

Denbighshire County Council
(Stryd y Brython, Ruthin)
(Prohibition of Waiting) Order 2005

Denbighshire County Council (hereinafter referred to as "the Council") in exercise of its powers under Sections 1(1), 2(1) to (3) and 4 and Schedule 9 of the Road Traffic Regulation Act 1984 ("the Act of 1984"), and Section 43 of the Road Traffic Act 1991 ("the 1991 Act") and of all other enabling powers, 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. (1) In this Order -

"Disabled Person" means a person more than two years old and who corresponds to at least one of the prescribed descriptions in regulation 4(2) of the Disabled Persons (Badges for Motor Vehicles) (Wales) Regulations 2000

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

"An Institutional Badge" means a Disabled Person's Badge issued to an institution concerned with the care of disabled persons to which a Disabled Person's Badge may be issued in accordance with Section 21(4) of the Chronically Sick and Disabled Persons Act 1970;

"Disabled Person's Vehicle" is a vehicle which has been, or is to be, used by or on behalf of the holder of a Disabled Person's Badge for carrying the holder or in the case of an Institutional Badge a Disabled Person to or from the place where it is parked

"Local Authority" means a County Council or County Borough Council

"Parking Disc" means the disc issued by the Local Authority on or after 1st April 2000 which complies with The Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000 and which:-

(a) is 125 mm square and coloured blue; and

(b) has been issued by a local authority and has not ceased to be valid; and

(c) is capable of showing the quarter hour period during which a period of waiting has begun

"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 to be used for the purposes of parking a motor vehicle or designated as such by an Order made or having effect as if made under the Act of 1984;

"Hackney Carriage" has the same meaning as in Section 38(1) of the Vehicles (Excise) Act 1971;

“the Length Of Road” means the length of road specified in the Schedule to this Order.

- (2) For the purpose of this Order a vehicle shall be regarded as displaying -
- (a) a Disabled Person's Badge in the relevant position if -
 - (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 vehicle so that the front of the badge is clearly legible from outside the vehicle
 - (b) a Parking Disc in the relevant position if -
 - (i) the disc is exhibited on the dashboard or fascia of the vehicle; or
 - (ii) where the vehicle is not fitted with a dashboard or fascia, the disc is exhibited in a conspicuous position on the vehicle so that when marked to show the quarter hour period during which a period of waiting began that period is clearly legible from outside the vehicle

(3) 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.

2. Save as provided in Article 3 no person shall, except upon the direction or with the permission of a police constable in uniform or of a traffic warden, cause or permit any vehicle to wait in the Length Of Road.
3. (1) Nothing in Article 2 shall render it unlawful to cause or permit any vehicle to wait in the Length Of Road 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 or unloaded from the vehicle;
 - (c) 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 Length Of Road;
 - (iv) the laying, erection, alteration or repair in, or in land adjacent to, the Length Of Road of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity or of any line or telecommunications apparatus as defined in the Telecommunications Act 1984
 - (d) the vehicle, if it cannot conveniently be used for such purpose in any other road, to be used in the service of a local authority or a water undertaker or sewerage undertaker or the National Rivers Authority in pursuance of statutory powers or duties;
 - (e) the vehicle to be used for the purpose of delivering or collecting postal packets as defined in Section 87 of the Post Office Act 1953;
 - (f) the vehicle to take in petrol, oil, water or air from any garage situated on or adjacent to the said ; or

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

(2) Nothing in Article 2 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 Of Road for a period not exceeding three hours (not being a period separated by an interval of less than one hour from a previous period of waiting by the same vehicle on the same day).

(3) Nothing in Article 2 shall render it unlawful to cause or permit any vehicle

(a) to wait upon an Authorised Parking Place ; or

(b) being a Hackney Carriage, to wait upon an Authorised Cab Rank

4. The prohibitions 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.
5. This Order shall come into operation on the 24th January 2005 and may be cited as the Denbighshire County Council (Stryd y Brython Ruthin) (Prohibition of Waiting) Order 2005

SCHEDULE
Length of Road at Ruthin in the County of Denbighshire
No Waiting at Any Time

Stryd-y Brython Both sides from the projected kerblin of Rhos Street for a distance of 15 metres in a southerly direction

GIVEN UNDER THE COMMON SEAL of)
DENBIGHSHIRE COUNTY COUNCIL)
This 17th day of January 2005)
in the presence of:-)

Meirick Davies Chairman
Jane Kennedy Authorised Signatory

DATED 17th January 2005

DENBIGHSHIRE COUNTY COUNCIL
(STRYD Y BRYTHON, RUTHIN)
(PROHIBITION OF WAITING)
ORDER 2005
ORDER
as within

I.K.Hearle,
County Clerk,
Denbighshire County Council
Council Offices
Wynnstay Road
Ruthin
Denbighshire

SBH/H14/54