

No Disabled Parking Bay
additions or revocations

DYDDIEDIG/DATED 21/7 /2009

GORCHYMYN BWRDEISTREF SIROL CONWY (CHURCH STREET A PENTRE
FELIN BETWS-Y-COED) (GWAHARDD AROS) 2009

CONWY COUNTY BOROUGH COUNCIL (CHURCH STREET & PENTRE FELIN
BETWS Y COED) (PROHIBITION OF WAITING) ORDER 2009

GORCHYMYN
ORDER

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Cyf./Ref: HTR201/HL

GORCHYMYN BWRDEISTREF SIROL CONWY (CHURCH ROAD A PENTRE FELIN
BETWS-Y-COED)
(GWAHARDD AROS) 2009

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, y 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 ^{ytd} 3rd dydd o Awst Dwy fil a naw, a gellir cyfeirio ato fel "Gorchymyn Cyngor Bwrdeistref Sirol Conwy (Church Road a Pentre Felin Betws-y-coed) (Gwahardd ar Aros) 2009."

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 deiagram 1028.2 yn Atodlen 6 i Reoliadau a Chyfarwyddiadau Cyffredinol Trafnidiaeth Ffyrrd 2002, ac sydd wedi ei dangos gan farc ffordd felly;

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 "arhosfan bysiau" yn golygu unrhyw ddarn o ffordd gerbydau (ar unrhyw ddarn ffordd sydd wedi ei nodi 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 naill ai â neu â deiagramau 1025.1, 1025.3 a 1025.4 yn Atodlen 6 i Reoliadau Arwyddion Trafnidiaeth a Chyfarwyddiadau Cyffredinol 2002, neu sydd wedi ei ddangos gan farc ffordd felly;

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

mae gan "bathodyn unigolyn ag 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 bwrrpas y Gorchymyn hwn, ystyri'r bod cerbyd yn arddangos bathodyn unigolyn ag 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 flaan 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 oes gan y cerbyd forden flaen neu banel deialau), fel bod modd darllen blaen y bathodyn yn glir o'r tu allan i'r cerbyd.

(3) I bwrpas y Gorchymyn hwn, ystyrir 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 gan y cerbyd forden flaen neu banel deialau.

(4) Ac eithrio lle nodir fel arall, mae unrhyw gyfeiriad yn y Gorchymyn hwn at Erthygl neu Atodlen wedi'i rhifo 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 sydd wedi eu nodi yn Atodlen 1 y Gorchymyn hwn.

4. (1) Ni fydd unrhyw beth yn Erthygl 3 y Gorchymyn hwn yn ei gwneud yn anghyfreithlon i achosi na chaniatáu i unrhyw gerbyd aros ar y darn[au] ffordd y mae'r Erthygl honno'n cyfeirio [ato/atynt], am gyhyd ag y bydd angen gwneud hynny i un neu ragor o'r pwrpasau isod:-

- (a) Galluogi unigolyn i fynd i mewn i gerbyd neu ddod allan ohono.
- (b) Galluogi i nwyddau gael eu llwytho ar y cerbyd neu gael eu dadlwytho oddi arno.
- (c) Galluogi i'r cerbyd gael ei ddefnyddio (os nad oes modd ei ddefnyddio'n hwylus i bwrpas 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 rwystroedd ar draffig.
 - (iii) Cynnal, gwella neu ailadeiladu'r darn[au] ffordd dan sylw.
 - (iv) Gosod, codi, newid, neu atgyweirio, ar y darn[au] ffordd dan sylw neu ar dir cyfagos [ag ef/â hwy], unrhyw garthffos, neu unrhyw brif bibell neu gyfarpar cyflenwi nwy, dwr neu drydan, neu unrhyw offer telathrebu fel y mae'r rheiny'n cael eu diffinio yn Neddf Telathrebu 1984.
- (ch) Galluogi i'r cerbyd gael ei ddefnyddio (os nad oes modd ei ddefnyddio'n hwylus i bwrpas 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 Deddf Gwasanaethau Post 2000
- (dd) Galluogi'r cerbyd i aros wrth ymyl neu'n agos at unrhyw adeilad sydd wedi ei leoli ar y darn[au] ffordd dan sylw neu'n gyfagos [ato / atynt], am gyhyd ag y bydd angen yn 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 dim 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 person 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 y mae'r Erthygl honno'n cyfeirio [ato/atynt] 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. Diddymir drwy hyn Orchymyn Cyfuno (Gwahardd a Chyfyngu ar Aros a Llefydd Parcio ar y Stryd) 2006, cyn belled yn unig â'i fod yn ymwneud â'r darnau ffordd sydd wedi eu nodi yn Atodlen 2 y Gorchymyn hwn, ac fel arall bydd yn aros mewn grym ac effaith llawn.

6. Cyn belled fod un o ddarpariaethau'r Gorchymyn hwn yn gwrthdaro ag amod sydd wedi'i 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 goetsys cyflym mewn arhosfan bysiau, neu'n esgusodi rhag cyfyngiad neu waharddiad o'r fath, darpariaeth y Gorchymyn hwnnw fydd drechaf.

7. 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 neu oddi tanu, ac ni fyddant yn tynnu oddi wrtho.

RHODDWYD dan Sêl Gyffredin Cyngor Bwrdeistref Sirol Conwy ar y ^{ain} 22 dydd o Gorffennaf
Dwy fil a naw

Church Road

Atodlen 1
(Dim aros ar unrhyw bryd)

Ochr y De Ddwyrain; o'i chyffordd efo Ffordd Caergybi (A5) am bellter o 10 metr tua'r de orllewin.

Pentre Felin

Ochr y De Ddwyrain; rhwng ei chyffordd efo Ffordd Caergybi (A5) a man 26 metr i'r gogledd o derfyn gogleddol yr eiddo a elwir yn Glan Dulyn

Ochr y Gogledd Orllewin; rhwng man 84 metr i'r de orllewin o derfyn gogleddol eiddo a elwir yn Glan Dulyn a'i chyffordd efo Ffordd Caergybi (A5)

Pentre Felin

Atodlen 2

(Dileu'r cyfyngiad dim aros, 1 Mai i 30 Medi)

Ochr y de-ddwyrain; rhwng ei chyffordd efo Ffordd Caergybi (A5) a man 26 metr i'r gogledd o derfyn gogleddol eiddo a elwir yn Glan Dulyn

Ochr y gogledd-orllewin; rhwng man 84 metr i'r de-orllewin o derfyn gogleddol eiddo a elwir yn Glan Dulyn a'i chyffordd efo Ffordd Caergybi (A5)

**THE COUNTY BOROUGH OF CONWY (CHURCH ROAD & PENTRE FELIN
BETWS Y COED) (PROHIBITION OF WAITING) ORDER 2009**

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 3rd day of August Two thousand and nine and may be cited as "The County Borough of Conwy (Church Road & Pentre Felin Betws y Coed) (Prohibition of Waiting) Order 2009".

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 Schedule 1 hereto.
4. (1) Nothing in Article 3 of this Order shall render it unlawful to cause or permit any vehicle to wait in the length(s) 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 length(s) of road referred to in those Articles 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. The (Prohibition and Restriction of Waiting and On-Street Parking Places) Consolidation Order 2006 is hereby revoked insofar only as it relates to the restrictions imposed on the lengths of road specified in Schedule 2 of this Order and shall otherwise remain in full force and effect.

6. 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.

7. 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 on the 22nd day of July, Two thousand and nine.

Schedule 1

(No waiting at any time)

Church Road

South-easterly side; from its junction with Holyhead Road (A5) for a distance of 10 metres in a south-westerly direction.

Pentre Felin

South-easterly side; from its junction with Holyhead Road (A5) to a point 26 metres north of the northern boundary of the property known as Glan Dulyn

North-westerly side; from a point 84 metres southwest of the northern boundary of property known as Glan Dulyn to its junction with Holyhead Road (A5)

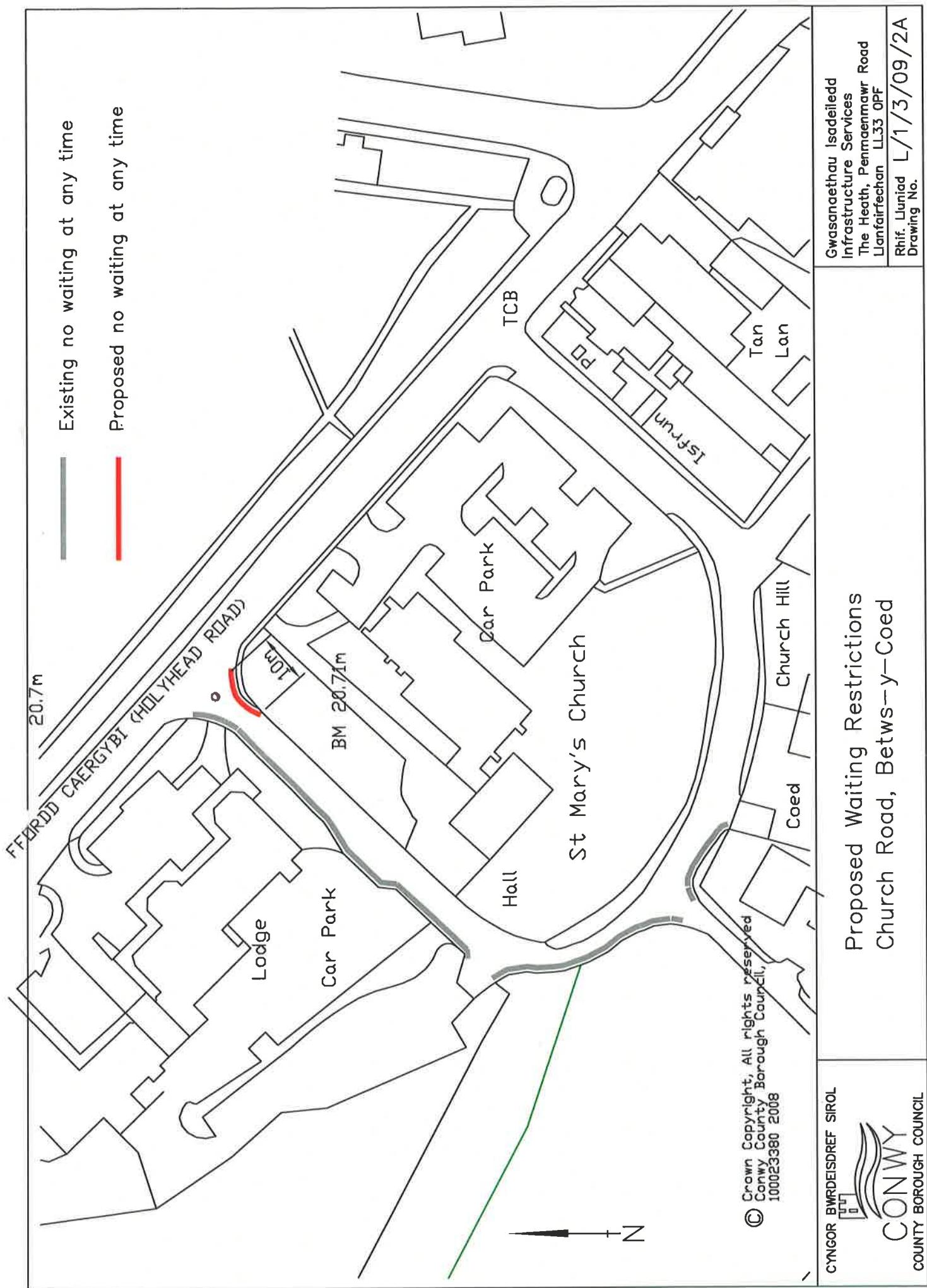
Schedule 2

(No waiting, 1 May to 30 September to be revoked)

Pentre Felin

South-easterly side; from its junction with Holyhead Road (A5) to a point 26 metres north of the northern boundary of the property known as Glan Dulyn

North-westerly side; from a point 84 metres southwest of the northern boundary of property known as Glan Dulyn to its junction with Holyhead Road (A5)



Existing no waiting 1 May to 30 Sept.

Existing no waiting 1 May to 30 Sept. to be changed to no waiting at any time

