

2013 No. 1867 (W. 187)

ROAD TRAFFIC, WALES

**The A40 Trunk Road (Tangiers
Lay-by, North of Haverfordwest,
Pembrokeshire) (Prohibition and
Restriction of Waiting) Order 2013**

Made 24 July 2013

Coming into force 25 July 2013

The Welsh Ministers, as traffic authority for the London – Fishguard Trunk Road (A40) (hereinafter referred to as “the trunk road”), in exercise of the powers conferred upon them by sections 1(1), 2(1) and (2) and 4(2) of the Road Traffic Regulation Act 1984(1) (hereinafter referred to as “the 1984 Act”) and of all other enabling powers(2) and after consultation with the Chief Officer of the Dyfed-Powys Police, make this Order.

Title, Interpretation and Commencement

1. This Order comes into force on 25 July 2013 and its title is The A40 Trunk Road (Tangiers Lay-by, North of Haverfordwest, Pembrokeshire) (Prohibition and Restriction of Waiting) Order 2013.

2. (1) In this Order –

“disabled person’s badge” (“*bathodyn person anabl*”) has the meaning given in Regulation 2 of the Disabled Persons (Badges for Motor Vehicles) (Wales) Regulations 2000(3);

“parking disc” (“*disg barcio*”) has the meaning given in Regulation 8(5) of the Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (Wales) Regulations 2000(4).

(2) For the purpose of this Order a vehicle shall be regarded as displaying:

(i) a disabled person's badge in the relevant position if:-

- (a) in the case of a vehicle fitted with a dashboard or fascia panel, the badge is exhibited thereon so that the front of the badge is clearly legible from the outside of the vehicle; or
- (b) in the case of a vehicle not fitted with a dashboard or fascia panel, the badge is exhibited in a conspicuous position in or on the vehicle so that the front of the badge is clearly legible from outside the vehicle; and

(ii) a parking disc in the relevant position if:-

- (a) in the case of a vehicle fitted with a dashboard or fascia panel the disc is exhibited thereon so that the quarter-hour period during which the period of waiting began is clearly legible from outside the vehicle; or
- (b) in the case of a vehicle not fitted with a dashboard or fascia panel the disc is exhibited in a conspicuous position in or on the vehicle so that the quarter-hour period during which the period of waiting began is clearly legible from outside the vehicle.

(3) 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.

Prohibition and Restrictions

3. Save as provided in article 6, no person shall, except upon the direction or with the permission of a police constable, police community support officer or civil enforcement officer, cause or permit any vehicle to wait at any time on the sides of the length of the trunk road specified in Schedule 1.

4. Save as provided in article 6, no person shall, except upon the direction or with the permission of a police constable, police community support officer or civil enforcement officer, cause or permit any vehicle to wait on the side of the length of the trunk road specified in Schedule 2 between 08:00 hours and 18:00 hours for a period exceeding 1 hour in any period of 2 hours on any day.

5. Save as provided in article 6(1), no person shall, except upon the direction or with the permission of a police constable, police community support officer or civil enforcement officer, cause or permit any vehicle, other than a vehicle displaying a disabled person's badge, to wait on the side of the length of the trunk

road specified in Schedule 3 for a period exceeding 2 hours in any period of 3 hours on any day.

Exemptions

6. (1) Nothing in articles 3, 4 and 5 shall render it unlawful to cause or permit any vehicle to wait in the lengths of the trunk road referred to therein for so long as may be necessary to enable:-

- (a) a person to board or alight from a vehicle;
- (b) goods to be loaded on or unloaded from the vehicle;
- (c) 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, industrial or demolition operations;
 - (ii) the removal of any obstruction to traffic;
 - (iii) the maintenance, improvement or reconstruction of the said lengths of the trunk road; or
 - (iv) the laying, erection, alteration, or repair in, or in land adjacent to, the said lengths of the trunk road of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity or any telegraphic line as defined in the Communications Act 2003(5);
- (d) the vehicle to be used in the service of a local authority or a water authority in pursuance of statutory powers or duties;
- (e) the vehicle to take petrol, oil, water or air from any garage situated on or adjacent to the said lengths of the trunk road;
- (f) the vehicle to be used for fire brigade, ambulance or police purposes; or
- (g) the vehicle stopping when the person in control of it:
 - i. is required by law to stop;
 - ii. is obliged to stop in order to avoid an accident; or
 - iii. is prevented from proceeding by circumstances outside his control.

(2) Nothing in articles 3 and 4 shall render it unlawful to cause or permit a disabled person's vehicle which

displays in the relevant position a disabled persons badge and a 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 any of the sides of the length of the trunk road referred to therein for a period not exceeding 3 hours, being a period separated by an interval of at least one hour from a previous period of waiting by the same vehicle on the same day on any of those sides of the specified length of the trunk road specified in Schedules 1 and 2.

Signed under authority of the Minister for Economy, Science and Transport, one of the Welsh Ministers.

Dated 24 July 2013

R Morgan
RICHARD MORGAN
Head of Asset Management and Standards
Welsh Government

(1) 1984 c.27; Section 84(2) was substituted by the New Roads and Street Works Act 1991 (c.22), section 168 and Schedule 8, paragraph 61. By virtue of S.I. 1999/672, article 2 and Schedule 1, and paragraph 30 of Schedule 11 to the Government of Wales Act 2006, these powers are now exercisable by the Welsh Ministers in relation to Wales.

(2) By virtue of S.I. 1999/672, article 2 and Schedule 1, and paragraph 30 of Schedule 11 to the Government of Wales Act 2006, these powers are now exercisable by the Welsh Ministers in relation to Wales

(3) S.I. 2000/1786

(4) S.I. 2000/1785

(5) 2003 c.21

SCHEDULES

SCHEDULE 1

Prohibition of Waiting (At any time)

The length of the western side of the lay-by that extends from the northern extent of the paved island segregating the lay-by from the main carriageway of the trunk road to the southern extent of the said paved island, a distance of 128 metres.

The length of the eastern side of the lay-by that extends from a point 118.5 metres south of the northern extent of the paved island to the southern extent of the exit taper from the lay-by, a distance of 30 metres.

SCHEDULE 2

Restricted Waiting

**(Limited to 1 hour in any period of 2 hours between
08:00 hours and 18:00 hours on any day)**

The length of the eastern side of the lay-by that extends from a point 28 metres south of the northern extent of the paved island segregating the lay-by from the main carriageway of the trunk road to a point 118.5 metres south of the northern extent of the said paved island, a distance of 90.5 metres.

SCHEDULE 3
Disabled Badge Holders Only
(Waiting limited to 2 hours in any period of 3 hours
on any day)

The length of the eastern side of the lay-by that extends from a point 17 metres south of the northern extent of the paved island segregating the lay-by from the main carriageway of the trunk road to a point 28 metres south of the northern extent of the said paved island, a distance of 11 metres.