

2023 Rhif (Cy.)

2023 No. (W.)

TRAFFIG FFYRDD, CYMRU

ROAD TRAFFIC, WALES

Gorchymyn Cefnffordd yr A40
(Brecon Road, Sir Fynwy hyd at y
Ffin Sirol yng Nglanrwyne,
Powys) (Gwaharddiadau a
Chyfyngiadau Traffig Dros Dro)
2023

The A40 Trunk Road (Brecon
Road, Monmouthshire to the
County Boundary at Glangrwyne,
Powys) (Temporary Traffic
Prohibitions and Restrictions)
Order 2023

Gwnaed 5 Mai 2023

Made 5 May 2023

Yn dod i rym 12 Mai 2023

Coming into force 12 May 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 ddarn penodedig o'r gefnffordd oherwydd gwaith y bwriedir ei wneud ar y ffordd neu gerllaw iddi.

The Welsh Ministers, as traffic authority for the A40 trunk road, are satisfied that traffic on a specified length 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

1. Enw'r Gorchymyn hwn yw Gorchymyn Cefnffordd yr A40 (Brecon Road, Sir Fynwy hyd at y Ffin Sirol yng Nglanrwyne, Powys) (Gwaharddiadau a Chyfyngiadau Traffig Dros Dro) 2023 a daw'r Gorchymyn hwn i rym ar 12 Mai 2023.

Title and commencement

1. The title of this Order is the A40 Trunk Road (Brecon Road, Monmouthshire to the County Boundary at Glangrwyne, Powys) (Temporary Traffic Prohibitions and Restrictions) Order 2023 and this Order comes into force on 12 May 2023.

Dehongli

2. Yn y Gorchymyn hwn—

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

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'r cyfnod sy'n dechrau am 20:00 o'r gloch ar 12 Mai 2023 ac sy'n dod i ben pan gaiff yr arwyddion traffig dros dro ar gyfer y gwaith eu symud ymaith;

ystyr “y gefnffordd” (“*the trunk road*”) yw'r darn hwnnw o gefnffordd yr A40 Rhaglan i Lanymddyfri sy'n ymestyn o bwynt 20 metr i'r gorllewin o ganolbwynt y ffordd fynediad i safle Carafanau a Gwersylla Pyscodlyn Farm hyd at bwynt 200 metr i'r dwyrain o'i chyffordd â Glangrwyney Road;

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 y darn o'r gefnffordd.

4. Ni chaiff neb, yn ystod cyfnod y gwaith, reiddu unrhyw feic pedal ar y darn o'r gefnffordd.

5. Ni chaiff neb, yn ystod cyfnod y gwaith, gerdded ar y darn o'r gefnffordd

- (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 Raglan to Llandovery trunk road that extends from a point 20 metres west of the centre point of the access to Pyscodlyn Farm Caravan and Camping Site to a point 200 metres east of the centre point of its junction with Glangrwyney Road;

“works period” (“*cyfnod y gwaith*”) means the period commencing at 20:00 hours on 12 May 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 the length of the trunk road.

4. No person may, during the works period, ride any pedal cycle on the length of the trunk road.

5. No pedestrian may, during the works period, proceed on the length of the trunk road.

(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 yn gyflymach na 40 milltir yr awr ar y darn o'r gefnffordd.

7. Ni chaiff neb, yn ystod cyfnod y gwaith, yrru unrhyw gerbyd modur yn gyflymach na 30 milltir yr awr ar y darn o'r gefnffordd.

Atal Dros Dro

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

Cymhwyso

9.—(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 terfynau cyflymder a osodir gan y Gorchymyn hwn yn gymwys i gerbyd esempt.

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, wrth weithredu o dan awdurdod y Gweinidog Newid Hinsawdd, un o Weinidogion Cymru.

Dyddiedig

5 Mai 2023

Nicci Hunter
Arweinydd y Tîm Busnes
Llywodraeth Cymru

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

7. 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.

Suspension

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

Application

9.—(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.

Duration of this Order

10. 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 May 2023

Nicci Hunter
Business Team Leader
Welsh Government