OFFERYNNAU STATUDOL CYMRU

WELSH STATUTORY INSTRUMENTS

2024 Rhif (Cy.)

2024 No. (W.)

TRAFFIG FFYRDD, CYMRU

ROAD TRAFFIC, WALES

Gorchymyn Cefnffordd yr A40 (Leys Bends, Sir Fynwy) (Gwaharddiadau a Chyfyngiadau Traffig Dros Dro) 2024

The A40 Trunk Road (Leys Bends, Monmouthshire) (Temporary Traffic Prohibitions and Restrictions) Order 2024

Gwnaed	*18 Medi 2024*
Yn dod i rym	*30 Medi 2024*

Made	*18 September 2024*
Coming into force	*30 September 2024*

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.

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 Cefnffordd yr A40 (Leys Bends, Sir Fynwy) (Gwaharddiadau a Chyfyngiadau Traffig Dros Dro) 2024 a daw'r Gorchymyn hwn i rym ar 30 Medi 2024.

Dehongli

2. Yn y Gorchymyn hwn—

ystyr "cerbyd esempt" ("*exempted vehicle*") yw:

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.

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 A40 Trunk Road (Leys Bends, Monmouthshire) (Temporary Traffic Prohibitions and Restrictions) Order 2024 and this Order comes into force on 30 September 2024.

Interpretation

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 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 cyfnodau ysbeidiol sy'n dechrau am 20:00 o'r gloch ar 30 Medi 2024 ac sy'n dod i ben pan gaiff yr arwyddion traffig dros dro ar gyfer pob cyfnod 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, ac eithrio cerbyd esempt, ar gerbytffordd tua'r dwyrain y darn o'r gefnffordd a bennir yn Atodlen 1 i'r Gorchymyn hwn.

4. Tra bo traffig yn cael ei wahardd rhag symud ar y gerbytffordd tua'r dwyrain gan erthygl 3 ond, yn unol ag erthygl 8, nad yw'n cael ei wahardd rhag symud ar y gerbytffordd tua'r gorllewin, ni chaiff neb, yn ystod cyfnod y gwaith, yrru unrhyw gerbyd ar lôn allanol cerbytffordd tua'r gorllewin y gefnffordd i unrhyw gyfeiriad ac eithrio tua'r dwyrain.

(**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).

(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 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 30 September 2024 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 eastbound carriageway of the length of the trunk road specified in Schedule 1 to this Order.

4. 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, during the works period, drive any vehicle on the offside lane of the westbound carriageway of the trunk road in any direction other than eastwards.

(**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 sy'n lletach na 2.9 fetr ar y gwrthlif a bennir yn erthygl 4 o'r Gorchymyn hwn.

6. 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 2 i'r Gorchymyn hwn.

7. Ni chaiff neb, yn ystod cyfnod y gwaith, yrru unrhyw gerbyd modur yn gyflymach na 40 milltir yr awr ar y darnau o'r gefnffordd a bennir yn Atodlen 3 i'r Gorchymyn hwn.

Cymhwyso

8. —(1) Nid yw'r gwaharddiadau na'r cyfyngiadau yn erthyglau 3, 4, 5, 6 a 7 yn gymwys ond ar yr adegau hynny ac i'r graddau hynny y mae 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 perthnasol o'r gefnffordd a bennir yn Atodlen 3 i'r Gorchymyn hwn wedi eu hatal dros dro ar yr adegau hynny pan fo'r cyfyngiad a bennir yn erthygl 7 yn weithredol.

Cyfnod Para'r Gorchymyn hwn

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

Llofnodwyd ar ran Ysgrifennydd y Cabinet dros Drafnidiaeth a Gogledd Cymru, un o Weinidogion Cymru.

Dyddiedig 18 Medi 2024

Nicci Hunter
Arweinydd y Tîm Busnes
Llywodraeth Cymru

ATODLEN 1
Gwrthlif

Y darn o gefnffordd yr A40 o bwynt 800 metr i'r gogledd-ddwyrain o'i chyffordd â phrif gerbytffordd gylchredol Cylchfan Dixton i ffin Cymru/Lloegr.

5. No person may, during the works period, drive any vehicle with a width in excess of 2.9 metres on the contraflow specified in article 4 to this Order.

6. 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 2 to this Order.

7. No person may, during the works period, drive any motor vehicle at a speed exceeding 40 miles per hour on the lengths of the trunk road specified in Schedule 3 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 limit imposed by this Order applies to an exempted vehicle.

Suspensions

9. Any statutory provisions restricting the speed of vehicles on the relevant lengths of the trunk road specified in Schedule 3 to this Order are suspended during such times as the restriction specified in article 7 is in operation.

Duration of this Order

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

Signed on behalf of the Cabinet Secretary for Transport and North Wales, one of the Welsh Ministers.

Dated the 18 September 2024

Nicci Hunter
Business Team Leader
Welsh Government

SCHEDULE 1
Contraflow

The length of the A40 trunk road from a point 800 metres northeast of its junction with the main circulatory carriageway of Dixton Roundabout to the Wales/England border.

ATODLEN 2
Gwahardd Cerbydau Dros Dro

Y darn o gerbytffordd tua'r gogledd-ddwyrain yr A40 o'i chyffordd â phrif gerbytffordd gylchredol Cylchfan Dixton i ffin Cymru/Lloegr (caniateir mynediad lleol o Gyffordd Rhaglan i Gylchfan Dixton).

Y darn o gerbytffordd tua'r de-orllewin yr A40 o ffin Cymru/Lloegr i'w chyffordd â phrif gerbytffordd gylchredol Cylchfan Dixton.

Y darn o gilfan tua'r de-orllewin yr A40 wrth bwynt 1000 metr i'r gogledd-ddwyrain o'r gyffordd â phrif gerbytffordd gylchredol Cylchfan Dixton.

Y darn o gilfan tua'r gogledd-ddwyrain yr A40 wrth bwynt 525 o fetrau i'r dwyrain o'r gyffordd â phrif gerbytffordd gylchredol Cylchfan Dixton.

ATODLEN 3
Terfyn Cyflymder 40 mya Dros Dro

Y darn o gerbytffordd tua'r gogledd-ddwyrain yr A40 o'i chyffordd â phrif gerbytffordd gylchredol Cylchfan Dixton i ffin Cymru/Lloegr.

Y darn o gerbytffordd tua'r de-orllewin yr A40 o ffin Cymru/Lloegr i'w chyffordd â phrif gerbytffordd gylchredol Cylchfan Dixton.

SCHEDULE 2
Temporary Prohibition of Vehicles

The length of the A40 northeastbound carriageway from its junction with the main circulatory carriageway of Dixton Roundabout to the Wales/England border, (Local Access will be permitted from Raglan Junction to Dixton Roundabout).

The length of the A40 southwestbound carriageway from the Wales/England border to its junction with the main circulatory carriageway of Dixton Roundabout.

The length of the A40 southwestbound layby at a point 1000 metres northeast of the junction with the main circulatory carriageway of Dixton Roundabout.

The length of the A40 northeastbound layby at a point 525 metres east of the junction with the main circulatory carriageway of Dixton Roundabout.

SCHEDULE 3
Temporary 40 mph Speed Limit

The length of the A40 northeastbound carriageway from its junction with the main circulatory carriageway of Dixton Roundabout to the Wales/England border.

The length of the A40 southwestbound carriageway from the Wales/England border to its junction with the main circulatory carriageway of Dixton Roundabout.