

2016 No. 171 (W. 72)

ROAD TRAFFIC, WALES

**The A40 Trunk Road (Elms Over-
bridge to the Wales/England
Border, Monmouthshire)
(Temporary Traffic Prohibitions &
Restrictions) Order 2016**

Made 8 February 2016

Coming into force 10 February 2016

The Welsh Ministers, being the traffic authority for the relevant lengths of the Newport – Worcester Trunk Road (A40) (“the trunk road”), are satisfied that traffic in specified lengths of the trunk road should be restricted 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⁾ and of all other enabling powers⁽²⁾, make this Order.

Title, Interpretation and Commencement

1. This Order comes into force on 10 February 2016. Its title is The A40 Trunk Road (Elms Over-bridge to the Wales/England Border, Monmouthshire) (Temporary Traffic Prohibitions & Restrictions) Order 2016.

2. —(1) In this Order:

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

(a) any vehicle being used by the emergency services; and

(b) any vehicle being used for naval, military or air force purposes and are being driven by a person for the time being subject to the orders of the 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 lengths of the trunk road” (*“y darnau o’r gefnffordd”*) means those lengths of the trunk road in the County of Monmouthshire specified in the Schedules to this Order;

“works period” (*“cyfnod y gwaith”*) means the period commencing at 20:00 hours on 10 February 2016 and ending when the temporary traffic signs for each period of works are removed.

(2) Any reference in this Order to a numbered article or Schedule is a reference to the article or Schedule bearing that number in this Order.

Prohibitions and Restrictions

3. Subject to the provisions of article 9, no person shall, during the works period, drive or cause or permit any vehicle, other than an exempted vehicle, to proceed in the lengths of the trunk road specified in Schedule 1.

4. Subject to the provisions of article 9, no person shall, during the works period, drive or cause or permit any vehicle to proceed at a speed exceeding 50 miles per hour in the lengths of the trunk road specified in Schedule 2.

5. Subject to the provisions of article 9, no person shall, during the works period, drive or cause or permit any vehicle to proceed at a speed exceeding 40 miles per hour in the lengths of the trunk road specified in Schedule 3.

6. Subject to the provisions of article 9, no person shall, during the works period, drive or cause or permit any vehicle to proceed at a speed exceeding 10 miles per hour in the lengths of the trunk road specified in Schedule 3.

7. Subject to the provisions of article 9, no person shall, 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 in the lengths of the trunk road specified in Schedule 3 during such times as the restriction referred to in article 6 is in operation.

Suspension

8. Any statutory provisions restricting the speed of vehicles on the relevant lengths of trunk road specified in article 2 are hereby suspended during such times as the restrictions specified in article 4, 5 and 6 is in operation.

Application

9. (1) The provisions of articles 3, 4, 5, 6 and 7 shall apply only at such times and to such extent as the application of the prohibitions and restrictions referred to therein are indicated by traffic signs.

(2) No speed limit imposed by this Order applies to an exempted vehicle

Duration of this Order

10. The maximum duration for this Order shall be 18 months.

Signed under authority of the Minister for Economy, Science and Transport, one of the Welsh Ministers.

Dated the 8 February 2016

R Morgan
Head of Asset Management and Standards
Welsh Government

- (1) 1984 c.27; Section 14 was substituted by the Road Traffic (Temporary Restrictions) Act 1991 (c.26), section 1(1) and Schedule 1.
- (2) By virtue of S.I. 1999/672, article 2 and Schedule 1, and paragraph 30 of Schedule 11 to the Government of Wales Act 2006, these powers are now exercisable by the Welsh Ministers in relation to Wales.

SCHEDULES

SCHEDULE 1

Temporary Prohibition of Vehicles

1. The entire length of the Beech Road southbound off slip road.
2. The entire lengths of the Cinderhill Street northbound off and on slip roads.

SCHEDULE 2

Temporary 50 mph Speed Limit

1. The lengths of the northbound and southbound carriageways of the trunk road that extend from the centre-point of the Elms over-bridge in a north-easterly direction to a point 50 metres south-west of the southern portal of Gibraltar Tunnel.
2. The length of the northbound carriageway of the trunk road that extends from a point 250 metres north-east of Dixton Roundabout in a north-easterly direction to the Wales/England border.

SCHEDULE 3

Temporary 40 mph Speed Limit or temporary 10 mph speed limit and no overtaking

1. The lengths of the northbound and southbound carriageways of the trunk road that extend from the centre-point of the Elms over-bridge in a north-easterly direction to a point 250 metres north of Dixton Roundabout.
2. The length of the northbound carriageway of the trunk road that extends from a point 250 metres north-east of Dixton Roundabout in a north-easterly direction to the Wales/England border.