

PRIFFYRDD, CYMRU

201- Rhif

DEDDF PRIFFYRDD 1980

**GORCHYMYN CEFNFFORDD
LLUNDAIN I ABERGWAUN (YR A40)
(GWELLIANT LLANDDEWI FELFFRE I
BENBLEWIN) (FFYRDD YMYL) 201-**

Gwnaed 201-

Yn dod i rym 201-

Mae Gweinidogion Cymru, drwy arfer y pwerau a roddir gan adrannau 12, 14, 125 a 268 o Ddeddf Priffyrdd 1980⁽¹⁾ ("Deddf 1980"), yn gwneud y Gorchymyn hwn.

Enwi, Cychwyn a Dehongli

1. Daw'r Gorchymyn hwn i rym ar ***** 201- a'i enw yw Gorchymyn Cefnffordd Llundain i Abergwaun (yr A40) (Gwelliant Llanddewi Felffre i Benblewin) (Ffyrdd Ymyl) 201-.

2. Yn y Gorchymyn hwn:-

(1) gwneir pob mesuriad pellter ar hyd llwybr y briffordd berthnasol neu'r fynedfa berthnasol i fangre, yn ôl y digwydd;

HIGHWAYS, WALES

201- No

THE HIGHWAYS ACT 1980

**THE LONDON TO FISHGUARD TRUNK
ROAD (A40) (LLANDDEWI VELFREY
TO PENBLEWIN IMPROVEMENT)
(SIDE ROADS) ORDER 201-**

Made 201-

Coming into force 201-

The Welsh Ministers in exercise of powers conferred by sections 12, 14, 125 and 268 of the Highways Act 1980⁽¹⁾ ("the 1980 Act") make this Order.

Title, Commencement and Interpretation

1. This Order shall come into force on ***** 201- and its title is "The London to Fishguard Trunk Road (A40) (Llanddewi Velfrey to Penblewin Improvement) (Side Roads) Order 201-".

2. In this Order:-

(1) all measurements of distance are measured along the route of the relevant highway or means of access to premises as the case may be;

(1) 1980 (p. 66). Yn rhinwedd erthygl 2 o O.S. 1999/672, ac adran 162 o Ddeddf Llywodraeth Cymru 2006 (p. 32), ac Atodlen 1 a pharagraff 30 o Atodlen 11 iddi, mae'r pwerau hyn yn arferadwy bellach gan Weiniogion Cymru o ran Cymru.

(1) 1980 (c.66). By virtue of S.I.1999/672, article 2 and section 162 of and Schedule 1 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

- (i) mae “gwella” (“*improvement*”) mewn perthynas â phriffordd yn cynnwys codi, gostwng neu newid y briffordd honno mewn modd arall, a rhaid dehongli “sydd i’w gwella” (“*improved*”) yn unol â hynny;
- (ii) ystyr “priffordd newydd” (“*new highway*”) yw priffordd y mae’r Gorchymyn hwn yn awdurdodi ei hadeiladu, a rhaid dehongli “priffyrdd newydd” (“*new highways*”) yn unol â hynny;
- (iii) ystyr “prif ffordd” (“*principal road*”) fel dosbarthiad i briffordd newydd yw bod y briffordd yn brif ffordd at ddibenion deddfiadau neu offerynnau sy’n cyfeirio at briffyrdd a ddosbarthwyd yn brif ffyrdd a’i bod hefyd yn ffordd ddosbarthiadol at ddiben pob deddfiad ac offeryn arall sy’n cyfeirio at briffyrdd a ddosbarthwyd gan Weinidogion Cymru;
- (iv) ystyr “y plan a adnewwyd” (“*the deposited plan*”) yw’r plan sy’n cynnwys y planiau safle sydd wedi eu rhifo 1 i 3 a geir yn y ffolio planiau sy’n dwyn y rhif HA14/1 WG20 ac sydd wedi ei farcio “Gorchymyn Cefnffordd Llundain i Abergwaun (yr A40) (Gwelliant Llanddewi Felffire i Benblewin) (Ffyrdd Ymyl) 201-” ac wedi ei lofnodi ar ran Gweinidogion Cymru ac wedi ei adneuo (cyf: qA1316456) yn Llywodraeth Cymru, Yr Uned Rheoli Gwybodaeth a Chofnodion, Parc Cathays, Caerdydd;
- (v) ystyr “y plan safle” (“*the site plan*”) yw un o’r planiau safle sydd wedi eu rhifo 1 i 3 a geir yn y ffolio planiau sy’n dwyn y rhif HA14/1 WAG20 ac y cyfeirir ato fel “y plan a adnewwyd” ym mharagraff (v) uchod o’r erthygl
- (i) “classified road” (“*ffordd ddosbarthiadol*”) as a classification for a new highway, means that the highway is not a principal road for the purposes of enactments or instruments which refer to highways classified as principal roads but is a classified road for the purpose of every enactment and instrument which refers to highways classified by the Welsh Ministers and which does not specifically refer to their classification as principal roads;
- (ii) “improvement” (“*gwella*”) in relation to a highway includes raising, lowering or otherwise altering that highway and “improved” (“*sydd i’w gwella*”) shall be construed accordingly;
- (iii) “new highway” (“*priffordd newydd*”) means a highway authorised by this Order to be constructed, and “new highways” (“*priffyrdd newydd*”) shall be construed accordingly;
- (iv) “principal road” (“*prif ffordd*”) as a classification for a new highway, means that the highway is a principal road for the purposes of enactments or instruments which refer to highways classified as principal roads and is also classified for the purpose of every other enactment and instrument which refers to highways classified by the Welsh Ministers;
- (v) “the deposited plan” (“*y plan a adnewyd*”) means the plan containing the site plans numbered 1 to 3 contained in the plan folio numbered HA14/1 WG20 and marked “The London to Fishguard Trunk Road (A40) (Llanddewi Velfrey to Penblewin Improvement)

hon;

- (vi) ystyr “y gefnffordd newydd” (“*the new trunk road*”) yw’r darn o gefnffordd newydd sydd i’w adeiladu gan Weinidogion Cymru yn unol â Gorchymyn Cefnffordd Llundain i Abergwaun (yr A40) (Gwelliant Llanddewi Felffre i Benblewin a Thynnu Statws Cefnffordd) 201-;
- (vii) ystyr “y gefnffordd (yr A40)” (“*the trunk road (A40)*”) yw Cefnffordd Llundain i Abergwaun (yr A40);
- (viii) ystyr “ffordd ddi-ddosbarth” (“*unclassified road*”) yw priffordd nad yw’n brif ffordd nac yn ffordd ddi-ddosbarthiadol nac yn llwybr troed nac yn llwybr beiciau nac yn llwybr ceffylau nac yn gilffordd gyfyngedig ac nad oes iddi unrhyw ddi-ddosbarthiad ffurfiol.

Y Gwaith Awdurdodedig

3. Mae Gweinidogion Cymru wedi eu hawdurdodi mewn perthynas â’r gefnffordd yng Nghymunedau Llanddewi Felffre ac Arberth Wledig yn Sir Benfro:

- (a) i wneud gwaith i wella’r priffyrdd;
- (b) i gau priffyrdd neu rannau o briffyrdd;
- (c) i adeiladu priffyrdd newydd;
- (d) i gau mynedfeydd preifat i fangreoedd;
- (e) i ddarparu mynedfeydd newydd i fangreoedd;
- (f) i adeiladu darnau o briffyrdd dros dro; ac
- (g) i gau darnau o briffyrdd dros dro.

4.—(1) Mae’r gwaith a awdurdodir gan erthygl 3 wedi ei nodi yn yr Atodlenni i’r Gorchymyn hwn sydd wedi eu rhifo 1 i 3 ac fe’i dangosir ar y planiau safle sydd wedi eu rhifo 1 i 3 sydd wedi eu cynnwys yn y plan a adneuwyd sy’n dod gyda’r Gorchymyn hwn fel

(Side Roads) Order 201-” signed on behalf of the Welsh Ministers and deposited (ref: qA1316456) at the Welsh Government, Information and Records Management Unit, Cathays Park, Cardiff;

- (vi) “the site plan” (“*y plan safle*”) means one of the site plans numbered 1 to 3 contained in the plan folio numbered HA14/1 WG20 and referred to as “the deposited plan” at paragraph (v.) above of this Article;
- (vii) “the new trunk road” (“*y gefnffordd newydd*”) means the length of new trunk road to be constructed by the Welsh Ministers in pursuance of the “The London to Fishguard Trunk Road (A40) (Llanddewi Velfrey to Penblewin Improvement and De-Trunking) Order 201-”;
- (viii) “the trunk road (A40)” (“*y gefnffordd (A40)*”) means The London to Fishguard Trunk Road (A40);
- (ix) “unclassified road” (“*ffordd ddi-ddosbarth*”) means a highway that is not a principal road or a classified road or a footpath or a cycle track or a bridleway or a restricted byway and has no formal classification;

The Authorised Works

3. The Welsh Ministers are authorised, in relation to the trunk road in the Communities of Llanddewi Velfrey and Narberth Rural in the County of Pembrokeshire:

- (a) to carry out the improvement of highways;
- (b) to stop up highways or areas of highways;

a ganlyn:-

- (a) enwir y priffyrdd sydd i'w gwella yn yr Atodlenni ac fe'u dangosir â chroeslinellau ar y plan a adnewwyd;
- (b) disgrifir y darnau o briffordd sydd i'w cau yn yr Atodlenni (bras amcan yn unig yw pob pellter a nodir), a rhoddir y rhifau a'r llythrennau cyfeirnod a ddangosir ar y plan a adnewwyd iddynt ac fe'u dangosir â llinellau sebra ar y plan a adnewwyd;
- (c) dangosir y priffyrdd newydd sydd i'w hadeiladu drwy ddefnyddio'r rhifau a'r llythrennau cyfeirnod yn yr Atodlenni (bras amcan yn unig yw pob pellter a nodir) a roddir i'r priffyrdd newydd hynny ar y plan a adnewwyd. Pan fo priffordd newydd i'w hadeiladu mewn cysylltiad â chau darn neu ran o briffordd a ddisgrifir mewn Atodlen, gosodir ei rhif cyfeirnod a'i llythyren gyfeirnod gyferbyn â'r disgrifiad o'r darn hwnnw neu'r rhan honno, a phan fo priffordd newydd i fod yn llwybr troed, yn llwybr beicio neu'n llwybr ceffylau, gwelir "llwybr troed", "llwybr beicio" neu "llwybr ceffylau" (yn ôl y digwydd) mewn cromfachau o dan y rhif cyfeirnod a'r llythyren gyfeirnod. Dangosir llwybrau priffyrdd newydd sydd i'w hadeiladu â dotwaith a dangosir llinell ganol pob priffordd newydd â llinell ddu ddi-dor ar y plan a adnewwyd;
- (d) disgrifir darnau o fynedfeydd preifat sydd i'w cau yn yr Atodlenni (bras amcan yn unig yw pob pellter a nodir), a rhoddir y rhifau cyfeirnod a ddangosir ar y plan a adnewwyd iddynt ac fe'u dangosir â bandiau du solet;
- (e) nodir mynedfeydd newydd sydd i'w darparu drwy ddefnyddio'r rhifau a'r llythrennau cyfeirnod yn yr Atodlenni (bras amcan yn unig yw pob pellter a nodir) a roddir i'r mynedfeydd newydd hynny ar y plan a adnewwyd. Pan fo mynedfa newydd i'w darparu mewn cysylltiad â chau darn o fynedfa breifat

- (c) to construct new highways;
- (d) to stop up private means of access to premises, and
- (e) to provide new means of access to premises,
- (f) to construct temporarily lengths of highway, and
- (g) to close lengths of highway temporarily.

4.—(1) The works authorised by Article 3 are indicated in the Schedules numbered 1 to 3 to this Order and are shown on the site plans numbered 1 to 3 that are included in the deposited plan that accompanies this Order in the following manner:-

- (a) highways to be improved are named in the Schedules and are shown by cross hatching on the deposited plan;
- (b) lengths of highway to be stopped up are described in the Schedules (all distances stated being approximate only), and are given the reference numbers and letters shown on the deposited plan and are shown by zebra hatching on the deposited plan;
- (c) new highways to be constructed are indicated by the use of reference numbers and letters in the Schedules (all distances stated being approximate only) which are given to those new highways on the deposited plan. Where a new highway is to be constructed in connection with the stopping up of a length or an area of highway described in a Schedule, its reference number and letter is placed opposite to the description of that length or area and, where a new highway is to be a footpath, cycleway or bridleway, the word "footpath", cycleway or "bridleway" (as the case may be) appears in brackets beneath the reference number and letter. Routes of new highways to be constructed are shown by stipple and the centre line of each new highway is shown by an

a ddisgrifir yn yr Atodlen honno, gosodir ei rhif cyfeirnod a'i llythyren gyfeirnod gyferbyn â'r disgrifiad o'r darn hwnnw. Dangosir llwybrau mynedfeydd newydd sydd i'w darparu â llinellau lletraws ar y plan a adneuwyd;

- (f) dangosir y darnau o briffordd sydd i'w darparu dros dro â llinellau onglog tenau a dangosir llinell ganol y priffyrdd dros dro â llinell ddu ddi-dor ar y plan a adneuwyd (bras amcan yn unig yw pob pellter a nodir) ac fe'u dangosir drwy ddefnyddio rhifau a llythrennau cyfeirnod yn yr Atodlenni; ac
- (g) dangosir y darnau o briffordd sydd i'w cau dros dro (bras amcan yn unig yw pob pellter) â llinellau onglog trwm ar y plan a adneuwyd ac fe'u dangosir drwy ddefnyddio rhifau a llythrennau cyfeirnod yn yr Atodlenni.

(2) Mae'r plan a adneuwyd yn nodi safle'r gefnffordd a llwybr y gefnffordd newydd mewn perthynas â'r gwaith awdurdodedig a ddangosir ar y plan a adneuwyd.

(3) Pan fo rhan o briffordd sydd i'w chau yn cyd-fynd â llwybr gwaith awdurdodedig sy'n briffordd newydd neu'n fynedfa newydd, ni ddangosir y rhan honno ar y plan a adneuwyd â llinellau sebra.

Cau Priffyrdd a Mynedfeydd Preifat

5. Datgenir drwy hyn fod Gweinidogion Cymru wedi eu bodloni:-

(1) o ran pob darn o briffordd y mae'r Gorchymyn hwn yn awdurdodi ei gau, naill ai fod llwybr rhesymol gyfleus arall ar gael neu y bydd yn cael ei ddarparu cyn i'r darn hwnnw o briffordd gael ei gau, a

(2) o ran pob mynedfa breifat i fangre y mae'r Gorchymyn hwn yn awdurdodi ei chau, fod mynedfa resymol gyfleus arall i'r fangre ar gael neu y bydd yn cael ei darparu cyn i'r fynedfa

unbroken black line on the deposited plan;

- (d) lengths of private means of access to be stopped up are described in the Schedules (all distances stated being approximate only), and are given the reference numbers shown on the deposited plan and are shown by solid black bands;
- (e) new means of access to be provided are indicated by the use of reference numbers and letters in the Schedules (all distances stated being approximate only) which are given to those new means of access on the deposited plan. Where a new means of access is to be provided in connection with the stopping up of a length of private means of access described in that Schedule, its reference number and letter is placed opposite to the description of that length. Routes of new means of access to be provided are shown by diagonal hatching on the deposited plan.
- (f) lengths of highway to be provided temporarily are shown by thin chevron hatching and the centre line of the temporary highways is shown by an unbroken black line on the deposited plan (all distances stated being approximate only) and are indicated by the use of reference numbers and letters in the Schedules; and
- (g) lengths of highway to be closed temporarily are described (all distances being approximate only) and are shown by bold chevron hatching on the deposited plan and are indicated by the use of reference numbers and letters in the Schedules.

(2) The deposited plan marks the position of the trunk road and the route of the new trunk road in relation to the authorised works shown on the deposited plan.

(3) Where the area of a highway to be

breifat honno gael ei chau, neu nad oes angen rhesymol am fynedfa i'r fangre berthnasol.

Trosglwyddo Priffyrdd Newydd (i ffin y briffordd)

6. Mae pob priffordd newydd i'w throsglwyddo i Gyngor Sir Penfro fel a nodir yn yr Atodlenni hynny, o'r dyddiad y bydd Gweinidogion Cymru yn hysbysu Cyngor Sir Penfro ei bod wedi ei chwblhau a'i bod ar agor ar gyfer traffig trwodd.

7. Yn union ar ôl trosglwyddo priffordd newydd y dangosir dosbarthiad ar ei chyfer yn yr Atodlen berthnasol gyferbyn â rhif cyfeirnod a llythren gyfeirnod y briffordd newydd honno, caiff y briffordd honno ei dosbarthu yn unol â hynny.

8. Pan fo darpariaeth yn cael ei gwneud yn y Gorchymyn hwn:-

- (a) i drosglwyddo priffordd newydd i Gyngor Sir Penfro
neu
- (b) i alluogi Gweinidogion Cymru i newid priffordd a freiniwyd yng Nghyngor Sir Penfro,

yna (yn ddarostyngedig i ddarpariaethau adran 268(3) o Ddeddf 1980) trosglwyddir i Gyngor Sir Penfro ar ddyddiad trosglwyddo'r briffordd honno neu adeg cwblhau'r gwaith neu'r newid, neu ar ddyddiad caffael y tir gan Weinidogion Cymru mewn cysylltiad â'r briffordd newydd neu â newid priffordd, os bydd hynny'n hwyrach, unrhyw eiddo, hawliau neu atebolrwyddau (ac eithrio benthyciadau neu ffioedd am fenthyciadau) sydd wedi eu breinio yng Ngweinidogion Cymru neu a ysgwyddwyd ganddynt mewn cysylltiad â'r briffordd newydd neu â newid priffordd, yn ôl y digwydd.

Ymgwymerwyr Statudol a Darparwyr

9. Pan fo gan ymgwymerwyr statudol, yn union cyn cau darn o briffordd yn unol â'r Gorchymyn hwn, unrhyw gyfarpar o dan y briffordd honno, ynddi, drosti, ar ei thraws, neu ar ei hyd, yna, yn ddarostyngedig i adran 21 o

stopped up coincides with the route of an authorised work consisting of a new highway or a new means of access that area is not shown on the deposited plan by zebra hatching.

Stopping Up of Highways and Private Means of Access

5. It is hereby declared that the Welsh Ministers are satisfied:-

(1) as respects each length of highway the stopping up of which is authorised by this Order, that either another reasonably convenient route is available or will be provided before that length of highway is stopped up, and

(2) as respects each private means of access to premises the stopping up of which is authorised by this Order, that other reasonably convenient means of access to premises is available or will be provided before that private means of access is stopped up or that no access to the relevant premises is reasonably required.

Transfer of New Highways (to highway boundary)

6. Each new highway is to be transferred to Pembrokeshire County Council as indicated in the said Schedules, as from the date when the Welsh Ministers notify Pembrokeshire County Council that it has been completed and is open for through traffic.

7. Immediately after the transfer of a new highway for which a classification is shown in the relevant Schedule opposite to the reference number and letter of that new highway, that highway will be classified accordingly.

8. Where provision is made in this Order:-

- (a) for transferring a new highway to Pembrokeshire County Council
or
- (b) for enabling the Welsh Ministers to alter a highway vested in Pembrokeshire County Council,

then there will (subject to the provisions of section 268(3) of the 1980 Act) be transferred

Ddeddf 1980, bydd gan yr ymgwymerwyr hynny yr un hawliau, o ran y cyfarpar hwnnw, ar ôl i'r darn o briffordd gael ei gau, ag a oedd ganddynt yn union cyn hynny.

Llofnodwyd ar ran Gweinidogion Cymru

Dyddiad 201-

RICHARD MORGAN
Pennaeth Cynllunio, Rheoli Asedau a Safonau
Llywodraeth Cymru

to Pembrokeshire County Council on the date of transfer of the said highway or on completion of the works or alteration, or on the date of acquisition of the land by the Welsh Ministers in connection with the new highway or the alteration of a highway, if later, any property, rights or liabilities (other than loans or loan charges) vested in or incurred by the Welsh Ministers in connection with the new highway or the alteration of a highway, as the case may be.

Statutory Undertakers and Providers

9. Where immediately before a length of highway is stopped up in pursuance of this Order there is under, in, over, across or along that highway any apparatus of statutory undertakers then, subject to section 21 of the 1980 Act, those undertakers will continue to have the same rights as respects that apparatus after the stopping up takes place as they had immediately prior thereto.

Signed on behalf of the Welsh Ministers

Date 201-

RICHARD MORGAN
Head of Planning, Asset Management and
Standards
Welsh Government