

DATED

13th July

2011

WREXHAM COUNTY BOROUGH COUNCIL
(PROHIBITION AND RESTRICTION OF WAITING)
(VARIOUS ROADS)
ORDER 2011

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ORDERVARIOUSLOCATIONS-2011

MR/LMK/10002922

WREXHAM COUNTY BOROUGH COUNCIL
(PROHIBITION AND RESTRICTION OF WAITING ORDER) (VARIOUS ROADS)
ORDER 2011

Wrexham County Borough Council in exercise of its powers under sections 1 (1), 2 (1), to (3), 4, (2) and (3) and 124(1)(d) Part IV Schedule 9 of the Road Traffic Regulation Act 1984 (hereinafter referred to as "the Act of 1984") as amended 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 of 1984, hereby makes the following Order:

SECTION 1 – PRELIMINARY

Citation and commencement

1. This Order shall come into operation of the 18th day of July 2011 and may be cited as the Wrexham County Borough Council (Prohibition and Restriction of Waiting) (Various Roads) Order 2011.
2. The Wrexham County Borough Council (Prohibition and Restriction of Waiting) (Various Roads) Order 2011 Plans including the Key (the "Plans") are incorporated into this Order.

Interpretation

3. In this Order, except where the context otherwise requires, the following expressions have the meaning 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 person's badge" has the same meaning as in the Disabled Person's (Badges for Motor Vehicles) (Wales) Regulations 2000;

"disabled person's vehicle" has the same meaning as in the Local Authority Traffic Orders (Exemptions for Disabled Persons) (Wales) Regulations 2002;

"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" means goods of any kind whether animate or inanimate and includes post bags and packets of any kind;

"goods vehicle" means a motor vehicle under 1500 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 2.3 metres and the overall length of which does not exceed 5.0 metres and is not drawing a trailer;

"hackney carriage" means a vehicle standing or plying for hire;

"key" means the key attached to the Plans to be read in conjunction with the Plans;

"lay-by" in relation to a main carriageway means any area of a highway at the side of the main carriageway but not part of it and marked in accordance with the Traffic Signs and General Directions 2002 intended for the waiting of vehicles, provided that no person shall cause or permit any vehicle to wait in any lay-by for the purpose of selling goods or services from that vehicle;

"loading" means the loading or unloading of goods to or from a vehicle;

function
"main carriageway" means that part of a public highway used primarily for through traffic provided that the expression main carriageway shall not include any lay-by;

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

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"motor vehicle" has the same meaning as in Section 136 (1) of the Act of 1984;

n driving
"one-way street" means a highway in which the driving of vehicles otherwise than in one direction is prohibited;

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"owner" in relation to a vehicle, means the person by whom such vehicle is kept and used. In determining who was the owner at any 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" has the same meaning as in the Local Authorities' Traffic Orders (Exemptions for Disabled Persons)(Wales) Regulations 2000 which is capable of showing the quarter hour period during which a period of waiting has begun;

Plans;
"parking place" means any parking place on a road authorised or designated by an Order made or having effect as if made under the Act of 1984;

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"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;

"permitted hours" means the periods specified for each parking place during which waiting by vehicles of a specific class is permitted as specified on the Plans;

“prohibited hours” means in relation to any prohibited road the hours during which waiting or loading is prohibited as specified on the Plans;

“prohibited road” means any of the sides or lengths of roads specified on the Plans where waiting is prohibited provided that the expression “prohibited road” shall not include any parking place;

“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;

“restricted hours” means in relation to any restricted road the hours during which waiting is restricted as specified on the Plans;

“restricted road” means any of the sides or lengths of roads specified on the Plans where waiting is restricted or specific activities are restricted during the restricted hours provided that the expression “restricted road” shall not include any parking place;

“taxi rank” means an area of carriageway designated by this Order for the waiting of hackney carriages and which is indicated by road markings complying with the Traffic Signs Regulations and General Directions 2002;

“telecommunication system” has the same meaning as in the Telecommunications Act 1984;

"the 2002 Regulations" means the Traffic Signs Regulations and General Directions 2002;

"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 a length or lengths of road where the waiting of that vehicle would otherwise be restricted or prohibited.

4. Any reference in this Order to a numbered Article shall, unless the context requires otherwise, be construed as a reference to the Article bearing that number in this Order and any reference to a Plan is a reference to a Plan incorporated into this Order.
5. 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.
6. 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 AND RESTRICTION OF WAITING

Prohibition of Waiting

7. Save as provided in Articles 12 to 17 no person shall, except upon the direction or with the permission of a Civil Enforcement Officer or a police officer in uniform, cause or permit any motor vehicle to wait at any time on the lengths of road indicated by sign or by markings on the surface of the road as specified in the Schedules and as specified on the Plans.

Restriction of waiting

8. Save as provided in Articles 12 to 17 no person shall, except upon the direction of a Civil Enforcement Officer or a police officer in uniform with the permission of a Civil Enforcement Officer or a police officer in uniform cause or permit any vehicle or a vehicle of a specific class to wait on any restricted road during the restricted hours as indicated by sign or by markings on the surface of the road and as specified on the Plans.
 - a. for a period longer than that specified, or
 - b. if a period of less than that specified as being a period during which the vehicle must not be left again in that parking space has elapsed since the termination during the restricted hours of the last period of waiting (if any) of the vehicle.

Emergencies

9. Nothing in Articles 7 to 8 shall render it unlawful to cause or permit any vehicle to wait in any of the roads, lengths of road or on the sides of road or loading area 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

10. Nothing in Articles 7 and 8 shall render it unlawful to cause or permit any vehicle to wait in any of the roads, lengths of road or on the sides of road or loading area specified therein for so 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, 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 or sides of road of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity or of any telecommunications system,
- (b) the vehicle, not being a passenger 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 service 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 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

- 11. Nothing in Articles 7 and 8 shall render it unlawful to cause or permit any vehicle to wait in any of the roads, lengths of road or on the sides of road or loading areas specified therein 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

- 12. Nothing in Articles 7 to 8 shall render it unlawful to cause or permit any 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 person to board or alight from the vehicle.

Funerals and weddings

13. Nothing in Articles 7 to 8 shall render it unlawful to cause or permit any vehicle to wait, if it cannot safely and conveniently do so elsewhere, in any of the roads, lengths of road or on the sides of road specified therein if it is an official vehicle being used for funerals or weddings.

Parking places

14. Nothing in Articles 7 to 8 shall render it unlawful to cause or permit any vehicle to wait upon a designated parking place.

Waiting by vehicle displaying a waiver certificate

15. Nothing in Articles 7 to 8 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

16. Nothing in Articles 7 to 8 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, or which the driver or other person in charge of the vehicle has marked the time at which the period of waiting began, to wait in a prohibited road or a restricted road 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 vehicle in the same length of road or on the same side of road on the same day):
Provided that the vehicle immediately before or after the act of parking has been or 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).

Taxi ranks

17. Nothing in Articles 7 and 8 shall prevent any person from causing or permitting a licensed hackney carriage to wait in any duly authorised taxi rank during the period of operation specified on the Plans.
18. No person shall cause or permit any vehicle other than a hackney carriage to wait on a taxi rank during the period of operation.
19. No person shall cause or permit a hackney carriage to wait on a taxi rank during the period of operation other than for the purpose of plying for hire.
20. No person shall cause or permit any vehicle to wait on a taxi rank outside the period of operation of the taxi rank as specified on the plans.

Loading Bays

21. Save as provided by Articles 10 and 12 no person shall, except upon the direction or with the permission of a Police Constable in uniform or a Civil Enforcement Officer, cause or permit any vehicle to wait at any time in a loading bay as designed by this Order in the length of road specified in Schedule 4 to this Order and as specified on the Plans except for the loading or unloading of goods in connection with nearby trade or business premises.

Bus Stop Clearway

22. Save as provided in Article 10 no person shall except upon the direction or with the permission of a Police Constable in uniform or a Civil Enforcement Officer, cause or permit any vehicle except busses to wait on the length of road specified in Schedule 5 to this Order and as specified on the Plans.

SECTION 4 - GENERAL

Waiver certificate

23. The Council may issue a waiver certificate on receipt of an application and may impose such terms and conditions as it deems appropriate.
24. 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

25. The restrictions 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 5 - VALIDITY

26. If a court, the Department for 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.

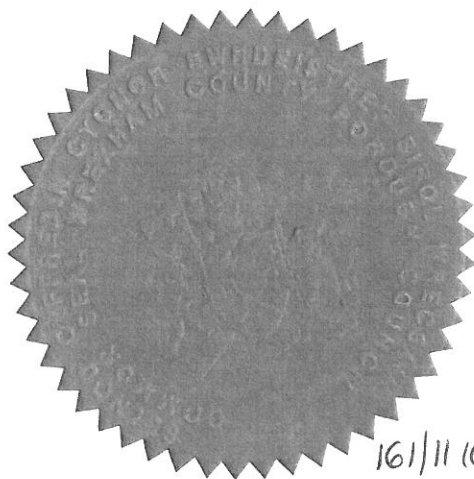
SECTION 6 – VARIATIONS AND REVOCATIONS

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

- (2) The Borough of Wrexham (Egerton Street (Part)) (Prohibition of Driving) Order 1973 is revoked.
- (3) Wrexham County Borough Council (Prohibition and Restriction of Waiting) (Various Roads) Order 2010 is varied to the extent that it relates to lengths of road in which restrictions are identified by the plans incorporated into this Order.
- (4) The County Borough of Wrexham (Bangor Road Johnstown) (Prohibition of Waiting) Order 2005 is varied to the extent that it relates to lengths of road in which restrictions are identified by the plans incorporated into this Order.

GIVEN UNDER THE COMMON SEAL of
WREXHAM COUNTY BOROUGH COUNCIL
this 13th day of July 2011
was hereunto affixed in the presence of:


Head of Corporate and Customer Services



16/11/11 (a)

SCHEDULE 1
No Waiting Loading or Unloading At Any Time.

A525 Ruthin Road, Wrexham

- (a) North easterly side from the junction of A5152 Bradley Road for a distance of 38 metres in a south easterly direction.
- (b) North easterly side from a point 136 metres south east of the junction of A5152 Bradley Road for a distance of 20 metres in a south easterly direction.
- (c) South westerly side from the junction of A5152 Bradley Road for a distance of 58 metres in a south easterly direction.
- (d) South westerly side from a point 151 metres south east of the junction of A5152 Bradley Road for a distance of 20 metres in a south easterly direction.

SCHEDULE 2
No Waiting At Any Time

B5099 Bersham Road, Ddol, Wrexham.

- (a) North westerly side from a point 15 metres south west of the junction of Yew Tree Villas for a distance of 32 metres in a north easterly direction.

- (b) South easterly side from a point 18 metres south west of the junction of Yew Tree Villas for a distance of 30 metres in a north easterly direction.

Bellevue Road, Wrexham

Northerly side from a point 69 metres south west of the junction of Watery Road/Pentrefelin for a distance of 6 metres in a south westerly direction.

Bryn Offa, Wrexham.

Both sides from the junction of Centenary Road for a distance of 28 metres in an easterly direction.

Cefn Road, Wrexham

South westerly side from a point 15 metres north west of the junction of Fenwick Drive to a point 15 metres south east of that junction.

Centenary Road, Wrexham.

Easterly side from a point 10 metres north of the junction with Bryn Offa to a point 10 metres south of that junction.

Chapel Street, Rhosymedre.

Both sides from its junction with B5096 High Street for a distance of 10 metres in a northerly direction.

Ddol, Bersham.

- (a) Northerly side from the junction with Yew Tree Villas for a distance of 20 metres in a south easterly direction.
(b) Southerly side from the junction with Yew Tree Villas for a distance of 35 metres in a south easterly direction.

Erddig Road, Wrexham.

South easterly side from a point 8 metres north east of the junction of Earle Street for a distance of 5 metres in a north easterly direction.

Fenwick Drive, Wrexham

Both sides from its junction with Cefn Road for a distance of 15 metres in a south westerly direction.

Foster Road, Wrexham.

South easterly side from a point 10 metres south west of the junction of Grove Lodge Close to a point 10 metres north east of that junction.

High Street, Bangor-on-Dee..

Southerly side from a point 15 metres west of the junction of B5069 Overton Road to a point 22 metres north east of that junction.

B5605 High Street, Ruabon.

Both sides from its junction with Maes-y-Llan Lane in a southerly direction to its junction with Station Road/Duke Street.

B5069 Overton Road, Bangor-on-Dee

Both sides from its junction with High Street for a distance of 29 metres in a south easterly direction.

Peris Hill, Plas Madoc.

- (a) North easterly side from a point 32 metres south east of the junction of Whalley's Way for a distance of 57 metres in a south easterly direction.
- (b) South westerly side from a point 35 metres south east of the junction of Whalley's Way for a distance of 39 metres in a south easterly direction.

Queensway, Wrexham.

- (a) South westerly side from a point 107 metres south east of the junction of Prince Charles Road for a distance of 30 metres in a south easterly direction.
- (b) North easterly side from a point 190 metres south east of the junction of Prince Charles Road for a distance of 30 metres in a south easterly direction.

A525 Ruthin Road, Minera.

North easterly side from the junction of Gwernygaseg Road for a distance of 223 metres in a north westerly direction.

A 525 Ruthin Road, Wrexham

North easterly side from a point 45 metres north west of the junction of Ruabon Road for a distance of 84 metres in a north westerly direction.

Trinity Street, Rhostyllen.

North easterly side from a point 10 metres north west of the junction with Britannia Close, for a distance of 10 metres in a north westerly direction.

Yale Park, Wrexham.

South easterly side from a point 10 metres south west of the junction of Mold Road for a distance of 14 metres in a south westerly direction.

Yew Tree Villas, Ddol, Wrexham.

Both sides from the junction of B5099 Bersham Road for a distance of 10 metres in a south westerly direction.

SCHEDULE 3

(Restriction of Waiting 8:00-6:00pm Monday – Friday)

B5445 Chester Road, Gresford.

Both sides from a point 38 metres south west of the junctions of High Street and Vicarage lane in a south westerly direction to the junction of South View and Allington Crescent.

SCHEDULE 4
30 Minute Limited Waiting Mon – Sat 8am to 6pm.
No Return Within 1 Hour

Egerton Street, Wrexham.

North westerly side from a point 20 metres south west of the junction of Rhosddu Road for a distance of 36 metres in a south westerly direction.

SCHEDULE 5
24 hour Loading Bay

King Street, Wrexham.

South easterly side from a point 14 metres north east of the centre of the junction of Lord Street for a distance of 12 metres in a north easterly direction.

SCHEDULE 6
Bus Stop Clearway

King Street, Wrexham.

South easterly side from a point 26 metres north east of the centre of the junction of Lord Street for a distance of 12 metres in a north easterly direction.