

**THE COUNCIL OF THE CITY  
AND COUNTY OF SWANSEA  
CYNGOR DINAS A SIR ABERTAWE**



**SWANSEA BOULEVARD**

**SOMERSET PLACE**

**ORDER 2016**

**DVT-200470**

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

**CYNGOR DINAS A SIR ABERTAWE**

**SWANSEA BOULEVARD**

**SOMERSET PLACE**

**ORDER 2016**

**THE COUNCIL OF THE CITY AND COUNTY OF SWANSEA** (“the Council”) in exercise of its powers under Sections 1 and 2 of the Road Traffic Regulation Act 1984, as amended (“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 Part III of Schedule 9 and Section 124 of the Act of 1984 hereby make the following Order.

**SECTION 1 – PRELIMINARY**

Citation and commencement

1. This Order shall come into operation on the 18<sup>th</sup> January 2016 and may be cited as the Council of the City and County of Swansea, (SWANSEA BOULEVARD) (SOMERSET PLACE) Traffic Regulation Order 2016

Definitions

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

“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;

“Controlled Zone” means an area in which all kerb space is controlled either by waiting and loading restrictions or by a designated parking bay such as a disabled parking bay, a meter bay or residents parking bay

“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;

“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

“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

“Parking Place” means an area of a highway designated by this Order for the waiting of vehicles of specific classes and indicated on a carriageway by markings in accordance with the Traffic Signs Regulations and General Directions 2002 or an area of the highway designated for limited waiting ;

“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;

“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

### 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 – CONTROLLED ZONE**

### **PROHIBITION OF WAITING, LOADING AND UNLOADING AT ANY TIME**

6. Save as provided in Articles 7 no person shall, except upon the direction or with the permission of a civil enforcement officer, police officer in uniform, or a person authorised by the Council, cause or permit any vehicle to wait, load/unload at any time on the length or lengths of the road or roads referred to in Schedule 2

### Exemptions

7. Nothing in Articles 6,8 & 10 of this Order shall render it unlawful to cause or permit any vehicle to wait, load/unload on the side or sides or length or lengths of the road or 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 of the Royal Mail or other universal services provider as defined in Section 4 of the Postal Services Act 2000 to be used for the purpose of delivering or collecting mail.
- (d) public service vehicles when waiting at an authorised bus stop to set down or pick up passengers

### **SECTION 3**

#### **LOADING / UNLOADING ONLY AT ANY TIME**

8. Save as provided in Article 7 & 9 no person shall, except upon the direction or with the permission of a civil enforcement officer, police officer in uniform, or a person authorised by the Council, cause or permit any vehicle to wait at any time on the length or lengths of the road or roads referred to in Schedule 3, except for the purpose of loading/unloading.

### Exemption

9. NOTHING in Article 8 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 or sides 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 or sides of the road or roads).

## **SECTION 4**

### **LIMITED WAITING 2 HOURS (NO RETURN WITHIN 4 HOURS) MON-SAT 8am-6pm**

10. Save as provided in Article 7 & 10, no person shall, except upon the direction or with the permission of a civil enforcement officer, police officer in uniform, or a person authorised by the Council, cause or permit any vehicle to wait beyond a period of two hours or return within four hours (Mon-Sat 8am-6pm) to the length or lengths of the road or roads referred to in Schedule 4

### Exemption

11. Nothing in Article 10 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 length or lengths of road referred to in the said Article

## **SECTION 5**

### **LIMITED WAITING 3 HOURS, NO RETURN WITHIN 3 HOURS (PERMIT HOLDERS EXEMPT) MON – SAT 8AM – 6PM**

12. Save as provided in Article 7, 11 & 13, no person shall, except upon the direction or with the permission of a civil enforcement officer, police officer in uniform, or a person authorised by the Council, cause or permit any vehicle to wait beyond a period of three hours or return within three hours (Mon-Sat 8am-6pm) to the length or lengths of the road or roads referred to in Schedule 5.

#### Exemption

13. Nothing in Article 12 of this Order shall render it unlawful to cause or permit any vehicle to wait on the side or sides or length or lengths of road or roads referred to in schedule 5 if the relevant permit has been issued and displayed at the relevant position.

## **SCHEDULES**

### **SCHEDULE 1**

#### **REVOCATIONS**

The existing Orders are revoked insofar as they are inconsistent with the proposals hereinafter contained which relate to the length or lengths of the road or roads referred to in the schedules hereto.

### **SCHEDULE 2**

#### **CONTROLLED ZONE - PROHIBITION OF WAITING, NO LOADING /UNLOADING AT ANY TIME**

**SOMERSET PLACE** – for its entire length

#### **Ferry Side**

**West Side:** From its junction with the northern kerb line of Somerset Place for a distance of 11 metres in a northerly direction.

**East Side:** From its junction with the northern kerb line of Somerset Place for a distance of 14 metres in a northerly direction.

#### **East Burrows Road**

**West Side:** From its junction with the southern kerb line of Somerset Place for a distance of 11 metres in a southerly direction.

**East Side:** From the southern edge of the footpath from Somerset Place to the 'Sail' Bridge, for a distance of 7 metres in a southerly direction.

#### **Access Road from Somerset Place (to Sainsbury's)**

**West Side:** From its junction with the northern kerb line of Somerset Place for a distance of 9 metres in a northerly direction.

**East Side:** From the southern edge of the footpath from Somerset Place to the 'Sail' Bridge for a distance of 16 metres in a northerly direction

#### **Pier Street**

**South Side:** From its junction with the eastern kerb line of Adelaide Street to its junction with the western kerb line of Llys Jernegan. From its junction with the western kerb line of Llys Jernegan for a distance of 6 metres in a westerly direction.

**North Side:** From a point 63 metres east of the eastern kerb line of Adelaide Street, for a distance of 17 metres in a easterly then a further 5 metres in a southerly direction. (for clarity: this encompassed the cul de sac completely)

### **SCHEDULE 3**

#### **LOADING ONLY AT ANY TIME**

#### **Pier Street**

**North Side:** From a point 11 metres east to a point 26 metres east of the eastern kerb line of Adelaide Street, a distance of 15 metres.

### **SCHEDULE 4**

#### **LIMITED WAITING 2 HOUR NO RETURN WITHIN 4 HOURS MON–SAT 8am–6pm**

#### **East Burrows Road**

**West Side:** From a point 11 metres south to a point 49 metres south of the southern kerb line of Somerset Place, a distance of 38 metres.

## SCHEDULE 5

**LIMITED WAITING 3 HOUR, NO RETURN WITHIN 3 HOURS (PERMIT HOLDERS EXEMPT) MON – SAT 8AM – 6PM.**

### **Gloucester Place**

**North Western Side:** From its junction with the southern kerb line of Cambrian Place for a distance of 7 metres in a south westerly direction

### **Cambrian Place**

**South Side:** From its junction with the western kerb line of Gloucester Place for a distance of 13 metres in a westerly direction.

### **Pier Street**

**North Side:** From a point 26 metres east to a point 63 metres east of the eastern kerb line of Adelaide Street, a distance of 37 metres.

14th December 2015  
Dated this 4<sup>th</sup> day of January 2016

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

was hereunto affixed  
in the presence of



106,669

*I. Meredith*

Head of Legal, Democratic Services and Procurement/  
Authorised Signatory