15 Ionawr 2024 ac sy'n dod i ben pan gaiff yr arwyddion traffig dros dro eu symud ymaith yn barhaol;

ystyr “y draffordd” (“*the motorway*”) yw traffordd yr M48 Llundain i Abergwaun;

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.

Gwaharddiad a chyfyngiad

3. Ni chaiff neb, yn ystod cyfnod y gwaith, yrru unrhyw gerbyd, ac eithrio cerbyd esempt, ar y darn o'r draffordd a bennir yn Atodlenni 1 a 2 i'r Gorchymyn hwn.

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

- (a) any vehicle being used by the emergency services for the purposes described in section 87 of the Road Traffic Regulation Act 1984(1) or in connection with the works giving rise to this Order;
- (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 motorway” (“*y draffordd*”) means the M48 London to Fishguard Motorway;

“works period” (“*cyfnod y gwaith*”) means the period commencing at 20:00 hours on 15 January 2024 and ending when the temporary traffic signs are permanently removed.

Prohibition and restriction

3. No person may, during the works period, other than an exempted vehicle, drive any vehicle on the length of the motorway specified in Schedules 1 and 2 to this Order.

4. No person may, during the works period, drive any motor vehicle at a speed exceeding 40 miles per hour on the length of the motorway 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 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).

(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).

Atal Dros Dro

5. Mae unrhyw ddarpariaethau statudol sy'n cyfyngu ar gyflymder cerbydau ar y darn o'r draffordd wedi eu hatal dros dro ar yr adegau hynny pan fo'r cyfyngiad a bennir yn erthygl 4 yn weithredol.

Cymhwyso

6.—(1) Nid yw'r gwaharddiad na'r cyfyngiad yn erthyglau 3 a 4 yn gymwys ond ar yr adegau hynny ac i'r graddau hynny y mae 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

7. 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 5 Ionawr 2024

Nicci Hunter
Arweinydd y Tîm Busnes
Llywodraeth Cymru

ATODLEN 1 Gwahardd Cerbydau Dros Dro

Y darn o gerbyttffordd tua'r gorllewin yr M48 sy'n ymestyn o drwyniad y ffordd ymadael tua'r gorllewin wrth Gyffordd 2 (Cyfewidfa Newhouse) hyd at y man lle y mae'n uno â thraffordd yr M4 wrth Gyffordd 23 (Rogiet).

ATODLEN 2 Gwahardd Cerbydau Dros Dro a Therfyn Cyflymder 40 mya

Y darn o gerbyttffordd tua'r dwyrain yr M48 sy'n ymestyn o'r man lle y mae'n gwyro oddi wrth draffordd yr M4 wrth Gyffordd 23 (Rogiet) hyd at ei thrwyniad â ffordd ymuno tua'r dwyrain yr M48 wrth Gyffordd 2 (Cyfewidfa Newhouse).

Suspension

5. Any statutory provisions restricting the speed of vehicles on the lengths of the trunk road are suspended during such times as the restriction specified in article 4 is in operation.

Application

6.—(1) The prohibition and restriction in articles 3 and 4 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

7. 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.

Dated 5 January 2024

Nicci Hunter
Business Team Leader
Welsh Government

SCHEDULE 1 Temporary Prohibition of Vehicles

The length of the M48 westbound carriageway that extends from the nosing of the westbound exit slip road at Junction 2 (Newhouse Interchange) to its merge with the M4 motorway at Junction 23 (Rogiet).

SCHEDULE 2 Temporary Prohibition of Vehicles and 40mph Speed Limit

The length of the M48 eastbound carriageway that extends from where it diverges from the M4 Motorway at Junction 23 (Rogiet) to its nosing with the M48 eastbound entry slip road at Junction 2 (Newhouse Interchange).