

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

**CYNGOR DINAS A SIR ABERTAWE
(PENCLAWDD SAFER ROUTES TO SCHOOLS)**

ORDER 2011

Ref: MAW/DVT- 1301

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AND COUNTY OF SWANSEA**

CYNGOR DINAS A SIR ABERTAWE

(PENCLAWDD SAFER ROUTES TO SCHOOLS)

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 Monday the Eighteenth day of July 2011 and may be cited as "the Council of the City and County of Swansea (Penclawdd Safer Routes to Schools) 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;

"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 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, and

"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;

“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 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 permit is clearly legible from outside the vehicle;

“Permit” means a Permit other than a Residents Parking Permit issued by the Council to certain classes of vehicle

“service vehicles” means

“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

3. **NOTHING** in Article 5 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 Articles 5 and 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

4. 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
5. Save for Articles 3 and 4 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 Schedule 1 hereto
6. 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 stop "at any time" on the school markings on the length or lengths of the road or roads referred to in Schedule 2 hereto

Dated this Fourth day of July 2011

SCHEDULES

SCHEDULE 1

PROHIBITION OF WAITING "AT ANY TIME"

VICTORIA ROAD

East Side

From a point opposite and in line with the southern kerb line of Park Road for a distance of 73 metres in a northerly direction

West Side

From its southern kerb line junction with Park Road for a distance of 30 metres in a southerly direction.

From its northern kerb line junction with Park Road for a distance of 75 to 53 metres in a northerly direction.

PARK ROAD

North Side

From its western kerb line junction with Victoria for a distance of 150 metres in a westerly then south westerly direction.

South Side

From its western kerb line junction with Victoria for a distance of 29 metres in a westerly direction.

Between points 67 metres west and 134 metres south west of the western kerb line junction with Victoria Road.

SCHEDULE 2

SCHOOL MARKINGS KEEP CLEAR

PARK ROAD

South Side

Between points 29 metres west and 67 metres west of the western kerb line junction with Victoria Road

Between points 134 metres south west and 165 metres south west of the western kerb line junction with Victoria Road.

SCHEDULE 3

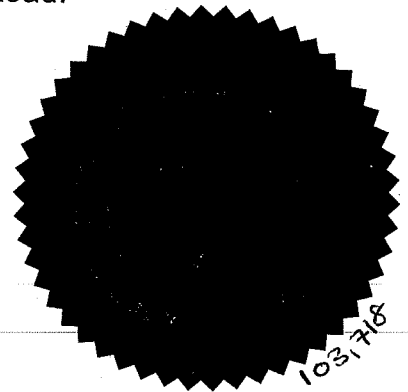
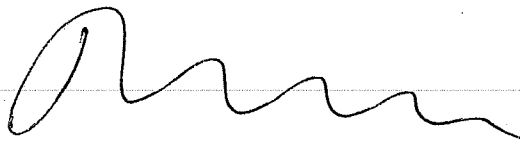
PROPOSED PELICAN CROSSING

BEACH ROAD

At a point 15 metres west of the western kerb line of Victoria Road.

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

was hereunto affixed
in the presence of



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