



## **(Various Streets Brecon)(Prohibition of Waiting) Order 2017**

**POWYS COUNTY COUNCIL** (hereinafter called 'the Council') in exercise of its powers under Sections 1(1) 2(1) and (2) and 4(2) of and Part IV of Schedule 9 to the Road Traffic Regulation Act 1984 ("the Act") and the Traffic Management Act 2004 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 hereby makes the following Order:

### **SECTION 1 – PRELIMINARY**

#### Citation and commencement

1. This Order shall come into operation on the <sup>4<sup>th</sup></sup> day of <sup>Sept</sup> 2017 and may be cited as the (Various Streets Brecon)(Prohibition of Waiting) Order 2017

#### Definitions

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

'Bus' shall have the same meaning as in Section 1 of the Public Passenger Vehicles Act 1981;

'Civil Enforcement Officer' has the same meaning as in Section 63A of the Act of 1984 and by virtue of Section 76 of the 2004 Act a civil enforcement officer appointed under Section 63A of the Act of 1984 is a civil enforcement officer in relation to parking contraventions;

'Council' means Powys County Council;

'Disabled Person's Vehicle' has the same meaning as in the Local Authorities Traffic Orders (Exemption for Disabled Persons) (Wales) Regulations 2000;

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

'Hackney Carriage' means a vehicle standing or plying for hire for which a hackney carriage license has been issued by the Council;

'Traffic Warden' means a traffic warden employed by a police authority in pursuance of sections 95 and 96 of the Act of 1984 and any powers or functions given to a traffic warden in this order may also be exercised by a police officer in uniform;

'Loading Bay' means an area of the highway designated by road markings complying with the Traffic Signs Regulation and General Directions 2002 or any previous version of the same for the loading and unloading of vehicles servicing businesses in the immediate area of the bay;

'No Return' in relation to a Parking Place where waiting is limited by time and day of the week means no return within the stated time and day of the week to a parking place in the same road as the parking place vacated;

'Parking Disc' means a disc and time clock (where appropriate) issued by a Local Authority complying with the requirements of the British Standard Specifications for Parking Discs to comply with the European Blue Badge Scheme being a disc coloured blue and capable of showing the quarter hour period during which a period of waiting begins;

'Parking Place' means an area of highway designated by this order for the waiting of vehicles of specified classes and indicated on a carriageway by markings in accordance with the Traffic Signs Regulations and General Directions 2002 or any previous versions of such regulations an area of the highway designated for limited waiting;

'Permit' means a permit issued by the Council in respect of certain classes of vehicle;

'Police Community Support Officer' has the same meaning as in section 38 of the Police Reform Act 2002;

'Public Service Vehicle' means a vehicle carrying passengers for a fee and for the purpose of this Order public service vehicle refers to a large public service vehicle capable of carrying more than 8 passengers;

'Relevant Position' in respect of:-

- a) A Disabled Person's Badge and Parking Disc has the same meaning as in the Local Authorities Traffic Orders (Exemptions for Disabled Persons) (Wales) Regulations 2000; and
- b) A Permit means exhibited on the windscreen, dashboard or fascia of the vehicle or, where the vehicle does not have a windscreen, dashboard or fascia, in a conspicuous position on the vehicle so that the whole of the information on the front of the permit is clearly legible from outside the vehicle;
- c) A pay and display ticket means exhibited on the windscreen dashboard or fascia of the vehicle or, where the vehicle does not have a windscreen, dashboard or fascia, in a conspicuous position on the vehicle so that the whole of the information on the front of the ticket is clearly legible from outside the vehicle;
- d) A Waiver means exhibited on the windscreen dashboard or fascia of the vehicle or, where the vehicle does not have a windscreen, dashboard or fascia, in a conspicuous position on the vehicle so that the whole of the information on the front of the waiver is clearly legible from outside the vehicle;

'Waiver' means a waiver issued by the Council in respect of vehicles being used for building maintenance repair shop fitting or other industrial or demolition operations and the Council may charge for such waiver such charges to be determined from time to time by resolution of the Council or relevant Committee thereof

### Interpretation

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
4. The Interpretation Act 1978 shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.
5. The prohibitions and restrictions imposed by this Order shall be in addition to and not in derogation of any other prohibition or restriction whether made under the Act of 1984 or otherwise.

## **SECTION 2 – PROHIBITION OF WAITING AT ANY TIME**

### Prohibition of Waiting At Any Time

6. Save as provided in Articles 16 and 17 of this Order no person shall, except upon the direction or with the permission of a Civil Enforcement Officer, Police Community Support Officer, a Police Officer in uniform, a Traffic Warden or a person authorized by the Council, cause or permit any vehicle to wait, at any time, on any of the length or lengths of road or roads referred to in Schedule 1 hereto.

### Exemptions

7. Nothing in Article 15 of this Order shall render it unlawful to cause or permit any vehicle to wait on the sides or lengths of the roads specified therein for as long as may be necessary to enable:-
  - a) 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, maintenance, repair, shop fitting or other industrial or demolition operations with a Waiver issued by the Council and displayed in the Relevant Position on the windscreen of the vehicle;
    - ii. The removal of any obstruction to traffic;
    - iii. The laying, erection, alteration or repair in or on land adjacent to the said lengths or sides of the road of any sewer or any main pipe or apparatus for the supply of water gas electricity or of any telecommunications apparatus as defined by the Telecommunications Act 1984;
    - iv. A vehicle being used for police ambulance fire brigade or other emergency purposes
  - b) The vehicle if it cannot conveniently be used for such purpose in any other road, to be used in connection with the service of a local authority or of a water authority in pursuance of its statutory powers and duties.

- c) The vehicle to be used for the purpose of delivering or collecting postal packets as defined on Section 37 of the Post Office Act n1953.
  - d) Public Service Vehicles when waiting at an authorized bus stop to set down or pick up passengers
  - e) Vehicles picking up and dropping off passengers.
8. Nothing in Article 12 of this Order shall make it unlawful to cause or permit a Disabled Person's Vehicle which displays in the Relevant Position a Disabled Persons Badge and a Parking Disc (on which the driver or other person in charge of the vehicle has marked the time of which a period of waiting began) to wait on the side of the road or roads referred to in the said Article for a period not exceeding three hours not being a period separated by an interval of less than one hour from the previous period of waiting by the same vehicle on the same side of the road or roads.

### **SECTION 3 – PROHIBITION OF WAITING 8AM TO 6PM**

#### Prohibition of Waiting At Any Time

9. Save as provided in Articles 16 and 17 of this Order no person shall, except upon the direction or with the permission of a Civil Enforcement Officer, Police Community Support Officer, a Police Officer in uniform, a Traffic Warden or a person authorized by the Council, cause or permit any vehicle to wait, between 8am and 6pm, on any of the length or lengths of road or roads referred to in Schedule 2 hereto.

#### Exemptions

10. Nothing in Article 15 of this Order shall render it unlawful to cause or permit any vehicle to wait on the sides or lengths of the roads specified therein for as long as may be necessary to enable:-
- f) 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:-
    - v. Building, maintenance, repair, shop fitting or other industrial or demolition operations with a Waiver issued by the Council and displayed in the Relevant Position on the windscreen of the vehicle;
    - vi. The removal of any obstruction to traffic;
    - vii. The laying, erection, alteration or repair in or on land adjacent to the said lengths or sides of the road of any sewer or any main pipe or apparatus for the supply of water gas electricity or of any telecommunications apparatus as defined by the Telecommunications Act 1984;
    - viii. A vehicle being used for police ambulance fire brigade or other emergency purposes

- g) The vehicle if it cannot conveniently be used for such purpose in any other road, to be used in connection with the service of a local authority or of a water authority in pursuance of its statutory powers and duties.
- h) The vehicle to be used for the purpose of delivering or collecting postal packets as defined on Section 37 of the Post Office Act n1953.
- i) Public Service Vehicles when waiting at an authorized bus stop to set down or pick up passengers
- j) Vehicles picking up and dropping off passengers.

11. Nothing in Article 12 of this Order shall make it unlawful to cause or permit a Disabled Person's Vehicle which displays in the Relevant Position a Disabled Persons Badge and a Parking Disc (on which the driver or other person in charge of the vehicle has marked the time of which a period of waiting began) to wait on the side of the road or roads referred to in the said Article for a period not exceeding three hours not being a period separated by an interval of less than one hour from the previous period of waiting by the same vehicle on the same side of the road or roads.

## **SECTION 5 – REVOCATION**

14. The Powys County Council (Prohibition and Restriction of Waiting and Loading and Parking Places)(Civil Enforcement and Consolidation) Order 2011 is revoked insofar as it is inconsistent within the proposals contained in the Schedules hereto and insofar as they relate to the length or lengths of the road or roads referred to in the Schedules hereto.

## **SCHEDULES**

### **SCHEDULE 1**

#### **PROHIBITION OF WAITING AT ANY TIME**

##### **C0037 Cradoc Road – North East Side**

From a point 37 metres north west of its junction with the north western kerbline of Maendu Street for a distance of 88 metres in a north westerly direction.

##### **U0725 Bryn de Winton – South West Side**

From its junction with the south eastern kerbline of Maendu Terrace for a distance of 17 metres in a south easterly direction.

##### **U0710 Silver Street – South West Side**

From its junction with the south eastern kerbline of U0710 for a distance of 15 metres in a south easterly direction.

##### **U0710 – Both Sides**

From its junction with the south western kerbline of Silver Street for a distance of 15 metres in a south westerly direction.

##### **U0756 Camden Crescent – South East Side**

From its junction with the south western kerbline of Camden Crescent for a distance of 10 metres in a south westerly direction and from its junction with the north eastern kerbline of Camden Crescent for a distance of 10 metres in a north easterly direction.

**U0756 Camden Crescent – Both Sides**

From its junction with the south eastern kerbline of Camden Crescent for a distance of 10 metres in a south easterly direction.

**B4602 Cerrigcochion Road – South East Side**

From a point 10 metres north east of the north western kerbline of Camden Road for a distance of 133 metres in a north easterly direction.

**U0746 Belle Vue Gardens – Both Sides**

From its junction with the north western kerbline of Cerrigcochion Road for a distance of 10 metres in a north westerly direction.

**U0743 Cerrigcochion Lane – Both Sides**

From its junction with the north western kerbline of Cerrigcochion Road for a distance of 15 metres in a north westerly direction.

**U0729 Pendre Gardens – Both Sides**

From its junction with the eastern kerbline of Pendre Close for a distance of 30 metres in an easterly direction.

**U0730 Pendre Close – East Side**

From its junction with the northern kerbline of Pendre Gardens for a distance of 20 metres in a northerly direction and from its junction with the southern kerbline of Pendre Gardens for a distance of 20 metres in a southerly direction.

**U0730 Pendre Close – West Side**

From a point 117 metres south of the southern kerbline of Parc Pendre for a distance of 45 metres in a southerly direction.

**U0758 Eyrie Oaks – North Side**

From its junction with the western parapet of the canal bridge for a distance of 72 metres in a westerly direction.

**U0758 Eyrie Oaks – South Side**

From its junction with the western kerbline of the eastern access road for a distance of 49 metres in a westerly direction.

**U0790 Little Free Street – South West Side**

From its junction with the south eastern kerbline of Free Street for a distance of 11 metres in a south easterly direction.

**SCHEDULE 2**

**PROHIBITION OF WAITING 8AM to 6PM**

**B4602 Cerrigcochion Road – South East Side**

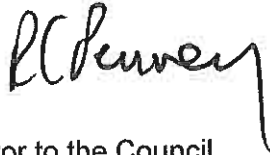
From a point 9 metres south west of its junction with the south westerly kerbline of the northern hospital access road for a distance of 47 metres in a south westerly direction.

**U0791 School Gardens – Both Sides**

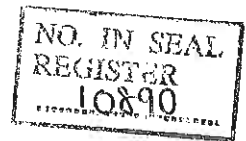
From a point 10 metres north west of its junction with the north western kerbline of Cerrigochion Road for its entire length.

**GIVEN** under the Common Seal of Powys County Council this 27<sup>th</sup> day of July 2017

**THE COMMON SEAL** of **POWYS COUNTY** )  
**COUNCIL** was hereunto affixed in the )  
presence of: - )



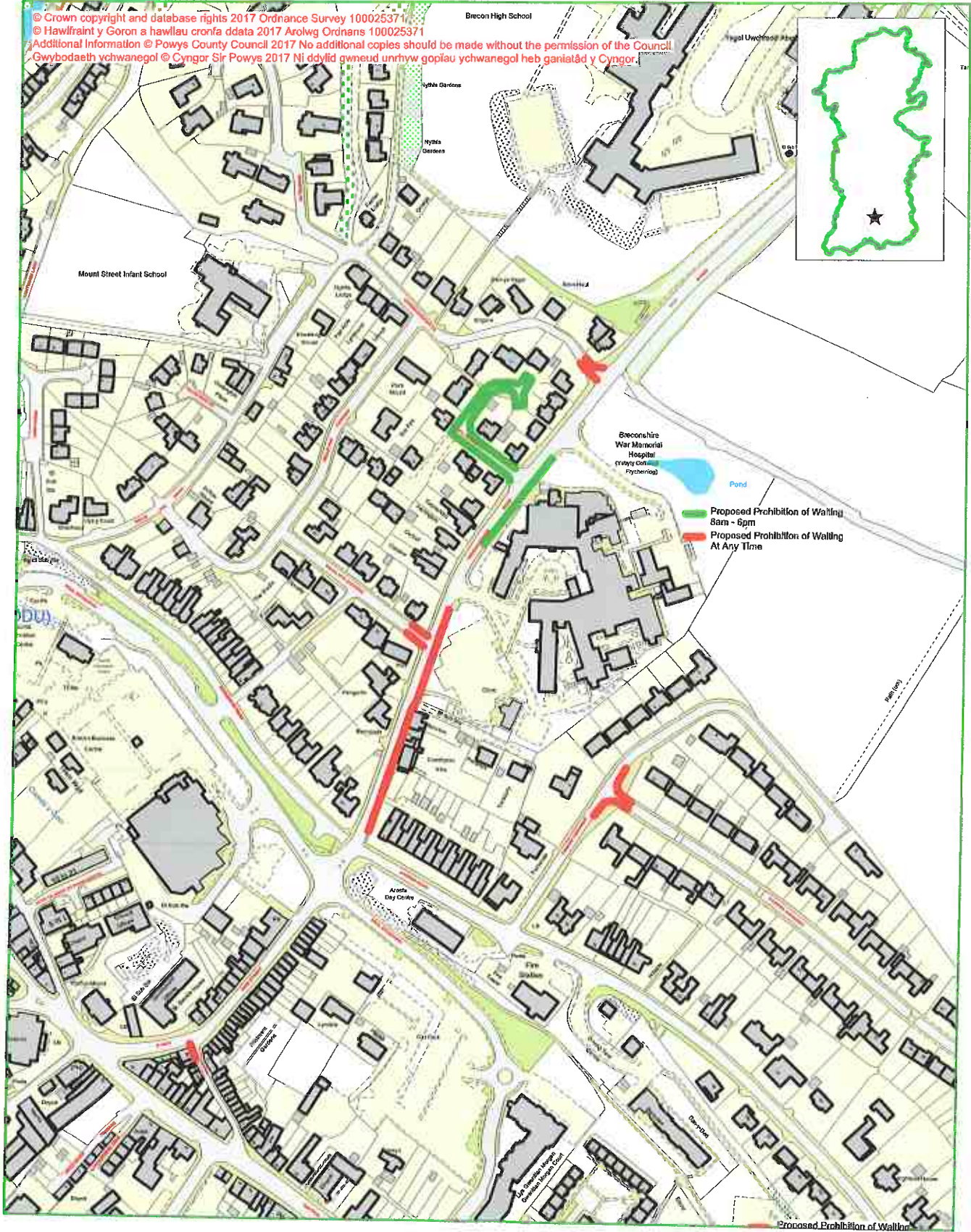
Solicitor to the Council







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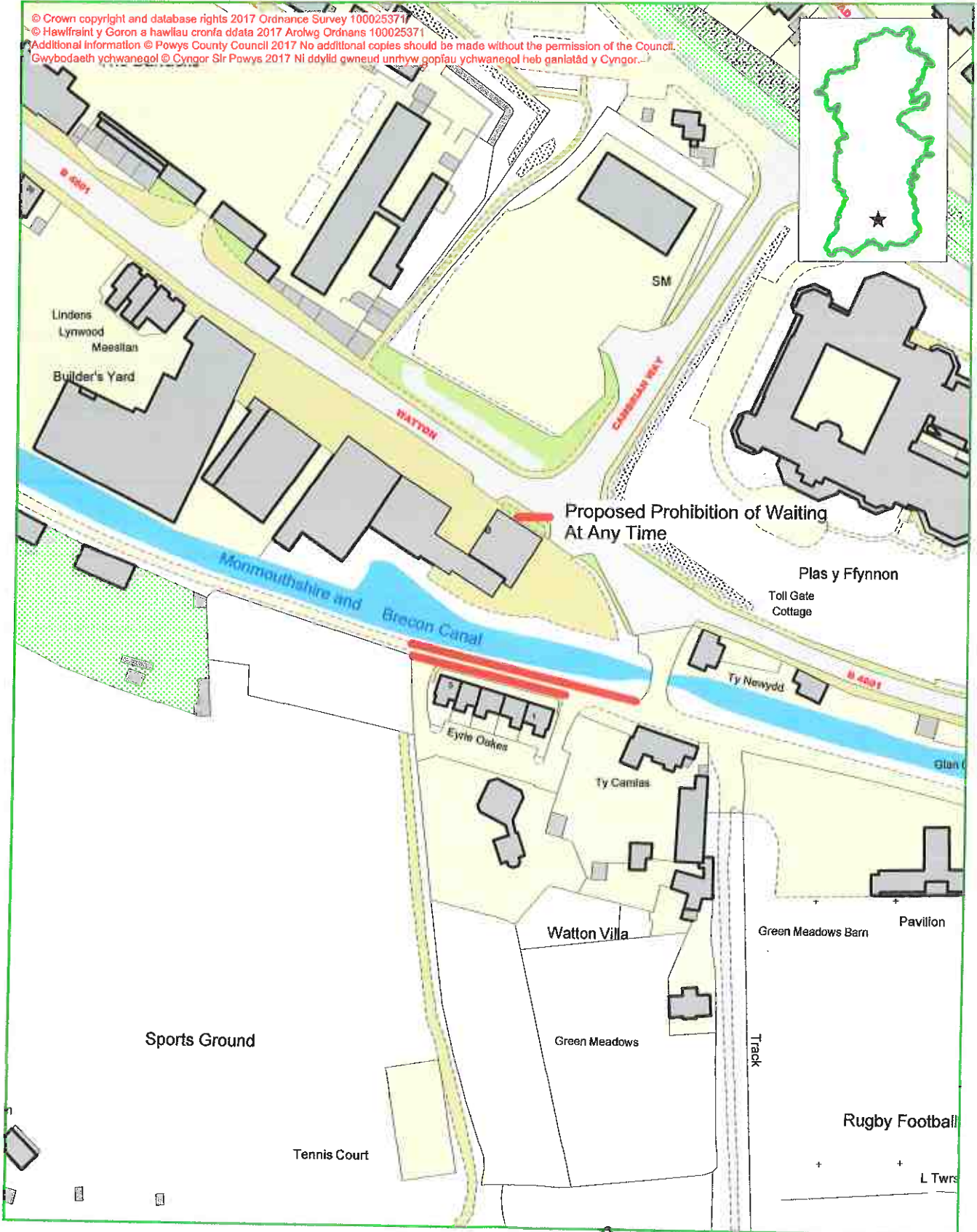


*R. R. R. R. R.*





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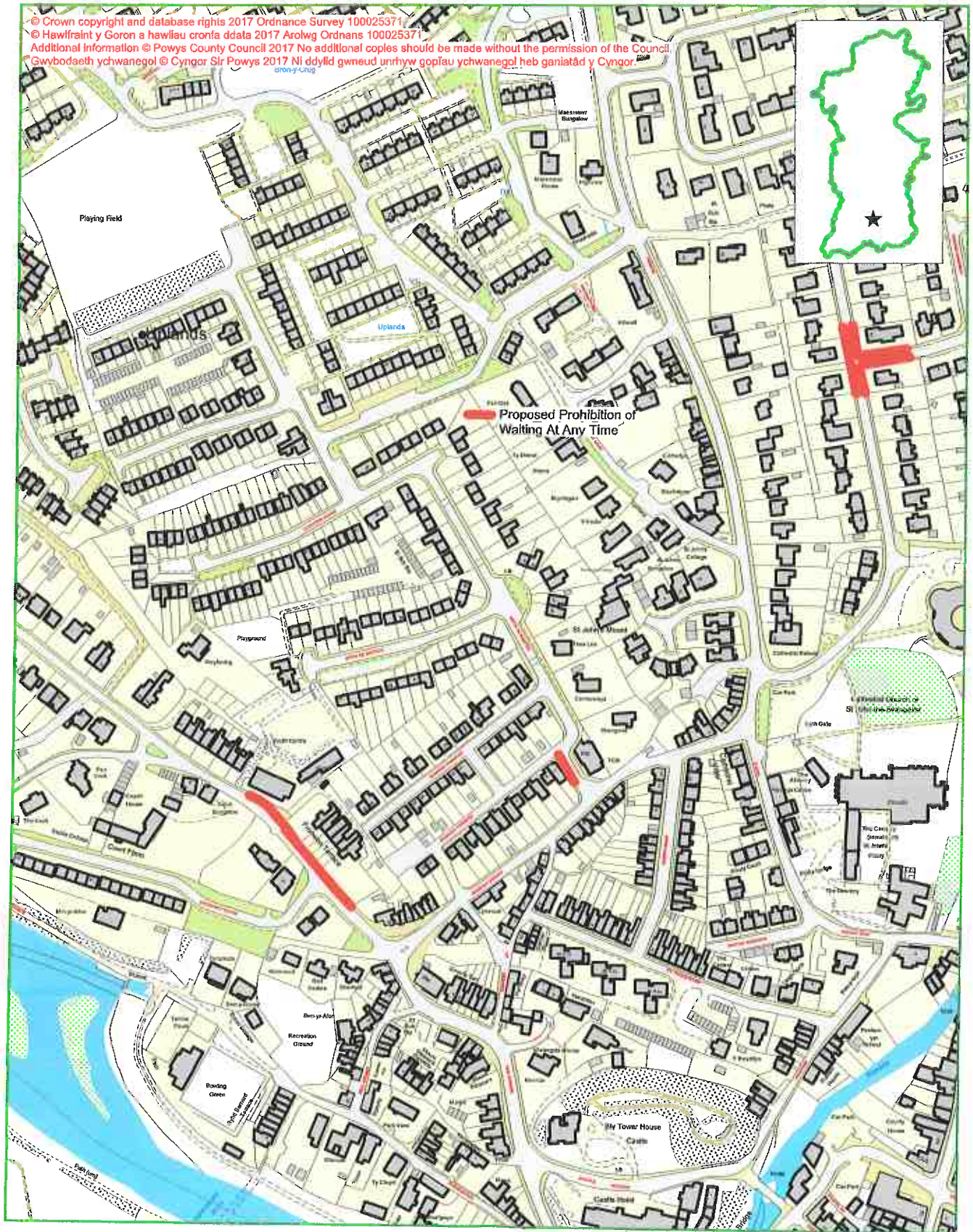


*R. C. Duvey*





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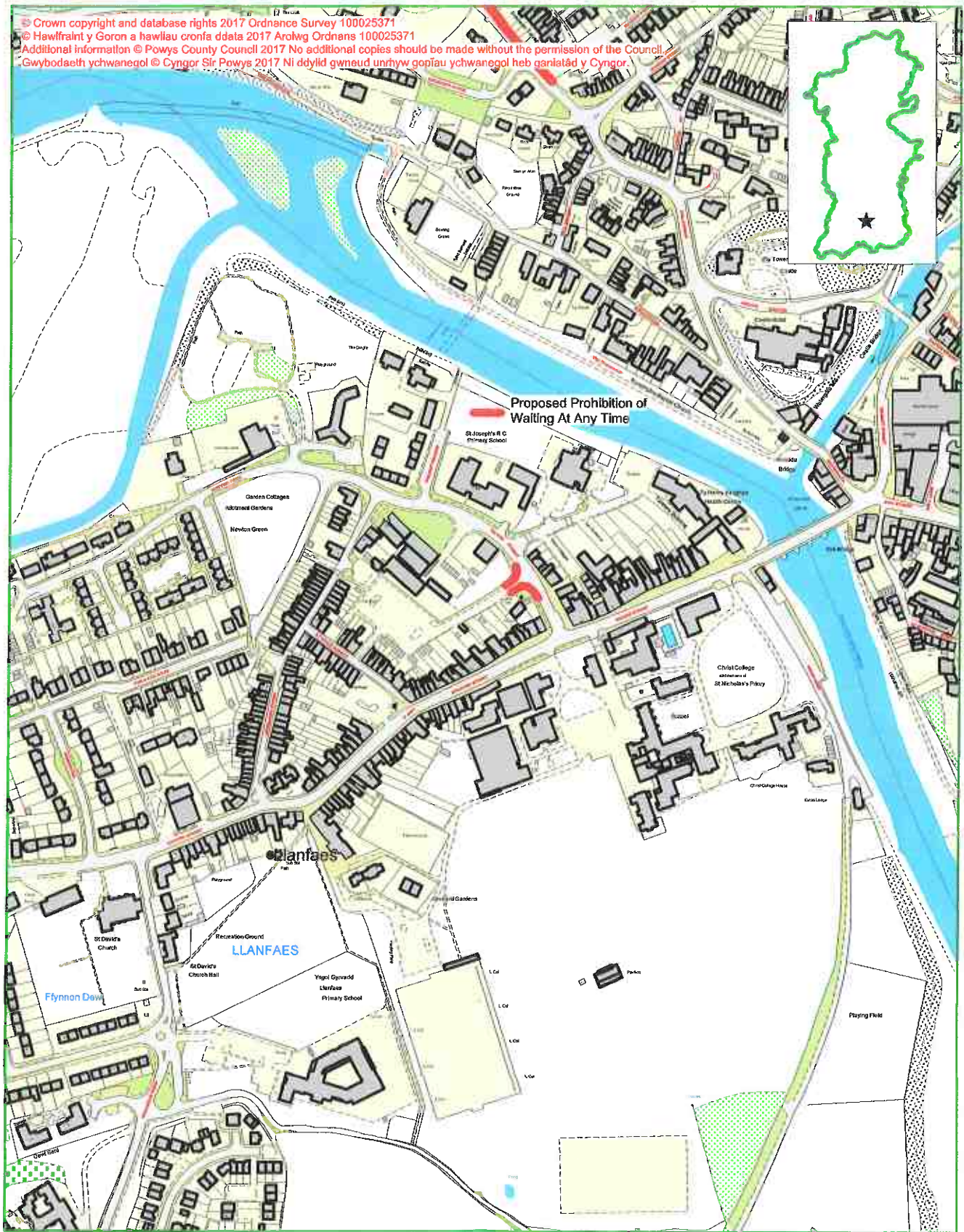


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*R.C. Purves*

