
WELSH STATUTORY INSTRUMENTS

2009 No. 1267

**The Traffic Management Permit
Scheme (Wales) Regulations 2009**

PART 1

Introduction

Title, commencement, and application

1. The title of these Regulations is the Traffic Management Permit Scheme (Wales) Regulations 2009, they apply in relation to Wales and come into force on 1 June 2009.

Interpretation

2.—(1) In these Regulations —

“the 1991 Act” (“*Deddf 1991*”) means the New Roads and Street Works Act 1991(1);

“the 2004 Act” (“*Deddf 2004*”) means the Traffic Management Act 2004;

except where the context otherwise requires, “apparatus” (“*offer*”) includes a sewer, drain or tunnel as well as any structure for the lodging therein of apparatus or for gaining access to apparatus;

“duration” (“*cyfnod amser*” a “*parhad*”) means a continuous period of time and includes a period of time capable of being assessed by reference to the provision of a start time and an end time;

“electronic communication” (“*cyfathrebiad electronig*”) has the meaning given in section 15(1) of the Electronic Communications Act 2000 (general interpretation)(2);

“emergency services” (“*gwasanaethau brys*”) include —

(a) police, fire, rescue and ambulance services; and

(b) Her Majesty’s Coastguard;

“local authority” (“*awdurdod lleol*”) means a local county or county borough council in Wales;

“permit” (“*trwydded*”) means an authorisation from the Permit Authority which permits certain specified works to be carried out on a single specified street for a specified duration;

“Permit Authority” (“*Awdurdod Trwyddedau*”), in relation to a permit scheme, means the relevant local highway authority or authorities which have submitted, or intend to submit, that permit scheme to the Welsh Ministers under section 33(1) or (2) of the 2004 Act (preparation of permit schemes);

(1) 1991 c. 22.

(2) 2000 c. 7. Section 15(1) was amended by the Communications Act 2003 (c. 21), section 406(1) and Schedule 17, paragraph 158.

“permit condition” (“*amod trwydded*”) means a condition attached to a permit by virtue of provision made in a permit scheme under regulation 10 or a condition specified in a permit scheme under regulation 13;

“permit works” (“*gwaith trwydded*”) means works authorised by a permit;

“phase” (“*is-gyfnod*”), in relation to specified works, means a period of uninterrupted occupation of the street during which part of those works will be carried out;

“provisional advance authorisation” (“*blaenawdurdodiad dros dro*”) means an indication of the likely future issue by the Permit Authority of a permit for certain proposed works;

“relevant authority” (“*awdurdod perthnasol*”) has the same meaning as in section 49(6) of the 1991 Act;

“specified area” (“*ardal benodedig*”) has the meaning given in regulation 7;

“specified streets” (“*strydoedd penodedig*”) has the meaning given in regulation 8;

“specified works” (“*gwaith penodedig*”) has the meaning given in regulation 6;

“statutory undertaker” (“*ymgymerwr statudol*”) means a person entitled by virtue of a statutory right to carry out street works;

“street authority” (“*awdurdod strydoedd*”) has the meaning given in section 49(1) of the 1991 Act (definition of the street authority and other relevant authorities);

“working day” (“*diwrnod gwaith*”) means a day other than a Saturday, Sunday, Christmas Day, Good Friday or any day which, under the Banking and Financial Dealings Act 1971(3), is a bank holiday in England and Wales; and

“works for road purposes” (“*gwaith at ddibenion ffyrdd*”) has the meaning given in section 86(2) of the 1991 Act (highway authorities, highways and related matters).

(2) The offences set out in regulations 19 and 20 are fixed penalty offences for the purposes of Part 5 of these Regulations.