

**THE COUNCIL OF THE CITY AND COUNTY OF SWANSEA
CYNGOR DINAS A SIR ABERTAWE
TRAFFIC REGULATION ORDER
MARINER STREET, SWANSEA
PROHIBITION OF WAITING
NOTICE 2022**

NOTICE: is hereby given that on 24th January 2022 The Council of the City and County of Swansea made the above order under the Road Traffic Regulation Act 1984 (as amended) and of all other enabling powers. The order will be effective from 8th February 2022, as set out in the schedules below. A copy of the order and plan may be inspected during office hours at the Civic Centre, Oystermouth Road, Swansea, SA1 3SN. Any person wishing to challenge the validity of the order or procedures used in making this order may apply to the High Court within 6 weeks of the date the order was made.

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

PROHIBITION OF WAITING AT ANY TIME / NO LOADING/ UNLOADING AT ANY TIME

MARINER STREET

On both sides throughout its length save for the length of road referred to in Schedules 3 and 4.

SCHEDULE 3

PROHIBITION OF WAITING 11PM – 6AM / NO LOADING/ UNLOADING BETWEEN 11PM AND 6AM DAILY

MARINER STREET

Within the lay-by on the south side of Mariner Street from a point 16 metres west of the western kerbline of High Street for a distance of 28 metres west

SCHEDULE 4

LOADING ONLY BETWEEN 6AM AND 11PM DAILY

Within the lay-by on the south side of Mariner Street from a point 16 metres west of the western kerbline of High Street for a distance of 28 metres west.

1st February 2022
Tracey Meredith
Chief Legal Officer / Prif Swyddog Cyfreithiol



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



Cyngor **Abertawe**
Swansea Council

**MARINER STREET, SWANSEA
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TRAFFIC REGULATION ORDER 2022**

DVT-00263825/JKJ

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CYNGOR DINAS A SIR ABERTAWE
MARINER STREET, SWANSEA
PROHIBITION OF WAITING
TRAFFIC REGULATION ORDER 2022**

THE COUNCIL OF THE CITY AND COUNTY OF SWANSEA (hereinafter called “the Council”) in exercise of its powers under the Road Traffic Regulation Act 1984, as amended (hereinafter referred to as “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 8th February 2022 and may be cited as the Council of the City and County of Swansea Mariner Street, Swansea – Prohibition of Waiting Traffic Regulation Order 2021

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;

“disabled person’s vehicle” has the same meaning as in the Local Authorities’ Traffic Orders (Exemption for Disabled Persons) (Wales) Regulations 2000;

“disabled person’s badge” has the same meaning as in the Disabled Persons (Badges for Motor Vehicles)(Wales) Regulation 2000;

“parking disc” means a disc and time clock (where appropriate) 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;

“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 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 – PROHIBITION OF WAITING AT ANY TIME / NO LOADING/ UNLOADING AT ANY TIME

6. Save as provided in Article 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 at any time on the length or lengths of the road or roads referred to in Schedule 2 hereto.

Exemptions

7. Nothing in Article 6 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 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.

SECTION 3 – PROHIBITION OF WAITING 11PM – 6AM / NO LOADING/ UNLOADING BETWEEN 11PM AND 6AM DAILY

- 8. Save as provided in Article 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 or load between the hours of 11PM and 6AM inclusive on the length or lengths of the road or roads referred to in Schedule 3 hereto.

Exemptions

- 9. Nothing in Article 8 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 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.

SECTION 4 – LOADING ONLY BETWEEN 6AM AND 11PM DAILY

10. Save as provided in Article 11 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 between the hours of 6AM and 11PM inclusive on the length or lengths of the road or roads referred to in Schedule 4 hereto, save for the purpose of loading.

Exemptions

11. Nothing in Article 10 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 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) vehicles picking up and dropping off passengers

REVOCATION

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

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

PROHIBITION OF WAITING AT ANY TIME / NO LOADING/ UNLOADING AT ANY TIME

MARINER STREET

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SCHEDULE 3

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MARINER STREET

Within the lay-by on the south side of Mariner Street from a point 16 metres west of the western kerblines of High Street for a distance of 28 metres west

SCHEDULE 4

LOADING ONLY BETWEEN 6AM AND 11PM DAILY

Within the lay-by on the south side of Mariner Street from a point 16 metres west of the western kerblines of High Street for a distance of 28 metres west.

Dated the 24th January 2022

THE COMMON SEAL OF THE)
COUNCIL OF THE CITY AND)
COUNTY OF SWANSEA)
was hereunto affixed)
in the presence of)

DocuSigned by:


113,223

DocuSigned by:
D.J. Smith
D568877EA85A47D...

Authorised Signatory

STATEMENT OF REASONS

Notice of Intent for the Traffic Regulation Order Mariner Street, Swansea

Proposal

The restriction of waiting and loading at any time in Mariner Street both sides throughout its length, with the exception of a daytime loading bay within the new lay-by:

Reason

To manage the new lay-by to provide a daytime loading facility for premises accessed via Mariner Street and to prevent obstruction of moving traffic through the remainder of that street.

Restrictions on traffic regulation orders.

(1)**F1**. . . a traffic regulation order shall not be made with respect to any road which would have the effect—

(a).....(not applicable).., or

(b) of preventing for more than 8 hours in any period of 24 hours access for vehicles of any class, to any premises situated on or adjacent to the road, or to any other premises accessible for pedestrians, or (as the case may be) for vehicles of that class, from, and only from, the road.

(2)Subsection (1) above, so far as it relates to vehicles, shall not have effect in so far as the authority making the order are satisfied, and it is stated in the order that they are satisfied, that—

(a).....(not applicable).. or

(b).... (not applicable).. or

(c).... (not applicable).. or

(d) for facilitating the passage of vehicular traffic on the road, or

(e)... (not applicable)..,

it is requisite that subsection (1) above should not apply to the order.

In this case, specific loading facilities are being provided for access to any premises situated on or adjacent to the road by way of a dedicated daytime loading bay.