

**THE COUNTY COUNCIL OF THE CITY AND COUNTY OF CARDIFF
(TREDEGAR STREET CARDIFF) (SHARED USE PARKING PLACE) ORDER 2011**

The County Council of the City and County of Cardiff in exercise of its powers under Sections 45, 46 and 53 of the Road Traffic Regulation Act 1984, Part 6 of the Traffic Management Act 2004 and The Civil Enforcement of Parking Contraventions (City and County of Cardiff) Designation Order 2010 and of all other powers enabling it in that behalf and after consultation with the Chief Officer, South Wales Police, in accordance with Part III of Schedule 9 to the said Act of 1984 hereby makes the following Order:-

1. Interpretation

In this Order the following expressions have the meanings hereby respectively assigned to them:-

"the 1984 Act"	means the Road Traffic Regulation Act 1984
"the 2004 Act"	means the Traffic Management Act 2004.
"the Council"	means the County Council of the City and County of Cardiff and/or its duly authorised agents
"Civil Enforcement Officer"	means the same as in section 76 of the 2004 Act and means a person authorised by or on behalf of the Council to supervise and enforce the restrictions and prohibitions imposed by the traffic regulation orders in the Schedule
"Goods Vehicle"	means a motor vehicle constructed or adapted for use for the carriage of goods or burden of any description, or a trailer so constructed or adapted and does not include a Hatchback Motor Car
"Hatchback Motor Car"	means a motor car equipped with a sloping door situate at the rear of the vehicle giving access to the luggage and passenger compartment.
"Licensed Hackney Carriage"	means the same as in section 38 of the Town Police Clauses Act 1847
"Parking Contravention"	means the meaning as in section 73 (2) (a) and Part 1 of Schedule 7 to the 2004 Act
"Penalty Charge"	Means the same as in section 92 of the 2004 Act and the Penalty Charges in force shall be those as set in the County Council of the City and County of Cardiff (Penalty Charges Notice) (Civil Enforcement Area) 2010 or any subsequent notice setting or varying the Penalty Charges
"Penalty Charge Notice"	means a notice issued or served by a Civil Enforcement Officer pursuant to the provisions of section 78 and 92 of The Act of 2004
"Schedule"	means the Schedule to this Order

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"Shared Use Parking Place" (hereinafter referred to as "a Parking Place") means an area of highway designated as a Parking Place by this Order exclusively for the use of Goods Vehicles between the hours of 6:00am and 10:00am and as a Parking Place by this Order exclusively for the use of Licensed Hackney Carriages between the hours of 10:00am and Midnight and between the hours of Midnight and 6:00am ;

"Trailer" means any vehicle other than a motor vehicle

2. Each area on the highway referred to in the Schedule to this Order and bounded on one side by the edge of the carriageway and on the other by a broken white line is designated as a Parking Place.
3. Except as provided by this Order or upon the direction or with the permission of a police constable in uniform or a Civil Enforcement Officer no person shall cause or permit any vehicle to wait in a Parking Place designated by this Order.
4.
 - (a) Article 3 shall not render it unlawful for a Goods Vehicle to wait between the hours of 6:00am and 10:00am for a period of one hour in the Parking Place for the purpose of loading and unloading if a period of more than one hour has elapsed since the termination of the last period of waiting (if any) of the Goods Vehicle in the Parking Place
 - (b) Article 3 shall not render it unlawful for a Licensed hackney Carriage to wait between the hours of 10:00am and Midnight and between the hours of Midnight and 6:00am
5. Where a police constable in uniform or a traffic warden is of the opinion that the provisions contained in Article 3 of this Order have been contravened he may remove or cause to be removed the vehicle from the Stand and where it is so removed shall provide for the safe custody of the vehicle.
6. A police constable in uniform or a traffic warden may move or cause to be moved in the cast of emergency to any place he thinks fit any vehicle left in a Stand.
7. Every vehicle left in a Stand shall stand so that every part of the vehicle is within the limits of the Stand.
8. A police constable in uniform or a traffic warden or a person duly authorised by the Council may suspend the use of a Stand or any part thereof whenever he considers such suspension reasonably necessary:-
 - (i) for the purpose of facilitating the movement of traffic or promoting its safety;
 - (ii) for the purpose of any building operation the maintenance improvement or reconstruction of the highway or the cleansing of gullies in or adjacent to the Stand the laying erection alteration or

repair in or adjacent to the Stand of any sewer or of any main pipe or apparatus for the supply of gas water or electricity or of any telecommunication system or the placing maintenance or removal of any traffic sign;

- (iii) for the convenience of occupiers of premises adjacent to the Stand on any occasion of the delivery or removal of furniture to or from an office or dwellinghouse adjacent to the Stand;
- (iv) on any occasion which it is likely by reason of some special attraction that may street will be thronged or obstructed;
- (v) for the convenience of occupiers of premises adjacent to the Stand at times of weddings or funerals.

9. Any person or police constable in uniform or a traffic warden suspending the use of a Stand or any part thereof in accordance with the provisions of Article 8 of this Order shall thereupon place or cause to be placed in that Stand or as the case may be that part thereof the use of which is suspended a traffic sign of any size colour and type prescribed or authorised under Section 64 of the Act of 1984 indicating that waiting by vehicles is prohibited.

10. No person shall cause or permit a vehicle to wait in any part of the Stand during such period as there is in or adjacent to that part of the Stand a traffic sign placed in pursuance of Article 9 of this Order.

Provided that nothing in this Article shall apply:-

- (i) in respect of any vehicle being used for fire brigade ambulance or police purposes or any vehicle which is waiting for any reason specified in Article 11 of this order;
- (ii) to anything done with the permission of a police constable in uniform, traffic warden or the person suspending the use of the Stand or part thereof in pursuance of Article 8 of this Order;

11. Notwithstanding the foregoing provisions of this Order any vehicle may wait in any part of a Stand (if the use of that part has not been suspended) and if:-

- (i) the vehicle is waiting only for so long as is necessary to enable a person to board or alight from the vehicle;
- (ii) the vehicle is waiting owing to the driver being prevented from proceeding by circumstances beyond his control or to such waiting being necessary in order to avoid an accident;
- (iii) the vehicle is being used for fire brigade or ambulance purposes or a vehicle (other than a passenger vehicle) in the service of a police force in either case being used in pursuance of statutory powers or duties;
- (iv) the vehicle is waiting for only so long as may be necessary to enable it to be used in connection with the removal of any obstruction to traffic;

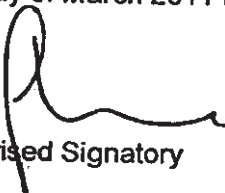
- (v) the driver has been given the written permission of the County Council.
12. Save as provided by the provisions of this Order should any Vehicle be left in a length of road designated by the Schedule to this Order without complying with the provisions of this Order there shall be deemed to be a non-compliance and where such a non-compliance is a Parking Contravention for the purposes of section 73 (2) (a) and Part 1 of Schedule 7 to the 2004 Act a Civil Enforcement Officer may issue a Penalty Charge Notice.
13. The restrictions imposed by this Order shall prevail insofar as they conflict with the provisions of The City and County of Cardiff (Cardiff Central (Parking Control) Order 2010.
14. This Order shall come into operation on the 31st day of March 2011 and may be cited as "The County Council of the City and County of Cardiff (Tredegar Street Cardiff) (Shared Use Parking Place) Order 2011".

SCHEDULE

Tredegar Street

On its north side from a point 20 metres south west of its junction with Mary Ann street for a distance of 40 metres south west

THE COMMON SEAL OF THE COUNTY
COUNCIL OF THE CITY AND COUNTY OF
CARDIFF was hereunto affixed this
25th day of March 2011 in the presence of:-


Authorised Signatory

