STATUTORY INSTRUMENTS

1990 No. 1586

ROAD TRAFFIC

The Special Road (Glan Conwy to Conwy Morfa) Regulations 1990

Made - - - -	*23rd July 1990*
Laid before Parliament	*16th August 1990*
Coming into force	*-On a date or dates declared by notice published by the Secretary of State as provided in Regulation 1.*

The Secretary of State for Wales, in exercise of the powers conferred by section 17(2) and (3) of the Road Traffic Regulation Act 1984**(a)** and of all other enabling powers and after consultation with representative organisations in accordance with the provisions of section 134(2) of that Act, hereby makes the following Regulations:–

Commencement and citation

1. These Regulations may be cited as the Special Road (Glan Conwy to Conwy Morfa) Regulations 1990 and as regards each length of special road respectively specified in Schedule 1 and Schedule 2 shall come into operation on the date declared by a notice published by the Secretary of State to be the date on which that length is open for use as a special road, in the manner prescribed for the publication of notices under section 17(5) of the Act of 1984.

Interpretation

2.—(1) In these Regulations, the following expressions have the meanings hereby respectively assigned to them:–

(a) "the Act of 1984" means the Road Traffic Regulation Act 1984;

(b) "carriageway" means that part of the special road which:–

(i) is constructed with a surface suitable for the regular passage of vehicular motor traffic along the special road;

(ii) has on each side either a hard shoulder, an emergency waiting area, a raised kerb or a central reservation; and

(iii) has the approximate position of its edges marked with a traffic sign of the type shown either in diagram 1012 or diagram 1012.1 in Schedule 2 to the Traffic Signs Regulations 1981**(b)**;

(c) "central reservation" means that part of the special road which separates the carriageway to be used by vehicles travelling in one direction from the carriageway to be used by vehicles travelling in the opposite direction;

(a) 1984 c.27.
(b) S.I. 1981/859, relevant amendments are made by S.I. 1982/1879.

(d) "emergency waiting area" means an area of the special road which is adjacent to and situated on the left hand or near side of the carriageway when facing in the direction in which vehicles may be driven in accordance with Regulation 4, and which is designed to take the weight of a vehicle and which is bounded by the traffic sign shown in diagram 1010 in Schedule 2 to the Traffic Signs Regulations 1981;

(e) "excluded traffic" means traffic which is not traffic of Classes I, II or IV;

(f) "hard shoulder" means any part of the special road which is adjacent to and situated on the left hand or near side of the carriageway when facing in the direction in which vehicles may be driven in accordance with Regulation 4, and which is designed to take the weight of a vehicle and which is bounded by the traffic sign shown in diagram 1012.1 in Schedule 2 to the Traffic Signs Regulations 1981;

(g) "special road" means the lengths of the road including any slip road to which these Regulations apply by virtue of Regulation 1.

(2) A vehicle shall be treated for the purposes of any provision of these Regulations as being on any part of the special road specified in that provision if any part of the vehicle (whether it is at rest or not) is on the part of the special road so specified.

(3) Any provision of these Regulations containing any prohibition or restriction relating to the driving, moving or stopping of a vehicle, or to its remaining at rest, shall be construed as a provision that no person shall use the special road by driving, moving or stopping the vehicle or by causing or permitting it to be driven or moved, or to stop or remain at rest, in contravention of that prohibition or restriction.

(4) In these Regulations references to numbered classes of traffic are references to the classes of traffic set out in Schedule 4 to the Highways Act 1980(a).

(5) Except where otherwise stated any reference in these Regulations to a numbered Regulation or Schedule is a reference to the Regulation or Schedule bearing that number in these Regulations.

Vehicles to be driven on the carriageway only

3. Subject to the following provisions of these Regulations, no vehicle shall be driven on any part of the special road which is not a carriageway.

Direction of driving

4.—(1) Where there is a traffic sign indicating that there is no entry to a carriageway at a particular place, no vehicle shall be driven or moved onto that carriageway at that place.

(2) Where there is a traffic sign indicating that there is no left or right turn into a carriageway at a particular place, no vehicle shall be so driven or moved as to cause it to turn to the left or (as the case may be) to the right into that carriageway at that place.

(3) Every vehicle on a length of carriageway which is contiguous to a central reservation shall be driven in such a direction that the central reservation is at all times on the right hand or off side of the vehicle.

(4) Where traffic signs are so placed that there is a length of carriageway (being a length which is not contiguous to a central reservation) which can only be entered at one end by vehicles, every vehicle on that length of carriageway shall be driven in such a direction only as to cause it to proceed away from that end of that length of carriageway towards the other end thereof.

(5) Without prejudice to the foregoing provisions of this Regulation, no vehicle which:–

(a) is on a length of carriageway on which vehicles are required by any of the

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(a) 1980 c.66.

foregoing provisions of this Regulation to be driven in one direction only and is proceeding in or facing that direction, or

(b) is on any other length of carriageway and is proceeding in or facing one direction,

shall be driven or moved so as to cause it to turn and proceed in or face the opposite direction.

Restriction on stopping

5.—(1) Subject to the following provisions of this Regulation, no vehicle shall stop or remain at rest on a carriageway.

(2) Where it is necessary for a vehicle which is being driven on a carriageway to be stopped:–

(a) by reason of a breakdown or mechanical defect or lack of fuel, oil or water, required for the vehicle; or

(b) by reason of any accident, illness or other emergency; or

(c) to permit any person carried in or on the vehicle to recover or move any object which has fallen on to the special road; or

(d) to permit any person carried in or on the vehicle to give help which is required by any other person in any of the circumstances specified in the foregoing provisions of this paragraph;

the vehicle shall, as soon and in so far as is reasonably practicable, be driven or moved off the carriageway onto, and may stop and remain at rest on, any hard shoulder or emergency waiting area which is contiguous to that carriageway.

(3)(a) A vehicle which is at rest on a hard shoulder or emergency waiting area shall, so far as is reasonably practicable, be allowed to remain at rest on that hard shoulder or emergency waiting area in such a position only that no part of it or of the load carried thereby shall obstruct or be a cause of danger to vehicles using the carriageway.

(b) A vehicle shall not remain at rest on a hard shoulder or emergency waiting area for longer than is necessary in the circumstances or for the purposes specified in paragraph (2) of this Regulation.

(4) Nothing in the foregoing provisions of this Regulation shall preclude a vehicle from stopping or remaining at rest on a carriageway while it is prevented from proceeding along the carriageway by the presence of any other vehicle or any person or object.

Restriction on reversing

6. No vehicle on the special road shall be driven or moved backwards except in so far as it is necessary to back the vehicle to enable it to proceed forwards or to be connected to any other vehicle.

Restriction on the use of hard shoulders and emergency waiting areas

7. No vehicle shall be driven or stop or remain at rest on any hard shoulder or emergency waiting area except in accordance with paragraphs (2) and (3) of Regulation 5.

Vehicles not to use the central reservation

8. No vehicle shall stop or remain at rest, or be driven or moved, on a central reservation.

Vehicles not to be driven by learner drivers

9. No motor vehicle shall be driven on the special road by a person who is authorised to drive that vehicle only by virtue of his being the holder of a provisional licence under

section 97(2) of the Road Traffic Act 1988(a), unless since the date of coming into force of the said provisional licence that person has passed a test prescribed under section 89 of the Road Traffic Act 1988 sufficient to entitle him under that Act to be granted a licence, other than a provisional licence, authorising him to drive that vehicle on a road.

Restrictions affecting animals carried in vehicles

10. The person in charge of any animal which is carried by a vehicle using the special road shall, so far as is practicable, secure that:–

(a) the animal shall not be removed from or permitted to leave the vehicle while the vehicle is on the special road; and

(b) if it escapes from or it is necessary for it to be removed from, or permitted to leave, the vehicle:–

(i) it shall not go or remain on any part of the special road other than a hard shoulder, or emergency waiting area; and

(ii) it shall, whilst it is not on or in the vehicle, be held on a lead or otherwise kept under proper control.

Use of the special road by excluded traffic

11.—(1) Excluded traffic is hereby authorised to use the special road on the occasions or in the emergencies and to the extent specified in the following provisions of this paragraph, that is to say:–

(a) traffic of Class III may use the special road for the maintenance, repair, cleaning or clearance of any part of the special road or for the erection, laying, placing, maintenance, testing, alteration, repair or removal of any structure, works or apparatus in, on, under or over any part of the special road;

(b) pedestrians may use the special road:–

(i) when it is necessary for them to do so as a result of an accident or emergency or of a vehicle being at rest on the special road in any of the circumstances specified in paragraph (2) of Regulation 5, or

(ii) in any of the circumstances specified in sub-paragraph (b), (d), (e) or (f) of paragraph (1) of Regulation 12.

Provided that no pedestrian shall go or remain on any part of the special road other than a hard shoulder or emergency waiting area except in so far as it is necessary for him to do so to reach a hard shoulder or emergency waiting area or to secure compliance with any of these Regulations or to recover or move any object which has fallen onto the special road or to give help which is required by any other person in any of the circumstances specified in paragraph (2) of Regulation 5.

(2) The Secretary of State may authorise the use of the special road by any excluded traffic on occasion or in emergency or for the purpose of enabling such traffic to cross the special road or to secure access to premises abutting on or adjacent to the special road.

(3) Where by reason of any emergency the use of any road (not being the special road) by any excluded traffic is rendered impossible or unsuitable the Chief Officer of Police of the police area in which the special road is situated, or any officer of or above the rank of Superintendent authorised in that behalf by that Chief Officer, may:–

(a) authorise any excluded traffic to use that special road as an alternative road for the period during which the use of the other road by such traffic continues to be impossible or unsuitable; and

(b) relax any prohibition or restriction imposed by these Regulations in so far as he considers it necessary to do so in connection with the use of that special road by excluded traffic in pursuance of any such authorisation as aforesaid.

Exceptions and relaxations

12.—(1) Nothing in the foregoing provisions of these Regulations shall preclude any

(a) 1988 c.52.

person from using the special road otherwise than in accordance with the foregoing provisions in any of the following circumstances, that is to say:–

(a) where he does so in accordance with any direction or permission given by a constable in uniform or in accordance with the indication given by a traffic sign;

(b) where, in accordance with any permission given by a constable, he does so for the purpose of investigating any accident which has occurred on or near the special road;

(c) where it is necessary for him to do so to avoid or prevent an accident or to obtain or give help required as the result of an accident or emergency, and he does so in such manner as to cause as little danger or inconvenience as possible to other traffic on the special road;

(d) where he does so in the exercise of his duty as a constable or as a member of a fire brigade or of an ambulance service;

(e) where it is necessary for him to do so to carry out in an efficient manner:–

(i) the maintenance, repair, cleaning, clearance, alteration or improvement of any part of the special road; or

(ii) the removal of any vehicle from any part of the special road; or

(iii) the erection, laying, placing, maintenance, testing, alteration, repair or removal of any structure, works or apparatus in, on, under or over any part of the special road; or

(f) where it is necessary for him to do so in connection with any inspection, survey, investigation, or census which is carried out in accordance with any general or special authority granted by the Secretary of State.

(2) Without prejudice to the foregoing provisions of these Regulations, the Secretary of State may relax any prohibition or restriction imposed by these Regulations.

Speed limits

13. No person shall drive any motor vehicle at a speed exceeding 50 miles per hour in those lengths of the special road specified in Schedule 3.

David Hunt
Secretary of State for Wales

23rd July 1990

SCHEDULE 1

Regulation 1

That length of the special road which lies between Glan Conwy and Llandudno Junction in the County of Gwynedd and extends from a point 80 metres east of the centre point of the Glan Conwy Roundabout (A55) Gwynedd in a general westerly direction to a point 55 metres east from the centre point of the roundabout at Llandudno Junction Interchange (A55) Gwynedd.

SCHEDULE 2

Regulation 1

That length of the special road which lies between Llandudno Junction and Conwy Morfa in the County of Gwynedd and extends from a point 55 metres east from the centre point of the roundabout at Llandudno Junction Interchange in a general north westerly direction and crosses the River Conway by means of a tunnel to a point 200 metres west of the centre line of the bridge carrying the access road to Conwy Morfa over the A55 at the Conwy Morfa Interchange at Conwy Morfa.

SCHEDULE 3

Regulation 13

1. That length of the special road which extends from a point 80 metres east of the centre of the Glan Conwy Roundabout (A55) Gwynedd in a general westerly direction to a point 55 metres east from the centre point of the roundabout at Llandudno Junction Interchange (A55) Gwynedd excluding:–

(1) that length of the eastbound exit slip road from the main carriageway of the special road which extends 25 metres westwards from its junction with the Glan Conwy Roundabout;

(2) that length of the westbound entry slip road on to the main carriageway of the special road which extends 3 metres westwards from its junction with the Glan Conwy Roundabout;

(3) that length of the eastbound entry slip road on to the main carriageway of the special road which extends 8 metres eastwards from its junction with the Llandudno Junction Interchange;

(4) that length of the westbound exit slip road from the main carriageway of the special road which extends 18 metres eastwards from its junction with the Llandudno Junction Interchange.

2. That length of the special road which extends from a point 55 metres east of the centre point of the roundabout at Llandudno Junction Interchange in a general north westerly direction and crosses the River Conway by means of a tunnel to a point 200 metres west of the centre line of the bridge carrying the access road to Conwy Morfa over the A55 at the Conwy Morfa Interchange at Conwy Morfa excluding:–

(1) that length of the eastbound exit slip road from the main carriageway of the special road which extends 15 metres westwards from its junction with the Llandudno Junction Interchange;

(2) that length of the westbound entry slip road on to the main carriageway of the special road which extends 3 metres westwards from its junction with the Llandudno Junction Interchange;

(3) that length of the eastbound entry slip road on to the main carriageway of the special road which extends 20 metres eastwards from its junction with the Conwy Morfa Interchange;

(4) that length of the westbound exit slip road from the main carriageway of the special road which extends 18 metres eastwards from its junction with the Conwy Morfa Interchange.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations provide for the regulation of traffic using the lengths of the special road described in Schedules 1 and 2, from Glan Conwy to Conwy Morfa in the County of Gwynedd. Use of the adjoining lengths of the special road from Llanddulas to Colwyn Bay and Colwyn Bay to Glan Conwy is regulated by the Special Road (Llanddulas to Colwyn Bay) Regulations 1984 (S.I. 1984/1719) and the Special Road (Colwyn Bay to Glan Conwy) Regulations 1985 (S.I. 1985/824) respectively. Except as provided in these Regulations, the road can be used only by traffic of Classes I, II and IV, as defined in Schedule 4 to the Highways Act 1980. The special road is not a motorway and therefore the provisions of the Motorways Traffic (England and Wales) Regulations 1982 (S.I. 1982/1163) do not apply to it

The Regulations provide that:–

(a) except as specified in the Regulations, vehicles are to be driven only on the carriageways of the special road (Regulation 3);

(b) unless prohibited by traffic signs, one-way driving is to be observed by vehicles using carriageways which are contiguous to a central reservation and by vehicles using lengths of carriageway which are not so contiguous in cases where traffic signs are so placed that vehicles can enter those lengths of carriageway at one end only (Regulation 4);

(c) vehicles are not to stop on the carriageway (Regulation 5(1)); the exceptions to this prohibition being specified in Regulation 5(2) and (4);

(d) subject to limited exceptions vehicles on the carriageways are not to reverse (Regulation 6);

(e) vehicles may use the hard shoulders or emergency waiting areas only to the extent permitted by Regulation 5(2) and (3) (Regulation 7);

(f) vehicles are not to be driven or to remain at rest on the central reservation (Regulation 8);

(g) vehicles are not to be driven on the special road by learner-drivers (Regulation 9);

(h) animals carried in a vehicle are as far as practicable to be kept in the vehicle or, if they are not in the vehicle, are not to go or remain on any part of the special road other than a hard shoulder or emergency waiting area and are to be kept under proper control (Regulation 10).

Regulation 11 provides that certain classes of traffic and pedestrians not ordinarily authorised to use the special road may use the special road in the circumstances specified in paragraph (1) and also makes provision for enabling such traffic to be authorised to use the special road as specified in paragraphs (2) and (3).

Regulation 12 provides for certain general exceptions from the provisions of the Regulations and authorises the Secretary of State to relax any prohibition or restriction imposed thereby.

Regulation 13 imposes a 50 miles per hour speed limit on the lengths of special road described in Schedules 1 and 2 to these Regulations subject to the exclusions specified in Schedule 3. It is necessary to impose a specific speed limit on the special road because it is not a motorway and the provisions of the Motorways Traffic (Speed Limit) Regulations 1974 (S.I. 1974/502) only apply to special roads which are motorways. The provisions of the 70 miles per hour, 60 miles per hour and 50 miles per hour (Temporary Speed Limit) Order 1977 as continued indefinitely by the 70 miles per hour, 60 miles per hour and 50 miles per hour (Temporary Speed Limit) (Continuation) Order 1978 (S.I. 1978/1548) do not apply to special roads.