

MINISTRY OF TRANSPORT

1975 NO

ROAD TRAFFIC

THE NEATH-ABERGAVENNY TRUNK ROAD (ABERDULAIIS-LLANDARCY) (PROHIBITION OF
WAITING) (CLEARWAYS) (WALES) ORDER 1975

MADE

1975

COMING INTO OPERATION

1975

The Secretary of State for Wales in exercise of the powers conferred upon him by section 1 (1), (2), (3) and (6) of the Road Traffic Regulation Act 1967 (a), as amended by Part IX of the Transport Act 1968(b), and of all other enabling powers, after consultation with the Chief Officer of Police for the South Wales Constabulary, hereby makes the following Order:-

COMMENCEMENT AND CITATION

1 This Order shall come into operation on 1975 and may be cited as the Neath-Abergavenny Trunk Road (Aberdulais - Llandarcy) Prohibition of Waiting (Clearways) (Wales) Order 1975.

INTERPRETATION

2 (1) In this Order the following expressions have the meanings hereby respectively assigned to them:-

"the Act of 1967" means the Road Traffic Regulation Act 1967, as amended by Part IX of the Transport Act 1968;

"carriageway" in relation to the trunk road, comprises any main carriageway, central reservation and hard strip and any slip road, but excludes any lay-by;

"central reservation" means that part of the carriageway of the trunk road, not being a hard strip, which either alone or in conjunction with 2 hard strips separates 2 main carriageways and which is contiguous on each side to a hard strip or a main carriageway;

"hard strip" means that part of the carriageway of the trunk road, not being a central reservation, which consists of a strip adjacent to a side of a main carriageway and constructed to support vehicles leaving a main carriageway in an emergency;

"lay-by" means any part of the trunk road intended for use for the waiting of vehicles, lying at a side of the road and bounded by a road marking similar to diagram 1010 in Part IV of Schedule 2 to The Traffic Signs Regulations 1964 (c), as amended, and consisting of a broken white line with dimensions 3 feet long and 4, 6 or 8 inches wide with a 3 foot space between the markings;

"main carriageway" means any part of the carriageway of the trunk road used primarily by through traffic;

"carriageway" means any road that either leads from a carriageway of the trunk road on to or off a roundabout or interchange;

"the trunk road" means that section of the Heathrow-Birmingham Truck Road (A405) described in Schedule to this Order and includes every part of that road including the slip roads;

"verge" means any part of the trunk road which is not a carriageway or a lay-by;

(2) The Interpretation Act 1886 (a) shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.

PROHIBITION OF WAITING ON CARRIAGEWAY

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 in any part of the carriageway of the trunk road.

EXCEPTIONS TO ARTICLE 3

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

(a) so as to prevent a vehicle waiting in any part of the carriageway for so long as may be necessary to enable the vehicle, if it cannot be used for such purpose without so waiting on that part of the carriageway, to be used in connection with any building operation or demolition, the removal of any obstruction or potential obstruction to traffic, the maintenance, improvement or reconstruction of the road comprising that carriageway, or the erection, laying, placing, maintenance, testing, alteration, repair or removal of any structure, works or apparatus in, on, under or over that road;

(b) to a vehicle being used for fire brigade, ambulance or police purposes;

(c) to a vehicle waiting in any part of the carriageway while any gate or other barrier at the entrance to premises to which the vehicle requires access or from which it has emerged is opened or closed, if it is not reasonably practicable for the vehicle to wait otherwise than in that part of the carriageway while such gate or barrier is being opened or closed;

(d) to a vehicle waiting in any case where 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 in any part of the carriageway of the trunk road; or

(e) so as to prevent a vehicle, if it cannot conveniently be used for such purpose in any other road, to be used in the service of a local authority in pursuance of statutory powers or duties.

RESTRICTION OF WAITING ON VERGES, ETC

5 No person shall cause or permit any vehicle to wait on any verge or lay-by immediately adjacent to any part of the carriageway of the trunk road for the purpose of selling goods from that vehicle unless the goods are immediately delivered at or taken into premises adjacent to the vehicle from which a sale is effected.

NON APPLICATION OF SECTION 1 (5) OF THE ACT OF 1967

6 The Secretary of State is satisfied that, for avoiding danger to persons or other traffic using the trunk road it is requisite that section 1 (5) of the Act of 1967 shall not apply in relation to this Order.

7 The prohibition imposed by this Order shall be in addition to and not in derogation of any restrictions or requirements imposed by any regulations made or having effect as if made under the Act of 1967, or by or under any other enactment.

Signed by authority of the Secretary of State

Dated the 1975

Director of Highways
Welsh Office

SCHEDULE

SECTION OF THE NEATH-ABERGAVENNY TRUNK ROAD (A465)

That length of the Neath-Abergavenny Trunk Road (A465) in the County of West Glamorgan which extends from, and includes Llandarcy Interchange to and including Aberdulais Interchange, a distance of approximately 3.70 miles.

EXPLANATORY NOTE
(This note is not part of the Order)

This Order prohibits the waiting of vehicles in specified lengths of the carriageways (excluding any lay-by) of the Neath-Abergavenny Trunk Road (A465) from Llandarcy to Aberdulais in the County of West Glamorgan, subject to the exceptions specified in Article 4. The Order also prohibits trading from the verges and lay-bys of the said carriageways. Stage carriages and express carriages are already exempt from the restriction imposed by the Order by virtue of Section 1 (5) of the Road Traffic Regulation Act 1967.