

(HERBERT STREET BY-PASS)

(24 HOUR MAIN CARRIAGEWAY CLEARWAY), ORDER, 1982

The West Glamorgan County Council (hereinafter referred to as "the Council") in exercise of their powers under Section 1(1), (2) and (3) of the Road Traffic Regulation Act 1967, as amended by Part IX of the Transport Act 1968, and Schedule 19 to the Local Government Act 1972 Schedule 6 to the Road Traffic Act, 1974 and Section 1 and Schedule 7 to the Local Government, Planning and Land Act 1980 (which said Act of 1967 as so amended is hereinafter referred to as "the Act of 1967") and of all other enabling powers and after consultation with the Chief Officer of Police in accordance with Section 84C (1) of the Act of 1967, hereby make the following Order:-

1. This Order shall come into operation on the 26th day of April, 1982 and may be cited as the "West Glamorgan County Council (Herbert Street By-Pass) (24 Hour Main Carriageway Clearway) Order, 1982".

2. (1) In this Order:

"main carriageway" means any carriageway used primarily by through traffic and includes any carriageway of a slip road, but excludes any lay-by;

"lay-by" means any area intended for the waiting of vehicles, and lying at a side of the road and bounded partly by a traffic sign of the type shown in diagram 1010 of The Traffic Signs Regulations and General Directions 1981 and partly by the outer edge of a main carriageway on the same side of the road as that on which the sign is placed;

"verge" means any part of a road which is not a carriageway;

"carriageway" means a way contributing or comprised in a highway being a way (other than a cycle track) over which the public have a right of way for the passage of vehicles.

(2) The Interpretation Act 1978 shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.

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 in uniform, or of a traffic warden, cause or permit any vehicle to wait on any main carriageway forming part of a road specified in the Schedule to this Order.

4. Nothing in Article 3 of this Order shall apply:-

(a) so as to prevent a vehicle waiting for so long as may be necessary to enable the vehicle to be used in connection with any building operation or demolition, the removal of any obstruction to traffic, the maintenance, improvement or reconstruction of the road including and comprising the main carriageway, or the laying, erection

alteration or repair in or near such road of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity or of any telegraphic line as defined in the Telegraph Act 1878;

- (b) to a vehicle being used for fire brigade, ambulance or police purposes;
 - (c) to a vehicle being used in the service of a local authority or of a water authority in pursuance of statutory powers or duties;
 - (d) to a vehicle being used for the purpose of delivering or collecting postal packets as defined in section 87 of the Post Office Act 1953;
 - (e) to a vehicle being used by or on behalf of a local authority for so long as may be necessary for the collection of household refuse from, or the clearing of cesspools at, premises adjacent to the road including or comprising that carriageway;
 - (f) to a vehicle waiting so long as it may be necessary for any gate or other barrier at the entrance to premises to which the vehicle requires access or from which it has emerged to be opened or closed; or
 - (g) to a vehicle waiting when the person in control of the vehicle:-
 - (i) is required by law to stop;
 - (ii) is obliged to do so in order to avoid an accident; or,
 - (iii) is prevented from proceeding by circumstances outside his control and it is not reasonably practicable for him to drive or move the vehicle to a place not on any main carriageway of a road specified in the Schedule to this Order;
 - (h) to any public service vehicle when setting down or picking up passengers at an omnibus stop duly authorised as such by the Highway Authority.
5. No person shall cause or permit any vehicle to wait on any verge or lay-by immediately adjacent to a main carriageway of a road specified in the Schedule to this Order for the purpose of selling goods from that vehicle.
6. The Council is satisfied that, for avoiding danger to persons or other traffic using the roads to which this Order relates, it is requisite that section 1(5) of the Act of 1967 shall not apply in relation to this Order.

SCHEDULE

The whole of the Herbert Street By-Pass from its junction with Swansea Road, Pontardawe to its junction with the western end of the central reserve of the dual carriageway.

THE COMMON SEAL of THE WEST)
GLAMORGAN COUNTY COUNCIL was)
hereunto affixed on the 14th)
day of April 1982)



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MES Pugh

COUNTY CLERK