Hysbysiad o Gynnig

A5026 FRON PARK ROAD, HEOL PEN Y BAL, WEST DRIVE, CAE MEFUS AND A5026 LLOC, TREFFYNNON

GWAHARDDIAD ARFAETHEDIG AR AROS

Mae Cyngor Sir y Fflint yn cynnig gwneud Gorchymyn drwy arfer ei bwerau dan Ddeddf Rheoleiddio Traffig Ffyrdd 1984, Deddf Rheoli Traffig 2004, Rhan IV o Atodlen 9, a'r holl bwerau galluogi eraill, gyda'r effaith o ddiwygio Gorchymyn Cyngor Sir y Fflint (Gwaharddiad a Chyfyngiad Aros a Mannau Llwytho a Pharcio) (Gorfodi Sifil a Chyfuno) 2013, i gyflwyno:-

1. Cyfyngiadau 'Dim Aros ar Unrhyw Adeg'-:

    a. Mewn lleoliadau amrywiol ar ddwy ochr Pen y Ball Street, Treffynnon.
    b. Yng nghyffordd Pen y Ball Street â West Drive, Treffynnon.
    c. Yng nghyffordd Pen y Ball Street â Cae Mefus, Treffynnon.
    d. Yng nghyffordd Pen y Ball Street â'r A5026 Fron Park Road, Treffynnon.
    e. Ar ddwy ochr y ffordd ar yr A5026 Lloc, ger Gwasanaethau Singing Kettle. (Mcdonald's)

Ym mhob ystyr arall, bydd darpariaethau presennol 'Gorchymyn Cyngor Sir y Fflint (Gwaharddiad a Chyfyngiad Aros a Mannau Llwytho a Pharcio) (Gorfodi Sifil a Chyfuno) 2013' yn parhau mewn grym.

Gellir cael copi o'r Rhybudd, y Gorchymyn arfaethedig, y cynlluniau sy'n dangos y ffyrdd yr effeithir arnynt, a datganiad o resymau'r Cyngor dros gynnig y Gorchymyn yn ystod oriau agor arferol yng Nghyngor Sir y Fflint, Depo Alltami, Ffordd yr Wyddgrug, Alltami, Sir y Fflint CH7 6LG a Sir y Fflint yn Cysylltu, Hen Neuadd y Dref, Y Stryd Fawr, Treffynnon CH8 7TD yn ystod oriau swyddfa, lle mae'r Gorchymyn sydd i'w ddiwygio ar gael i'w archwilio.

Dylid anfon gwrthwynebiadau i'r Gorchymyn arfaethedig, a'r sail ar gyfer gwrthwynebu, yn ysgrifenedig at yr unigolyn isod erbyn dydd Gwener 17 Lonawr 2019 gan ddyfynnu cyfeirnod rhif SS/TRO/JB/38

Stephen O Jones,
Prif Swyddog (Strydwedd a Chludiant),
Neuadd y Sir,
Yr Wyddgrug,
Sir y Fflint.
CH7 6NR.
Dydd Gwener 20 Rhagfyr 2019

GORCHYMYN CYNGOR SIR Y FFLINT

A5026 FRON PARK ROAD, HOEL PEN Y BAL, WEST DRIVE, CAE MEFUS AND A5026 LLOC, TREFFYNNON

(GWAHARDD A CHYFYNGU AR AROS

A LLWYTHO A MANNAU PARCIO)

(GORFODAETH SIFIL AC ATGYFNERTHU) (DIWYGIAD RHIF 38) 20--

Stephen O Jones,
Prif Swyddog (Strydwedd a Chludiant),
Neuadd y Sir,
Yr Wyddgrug,
Sir y Fflint,
CH7 6NF

GORCHYMYN CYNGOR SIR Y FFLINT

A5026 FRON PARK ROAD, HEOL PEN Y BAL, WEST DRIVE, CAE MEFUS AND A5026 LLOC, TREFFYNNON

(GWAHARDD A CHYFYNGU AR AROS

A LLWYTHO A MANNAU PARCIO)

(GORFODAETH SIFIL AC ATGYFNERTHU) (DIWYGIAD RHIF 38) 20--

Mae Cyngor Sir y Fflint, wrth ddefnyddio'i bwerau dan adrannau 1 (1), 2 (1)(2), 4 (2)(3) a Rhan IV o Atodlen 9 Deddf Rheoleiddio Traffig Ffyrdd 1984 fel y'i diwygiwyd ("Deddf 1984"), Deddf Rheoli Traffig 2004 ("Deddf 2004") a phob pŵer arall sy'n galluogi ac ar ôl ymgynghori â Phrif Swyddog yr Heddlu ac yn unol â Rhan III Atodlen 9 Deddf 1984, yn gwneud y Gorchymyn canlynol:-

ADRAN 1 - RHAGARWEINIOL

<u>Enwi a chychwyn</u>

1. Daw'r Gorchymyn hwn i rym ar XX XXXX 20xx a gellir cyfeirio ato fel Gorchymyn Sir y Fflint, A5026 FRON PARK ROAD, HEOL PEN Y BAL, WEST DRIVE, CAE MEFUS AND A5026 LLOC, TREFFYNNON, (Gwaharddiad a Chyfyngiad ar Aros a Llwytho a Mannau Parcio) (Gorfodaeth Sifil ac Atgyfnerthu) (Diwygiad Rhif 38) 20--

2. O'r dyddiad a nodir yn Erthygl 1 uchod ymlaen, bydd Atodlen Map N46 and Y47 Diwygiad Taflen Rhif 2 yn disodli Atodlen Map N46 and Y47 Diwygiad Taflen Rhif 1, yn y drefn honno, a'r holl atodlenni map eraill gyda'r atodlenni map a'r cynlluniau y cyfeiriwyd atynt yn Atodlen 1 a 2 y Gorchymyn hwn yn cael eu hymgorffori yng Ngorchymyn Cyngor Sir y Fflint (Gwaharddiad a Chyfyngiad ar Aros a Llwytho a Mannau Parcio) (Gorfodaeth Sifil ac Atgyfnerthu) 2013.

3. Bydd Deddf Dehongli 1978 yn berthnasol ar gyfer dehongli'r Gorchymyn hwn fel y mae'n berthnasol i ddehongli Deddf Seneddol.

4. Yn y Gorchymyn hwn, oni nodir fel arall, mae unrhyw gyfeiriad at Erthygl neu Atodlen gyda rhif yn gyfeiriad at yr Erthygl neu'r Atodlen sy'n dwyn y rhif hwnnw ac mae unrhyw gyfeiriad at gynllun yn cyfeirio at gynllun wedi'i ymgorffori yn y gorchymyn hwn.

ATODLEN 1

Dim Aros Ar Unrhyw Adeg

Treffynnon

Enw'r Ffordd	Atodlen Map	Diwygiad Taflen
A5026 Fron Park Road	Y47	2 (sy'n dirymu Diwygiad Taflen 1 o Orchymyn 2013)
Heol Pen Y Bal	Y47	2 (sy'n dirymu Diwygiad Taflen 1 o Orchymyn 2013)
West Drive	Y47	2 (sy'n dirymu Diwygiad Taflen 1 o Orchymyn 2013)
Cae Mefus	Y47	2 (sy'n dirymu Diwygiad Taflen 1 o Orchymyn 2013)

ATODLEN 2

Dim Aros Ar Unrhyw Adeg

Lloc,Treffynnon

Road Name	Map Schedule	Sheet Revision
A5026 Lloc	N46 O46	2 (sy'n dirymu Diwygiad Taflen 1 o Orchymyn 2013) 1

Gosodwyd SÊL GYFFREDIN)

CYNGOR SIR Y FFLINT **)**

yn y fan hon)

ar y xx diwrnod hwn o xxxxxxxxxxx 20xx)

ym mhresenoldeb:-)

CADEIRYDD

RHEOLWR Y GWASANAETHAU CYFREITHIOL

2013
MADE ORDER

DATED 20TH AUGUST 2013

THE FLINTSHIRE COUNTY COUNCIL (PROHIBITION AND RESTRICTION OF WAITING AND LOADING AND PARKING PLACES) (CIVIL ENFORCEMENT AND CONSOLIDATION) ORDER 2013

Gareth Owens
Head of Legal & Democratic Services
Flintshire County Council
County Hall
Mold
Flintshire CH7 6NR

DMD/T470242

THE FLINTSHIRE COUNTY COUNCIL (PROHIBITION AND RESTRICTION OF WAITING AND LOADING AND PARKING PLACES) (CIVIL ENFORCEMENT AND CONSOLIDATION) ORDER 2013

Flintshire County Council in exercise of its powers under sections 1, 2, 4, 5, 32, 35, 124 (1) (d) and Part IV of Schedule 9 of the Road Traffic Regulation Act 1984 ("the Act of 1984") as amended, the Traffic Management Act 2004 ("the 2004 Act") 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 on 1 October 2013 and may be cited as The Flintshire County Council (Prohibition and Restriction of Waiting and Loading and Parking Places) (Civil Enforcement and Consolidation) Order 2013.

2. The Flintshire County Council (Prohibition and Restriction of Waiting and Loading and Parking Places) (Civil Enforcement and Consolidation) Order 2013 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 employed in accordance with Section 76 of the 2004 Act to carry out the functions thereof;

"Council" means Flintshire County Council and includes 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;

"clearway" means the main carriageway of any of the sides or lengths of roads specified in the Plans where stopping is prohibited during the restricted hours provided that the expression "clearway" shall not include any lay-by or parking place;

"disabled person's 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 waiting area or parking place;

"electronic communications network" has the same meaning as in the Communications Act 2003;

"goods" means goods of any kind whether animate or inanimate and includes postal 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;

"invalid carriage" has the same meaning as that in section 136 of the Act of 1984;

"Key" means the key attached to the Plans which is 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 area" means any of the sides or lengths of roads specified on the Plans where activities other than loading are prohibited;

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

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

"no loading hours" means in relation to any no loading road the hours during which loading and unloading is restricted on the Plans;

"no loading road" means any of the sides or lengths of roads specified on the Plans where loading is prohibited provided that the expression "no loading road" shall not include any parking place;

"no stopping hours" means in relation to any no stopping road the hours during which stopping is restricted on the Plans;

"no stopping road" means any of the sides or lengths of roads (including clearways) specified on the Plans where stopping is prohibited provided that the expression "no stopping road" shall not include any parking place;

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

"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;

"parking place" means an area of a highway designated by this Order for the waiting of vehicles of specific classes and indicated on a carriageway by markings in accordance with the Traffic Signs Regulations and General Directions 2002;

"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;

"pay and display ticket" means a ticket issued by a pay and display ticket machine relevant to the parking place in which a vehicle has been left;

"penalty charge" means the charge set by the Council under section 77 of and Schedule 9 to the 2004 Act which is to be paid to the Council following the issue of a penalty charge notice;

"penalty charge notice" means a penalty charge notice issued or served by a civil enforcement officer pursuant to the provisions of the Civil Enforcement of Road Traffic Contraventions (General Provisions) (Wales) Regulations 2013;

"period of operation" means the period of operation of a taxi rank as specified on the Plans;

"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 waiver certificate 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 for the waiting of hackney carriages and which is indicated by road markings complying with the Traffic Signs Regulations and General Directions 2002;

"traffic sign" has the same meaning as that in section 64 of the Act of 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 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 AND LOADING

Prohibition of Waiting

7. Save as provided in Articles 13 to 21 no person shall, except upon the direction or with the permission of a police officer in uniform, cause or permit any vehicle to wait at any time on any prohibited road as specified on the Plans.

Restriction of waiting

8. Save as provided in Articles 13 to 21 no person shall, except upon the direction or with the permission of 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 specified on the Plans.

Loading areas

9. Save as provided in Articles 13 to 15 and 19 no person shall, except upon the direction or with the permission of a police officer in uniform, cause or permit any vehicle to wait during the restricted hours in any loading area specified on the Plans unless it is of the specified class and except for the loading or unloading of goods in connection with nearby trade or business premises.

10. Where there is specified in the Plans a maximum period during the restricted hours for which loading or unloading is permitted, no person shall, except upon the direction or with the permission of a police officer in uniform, cause or permit any vehicle to wait on any loading area,
    (a) for longer than is necessary for goods to be loaded onto or unloaded from the vehicle
    (b) for a period longer than specified on the Plans, or
    (c) if a period less than that specified on the Plans as being the period in which the vehicle shall not return has elapsed since a previous period of waiting by the same vehicle on the same side or length of road.

Restriction on loading and unloading

11. Save as provided in Articles 13 to 14 and 19 no person shall, except upon the direction or with the permission of a police officer in uniform, cause or permit any vehicle or a vehicle of a specific class to wait for the purpose of enabling goods to be loaded to or unloaded from the vehicle on any no loading road during the no loading hours as specified on the Plans.

Restriction on stopping

12. Save as provided in Articles 13 to 14 and 19 no person shall, except upon the direction or with the permission of a police officer in uniform, cause or permit any vehicle to stop on any no stopping road or clearway during the no stopping hours as specified on the Plans.

Emergencies

13. Nothing in Articles 7 to 12 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 the vehicle to be used in an emergency for fire and rescue, ambulance or police purposes.

General exemptions

14. Nothing in Articles 7 to 12 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:

    (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 electronic communications 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

15. Nothing in Articles 7 to 10 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

16. 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

17. 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

18. Nothing in Articles 7 to 12 shall render it unlawful to cause or permit any vehicle to wait upon a parking place.

Waiting by vehicle displaying a waiver certificate

19. Nothing in Articles 7 to 12 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 waiver certificate.

Waiting by disabled persons' vehicle

20. 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, 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 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

21. Nothing in Articles 7 and 8 and 12 shall prevent any person from causing or permitting a licensed hackney carriage to wait in a taxi rank during the period of operation.

22. No person shall cause or permit any vehicle other than a hackney carriage to wait on a taxi rank during the period of operation.

23. 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.

24. No person shall cause or permit any vehicle to wait on a taxi rank outside the period of operation.

General conditions of waiting

25. No person shall cause or permit any vehicle to wait unless all wheels are on the carriageway and, if conditions dictate that the vehicle should wait parallel to the kerb, so that the distance between the edge of the carriageway and the nearest wheel of the vehicle is not more than 50cms.

26. No person shall cause or permit any vehicle to wait so that any part of the vehicle obstructs any dropped kerb or any vehicular means of ingress to or egress from premises adjacent to the side of the road on which the vehicle is waiting.

SECTION 3 – PARKING PLACES

Limited waiting parking places

Designation of limited waiting parking places

27. The parts of roads identified as such on the Plans are hereby designated to be used subject to the following provisions of this Order as limited waiting parking places and may be used subject to the provisions of this Order on such days and during such hours as are specified on the Plans.

28. No person shall cause or permit any vehicle to wait in a limited waiting parking place during the permitted hours unless it is of the specified class.

Classes of vehicles for which limited waiting parking places are designated

29. Subject to the provisions of this Order, limited waiting parking places may be used during the permitted hours for the leaving of passenger vehicles, goods vehicles, motor cycles, vehicles displaying a disabled person's badge and invalid carriages.

Restriction on parking

30. Save as in an emergency, no person shall cause or permit any vehicle to remain in a limited waiting parking place for longer than the maximum period specified for that parking place in the Plans.

No return

31. Where a period within which a vehicle must not be parked again in the limited waiting parking place is specified in the Plans, no person shall permit or cause the vehicle to park again in that parking place until the expiry of that specified period, provided that a vehicle, displaying in the relevant position a valid disabled persons badge and the vehicle is being used in accordance with the conditions applying to the said badge, may be left without limit on time.

Verge and footway parking

32. Where parking partially on the verge or footway is specified on the Plans, nothing shall render it unlawful for any person to cause or permit a vehicle of the class specified to park in a limited waiting parking place partially on the verge or footway.

Designation of doctor's parking places

33. The parts of roads identified as such on the Plans are hereby designated to be used subject to the following provisions of this Order as doctor's parking places and may be

used subject to the provisions of this Order on such days and during such hours as are specified on the Plans.

34. No person shall cause or permit any vehicle to wait in a doctor's parking place during the permitted hours unless it is displaying in the relevant position a doctor's permit valid for that vehicle, that time and that parking place.

35. A doctor's parking permit will be issued by the Council in such form and subject to such conditions as may be agreed from time to time by the Council.

Designation of disabled person's parking places

36. The parts of roads identified as such on the Plans are hereby designated to be used subject to the following provisions of this Order as parking places for vehicles displaying a valid disabled person's badge and may be used subject to the provisions of this Order on such days and during such hours as are specified on the Plans.

Display of disabled person's badge

37. No person shall cause or permit any vehicle to wait in a disabled person's parking place during the permitted hours unless there is displayed on that vehicle in the relevant position a valid disabled person's badge 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).

Maximum period of waiting in a disabled person's parking place

38. Save as in an emergency, no person shall cause or permit any vehicle to remain in a disabled person's parking place for longer than the maximum period specified for that parking place in the Plans.

39. Where as indicated on the Plans there is a limit on the time of stay on a disabled person's parking place, the driver of a vehicle shall upon leaving the vehicle in the disabled person's parking place, display in the relevant position a disabled person's badge and a parking disc, on which has been marked the time at which the period of waiting began and shall remove that vehicle from the said parking place within the maximum time specified.

40. Where a period within which a vehicle must not be left again in the disabled person's parking place is specified in the Plans, no person shall permit or cause the vehicle to wait again in that parking place until the expiry of that specified period.

Special classes of vehicles

41. The parts of roads identified as such on the Plans are hereby designated to be used subject to the following provisions of this Order as parking places for specific classes of vehicles and may be used subject to the provisions of this Order on such days and during such hours as are specified on the Plans.

42. Where parking places are provided for the leaving of specific classes of vehicle with or without charge or time limit, no person shall cause or permit any vehicle to wait in that parking place during the periods specified in the Plans other than a vehicle of the class specified and upon payment of any charge;
    (a) for a period longer than that specified, or
    (b) if a period of less that that specified as being a period during which the vehicle must not be left again in that parking place has elapsed since the termination during the restricted hours of the last period of waiting (if any) of the vehicle.

Manner of standing in a parking place

43. Every vehicle left in a pay and display, disabled person's and permit parking place in accordance with the foregoing provisions of this Order shall stand:

(i) if the parking place is in a one-way street, so that the vehicle is facing according to the direction of the traffic flow and adjacent to the edge of the carriageway;

(ii) if the parking place is not in a one-way street, so that the left or near side of the vehicle is adjacent to the left-hand edge of the carriageway;

(iii) so that the distance between the edge of the carriageway and the nearest wheel of the vehicle is not more than 300mm;

(iv) so that no part of the vehicle obstructs any vehicular means of ingress to or egress from premises adjacent to the side of the road on which the vehicle is waiting; and

(v) so that every part of the vehicle is within the limits of the parking place as marked on the carriageway.

Alteration of position of a vehicle in a parking place

44. Where any vehicle is standing in a parking place in contravention of the provisions of the preceding Article, a civil enforcement officer or police officer in uniform may alter or cause to be altered the position of the vehicle in order that its position shall comply with those provisions.

Movement of a vehicle in a parking place in an emergency

45. A police officer in uniform may move or cause to be moved or remove or cause to be removed, in case of emergency, to any place he/she thinks fit, any vehicle left in a parking place and shall provide for the safe custody of the vehicle.

Suspension of use of a parking place

46. (1) Any person duly authorised by the Council may suspend the use of a parking place or any part thereof whenever they consider such suspension reasonably necessary:

(a) for the purpose of facilitating the movement of traffic or promoting its safety;

(b) for the purpose of any building operation, demolition or excavation adjacent to the parking place, the maintenance, improvement or reconstruction of the highway or the cleansing of gullies in or adjacent to the parking place, the laying, erection, alteration or repair in or adjacent to the parking place or any sewer or of any main, pipe, or apparatus for the supply of gas, water or electricity or of any electronic communications system or the placing, maintenance or removal of any traffic sign;

(c) for the convenience or occupiers of premises adjacent to the parking place on any occasion of the removal of furniture to or from one office or dwelling-house adjacent to the parking place from or to a depositary, another office or dwelling-house;

(d) on any occasion on which it is likely by reason of some special attraction that any street will be thronged or obstructed;

(e) for the convenience of occupiers of premises adjacent to the parking place at times of weddings or funerals, or on other special occasions; or

(f) on any occasion in the interests of traffic or pedestrian movement and safety when a special event is taking place in the vicinity;

(2) A police officer in uniform may suspend for not longer than twenty-four hours the use of a parking place or any part thereof whenever he/she considers such suspension reasonably necessary for the purpose of facilitating the movement of traffic or promoting its safety.

(3) Any person or police officer suspending the use of a parking place or any part thereof in accordance with the provisions of paragraph (1) or paragraph (2) of this Article shall thereupon place or cause to be placed in or adjacent to that parking place or part thereof a traffic sign indicating that waiting by vehicles is prohibited.

No waiting in a suspended parking place

47. No person shall cause or permit a vehicle to wait in a parking place or any part thereof during which such period as the Council or a police officer has suspended that parking place or part thereof and exhibits notice of such suspension on or near that parking place.

48. Nothing in the preceding Article shall render it a contravention to cause or permit a vehicle to be left in a parking place which has been suspended, which displays 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 certificate.

Restrictions on the use of vehicles in a parking place

49. During the permitted hours no person shall use any parking place or any vehicle whilst it is in a parking place in connection with the sale or offering or exposing for sale any goods to any person in or near the parking place or in connection with the selling or offering for sale of their skill in handicraft or their services in any other capacity provided that
    (i) nothing in this Article shall prevent the sale of goods from a vehicle if there is on display in the vehicle a certificate of Street Trading Consent issued by the Council and the vehicle is being operated in accordance with any conditions of the said certificate, and
    (ii) nothing in this Article shall prevent the sale of goods from a vehicle if the vehicle is a passenger vehicle, a goods vehicle, a motorcycle or an invalid carriage and the goods are immediately delivered at or taken into premises adjacent to the vehicle from which the sale is effected and the vehicle does not wait for a period exceeding 20 minutes or such longer period as a civil enforcement officer may approve.

Exemptions to restriction on waiting by a vehicle in a parking place

50. Notwithstanding the foregoing provisions of this Order any vehicle may wait during the permitted hours in any part of a parking place if the use of that part has not been suspended and if:

(a) the vehicle is waiting for so long as may be necessary for the purpose of enabling any person to board or alight from a vehicle or load thereon or unload therefrom their personal luggage;

(b) the vehicle is waiting owing to the driver being prevented from proceeding by circumstances beyond their control or to such waiting being necessary in order to avoid an accident;

(c) the vehicle is being used by a doctor or nurse visiting premises adjacent to the parking place;

(d) the vehicle is being used for fire and rescue, ambulance or police purposes or, not being a passenger vehicle, is being used in the service of a local authority in pursuance of statutory powers or duties provided that in all the circumstances it is reasonably necessary in the exercise of such powers or in the performance of such duties for the vehicle to wait in the place in which it is waiting;

(e) the vehicle is waiting for so long as may be necessary to enable it to be used in connection with the removal of any obstruction to traffic;

(f) the vehicle of the Royal Mail or other universal postal service provider (as defined in Section 4(3) and (4) of the Postal Services Act 2000) is waiting for the purpose of delivering and/or collecting mail;

(g) in any other case the vehicle is waiting for the purpose of delivering or collecting goods or loading or unloading the vehicle at premises adjacent to the parking place in which the vehicle is waiting and the vehicle does not wait for a period exceeding 20 minutes or for such longer period as a civil enforcement officer or police officer in uniform may approve; or

(h) the vehicle is displaying in the relevant position a valid disabled persons badge or waiver certificate provided that the vehicle is being used in accordance with the conditions applying to the said badge or certificate.

Placing of traffic signs etc.

51. The Council shall:

(a) place and maintain traffic signs indicating the limits of each parking place,

(b) place and maintain traffic signs of a design approved by the Secretary of State for the Department for Transport indicating that such parking places may be used during the permitted hours for the leaving only of the vehicles of the specified classes, and

(c) carry out such other work as is reasonably required for the purposes of the satisfactory operation of a parking place.

SECTION 4 - GENERAL

Waiver certificate

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

53. 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 conditions of waiting or parking in unregulated situations

54. In any road or lengths of road within the area of the Council without any specific regulation, no person shall cause or permit any vehicle to be parked unless all wheels are on the carriageway and, if conditions dictate that the vehicle should be parked parallel to the kerb, so that the distance between the edge of the carriageway and the nearest wheel of the vehicle is not more than 50cms.

55. In any road or lengths of road within the area of the Council without any specific regulation, no person shall cause or permit any vehicle to be parked so that any part of the vehicle obstructs any dropped kerb or any vehicular means of ingress to or egress from premises adjacent to the side of the road on which the vehicle is parked.

Pedestrian crossings

56. Nothing in the provisions of this Order shall be taken as authorising anything which would be a contravention of any regulations made or having effect as if made under Section 25 of the Act of 1984.

SECTION 5 - CONTRAVENTION OF ORDER

Contravention

57. If a vehicle is waiting or parked in a prohibited or restricted road or parking place without complying with the requirements of this Order, a contravention shall have occurred and a penalty charge shall be payable. A penalty charge notice may then be issued and/or the vehicle may be removed from the location.

Indications as evidence

58. The particulars given in the penalty charge notice attached to a vehicle in accordance with the provisions of this Order shall be treated as evidence in any proceedings relating to failure to pay the penalty charge.

Restriction on removal of notices

59. Where a penalty charge notice has been attached to a vehicle in accordance with the provisions of this Order no person, not being the driver of the vehicle, a police officer in uniform, a civil enforcement officer or some other person duly authorised by the Council shall remove the penalty charge notice from the vehicle unless authorised to do so by the keeper of the vehicle.

Immobilisation

60. If a vehicle is left after a penalty charge has been incurred, a civil enforcement officer in uniform or a person acting under his/her direction may attach to the vehicle an immobilisation device and a notice in accordance with the relevant statutory requirements and that vehicle shall only be released from the device on payment of the penalty charge along with such release fee as may be required by the Council.

Removal of vehicle

61. Where a civil enforcement officer has removed or caused to be removed a vehicle in accordance with the provisions of this Order;
    (a) he/she shall provide for the safe custody of the vehicle;
    (b) the Council shall be entitled to recover from the person responsible such charges in respect of the removal, storage and disposal of the vehicle as it might prescribe from time to time;
    (c) the provisions of the Act of 1984 as amended shall apply to the disposal of such vehicles removed by or on behalf of the Council pursuant to this Article.

62. Nothing in this Order in respect of immobilisation or removal of a vehicle shall apply in respect of a vehicle displaying in a relevant position a valid disabled person's badge.

63. 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 6 - VALIDITY

64. If a court, the Department for Transport, the Welsh Ministers, the Traffic Penalty Tribunal 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 7 - REVOCATIONS

65. All the traffic regulation orders or parts of traffic regulation orders imposing the following restrictions:

(a) Prohibition and restrictions of waiting and loading and unloading;

(b) Prohibition of stopping,

(c) Loading areas,

(d) Restrictions on parking places,

(d) Restrictions on disabled parking places, and

(e) Restrictions on motor cycle parking places,

in so far as they relate to roads within the County of Flintshire with the exception of:-

(i) the entire length of the A55 trunk road, including its on and off slip roads, within the County;

(ii) those lengths of the A550 trunk road from the A548 Deeside Park Interchange to the county boundary with Cheshire; and

(iii) that length of the dual carriageway section of the A494 trunk road, including its on and off slip roads, from the county boundary with Cheshire to the A55 junction at Ewloe Interchange;

made prior to this Order are hereby revoked.

THE COMMON SEAL of)
FLINTSHIRE COUNTY COUNCIL)
was hereunto affixed)
this 20th day of August 2013)
in the presence of:-)

14188

Vice Chair~~man~~

Principal Solicitor

A5026 FFORDD PARC Y FRON, HEOL PEN Y BAL, WEST DRIVE, CAE MEFUS A'R A5026 LLOC, TREFFYNNON

GWAHARDDIAD ARFAETHEDIG I AROS AR UNRHYW ADEG

Datganiad o Resymau Dros Argymell Gwneud y Gorchymyn

Mae Cyngor Sir y Fflint yn bwriadu cyflwyno gwaharddiadau aros ar y ffyrdd a restrir uchod.

Bydd Cyflwyniad gwaharddiadau Dim Aros Ar Unrhyw Adeg ar Heol Pen y Bal, West Drive, Cae Mefus a'r A5026 Ffordd Parc y Fron yn gwella diogelwch ar gyfer pob defnyddiwr ffordd drwy ddiddymu cerbydau sydd wedi parcio mewn lleoliadau allweddol, cynnal gweleded ar y cyffyrdd a bydd yn sicrhau nad yw'r cyffyrdd yn cael eu rhwystro gan geir sydd wedi parcio. Mae Heol Pen y Bal yn gyfyng iawn mewn rhannau a nod y cyfyngiadau aros arfaethedig yw cyd-fynd gyda'r Cyfeiriad Unffordd ar y ffordd hon sy'n cael ei hysbysebu hefyd.

Bydd cyflwyno'r cyfyngiadau Dim Aros ar Unrhyw Adeg ar yr A5026 ger Gwasanaethau Singing Kettle (McDonalds) yn gwella llif y traffig gan sicrhau bod mynediad yn cael ei gynnal ar gyfer cwsmeriaid, atal rhwystro, cynnal gweleded ar gyffordd y gwasanaethau a sicrhau nad yw'r gyffordd yn cael ei rwystro gan gerbydau sydd wedi parcio.

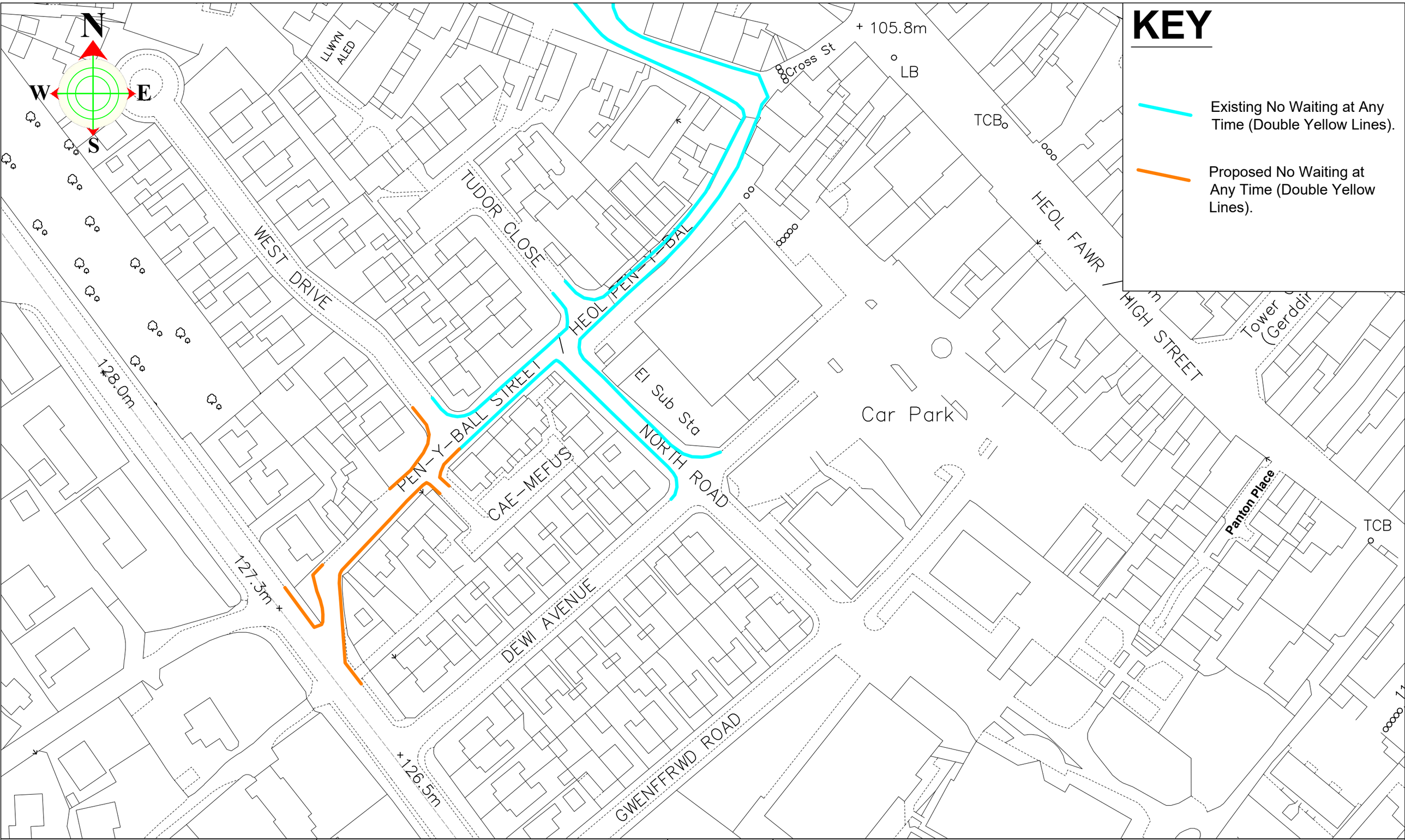
Mae parcio ar gyffyrdd, p'un a oes llinellau melyn ar y ffordd neu beidio, yn drosedd ac mae'r cyfyngiadau hyn yn rhwystr gweledol i atgyfnerthu'r neges hon. Ar hyn o bryd, pe bai cerbydau'n parcio o fewn 10 medr i gyffordd, gall hynny gael ei ystyried yn drosedd ac felly byddai'n destun camau gorfodi gan Heddlu Gogledd Cymru. At hynny, mae Rheolau'r Ffordd Fawr yn nodi na ddylai cerbydau barcio ger neu ar gyffordd oherwydd gallant achosi rhwystr a pheryglu diogelwch defnyddwyr y ffordd.

Mae'r Cyngor Sir yn parhau â'i gyfrifoldeb i ystyried darpariaeth symudiad cyfleus a diogel cerbydau modur a thraffig arall, ac mae'r mesurau a gynigir yn ceisio sicrhau bod y perygl yn cael ei leihau ar gyfer defnyddwyr ffordd ynghyd â gwella amwynder yr ardal leol.

Manylir ar y cynigion yn yr Hysbysiad Cyhoeddus ac yn y Gorchymyn arfaethedig

Dyddiedig yr 20fed diwrnod o Ragfyr 2019

Stephen O Jones,
Prif Swyddog (Strydwedd a Chludiant),
Neuadd y Sir,
Yr Wyddgrug,
Sir y Fflint.
CH7 6NF



CYNGOR Sir y Fflint Flintshire COUNTY COUNCIL

Steve Jones

Chief Officer (Streetscene and Transportation).
Prif Swyddog (Gwasanaethau Stryda Thafnidiaeth).

County Hall, Mold, CH7 6NF
Neuadd y Sir, Yr Wyddgrug. CH7 6NF

Streetscene

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CHECKED BY: JB

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PRELIMINARY | APPROVAL | CONSTRUCTION

AMENDMENTS:	DATE

PEN-Y-BALL STREET HOLYWELL

Proposed One way

(Sheet 1 of 1)

DRAWING NUMBER HT/19/0000 101 C1

AREA CODE: Y47
COD ARDAL: Y47

Sheet Revision No: 2
Rhif Adolgiad Y Ddalen: 2
Sheet active from: xxx
Dalen yn weithredol o: xxx

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Graddfa: 1:1250

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The Flintshire County Council
(Prohibition and Restriction of Waiting and Loading and Parking Places)
(Civil Enforcement and Consolidation) (Amendment No 38) Order 20XX

Gorchymyn Cyngor Sir Y Fflint
(Gwahardd a Chyfyngu Aros a Llwytho a Mannau Parcio)
(Gorfodi Sifil a Chydgyfnerthu) (Gwelliant 38) 20XX

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Environment Directorate
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Mold
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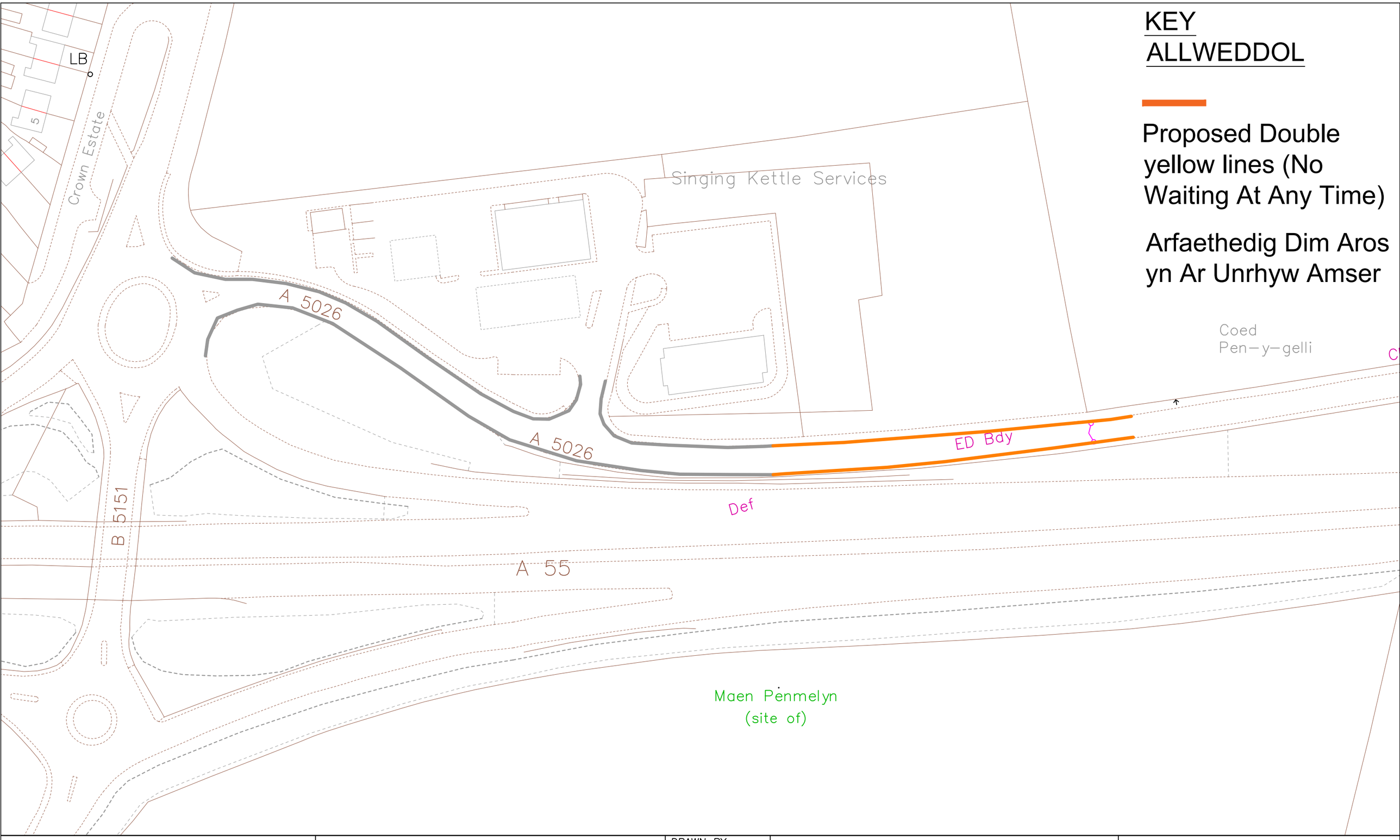
Cyngor Sir Y Fflint
Cyfarwyddiaeth yr Amgylchedd
Neuadd Y Sir
Yr Wyddgrug
CH7 6NF



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STREETSCENE

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PRELIMINARY | WORKING | AS-BUILT

AMENDMENTS:	DATE

A5026 Lloc

Proposed Waiting restrictions
Arfaethedig Dim Aros yn Ar Unrhyw Amser

(Sheet 1 of 1)

DRAWING NUMBER HT/19/LLOC 08 P1

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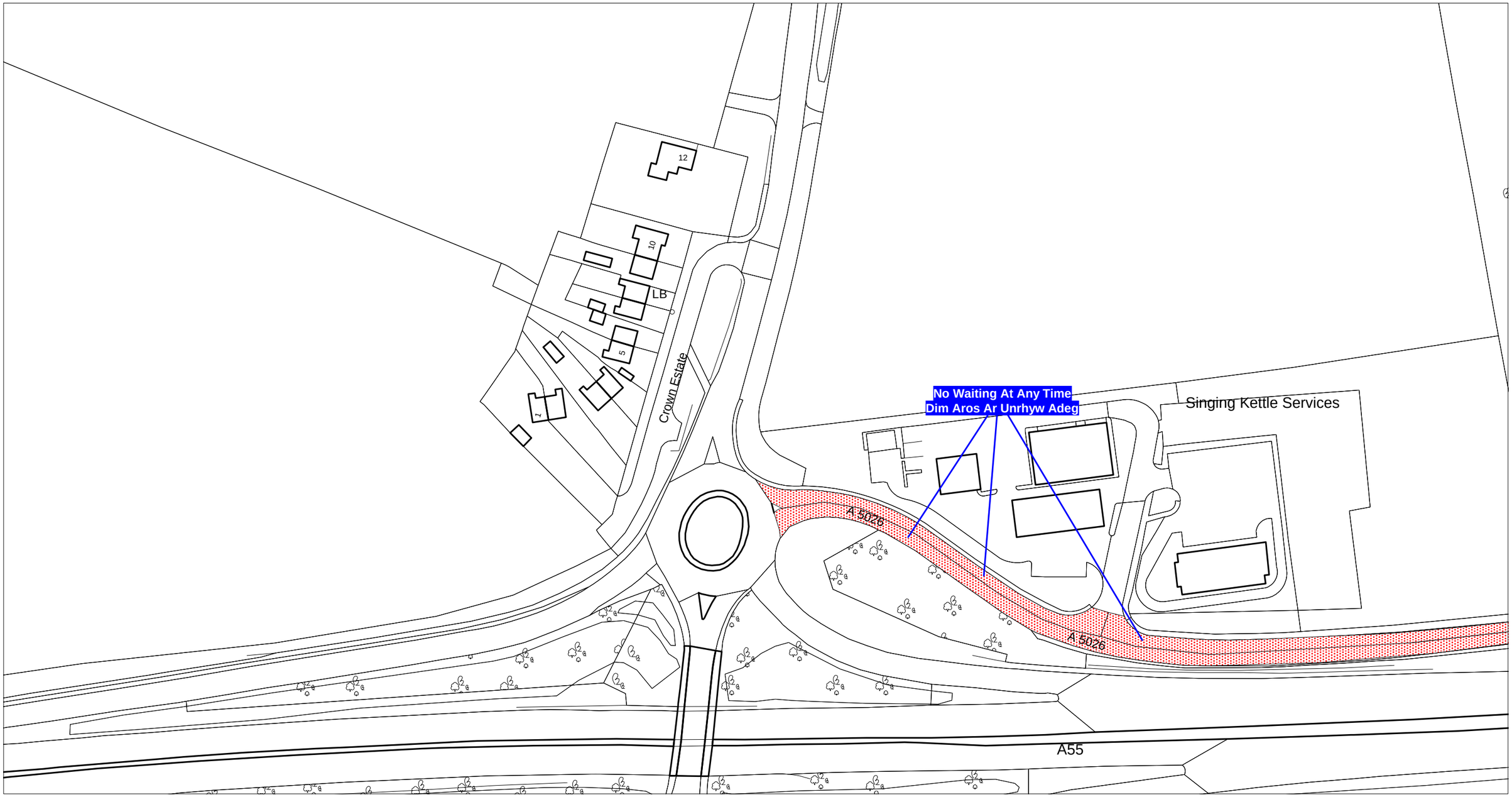

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Neuadd Y Sir
Yr Wyddgrug
CH7 6NF

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AREA CODE: N46

CYNGOR Sir y Fflint
Flintshire
COUNTY COUNCIL

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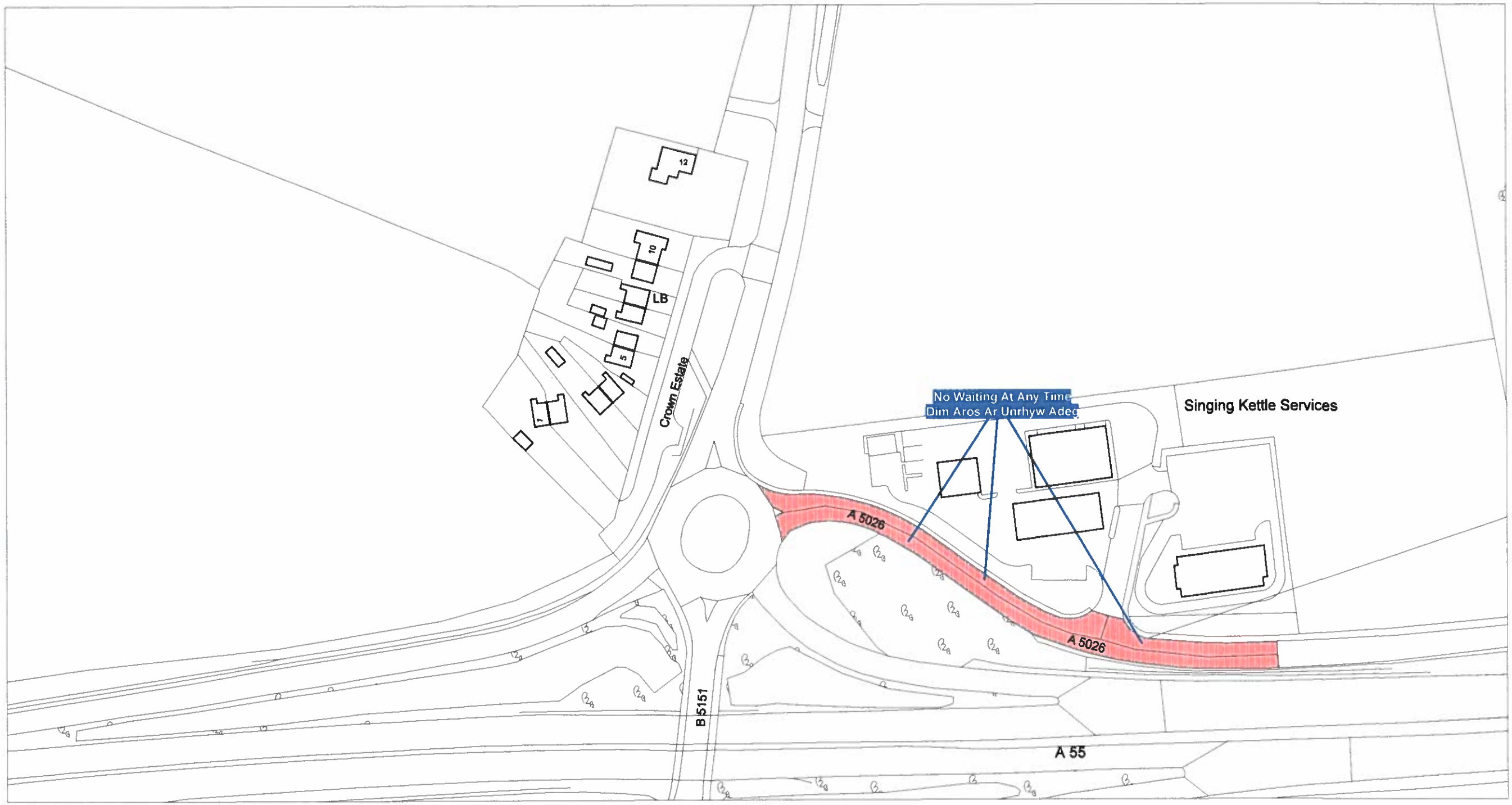
Sheet active from: 1 October 2013
Dalen yn weithredol o: 1 Hydref 2013



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