

2023 Rhif (Cy.)

2023 No. (W.)

TRAFFIG FFYRDD, CYMRU

ROAD TRAFFIC, WALES

Gorchymyn Traffordd yr M4
(Cyffordd 42 (Earlswood),
Castell-nedd Port Talbot i
Gyffordd 49 (Pont Abraham), Sir
Gaerfyrddin) (Gwaharddiadau a
Chyfyngiadau Traffig Dros Dro)
2023

The M4 Motorway (Junction 42
(Earlswood), Neath Port Talbot to
Junction 49 (Pont Abraham),
Carmarthenshire) (Temporary
Traffic Prohibitions and
Restrictions) Order 2023

Gwnaed 25 Gorffennaf 2023

Made 25 July 2023

Yn dod i rym 1 Awst 2023

Coming into force 1 August 2023

Mae Gweinidogion Cymru, sef yr awdurdod traffig ar gyfer y darnau perthnasol o draffordd yr M4, wedi eu bodloni y dylid cyfyngu ar draffig a/neu ei wahardd 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 lengths of the M4 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

1. Enw'r Gorchymyn hwn yw Gorchymyn Traffordd yr M4 (Cyffordd 42 (Earlswood), Castell-nedd Port Talbot i Gyffordd 49 (Pont Abraham), Sir Gaerfyrddin) (Gwaharddiadau a Chyfyngiadau Traffig Dros Dro) 2023 a daw'r Gorchymyn hwn i rym ar 1 Awst 2023.

Title and commencement

1. The title of this Order is the M4 Motorway (Junction 42 (Earlswood), Neath Port Talbot to Junction 49 (Pont Abraham), Carmarthenshire) (Temporary Traffic Prohibitions and Restrictions) Order 2023 and this Order comes into force on 1 August 2023.

Dehongli

2. Yn y Gorchymyn hwn—

Interpretation

2. In this Order—

(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.

ystyr “cerbyd esempt” (“*exempted vehicle*”) yw:

- (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 00:00 o'r gloch ar 1 Awst 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 draffordd” (“*the motorway*”) yw traffordd yr M4 Llundain i Dde Cymru;

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 modur, ac eithrio cerbyd esempt, ar gerbyttffordd tua'r gorllewin na cherbyttffordd tua'r dwyrain y darnau o'r draffordd a bennir yn Atodlen 1 i'r Gorchymyn hwn.

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

- (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 M4 London to South Wales Motorway;

“works period” (“*cyfnod y gwaith*”) means intermittent periods commencing at 00:00 hours on 1 August 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 motor vehicle, other than an exempted vehicle, on either the westbound or eastbound carriageways of the lengths of the motorway specified in Schedule 1 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 Trosedd Cyfundrefnol Difrifol a'r Heddlu 2005 (p. 15), paragraff 29(2) o Atodlen 8 i Ddeddf Trosedd 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).

4. Tra bo traffig yn cael ei wahardd rhag symud ar y gerbyttfordd tua'r gorllewin gan erthygl 3 ond, yn unol ag erthygl 13, nad yw'n cael ei wahardd rhag symud ar y gerbyttfordd tua'r dwyrain, ni chaiff neb, yn ystod cyfnod y gwaith, yrru unrhyw gerbyd modur ar lôn allanol cerbyttfordd tua'r dwyrain y draffordd i unrhyw gyfeiriad ac eithrio tua'r gorllewin.

5. Tra bo traffig yn cael ei wahardd rhag symud ar y gerbyttfordd tua'r dwyrain gan erthygl 3 ond, yn unol ag erthygl 13, nad yw'n cael ei wahardd rhag symud ar y gerbyttfordd tua'r gorllewin, ni chaiff neb, yn ystod cyfnod y gwaith, yrru unrhyw gerbyd modur ar lôn allanol cerbyttfordd tua'r gorllewin y draffordd i unrhyw gyfeiriad ac eithrio tua'r dwyrain.

6. Ni chaiff neb, yn ystod cyfnod y gwaith, yrru unrhyw gerbyd modur, ac eithrio cerbyd esempt, ar y darnau o'r draffordd a'r ffyrdd ymuno ac ymadael a bennir yn Atodlen 2 i'r Gorchymyn hwn.

7. Ni chaiff neb, yn ystod cyfnod y gwaith, yrru unrhyw gerbyd modur sy'n 2.5 metr o led neu'n lletach ar y darnau o'r draffordd a'r ffyrdd ymuno ac ymadael a bennir yn Atodlen 3 i'r Gorchymyn hwn.

8. Ni chaiff neb, yn ystod cyfnod y gwaith, yrru unrhyw gerbyd modur sy'n lletach na 2.5 metr o led cyfan, ar unrhyw lôn ac eithrio'r lôn chwith ar y darnau o'r draffordd a bennir yn Atodlen 4 i'r Gorchymyn hwn.

9. Ni chaiff neb, yn ystod cyfnod y gwaith, yrru unrhyw gerbyd modur yn gyflymach na 50 neu 30 milltir yr awr ar y darnau o'r draffordd a bennir yn Atodlen 4 i'r Gorchymyn hwn.

10. Ni chaiff neb, yn ystod cyfnod y gwaith, yrru unrhyw gerbyd modur yn gyflymach na 40 milltir yr awr ar y darnau o'r draffordd a bennir yn Atodlen 5 i'r Gorchymyn hwn.

11. Ni chaiff neb, yn ystod cyfnod y gwaith, ddefnyddio cerbyd modur na chaniatáu i gerbyd modur, ac eithrio cerbyd esempt, gael ei ddefnyddio yn y fath fodd fel ei fod yn goddiweddyd unrhyw gerbyd arall ar y darnau o'r draffordd a bennir yn Atodlen 1 i'r Gorchymyn hwn ar yr adegau hynny pan fo'r cyfyngiadau y cyfeirir atynt yn erthygl 1 yn weithredol.

12. Caiff y llain galed sy'n gyfagos i'r darnau o'r draffordd a bennir yn Atodlen 4 i'r Gorchymyn hwn fod ar gael i'w defnyddio fel lôn draffig gan bob cerbyd modur.

4. Whilst movement of traffic is, by article 3, prohibited on the westbound carriageway, but pursuant to article 13, not prohibited in the eastbound carriageway, no person may, during the works period, drive any motor vehicle in the offside lane of the eastbound carriageway of the motorway in any direction other than westwards.

5. Whilst movement of traffic is, by article 3, prohibited on the eastbound carriageway, but pursuant to article 11, not prohibited in the westbound carriageway, no person may, during the works period, drive any motor vehicle on the offside lane of the westbound carriageway of the motorway in any direction other than eastwards.

6. No person may, during the works period, drive any motor vehicle, other than an exempted vehicle, on the lengths of the motorway and slip roads specified in Schedule 2 to this Order.

7. No person may, during the works period, drive any motor vehicle with a width of or exceeding 2.5 metres on the lengths of the motorway and slip roads specified in Schedule 3 to this Order.

8. No person may, during the works period, drive any motor vehicle with an overall width exceeding 2.5 metres in any lane other than the left hand lane on the lengths of the motorway specified in Schedule 4 to this Order.

9. No person may, during the works period, drive any motor vehicle at a speed exceeding 50 or 30 miles per hour on the lengths of the motorway specified in Schedule 4 to this Order.

10. No person may, during the works period, drive any motor vehicle at a speed exceeding 40 miles per hour on the lengths of the motorway specified in Schedule 5 to this Order.

11. No person may, during the works period, use or permit the use of a motor vehicle, other than an exempted vehicle, in such a way that it overtakes any other vehicle on the lengths of the motorway specified in Schedule 1 to this Order during such times as the restrictions referred to in article 1 are in operation.

12. The hard shoulder adjacent to the lengths of motorway specified in Schedule 4 to this Order may be available for use as a traffic lane by all motor vehicles.

Cymhwyso

13.—(1) Ni fydd y gwaharddiadau a'r cyfyngiadau yn erthyglau 3, 4, 5, 6, 7, 8, 9, 10, 11 a 12 yn gymwys ond ar yr adegau hynny ac i'r graddau hynny y bydd 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

14. Mae unrhyw ddarpariaethau statudol sy'n cyfyngu ar gyflymder cerbydau ar y darnau perthnasol o'r draffordd a bennir yn Atodlenni 4 a 5 i'r Gorchymyn hwn wedi eu hatal dros dro ar yr adegau hynny pan fo'r cyfyngiadau a bennir yn erthyglau 9 a 10 yn weithredol.

15. Mae rheoliad 5 o Reoliadau Traffig Traffyrdd (Cymru a Lloegr) 1982(1) a darpariaethau rheoliad 9 o'r Rheoliadau hynny sy'n ymwneud â gyrru cerbydau wedi eu hatal dros dro i'r graddau y maent yn gymwys i'r llain galed sy'n gyffiniol â'r darnau o gerbyttfordd tua'r gorllewin a cherbyttfordd tua'r dwyrain y draffordd a bennir yn Atodlen 4 i'r Gorchymyn hwn, a chyfarwyddir traffig i ddefnyddio'r llain galed benodedig gan erthygl 12.

Cyfnod Para'r Gorchymyn hwn

16. 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 ***** 2023

Nicci Hunter
Arweinydd y Tîm Busnes
Llywodraeth Cymru

Application

13.—(1) The prohibitions and restrictions in articles 3, 4, 5, 6, 7, 8, 9, 10, 11 and 12 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.

Suspension

14. Any statutory provisions restricting the speed of vehicles on the relevant lengths of the motorway specified in Schedule 4 and 5 to this Order are suspended during such times as the restrictions specified in articles 9 and 10 are in operation.

15. Regulation 5 of the Motorways Traffic (England and Wales) Regulations 1982(1) and the provisions of regulation 9 of those Regulations relating to the driving of vehicles are suspended insofar as they apply to the hard shoulder which is contiguous with the lengths of the westbound and eastbound carriageways of the motorway specified in Schedule 4 to this Order and traffic is, by article 12, directed to use the specified hard shoulder.

Duration of this Order

16. 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 ***** 2023

Nicci Hunter
Business Team Leader
Welsh Government

ATODLEN 1
Gwrthlif Dros Dro a dim goddiweddy

Y darnau o gerbyttffordd tua'r gorllewin a cherbyttffordd tua'r dwyrain y draffordd sy'n ymestyn o'r pwynt croesi 510 o fetrau i'r dwyrain o Allt-y-graban Road hyd at drwyniad y ffordd ymuno tua'r gorllewin wrth Gyffordd 48 (yr Hendy).

ATODLEN 2
Gwahardd Cerbydau Dros Dro

1. Y darn o gerbyttffordd tua'r gorllewin y draffordd sy'n ymestyn o drwyniad y ffordd ymadael tua'r gorllewin wrth Gyffordd 47 (Penlle'r-gaer) hyd at drwyniad y ffordd ymuno tua'r gorllewin wrth Gyffordd 48 (yr Hendy).
2. Y darn o'r ffordd ymuno tua'r gorllewin wrth Gyffordd 47 (Penlle'r-gaer).
3. Y darn o gerbyttffordd tua'r dwyrain y draffordd sy'n ymestyn o drwyniad y ffordd ymadael tua'r dwyrain wrth Gyffordd 48 (yr Hendy) hyd at drwyniad y ffordd ymuno tua'r dwyrain wrth Gyffordd 47 (Penlle'r-gaer).
4. Y darn o'r ffordd ymuno tua'r dwyrain wrth Gyffordd 48 (yr Hendy).
5. Y darn o gerbyttffordd tua'r gorllewin y draffordd sy'n ymestyn o drwyniad y ffordd ymadael tua'r gorllewin wrth Gyffordd 48 (yr Hendy) hyd at ei chyffordd â'r gylchfan wrth Gyffordd 49 (Pont Abraham).
6. Y darn o'r ffordd ymuno tua'r gorllewin wrth Gyffordd 48 (yr Hendy).
7. Y darn o'r ffordd ymadael tua'r gorllewin wrth Gyffordd 48 (yr Hendy).
8. Y darn o gerbyttffordd tua'r dwyrain y draffordd sy'n ymestyn o'i chyffordd â'r gylchfan wrth Gyffordd 49 (Pont Abraham) hyd at ei thrwyniad o'r ffordd ymuno tua'r dwyrain wrth Gyffordd 48 (yr Hendy).

ATODLEN 3
Gwahardd Cerbydau sydd dros 2.5 metr o led Dros Dro

1. Y darn o gerbyttffordd tua'r gorllewin y draffordd sy'n ymestyn o drwyniad y ffordd ymadael tua'r gorllewin wrth Gyffordd 47 (Penlle'r-gaer) hyd at ei chyffordd â'r gylchfan wrth Gyffordd 49 (Pont

SCHEDULE 1
Temporary Contraflow and no overtaking

The lengths of the westbound and eastbound carriageways of the motorway that extends from the crossover point 510 metres east of Allt-Y-Graban Road to the nosing of the westbound entry slip road at Junction 48 (Hendy).

SCHEDULE 2
Temporary Prohibition of Vehicles

1. The length of the westbound carriageway of the motorway that extends from the nosing of the westbound exit slip road at Junction 47 (Penllergaer) to the nosing of the westbound entry slip road at Junction 48 (Hendy).
2. The length of the westbound entry slip road at Junction 47 (Penllergaer).
3. The length of the eastbound carriageway of the motorway that extends from the nosing of the eastbound exit slip road at Junction 48 (Hendy) to the nosing of the eastbound entry slip road at Junction 47 (Penllergaer).
4. The length of the eastbound entry slip road at Junction 48 (Hendy).
5. The length of the westbound carriageway of the motorway that extends from the nosing of the westbound exit slip road at Junction 48 (Hendy) to its junction with the roundabout at Junction 49 (Pont Abraham).
6. The length of the westbound entry slip road at Junction 48 (Hendy).
7. The length of the westbound exit slip road at Junction 48 (Hendy).
8. The length of the eastbound carriageway of the motorway that extends from its junction with the roundabout at Junction 49 (Pont Abraham) to its nosing of the eastbound entry slip road at Junction 48 (Hendy).

SCHEDULE 3
Temporary Prohibition of Vehicles over 2.5 metres wide

1. The length of the westbound carriageway of the motorway that extends from the nosing of the westbound exit slip road at Junction 47 (Penllergaer) to its junction with the roundabout at Junction 49

Abraham).

2. Y darn o gerbyttfordd tua'r dwyrain y draffordd sy'n ymestyn o'i chyffordd â'r gylchfan wrth Gyffordd 49 (Pont Abraham) hyd at ei thrwyniad o'r ffordd ymuno tua'r dwyrain wrth Gyffordd 47 (Penlle'r-gaer).

ATODLEN 4

Defnyddio'r Llain Galed a Therfyn Cyflymder 50mya a 30mya Dros Dro

Y darn o lain galed cerbyttfordd tua'r gorllewin a cherbyttfordd tua'r dwyrain y draffordd sy'n ymestyn o bwynt 2441 o fetrau i'r dwyrain o'r pwynt croesi yn Allt-y-graban Road hyd at bwynt 940 o fetrau i'r gorllewin o'r pwynt croesi â'r B4306.

ATODLEN 5

Terfyn Cyflymder 40 mya Dros Dro

1. Y darn o gerbyttfordd tua'r gorllewin y draffordd sy'n ymestyn o bwynt 373 o fetrau i'r dwyrain o'i thrwyniad â'r ffordd ymuno tua'r gorllewin wrth Gyffordd 42 (Earlswood) hyd at bwynt 607 o fetrau i'r de-orllewin o'i chyffordd â'r gylchfan wrth Gyffordd 49 (Pont Abraham).

2. Y darn o gerbyttfordd tua'r dwyrain y draffordd sy'n ymestyn o'i chyffordd â ffordd ymuno tua'r dwyrain y gylchfan wrth Gyffordd 49 (Pont Abraham) hyd at bwynt 413 o fetrau i'r dwyrain o'i thrwyniad â'r ffordd ymadael tua'r dwyrain wrth Gyffordd 42 (Earlswood).

(Pont Abraham).

2. The length of the eastbound carriageway of the motorway that extends from its junction with the roundabout at Junction 49 (Pont Abraham) to its nosing of the eastbound entry slip road at Junction 47 (Penllergaer).

SCHEDULE 4

Temporary Trafficking of Hard Shoulder and 50mph & 30mph Speed limit

The length of the hard shoulder of the westbound and eastbound carriageway of the motorway that extends from a point 2441 metres east of the crossover point of Allt-Y-Graban Road to a point 940 metres west of the crossover point with the B4306.

SCHEDULE 5

Temporary 40 mph Speed Limit

1. The length of the westbound carriageway of the motorway that extends from a point 373 metres east of its nosing with the westbound entry slip road at Junction 42 (Earlswood) to a point 607 metres south west of its junction with the roundabout at Junction 49 (Pont Abraham).

2. The length of the eastbound carriageway of the motorway that extends from its junction with the eastbound entry slip road of the roundabout at Junction 49 (Pont Abraham) to a point 413 metres east of its nosing with the eastbound exit slip road at Junction 42 (Earlswood).