

**2016 No. 617 (W. 170)**

**ROAD TRAFFIC, WALES**

**The A40 Trunk Road (Gibraltar  
Tunnels, Monmouth,  
Monmouthshire) (Temporary  
Prohibition of Vehicles & 40 mph  
Speed Limit) Order 2016**

*Made* 1 June 2016

*Coming into force* 5 June 2016

The Welsh Ministers, being the traffic authority for the relevant length of the Newport – Worcester Trunk Road (A40) (“the trunk road”), are satisfied that traffic in a specified length of the trunk road should be prohibited and restricted 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 5 June 2016 and its title is The A40 Trunk Road (Gibraltar Tunnels, Monmouth, Monmouthshire) (Temporary Prohibition of Vehicles & 40 mph Speed Limit) 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 length of the trunk road” (*“y darn o’r gefnffordd”*) means the length of the trunk road at Monmouth in the County of Monmouthshire that extends from the crossover point approximately 400 metres south of the Gibraltar Tunnels to a point approximately 50 metres north of the said Tunnels;

“works period” (*“cyfnod y gwaith”*) means intermittent periods commencing at 20:00 hours on 5 June 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 is a reference to the article bearing that number in this Order.

### **Prohibition and Restriction**

3. Subject to the provisions of article 7 no person shall, during the works period, drive or cause or permit any vehicle to be driven in either the eastbound or westbound carriageway of the length of the trunk road.

4. (1) Whilst movement of traffic is by article 3 prohibited in the eastbound carriageway but, pursuant to article 7, not prohibited in the westbound carriageway, no person shall drive, cause or permit any vehicle to proceed in the offside lane of the westbound carriageway of the trunk road in any direction other than eastwards.

(2) Whilst movement of traffic is by article 3 prohibited in the westbound carriageway but, pursuant to article 7, not prohibited in the eastbound carriageway, no person shall drive, cause or permit any vehicle to proceed in the offside lane of the eastbound carriageway of the trunk road in any direction other than westwards.

5. Subject to the provisions of article 7 no person shall, during the works period, drive, cause or permit any vehicle to proceed at a speed exceeding 40 miles per hour in the length of the trunk road.

### **Suspension**

6. Any statutory provisions restricting the speed of vehicles on the relevant length of the trunk road

specified in article 2 are suspended during such times as the restriction specified in article 5 is in operation.

### **Application**

7. (1) The provisions of articles 3, 4 and 5 apply only during such times and to such extent as the application of the prohibition and restriction referred to therein is indicated by traffic signs.

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

### **Duration of this Order**

8. The maximum duration for this Order shall be 12 months.

Signed under authority of the Cabinet Secretary for Economy and Infrastructure.

Dated the

1 June 2016

*Richard 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.