OFFERYNNAU STATUDOL CYMRU

2021 Rhif (Cy.)

TRAFFIG FFYRDD, CYMRU

Gorchymyn Cefnffordd yr A40 (Llandeilo i Lanymddyfri, Sir Gaerfyrddin) (Cyfyngiadau Cyflymder Dros Dro a Dim Goddiweddyd) 2021

Gwnaed	*23 Rhagfyr 2021*
Yn dod i rym	*2 Ionawr 2022*

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 (Llandeilo i Lanymddyfri, Sir Gaerfyrddin) (Cyfyngiadau Cyflymder Dros Dro a Dim Goddiweddyd) 2021 a daw'r Gorchymyn hwn i rym ar 2 Ionawr 2022.

Dehongli

2. Yn y Gorchymyn hwn—

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

(**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.

WELSH STATUTORY INSTRUMENTS

2021 No. (W.)

ROAD TRAFFIC, WALES

The A40 Trunk Road (Llandeilo to Llandovery, Carmarthenshire) (Temporary Speed Restrictions & No Overtaking) Order 2021

Made	*23 December 2021*
Coming into force	*2 January 2022*

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 restricted and/or prohibited 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 (Llandeilo to Llandovery, Carmarthenshire) (Temporary Speed Restrictions & No Overtaking) Order 2021 and this Order comes into force on 2 January 2022.

Interpretation

2. In this Order—

"exempted vehicle" *("cerbyd esempt")* means:

(**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**); a

(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 00:01 o'r gloch ar 2 Ionawr 2022 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 A40 Abertawe i Fanceinion;

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.

Cyfyngiadau a gwaharddiad

3. 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 1 i'r Gorchymyn hwn.

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

5. Ni chaiff neb, yn ystod cyfnod y gwaith, ddefnyddio cerbyd na chaniatáu i gerbyd, ac eithrio cerbyd esempt, gael ei ddefnyddio yn y fath fodd fel ei fod yn goddiweddyd unrhyw gerbyd arall ar y darnau o'r gefnffordd a bennir yn yr Atodlenni i'r Gorchymyn hwn ar yr adegau hynny pan fo'r cyfyngiad y cyfeirir ato yn erthygl 4 yn weithredol.

(**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(22) 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 for the purposes described in section 87 of the Road Traffic Regulation Act 1984(**1**); and

(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 Swansea to Manchester trunk road;

"works period" *("cyfnod y gwaith")* means the period commencing at 00:01 hours on 2 January 2022 and ending when the temporary traffic signs are permanently removed.

Restrictions and prohibition

3. 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 1 to this Order.

4. No person may, during the works period, drive any motor vehicle at a speed exceeding 10 miles per hour on the lengths of the trunk road specified in the Schedules to this Order.

5. No person may, during the works period, use or permit the use of a vehicle, other than an exempted vehicle, in such a way that it overtakes any other vehicle on the lengths of the trunk road specified in the Schedules to this Order during such times as the restriction specified in article 4 is in operation.

(**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

6.—(1) Ni fydd y cyfyngiadau a'r gwaharddiad yn erthyglau 3, 4 a 5 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

7. Mae unrhyw ddarpariaethau statudol sy'n cyfyngu ar gyflymder cerbydau modur ar y darnau o'r gefnffordd a bennir yn yr Atodlenni i'r Gorchymyn hwn wedi eu hatal dros dro ar yr adegau hynny pan fo'r cyfyngiadau a bennir yn erthyglau 3 a 4 yn weithredol.

Cyfnod para'r Gorchymyn hwn

8. 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 23 Rhagfyr 2021

Nicci Hunter
Arweinydd y Tîm Busnes
Llywodraeth Cymru

ATODLEN 1
Terfyn cyflymder 40 mya neu 10 mya dros dro a dim goddiweddyd

Y darn o'r gefnffordd sy'n ymestyn o bwynt tua 1.1 o gilometrau i'r gogledd-ddwyrain o ganolbwynt ei chyffordd â'r B4302, man i'r gogledd o Landeilo hyd at bwynt 460 o fetrau i'r de-orllewin o ganolbwynt ei chyffordd â'r A4069 yn Ashfield.

Y darn o'r gefnffordd sy'n ymestyn o bwynt 260 o fetrau i'r gogledd o ganolbwynt ei chyffordd â'r A4069 yn Ashfield hyd at bwynt 133 o fetrau i'r de-ddwyrain o ganolbwynt ei chyffordd â'r C2157, man i'r gogledd-orllewin o Lanymddyfri.

Application

6.—(1) The restrictions and prohibition in articles 3, 4 and 5 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

7. Any statutory provisions restricting the speed of motor vehicles on the lengths of the trunk road specified in the Schedules to this Order are suspended during such times as the restrictions specified in articles 3 and 4 apply.

Duration of this Order

8. 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 23 December 2021

Nicci Hunter
Business Team Leader
Welsh Government

SCHEDULE 1
Temporary 40 mph or 10 mph speed limit and no overtaking

The length of the trunk road that extends from a point approximately 1.1 kilometres north-east of the centre-point of its junction with the B4302, north of Llandeilo to a point 460 metres south-west of the centre-point of its junction with the A4069 at Ashfield.

The length of the trunk road that extends from a point 260 metres north of the centre-point of its junction with the A4069 at Ashfield to a point 133 metres south-east of the centre-point of its junction with the C2157, north-west of Llandovery.

ATODLEN 2
Terfyn cyflymder 10 mya dros dro a dim goddiweddyd

Y darn o’r gefnffordd sy’n ymestyn o Gylchfan Llandeilo (gan gynnwys ei cherbytffordd gylchredol) hyd at bwynt tua 1.1 o gilometrau i’r gogledd-ddwyrain o ganolbwynt ei chyffordd â’r B4302.

Y darn o’r gefnffordd sy’n ymestyn o bwynt 460 o fetrau i’r de-orllewin o ganolbwynt ei chyffordd â’r A4069 yn Ashfield hyd at bwynt 260 o fetrau i’r gogledd o ganolbwynt y gyffordd honno.

Y darn o’r gefnffordd sy’n ymestyn o bwynt 133 o fetrau i’r de-ddwyrain o ganolbwynt ei chyffordd â’r C2157 hyd at ei chyffordd â’r A483 yn Llanymddyfri.

SCHEDULE 2
Temporary 10 mph speed limit and no overtaking

The length of the trunk road that extends from Llandeilo Roundabout (including its circulatory carriageway) to a point approximately 1.1 kilometres north-east of the centre-point of its junction with the B4302.

The length of the trunk road that extends from a point 460 metres south-west of the centre-point of its junction with the A4069 at Ashfield to a point 260 metres north of the centre-point of that junction.

The length of the trunk road that extends from a point 133 metres south-east of the centre-point of its junction with the C2157 to its junction with the A483 at Llandovery.