

**THE COUNCIL OF THE CITY
AND COUNTY OF SWANSEA**

CYNGOR DINAS A SIR ABERTAWE

(REVOCATIONS) (PROHIBITION OF WAITING "AT ANY TIME")

**(PENMAEN TERRACE, ROSEHILL TERRACE
AND TERRACE ROAD, SWANSEA)**

ORDER 2011

THE COUNCIL OF THE CITY AND COUNTY OF SWANSEA (hereinafter called "the Council") in exercise of its powers under Sections 1 and 2 of the Road Traffic Regulation Act 1984 (as amended) (which said Act of 1984 is hereby referred to as "the Act of 1984") and the Traffic Management Act 2004 and of all other enabling powers and after consultation with the Chief Officer of Police in accordance with Section 124 of the Act of 1984 hereby make the following Order:

1. **THIS** Order shall come into operation on Friday the 27th day of May 2011 and may be cited as "the Council of the City and County of Swansea (Revocations) (Prohibition of Waiting "At Any Time")(Penmaen Terrace, Rosehill Terrace and Terrace Road, Swansea) Order 2011"
2. **IN** this Order:
 - 2.1. **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
 - 2.2. **THE** Interpretation Act 1978 shall apply for the interpretation of this Order as it applies for the Interpretation of an Act of Parliament

2.3. **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

2.4 "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

"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

"driver" in relation to a vehicle waiting in a restricted area, means the person driving the vehicle at the time it was left in the restricted waiting area or parking place;

"goods vehicle" means a motor vehicle under 3500 kg in weight which is constructed or adapted for use for the carriage of goods or burden of any description the overall height of which does not exceed 2.35 metres and the overall length of which does not exceed 5.25 metres and is not drawing a trailer;

"motor-cycle" has the same meaning as that in Section 136 of the Act of 1984;

"owner" in relation to a vehicle, means the person by whom such vehicle is kept and used. In determining who was the owner at the

time it shall be presumed that the owner was the person named in the vehicle registration document as the registered keeper of the vehicle or the person who has the use of such vehicle in the course of his/her employment and who is entitled to use such vehicle as though he/she were the registered keeper thereof;

"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

"passenger vehicle" means a motor vehicle (other than a motor-cycle or invalid carriage) constructed or adapted solely for the carriage of not more than twelve passengers (exclusive of the driver) and their effects and not drawing a trailer;

"public service vehicle" means a vehicle carrying passengers for a fee and for the purposes of this Order public service vehicle refers to a large public service vehicle capable of carrying more than eight 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;

"Permit" means a Permit issued by the Council in respect of certain classes of vehicle

"service vehicles" means a motor vehicle under 3500 kg in weight which is constructed or adapted for use for the carriage of goods or burden of any description the overall height of which does not exceed 2.35 metres and the overall length of which does not exceed 5.25 metres and is not drawing a trailer;

"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 charge to be determined from time to time by resolution of the Council or relevant Committee thereof

3. **NOTHING** in Article 6. of this Order shall make 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 of which the 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

4. **NOTHING** in Article 6. 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 correct 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 side 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 in Section 37 of the Post Office Act 1953
- (d) public service vehicles when waiting at an authorised bus stop to

set down or pick up passengers

(e) vehicles picking up and dropping off passengers

5. The existing Orders are revoked insofar as they are inconsistent with the provisions 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
6. Save as provided in Articles 3. and 4. and except on the direction of a Police Officer in uniform or a civil enforcement officer or a person authorised by the Council no person shall cause any vehicle to wait "at any time" on the length or lengths of the road or roads referred to in the Schedule hereto

Dated this 3rd day of May 2011

SCHEDULES

SCHEDULE 1

REVOCATIONS

The existing Orders are revoked insofar as they are inconsistent with the proposals contained in Schedule 2 and insofar as they relate to the length or lengths of the road or roads referred to in Schedule 2.

SCHEDULE 2

PROHIBITION OF WAITING "AT ANY TIME"

PENMAEN TERRACE

North side

From a point 9 metres east of the south eastern kerb line of Rosehill to a point 7 metres west of the south western kerb line of Rosehill.

ROSEHILL TERRACE

West side

1. From its junction with Penmaen Terrace to a point 7 metres north thereof.
2. From the northern kerbline of Terrace Road to a point 12 metres south thereof.

East Side

1. From its junction with Penmaen Terrace to a point 7 metres north thereof.
2. From the southern kerb line of Terrace Road to a point 5 metres south thereof.

TERRACE ROAD

North side

From the western kerb line of Rosehill to a point 19 metres east thereof.

South Side

From the eastern kerb line of Rosehill to a point 12 metres east thereof.

**THE COMMON SEAL OF THE
COUNCIL OF THE CITY AND
COUNTY OF SWANSEA**

was hereunto affixed
in the presence of



Janet Hooper

~~Acting Head of Legal, Democratic Services and Procurement /~~
Authorised Signatory

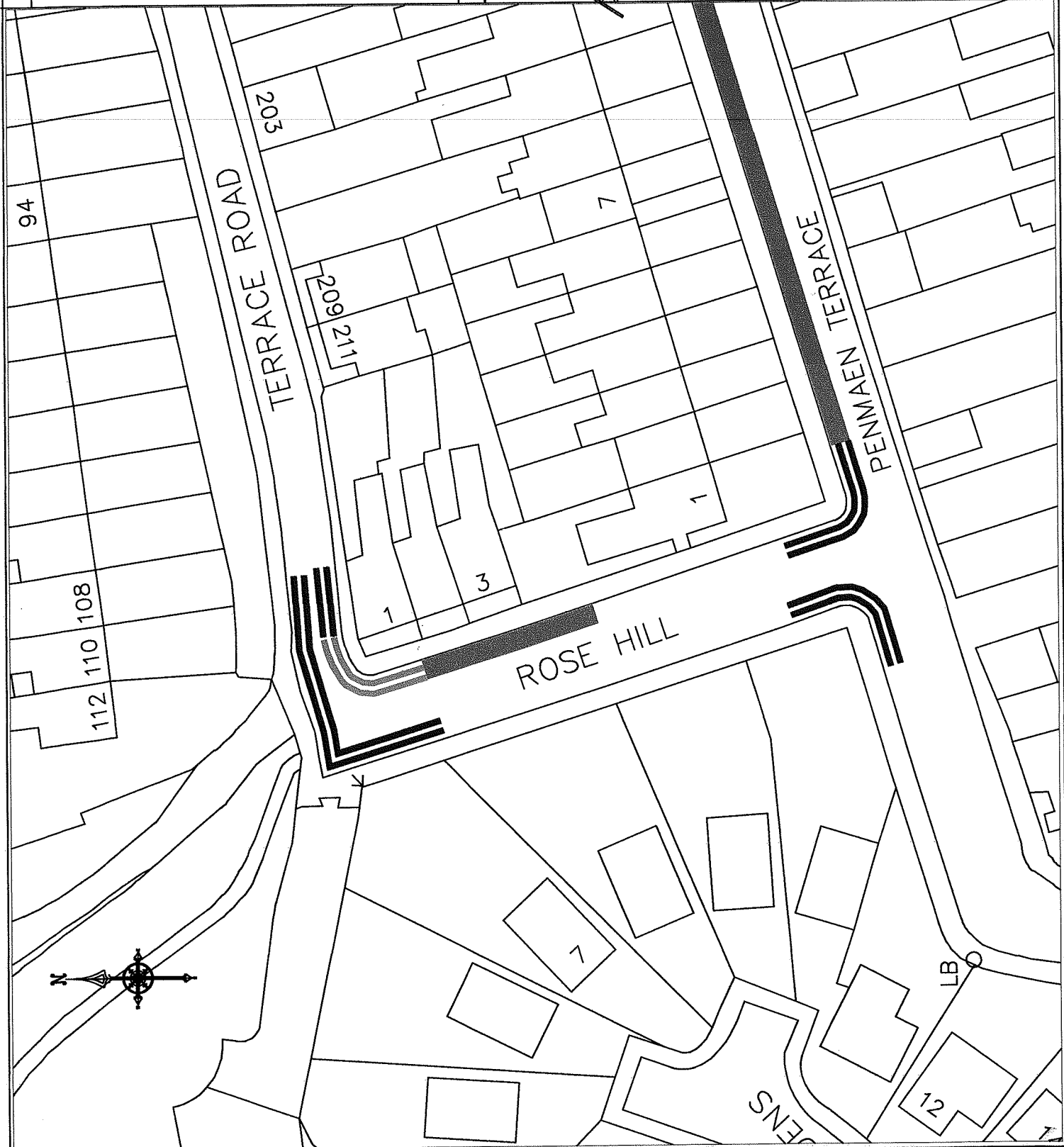
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KEY

Existing POWAAT

Proposed POWAAT

Existing Parking bays



Rev

Details

Dr

Ch

Ap

Date

ENVIRONMENT DEPARTMENT

CHRIS VIVASTOCK

B.Sc.(Eng), C.Eng, A., M.I.H.T.

HEAD OF SERVICE

TRANSPORTATION

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CITY AND COUNTY OF SWANSEA

DINAS A SIR ABERTAWE

Project

PROPOSED TRO

PROHIBITION OF WAITING

AT ANY TIME

TERRACE ROAD-ROSEHILL

UPLANDS WARD

SWANSEA.2010

File No. FILE-NO

General Ledger Code

GEN-LED-CODE

Drawn

JTG

Date

08.10.10

Scale

NTS

Checked

IHM

Date

08.10.10

Approved

LHJ

Date

08.10.10

Drawing No.

EI.10.T035.1