

DYDDIEDIG/DATED 19 / 5 / 2011

GORCHYMYN BWRDEISTREF SIROL CONWY (CADNANT PARK AND SYCHNANT PASS ROAD CONWY) (GWAHARDD AR AROS) 2011

CONWY COUNTY BOROUGH COUNCIL (CADNANT PARK AND SYCHNANT PASS ROAD CONWY) (PROHIBITION OF WAITING) ORDER 2011

**GORCHYMYN
ORDER**

Pennaeth Gwasanaethau Cyfreithiol Dros Dro
Acting Head of Legal Services
Cyngor Bwrdeistref Sirol Conwy/
Conwy County Borough Council
Bodlondeb
Conwy.

Cyf./Ref: IFTR14/HL

GORCHYMYN BWRDEISTREF SIROL CONWY (CADNANT PARK A SYCHNANT PASS ROAD CONWY) (GWAHARDD AROS) 2011

Yn unol â'i bwerau dan Adrannau 1 a 2 Deddf Rheoli Trafnidiaeth Ffyrrd 1984 (y cyfeirir ati o hyn ymlaen fel "Deddf 1984"), a'r holl bwerau galluogi eraill, ac ar ôl ymgynghori efo Prif Swyddog yr Heddlu yn unol â Rhan III Atodlen 9 Deddf 1984, mae Cyngor Bwrdeistref Sirol Conwy (y cyfeirir ato o hyn ymlaen fel "y Cyngor") yn gwneud drwy hyn y Gorchymyn canlynol:-

1. Bydd y Gorchymyn hwn yn dod i rym ar y **30ⁱⁿ** dydd o **Mai** Dwy fil ac un ar ddeg, a gellir ei ddyfynnu fel "Gorchymyn Cyngor Bwrdeistref Sirol Conwy (Cadnant Parc a Sychnant Pass Road Conwy) (Gwahardd ar Aros) 2011."

2. (1) Yn y Gorchymyn hwn:-

mae "safle tacsis awdurdodedig" yn golygu unrhyw ran o ffordd gerbydau sydd wedi ei gynnwys oddi mewn i farc ffordd sy'n cydymffurfio â diagram 1028.2 yn Atodlen 6 Rheoliadau a Chyfarwyddiadau Cyffredinol Trafnidiaeth Ffyrrd 2002;

mae "lle parcio awdurdodedig" yn golygu unrhyw le parcio, ar ffordd, sydd wedi ei awdurdodi neu wedi ei ddynodi gan Orchymyn sydd wedi ei wneud dan Ddeddf 1984, neu sydd mewn grym fel pe bai wedi cael ei wneud dan y Ddeddf honno;

mae "safle bysiau" yn golygu unrhyw ddarn o ffordd gerbydau a ddynodir mewn unrhyw Erthygl neu Atodlen i'r Gorchymyn hwn fel un sydd wedi ei fwriadu ar gyfer aros gan fysiau sydd wedi ei gynnwys oddi mewn i farc ffordd sy'n cydymffurfio â diagram 1025.1, 1025.3 neu 1025.4 yn Atodlen 6 Rheoliadau Arwyddion Trafnidiaeth a Chyfarwyddiadau Cyffredinol 2002;

mae gan "cerbyd hacni" yr un ystyr ag sydd gan "hackney carriage" yn Adran 38(1) Deddf Cerbydau (Tollau) 1971;

mae gan "bathodyn unigolyn gydag anabledd" yr un ystyr ag sydd gan "disabled person's badge" yn Rheoliadau Pobl Gydag Anabledd (Bathodynnau ar gyfer Cerbydau Modur) (Cymru) 2000;

mae gan "disg parcio" yr un ystyr ag sydd gan "parking disc" yn Rheoliad Rhif 8 Rheoliadau Gorchymion Trafnidiaeth Awdurdodau Lleol (Esgusodiadau ar gyfer Pobl Gydag Anabledd) (Cymru) 2000;

(2) I bwrvpas y Gorchymyn hwn, ystyrir bod cerbyd yn arddangos bathodyn unigolyn gydag anabledd yn y lle perthnasol:

- (a) pan nad yw'r bathodyn wedi peidio â bod mewn grym; a
- (b) (i) pan fo'r bathodyn yn cael ei arddangos ar forden flaen neu banel deialau'r cerbyd, neu
 - (ii) pan fo'r bathodyn yn cael ei arddangos mewn lle amlwg ar flaen neu ar ochr agos y cerbyd (os nad yw'r cerbyd wedi ei ffittio â

borden flaen neu banel deialau), fel bod modd darllen blaen y bathodyn yn glir o'r tu allan i'r cerbyd.

(3) I bwrvpas y Gorchymyn hwn, ystyrrir bod cerbyd yn arddangos disg parcio yn y lle perthnasol:

- (a) pan fo'r disg yn cael ei arddangos ar forden flaen neu banel deialau'r cerbyd, neu
- (b) pan fo'r disg yn cael ei arddangos mewn man amlwg ar y cerbyd, os nad yw'r cerbyd wedi ei ffitio â borden flaen neu banel deialau.

(4) Ac eithrio lle nodir fel arall, mae unrhyw gyfeiriad yn y Gorchymyn hwn at Erthygl neu Atodlen rifedig yn gyfeiriad at yr Erthygl neu Atodlen sydd â'r rhif hwnnw yn y Gorchymyn hwn.

3. Ac eithrio'r hyn a ddarperir yn Erthygl 4 y Gorchymyn hwn, ni chaiff unrhyw un, oni bai ei fod yn gweithredu dan gyfarwyddyd neu gyda chaniatâd cwnstabl heddlu neu swyddog gorfodaeth sifil mewn lifrai, achosi na chaniatáu i unrhyw gerbyd aros ar unrhyw adeg ar y darnau ffordd a nodir yn yr Atodlen isod.

4. (1) Ni fydd unrhyw beth yn Erthyglau 3 y Gorchymyn hwn yn ei gwneud yn anghyfreithlon i achosi neu ganiatáu i unrhyw gerbyd aros ar y darnau ffordd a gyfeirir atynt yn yr Erthyglau hynny, am gyhyd ag y bydd angen i ganiatáu:-

- (a) Unigolyn i fynd i mewn i gerbyd neu ddod allan ohono.
- (b) Nwyddau i gael eu llwytho ar y cerbyd neu gael eu dadlwytho oddi arno.
- (c) defnyddio'r cerbyd, os nad oes modd ei ddefnyddio'n hwylus i bwrvpas o'r fath ar unrhyw ffordd arall, mewn cysylltiad ag unrhyw rai o'r gweithgareddau canlynol, sef:-
 - (i) Gweithrediadau adeiladu, dymchwel neu ddiwydiannol.
 - (ii) Symud unrhyw rwystr ar draffig.
 - (iii) Cynnal, gwella neu ailadeiladu'r darn[au] ffordd dan sylw.
 - (iv) Gosod, codi, newid, neu atgyweirio, ar dir cyfagos i'r darn(au) ffordd dan sylw, unrhyw garthffos, neu unrhyw brif bibell neu gyfarpar cyflenwi nwy, dwr neu drydan, neu unrhyw offer telegyfathrebu fel y mae'r rheiny'n cael eu diffinio yn Nedd Telegyfathrebu 1984.
- (ch) Galluogi i'r cerbyd gael ei ddefnyddio, os nad oes modd ei ddefnyddio'n hwylus i bwrvpas o'r fath ar unrhyw ffordd arall, at wasanaeth awdurdod lleol neu gwmni gwasanaeth cyhoeddus, yn unol â phwerau neu ddyletswyddau statudol.
- (d) Cerbyd darparwr gwasanaeth cyffredinol dan Adran 125 o Ddeddf Gwasanaethau Post 2000

- (dd) Galluogi'r cerbyd i aros gerbron neu yn agos at unrhyw adeilad sydd wedi ei leoli ar y darn[au] ffordd dan sylw neu'n gyfagos iddynt, am gyhyd ag y bydd angen rhesymol i'r cerbyd hwnnw aros yno mewn cysylltiad ag unrhyw briodas neu gynhebrwng.
- (e) Galluogi i'r cerbyd gael ei ddefnyddio i bwrpasau brigâd dân, yr heddlu neu ambiwlans.
- (2) Ni fydd unrhyw beth yn Erthygl 3 y Gorchymyn hwn yn ei gwneud yn anghyfreithlon i achosi neu ganiatáu i gerbyd unigolyn gydag anabledd sy'n arddangos, yn y lle perthnasol, fathodyn unigolyn gydag anabledd a disg parcio (lle mae'r gyrrwr, neu unigolyn arall sydd â gofal am y cerbyd, wedi nodi'r amser y dechreuodd y cyfnod aros) aros ar y darn[au] ffordd a gyfeiriwyd atynt yn yr Erthyglau hynny am gyfnod o ddim mwy na 3 awr (ar yr amod bod cyfnod o ddim llai nag 1 awr wedi mynd heibio ers diwedd unrhyw gyfnod blaenorol o aros gan yr un cerbyd ar yr un diwrnod).

5. Pan fo unrhyw un o ddarpariaethau'r Gorchymyn hwn yn gwrtħdaro ag amod sydd wedi ei gynnwys mewn Gorchymyn sydd wedi ei wneud, neu sydd mewn grym fel pe bai wedi ei wneud, dan Ddeddf 1984, ac sydd mewn grym pan ddaw'r Gorchymyn hwn i rym, ac sy'n gosod cyfyngiad neu waharddiad ar gerbydau heblaw bysiau neu goetsis cyflym mewn arhosfan bysiau, neu'n esgusodi rhag cyfyngiad neu waharddiad o'r fath, darpariaeth y Gorchymyn hwnnw fydd drechaf.

6. Bydd y gwaharddiadau a'r cyfyngiadau sy'n cael eu gosod gan y Gorchymyn hwn yn ychwanegol at unrhyw gyfyngiad neu amod sy'n cael ei osod gan unrhyw reoliadau sydd wedi eu gwneud dan Ddeddf 1984, neu sydd mewn grym fel pe baent wedi eu gwneud naill ai dan y Ddeddf honno neu gan unrhyw ddeddf arall, ac ni fyddant yn tynnu oddi wrtho.

RHODDWYD dan Sêl Gyffredin Cyngor Bwrdeistref Sirol Conwy ar y

19^{eg}

dydd o Mai

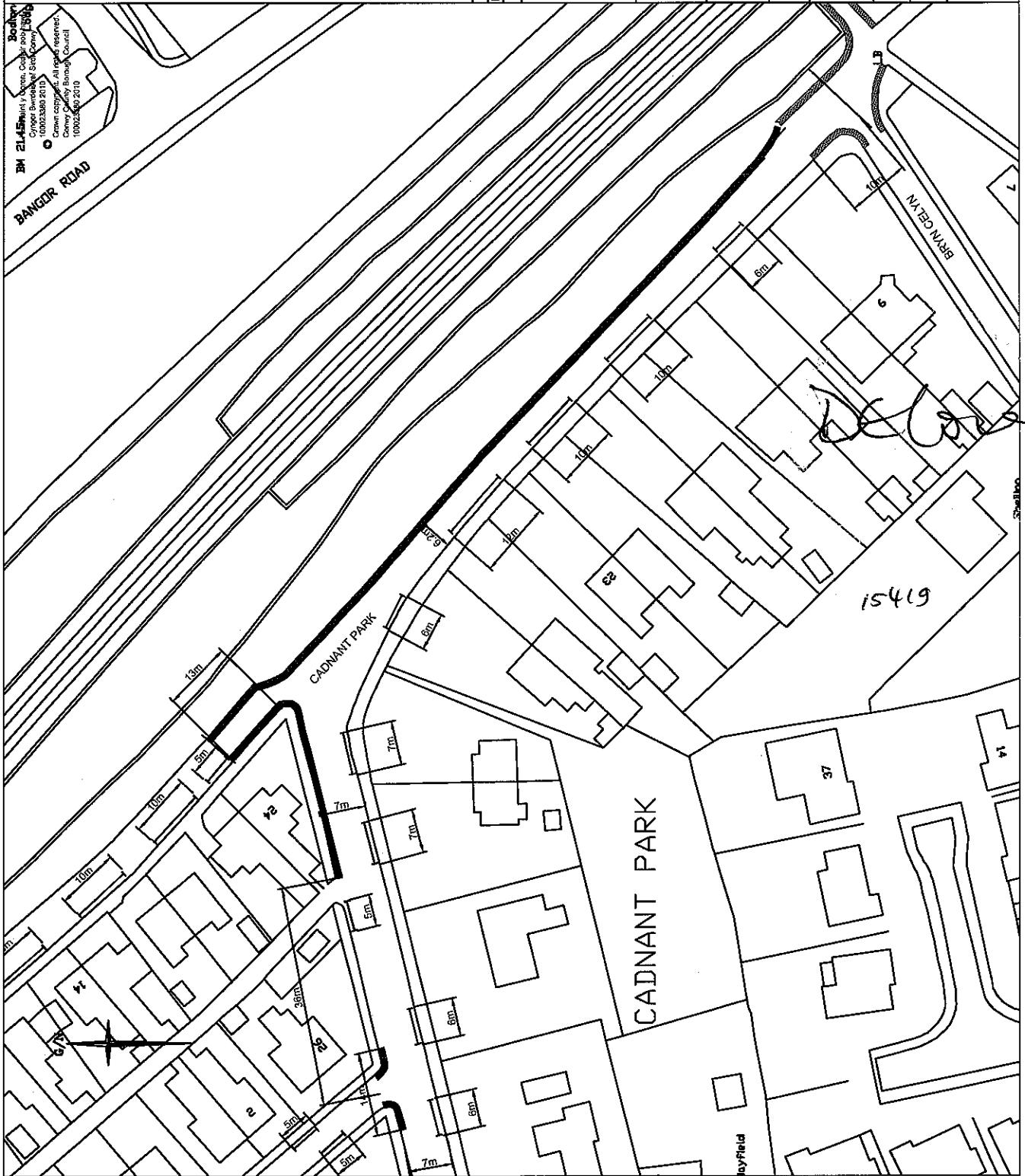
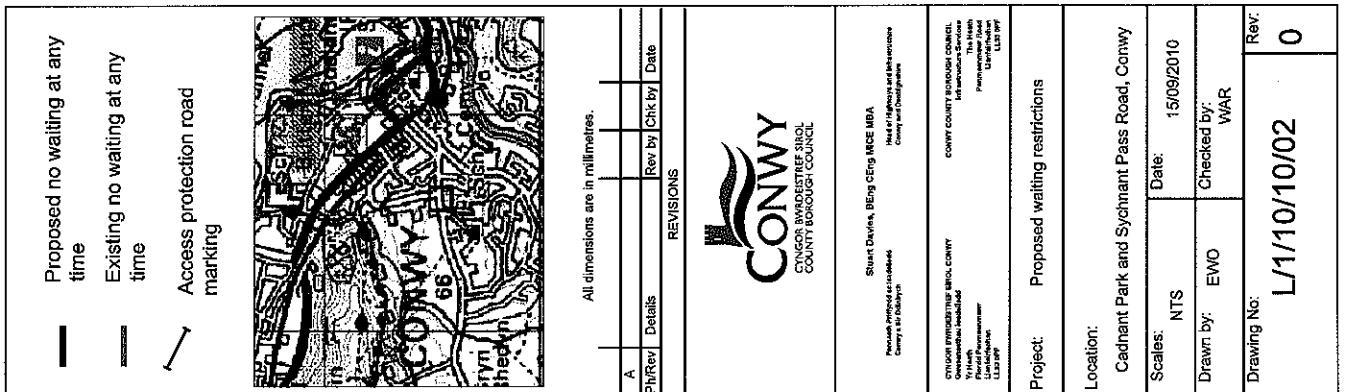
Dwy fil ac un ar ddeg

Atodlen

(Dim aros ar unrhyw adeg)

Cadnant Park	Ochr Gogledd-ddwyrain a Gogleddol; o bwynt sydd 9 metr i'r gogledd orllewin o'i chyffordd â Bryn Celyn i bwynt sydd 36 metr i'r dwyrain o'i chyffordd gyda Mountain Road. Y ddwy ochr; o derfyn de-ddwyrain rhif 24 Cadnant Park am bellter o 13 metr i'r gogledd orllewin. Ochr ogleddol; am bellter sydd 7 metr bob ochr i Mountain Road. Ochr ddwyreiniol; o'i chyffordd â Sychnant Pass Road am bellter o 15 metr i'r gogledd. Ochr orllewinol; o'i chyffordd â Sychnant Pass Road am bellter o 70 metr i'r gogledd
Sychnant Pass Road	Y ddwy ochr; o bwynt sydd 20 metr i'r dwyrain o'r gyffordd gyda Cadnant Park am bellter o 106 metr i'r gorllewin.







CONWY COUNTY BOROUGH COUNCIL (CADNANT PARK AND SYCHNANT PASS ROAD CONWY) (PROHIBITION OF WAITING) ORDER 2011

The Conwy County Borough Council (hereinafter referred to as "the Council") in exercise of its powers under Sections 1 and 2 of the Road Traffic Regulation Act 1984 (hereinafter referred to as "the Act of 1984"), and of all other enabling powers and after consultation with the Chief Officer of Police in accordance with Part III of Schedule 9 to the Act of 1984 hereby makes the following Order:-

1. This Order shall come into operation on the ^{30th} day of May Two thousand and eleven and may be cited as "Conwy County Borough Council (Cadnant Park and Sychnant Pass Road Conwy) (Prohibition of Waiting) Order 2011".

2. (1) In this Order:-

"authorised cab rank" means any area of carriageway which is comprised within and indicated by a road marking complying with diagram 1028.2 in Schedule 6 of the Traffic Signs Regulations and General Directions 2002;

"authorised parking place" means any parking place on a road authorised or designated by an Order made or having effect as if made under the Act of 1984;

"bus stop area" means any area of carriageway in any length of road specified in any Article or Schedule hereto intended for the waiting of buses which is comprised within or indicated by a road marking complying with either diagrams 1025.1, 1025.3, 1025.4 in Schedule 6 to the Traffic Signs Regulations and General Directions 2002;

"hackney carriage" has the same meaning as in Section 38(1) of the Vehicles (Excise) Act, 1971;

"disabled person's badge" has the same meaning as in the Disabled Persons (Badges for Motor Vehicles) (Wales) Regulations 2000;

"parking disc" has the same meaning as in Regulation 8 of the Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (Wales) Regulations 2000;

(2) For the purpose of this Order a vehicle shall be regarded as displaying a disabled person's badge in the relevant position, if -

(a) the badge has not ceased to be in force; and

(b) (i) the badge is exhibited on the dashboard or fascia of the vehicle, or

(ii) where the vehicle is not fitted with a dashboard or fascia, the badge is exhibited in a conspicuous position on the front or near side of the vehicle, so that the front of the badge is clearly legible from outside the vehicle.

(3) For the purposes of this Order a vehicle shall be regarded as displaying a parking disc in the relevant position if:-

- (a) the disc is exhibited on the dashboard or fascia of the vehicle, or
 - (b) where the vehicle is not fitted with a dashboard or fascia the disc is clearly exhibited in a conspicuous position on the vehicle.
- (4) Except where otherwise stated 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.
3. Save as provided in Article 4 of this Order no person shall, except upon the direction or with the permission of a police constable or civil enforcement officer in uniform, cause or permit any vehicle to wait at any time in the lengths of road specified in the Schedule hereto.
4. (1) Nothing in Article 3 of this Order shall render it unlawful to cause or permit any vehicle to wait in the lengths of road referred to therein for so long as may be necessary to enable:-
- (a) A person to board or alight from the vehicle.
 - (b) Goods to be loaded on to or unloaded from the vehicle.
 - (c) The vehicle, if it cannot conveniently be used for such purposes in any other road, to be used in connection with any of the following operations, namely:-
 - (i) Building, industrial or demolition operations.
 - (ii) The removal of any obstruction to traffic.
 - (iii) The maintenance, improvement or reconstruction of the said length(s) of road.
 - (iv) The laying, erection, alteration or repair, in or in land adjacent to the said length(s) of road, of any sewer or of any main pipe or apparatus for the supplying of gas, water, or electricity, or of any Telecommunications apparatus as defined in the Telecommunications Act, 1984.
 - (d) The vehicle, if it cannot conveniently be used for such purposes in any other road to be used in the service of a local authority or a public utility company in pursuance of statutory powers or duties.
 - (e) The vehicle of a universal service provider under the Section 125 of the Postal Services Act 2000
 - (f) The vehicle to wait at or near to any premises situated on or adjacent to the said length(s) of road for so long as such waiting by that vehicle is reasonably necessary in connection with any wedding or funeral.

(g) The vehicle to be used for fire brigade, police or ambulance purposes.

(2) Nothing in Article 3 of this Order shall render it unlawful to cause or permit a disabled person's vehicle which displays in the relevant position a disabled person's badge, and a parking disc (on which the driver, or other person in charge of the vehicle has marked the time at which the period of waiting began), to wait in the lengths of road referred to in that Article for a period not exceeding 3 hours (not being a period separated by an interval of less than 1 hour from a previous period of waiting by the same vehicle in the same day).

5. Insofar as any provision of this Order conflicts with a proviso which is contained in an Order made or having effect as if made under the Act of 1984 and existing at the time when this Order comes into operation, and which imposes a restriction or prohibition on vehicles other than stage carriages or express carriages in a bus stop area or grants an exemption from such restriction or prohibition, that provision of that Order shall prevail.

6. The prohibition and restrictions imposed by this Order shall be in addition to and not in derogation from any restriction or requirement imposed by any regulations made or having effect as if made under the Act of 1984 or by or under any other enactment.

GIVEN under the Common Seal of the Conwy County Borough Council the 19th day of May, Two thousand and eleven

Schedule
(No waiting at any time)

Cadnant Park	North-eastern and Northern side; from a point 9 metres north west of its junction with Bryn Celyn to point 36 metres east of its junction with Mountain Road. Both sides; from the south-eastern boundary of number 24 Cadnant Park for a distance of 13 metres in a north westerly direction. Northern side; for a distance of 7 metres either side of Mountain Road. Eastern side; from its junction with Sychnant pass Road for a distance of 15 metres in a northerly direction. Western side; from its junction with Sychnant pass Road for a distance of 70 metres in a northerly direction
Sychnant Pass Road	Both sides; from a point 20 metres east of its junction with Cadnant Park for a distance of 106 metres in a westerly direction.

Cyflawnwyd fel Gweithred trwy osod

SÉL GYFFREDIN

CYNGOR BWRDEISTREF SIROL CONWY

ynghyd â :-

Executed as a Deed by affixing

the **COMMON SEAL** of the
CONWY COUNTY BOROUGH COUNCIL
in the presence of :-

Dafydd
Swyddog Selio Awdurdodedig
Authorised Sealing Officer

15417

