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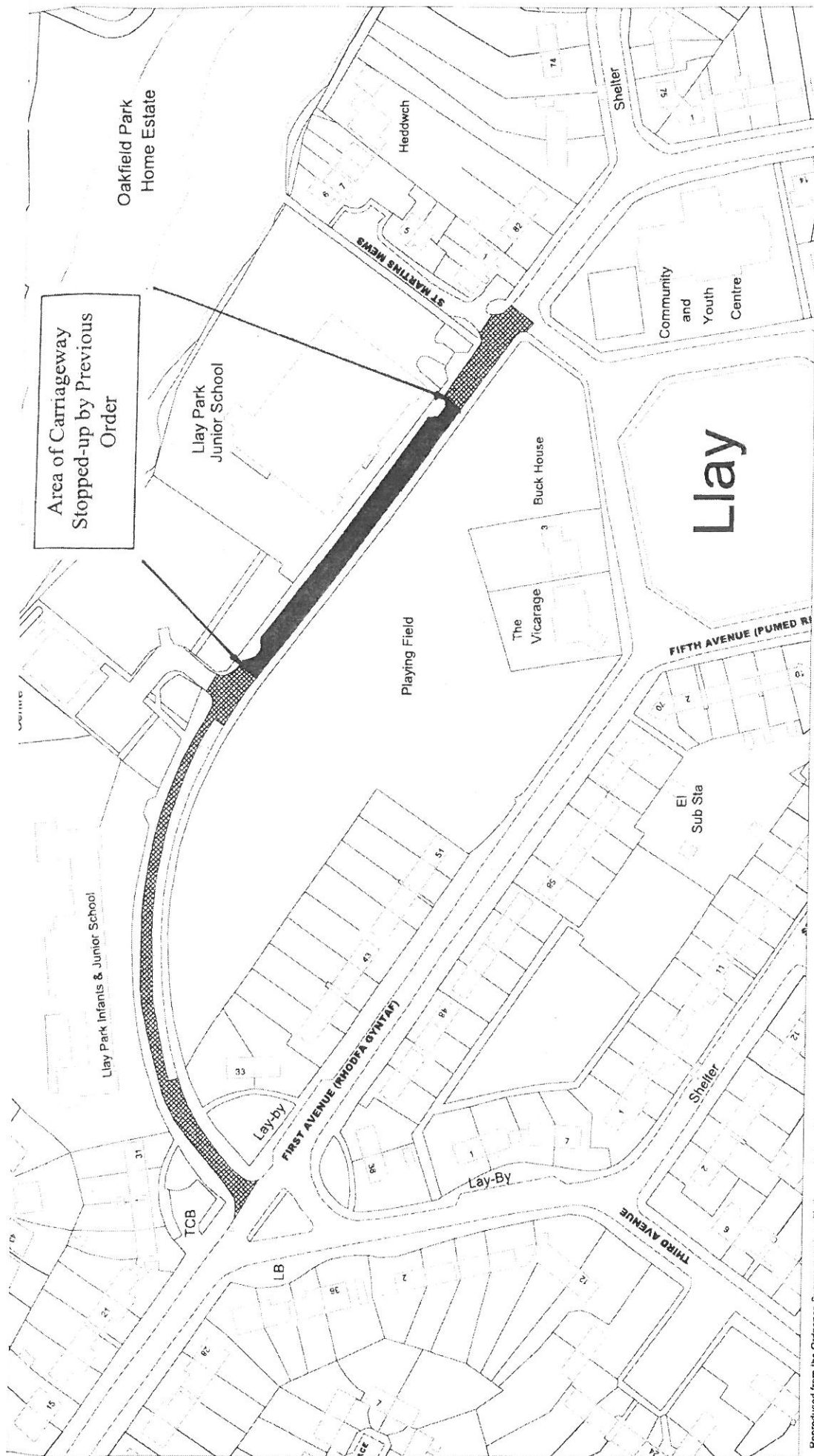
13th July

2011

**WREXHAM COUNTY BOROUGH COUNCIL
(SCHOOL ROAD, LLAY)
(PROHIBITION OF WAITING) ORDER 2011**

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Ref: MR/ZS/10003498



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SCHOOL ROAD LLAY



PROPOSED PROHIBITION OF WAITING

WREXHAM COUNTY BOROUGH COUNCIL (SCHOOL ROAD, LLAY)
(PROHIBITION OF WAITING) ORDER 2011

Wrexham County Borough Council ("the Council") in exercise of their powers under Section 1 (1) and (2) and (2) and Part IV of Schedule 9 of the Road Traffic Regulation Act 1984 ("the Act") and of all other enabling powers and after consultation with the Chief Officer for 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 18th day of July 2011 and may be cited as the Wrexham County Borough Council (School Road, Llay) (Prohibition of Waiting) Order 2011.

Interpretation

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

"Civil Enforcement Officer" means a person authorised within the meaning of Section 76 Traffic Management Act 2004;

"Council" means Wrexham County Borough Council and includes any duly authorised member of staff, any parking services contractors or authorised agent appointed by or acting on behalf of the Council for the purposes of any function under the provisions of this Order;

"Disabled Persons Badge" has the same meaning as in the Disabled Persons (Badges for Motor Vehicles) (Wales) Regulations 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 area;

"Motor Vehicle" has the same meaning as in Section 136 (1) of the Act;

"Parking Disc" has the same meaning as in the Local Authorities Traffic Orders (Exemptions for Disabled Persons) (Wales) Regulations 2000 which is capable of showing a quarter hour period during which a period of waiting has begun;

"Passenger Vehicle" means a motor vehicle (other than a motor cycle or invalid carriage) constructed or adapted solely for the carried of not more than 12 passengers (exclusive of the driver) and their effects and not drawing a trailer;

"Relevant Position" in respect of:-

- (a) a disabled persons 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;

"Telecommunication System" has the same meaning as in the Telecommunications Act 1984;

"Waiver Certificate" means a certificate issued by or on behalf of the Council for the purposes of this Order permitting a specified vehicle to wait in specified circumstances on the length or lengths of road where the waiting of that vehicle would otherwise be restricted or prohibited;

3. Any reference in this Order to a numbered Article shall, unless the context requires otherwise, be construed as a reference to the Article being that number in this Order and any reference to a plan as a reference to a Plan incorporated into this Order.
4. Any reference in this Order to any enactment shall be construed as a reference to that enactment as amended, applied, consolidated, re-enacted by or as having effect by virtue of any subsequent enactment.
5. The Interpretation Act 1978 shall apply to the interpretation of this Order as it applies for the interpretation of an Act of Parliament and, as if for the purposes of Section 21 of that Act, this Order were an Act of Parliament and the Orders revoked by this Order were Acts of Parliament thereby repealed.

SECTION 2 - PROHIBITION OF WAITING

Prohibition of Waiting

6. No person, shall except upon the direction or with the permission of a Civil Enforcement Officer or police officer in uniform, cause or permit any motor vehicle to wait on the lengths of road indicated by sign or by markings on the surface of the road as specified in the Schedule to this Order and as indicated on the Plans described in Article 18 below.

Emergencies

7. Nothing in Article 6 shall render it unlawful to cause or permit any motor vehicle to wait in any of the roads, lengths of road or on the sides of road specified therein for so long as may be necessary to enable the vehicle to be used in an emergency for fire and rescue, ambulance or police purposes.

General exemptions

8. Nothing in Article 6 shall render it unlawful to cause or permit any motor vehicle to wait in any of the roads, lengths of road or on the sides of road specified therein for so long as may be necessary to enable:

- (a) the motor 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, shop fitting, industrial or demolition operations;
 - (ii) the removal of any obstruction to traffic;
 - (iii) the maintenance, improvement or reconstruction of the said lengths or sides of road; and
 - (iv) the laying, erection, alteration or repair in or on land adjacent to the said lengths of sides of road or any sewer or any main, pipe or apparatus for the supply of gas, water or electricity or of any telecommunications system.
- (b) the motor vehicle, if it cannot conveniently be used for such purposes in any other road, to be used in the service of a local authority or its contractors in pursuance of that authority's statutory powers or duties;
- (c) the vehicle of the Royal Mail or other universal services provider (as defined in Section 4 (3) and (4) of the Postal Services Act 2000) to be used for the purpose of delivering and/or collecting mail;
- (d) in any case where the person in control of the motor vehicle:
- (i) is required by law to stop;
 - (ii) is obliged to stop so as to prevent an accident; or
 - (iii) is prevented from proceeding by circumstances outside his/her control.

Loading and Unloading

9. Nothing in Article 6 shall render it unlawful to cause or permit any vehicle to wait in the length of road or on the sides of road specified in the Schedule for so long as may be necessary to enable goods to be loaded to or unloaded from a vehicle (or goods or merchandise to be delivered or collected).

Board and alight from a Vehicle

10. Nothing in Article 6 shall render it unlawful to cause or permit any vehicle to wait in the length of road or on the sides of road specified in the Schedule for so long as may be necessary to enable a person to board or alight from the vehicle.

Funerals and Weddings

11. Nothing in Article 6 shall render it unlawful to cause or permit any vehicle to wait, if it cannot safely and conveniently do so elsewhere in the length of road or on the sides of road specified in the Schedule if it is an official vehicle being used for funerals or weddings.

Waiting by Vehicle Displaying a Waiver Certificate

12. Nothing in Article 6 shall prevent any person from causing or permitting a vehicle to wait in any prohibited or restricted road if it is displaying in the relevant position a valid waiver certificate issued by the Council and the vehicle is waiting in accordance with the terms and conditions of the said permit or certificate.

Waiting by Disabled Persons Vehicle

13. Nothing in Article 6 shall prevent any person from causing or permitting a vehicle which displays in the relevant position a disabled persons badge and 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 on the length of road described in the Schedule for a period not exceeding 3 hours (not being a period separated by an interval of less than that specified on the plans from a previous period of waiting by the same vehicles in the same lengths of road or on the same side of road on the same day) provided that the vehicle immediately before or after the act of waiting is about to be driven or used by the person to whom the badge has been issued or as the case may be used for the carrying of disabled person(s) as passenger(s).

SECTION 3 - GENERAL

Waiver Certificate

14. The Council may issue a Waiver Certificate in receipt of an application and may impose such terms and conditions as it deems appropriate.
15. A Waiver Certificate may be cancelled at any time at the sole discretion of the Council and shall thereupon immediately cease to be valid. Notification of such cancellation shall be in writing to the holder of the certificate at any address that the Council believes to be that person's address and the certificate shall forthwith be surrendered to the Council.

General

16. The restriction imposed by this Order shall be in addition to and not in derogation from any restriction or requirements imposed by any regulations made or having effect as if made under the Act of 1984 or by or under any other enactment.

SECTION 4 - VALIDITY

17. If a Court, the Department of Transport, the Welsh Assembly Government, the Adjudication Service or the Traffic Enforcement Centre declares any part of this Order to be invalid or unenforceable; such declaration shall not invalidate the remainder of the Order.

SECTION 5 - REVOCATION AND VARIATION

18. **Wrexham County Borough Council (Prohibition and Restriction of Waiting and Loading and Parking Places) (Consolidation) Order 2008** is varied or revoked to the extent that it relates to the lengths of road in which restrictions are identified by the Plans incorporated into this Order.

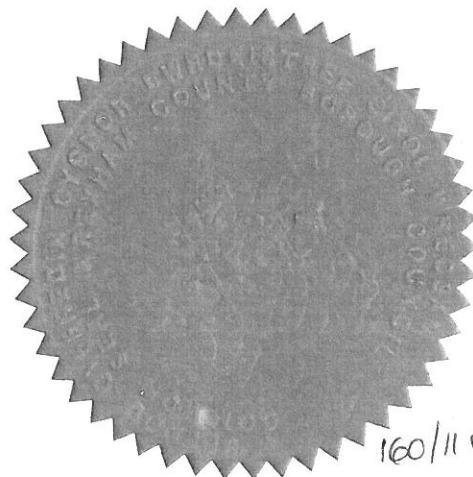
19. The County Borough of Wrexham (School Road, Llay) (Restriction of Waiting and One-Way Traffic) Order 2002 is hereby revoked.

**GIVEN UNDER THE COMMON SEAL
OF THE COUNTY BOROUGH OF WREXHAM**

this 13th day of July 2011

was hereunto affixed
in the presence of:-


Head of Corporate and Customer Services



160/11(a)

**WREXHAM COUNTY BOROUGH COUNCIL
(SCHOOL ROAD, LLAY)
(PROHIBITION OF WAITING) ORDER 2011**

**SCHEDULE
Prohibition of Waiting**

<u>Road Affected</u>	<u>Side Affected</u>	<u>Length Affected</u>
School Road, Llay	Northern Side	From its junction with First Avenue in a north easterly direction for a distance of 166 metres
School Road, Llay	Southern Side	(i) From its junction with First Avenue in a north easterly direction for a distance of 41 metres
School Road, Llay	Southern Side	(ii) From a point 145 metres north east of its junction with First Avenue in an easterly direction for a distance of 21 metres
School Road, Llay	Both Sides	From its junction with Fifth Avenue in a north easterly direction for a distance of 30 metres