

DENBIGHSHIRE COUNTY COUNCIL
(BEACH ROAD WEST AND ADJOINING ROADS, PRESTATYN)
(PROHIBITION OF WAITING LOADING AND UNLOADING
AND STREET PARKING PLACES) ORDER 2017
ROAD TRAFFIC REGULATION ACT 1984

Denbighshire County Council (hereinafter referred to as "the Council") in exercise of the powers conferred by Sections 1(1) and (2), 2(1) to (3), 4(2), 32 and Part IV of Schedule 9 of the Road Traffic Regulation Act 1984 ("the Act of 1984"), as amended and of all other powers them enabling 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:-

PART I
CITATION AND INTERPRETATION

1. This Order shall come into operation on the 21st day of August 2017 and may be cited as the Denbighshire County Council (Beach Road West and adjoining roads Prestatyn) (Prohibition of Waiting Loading and Unloading and Street Parking Places) Order 2017

2. In this Order, except where the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them:

"ambulance" has the same meaning as in the Vehicle Excise and Registration Act 1994;

"authorised agent" means the parking services contractor appointed by or duly authorised to act on behalf of the Council for the purposes of the supervision and enforcement of this Order;

"authorised officer" means the Head of Highways and Environmental Services for the Council or any other officer of the Council to be designated by the Council;

"bus" has the same meaning as in Schedule 1 of the 2016 Regulations;

"bus stop" means any area of carriageway, intended for the waiting by buses, which is comprised within and indicated by road markings complying with Schedule 7 Part 4 Item 9 incorporating the words "bus stop" and a sign complying with Schedule 4 Part 3 Item 2 of the 2016 Regulations;

"bus stand" means any area of carriageway, intended for the waiting by buses, which is comprised within and indicated by road markings complying with Schedule 7 Part 4 Item 9 incorporating the words "Bus

was at that time registered under the Vehicle Excise and Registration Act 1994;

"parking place" means any parking place indicated on a carriageway by markings in accordance with the 2016 Regulations, on a road designated by an order made or having effect as if made under the Act of 1984;

"penalty charge" shall have the same meaning as in Sections 72, 77 and 78 of the Traffic Management Act 2004

"permitted hours" means the hours identified in the Schedules to this Order;

"relevant position" in respect of a waiver certificate, means

- (i) in the case of a vehicle fitted with a dashboard or fascia panel, the permit is exhibited thereon so that the certificate is legible from the outside of the vehicle;
or
- (ii) the case of a vehicle not fitted with a dashboard or fascia panel, the badge is exhibited in a conspicuous position on the vehicle so that the certificate is legible from the outside of the vehicle;

"specified position" a vehicle left in a parking place during the permitted hours in accordance with the foregoing provisions of this Order shall cause it so to stand:-

- (a) in the case of the parking place in relation to which special provisions as to the manner of standing of a vehicle in that place are specified so as to be in accordance with those provisions;
- (b) in the case of any other parking place -
 - (i) if the parking place is not in a one-way street, that the left or near-side of the vehicle is adjacent to the left-hand edge of the carriageway;
 - (ii) that the distance between the edge of the carriageway and the nearest wheel of the vehicle is not more than 300 millimetres;
- (c) so that every part of a vehicle is within the limits of a parking place;
- (d) that no part of the vehicle obstructs any vehicular means of ingress to or egress from any premises adjacent to the side of the road on which the vehicle is waiting.

"specified hours" means the hours identified as referred to in this Order;

PART II
PROHIBITION OF WAITING

7. Save as provided in Articles 8 to 11 of this Order no person shall, except upon the direction or with the permission of a police constable cause or permit any vehicle to wait load or unload on the roads or sides of the roads identified and for the periods identified (or, in the case of a road or side of road where limited waiting is permitted, otherwise than during the period identified) in Schedule 1 to this Order and in Schedule 2 unless it is of the class of vehicle specified and during the hours specified in the said Schedule 2
8. Providing that unless notice is given twenty-four hours in advance to the Council and a waiver certificate is obtained, no vehicle shall wait in any road or side of road where loading is restricted during the periods of restriction as specified in the Schedules attached to this Order:
9. (1) Nothing in Article 7 of this Order shall render it unlawful to cause or permit any vehicle to wait in any of the roads, lengths of road or on the sides of road specified therein for so long as may be necessary to enable:
 - (a) a person to board or alight from the vehicle;
 - (b) the vehicle, if it cannot conveniently be used for such purpose 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 lengths or sides of road; and
 - (iv) the laying, erection, alteration or repair in or on land adjacent to the said lengths or sides of road of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity or of any line of telecommunications apparatus as defined in the Telecommunications Act 1984;
 - (c) 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, water undertaker, sewerage undertaker or the National Rivers Authority in pursuance of statutory powers or duties;

- (3) Nothing in paragraph (1) of this article shall restrict the power of the Council or a person designated by the Council to suspend the use of permitted parking places on a length of road or any part thereof whenever he/she considers such suspension reasonably necessary.
12. A parking place identified in Schedule 2 to this Order is described as available for vehicles of a specified class or in a specified position, the driver of a vehicle shall not permit it to wait in that parking place -
- (a) unless it is of the specified class; or
 - (b) in a position other than that specified.
 - (c) for longer than may be necessary to enable goods to be loaded or unloaded from the vehicle where the parking place is specified in Schedule 2 as being for loading only
13. A driver of a vehicle shall not use a parking place -
- (a) so as unreasonably to prevent access to any premises adjoining the road, or the use of the road by any other persons, or so as to be a nuisance;
 - (b) when for preventing obstruction of the streets the Council shall by Order made on the occasion of any public procession, rejoicing or illumination or when the streets are thronged or liable to be obstructed have closed that parking place and exhibited notice of such closing on or near the parking place.
14. The driver of a motor vehicle using a parking place shall stop the engine as soon as the vehicle is in a position in the parking place, and shall not start the engine except when about to change the position of the vehicle in or to depart from the parking place.
15. No person shall use a vehicle, while it is in a parking place, in connection with the sale of any article to persons in or near the parking place or in connection with the selling or offering for hire of his skill or services.
16. (1) No person shall use a vehicle while it is in a parking place in connection with the maintenance or repair of the vehicle other than in the event of a breakdown to enable the vehicle to be removed from the parking place.
- (2) No person shall use any part of a parking place or any vehicle left in a parking place:-

PART IV
PENALTY CHARGE

23. If a person contravenes any provision(s) of this Order they will be liable to pay a penalty charge
24. The penalty charge shall be paid in the manner specified on the penalty charge notice

PART V
REVOCATIONS

25. The following road traffic Orders previously made by Denbighshire County Council are hereby revoked in so far as they relate to the prohibitions and restrictions of waiting and street parking places on the said lengths of road in the Schedules hereto

Denbighshire County Council (Prohibition and Restriction of Waiting and street parking places) (Consolidation) Order 2004

LENGTHS OF ROAD AT PRESTATYN IN THE COUNTY OF DENBIGH
SCHEDULE 1

No Waiting At Any Time / No Loading At Any Time

Beach Road West

North Side :-

- 1.1 From a point 16m west of the projected westerly kerbline of First Avenue for a distance of 35m an easterly direction.
- 1.2 From a point 43m east of the projected westerly kerbline of First Avenue in an easterly direction to its junction with Bastion Road.

South Side :-

- 1.3 From a point 16m west of the projected westerly kerbline of First Avenue in an easterly direction to its junction with Bastion Road.

First Avenue

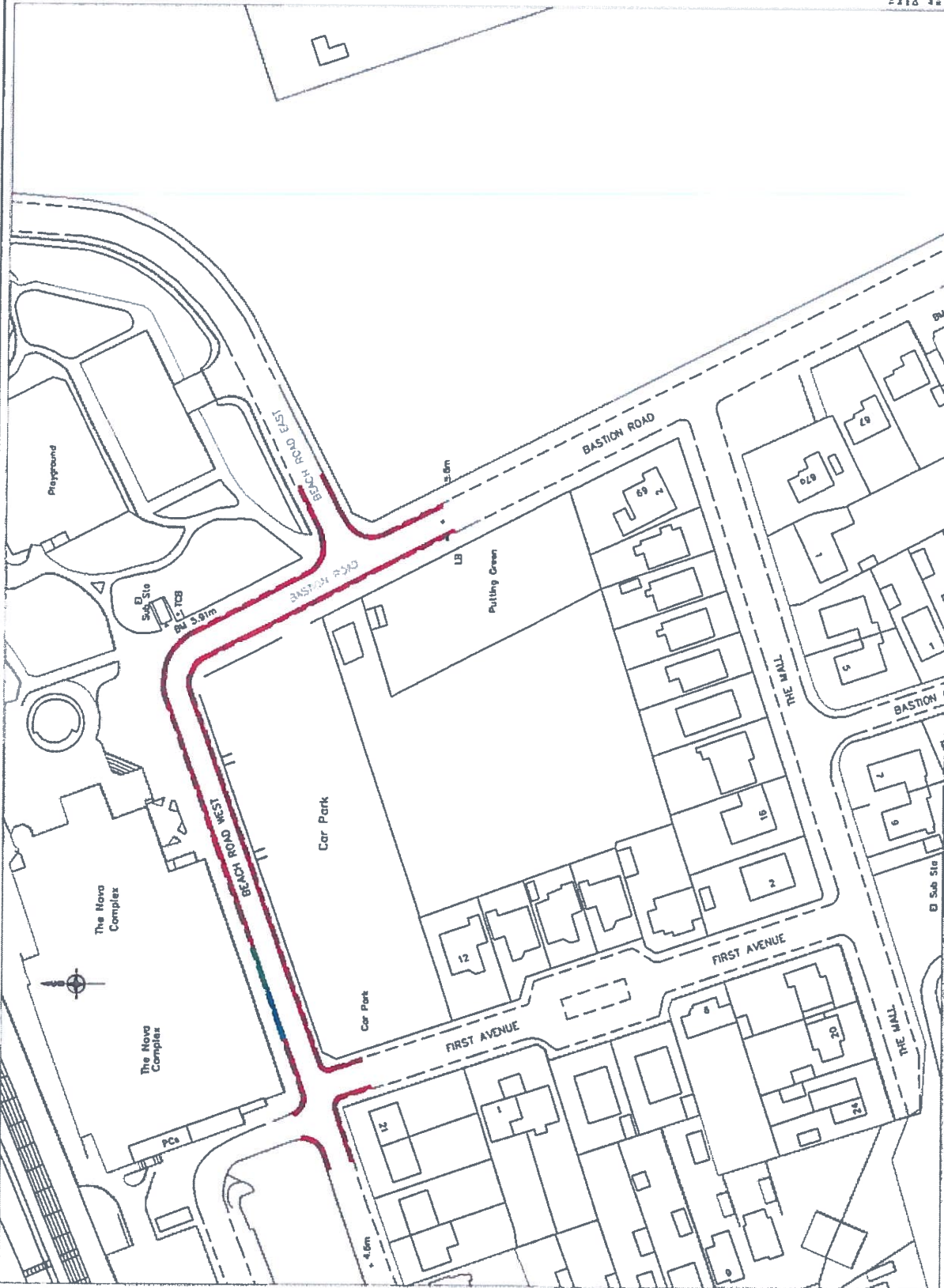
Both Sides :-


- 1.4 From the projected southerly kerbline of Beach Road West for a distance of 10m in a southerly direction.

Key:

- Prohibition Of Waiting, Loading And Unloading, At Any Time
- Loading For Goods Vehicles Only
- No Stopping Except Buses

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 <p>sir ddinbych denbighshire County Council</p> <p>Pennarth Cynllunio a Gweithd y Cylledd Head of Planning and Public Protection</p> <p>Traffig, Parcio a Diogelwch Ffordd Traffic, Parking and Road Safety</p>		<p>TM647</p> <p>1:1000@A3</p> <p>SJ0683</p> <p>NH</p> <p>PGL</p>	<p>Original Drawing</p> <p>No Loading Extended South Along Bastion Road</p> <p>Locations of Goods and Bus parking amended. Red line</p> <p>Road restriction shortened</p>	<p>28/09/16</p> <p>20/10/16</p> <p>28/11/16</p>	<p>28/11/16</p>
<p>Beach Road West, Prestatyn</p>		<p>Proposed Parking Restrictions</p>	<p>ISSUE</p>	<p>TM647/D/01C</p>	<p>TM647/D/01C</p>