

THE COUNTY OF POWYS.
(U0490, LOWER CWMTWRCRCH)
(PROHIBITION OF WAITING) ORDER 2011

POWYS COUNTY 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 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:

1. This Order shall come into operation on the 19 day of September 2011 and may be cited as The County of Powys (U0490, Lower Cwmtwrch) (Prohibition of Waiting) Order 2011.
2. In this Order
"the Disabled Persons' Vehicles Regulations" means the Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (Wales) Regulations 2000;
"the Badges Regulations" means the Disabled Persons (Badges for Motor Vehicles) (Wales) Regulations 2000;
"disabled person's badge" means a badge which was
 - (a) issued or has effect as if issued to a disabled person or an institution under the Badges Regulations or under regulations having effect in Scotland or England under Section 21 of the Chronically Sick and Disabled Persons Act 1970 and
 - (b) has not ceased to be in force;"relevant position" in relation to a disabled person's badge means that the badge is displayed in the manner prescribed in regulation 12 of the Badges Regulations;
"parking disc" under the terms of the Disabled Persons' Vehicles Regulations means a device which:-
 - (a) is 125 millimetres square and coloured blue if issued on or after the 5th day of July 2000 or orange if issued before that date;
 - (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;"relevant position" in relation to a parking disc has the same meanings as in paragraph 4(2) of the Disabled Persons' Vehicles Regulations namely:
 - (a) that the disc shall be exhibited on the dashboard or fascia of the vehicle or
 - (b) that where the vehicle does not have a dashboard or fascia the disc shall be exhibited in a conspicuous position on the vehicleso that when marked to show the quarter-hour period during which the period of waiting began that period is clearly legible from the outside of the vehicle.
3. Save as provided in Articles 4 and 5 (i) and (ii) 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 at any time on any day along either of the sides of the lengths of road specified in the Schedule to this Order.
 - (i) any time on any day along either of the sides of the length of road specified in

4. Nothing in Article 3 of this Order shall render it unlawful to cause or permit any vehicle to wait along either of the sides of the lengths of road specified in the Schedule to this Order for so long as may be necessary:
- (a) to enable a person to board or alight from the vehicle;
 - (b) to enable goods to be loaded onto or unloaded from the vehicle;
 - (c) to enable the vehicle if it is in the service of or employed by a universal service provider (within the meaning of the Postal Services Act 2000) to be used for the purpose of delivering or collecting postal packets as defined in Section 125 of the Postal Services Act 2000;
 - (d) to enable the vehicle if it cannot conveniently be used for such purpose in any other road 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 side/sides of the lengths of road so specified or the laying erection alteration or repair in or near the said sides of those lengths of road of any sewer or any main pipe or apparatus for the supply of gas water or electricity or any electronic communications apparatus as defined in the Communications Act 2003;
 - (e) to enable 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 in pursuance of statutory powers or duties;
 - (f) to enable the vehicle to be used for fire brigade ambulance or police purposes;
 - (g) to enable the vehicle to take in petrol oil water or air from any garage situated on or adjacent to the said sides of those lengths of road and
 - (h) to enable the vehicle to be used as part of a funeral cortege or otherwise in connection with a funeral.
5. (i) Nothing in Article 3 (i) and (ii) of this Order shall render it unlawful to cause or permit a 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 along either of the sides of the length of road specified in the Schedule to this Order 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 along the said side of those lengths of road).
- (ii) Nothing in Article 3 (iii) of this Order shall render it unlawful to cause or permit a vehicle which displays in the relevant position a disabled person's badge to wait

along either of the sides of the length of road specified in the Schedule to this Order.

6. The plan annexed hereto is for the purposes of identification only.

SCHEDULE

Lengths of Road in the Community of Lower Cwmtwrch

1. **(County Classified Road Number U0490)**

- (i) The southeast side thereof which extends from its junction with the south western kerbline of the A4068 for a distance of 45 metres in a south westerly direction and from a point 53 metres southwest of its junction with the south western kerbline of the A4068 for a distance of 36 metres in a south westerly direction then for a distance of 43 metres in a north westerly direction then for a distance of 7 metres in a north easterly direction then for a distance of 15 metres in a south easterly direction then for a distance of 79 metres in north easterly direction to its junction with the south western kerbline of the A4068.

GIVEN under the Common Seal of Powys County Council this 6th day of September 2011

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



Head of Legal Scrutiny and Democratic Services

