

BRIDGEND COUNTY BOROUGH COUNCIL

**(PROHIBITION AND RESTRICTION OF WAITING AND LOADING
AND PARKING PLACES)
(CIVIL ENFORCEMENT) ORDER 2013**

BRIDGEND COUNTY BOROUGH COUNCIL
(PROHIBITION AND RESTRICTION OF WAITING AND LOADING AND PARKING
PLACES) (CIVIL ENFORCEMENT) ORDER 2013

The Bridgend County Borough Council in exercise of its powers under sections 1, 2, 3, 4, 32, 35, 124 and Part IV of Schedule 9 of the Road Traffic Regulation Act 1984 (the Act of 1984) as amended 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 the 1st April 2013 and may be cited as the Bridgend County Borough Council (Prohibition and Restriction of Waiting and Loading and Parking Places) (Civil Enforcement) Order 2013.
2. The Bridgend County Borough Council (Prohibition and Restriction of Waiting and Loading and Parking Places) (Civil Enforcement) Order 2013, Order Plans including the key (the "Plans") are incorporated into this Order as Schedule 2.

Interpretation

3. In this Order, except where the context otherwise requires, the following expressions have the meaning hereby respectively assigned to them

"alternative approved method of payment" means cashless payments, pay by phone, payment by debit or credit card facilitated by on site or remote verification to include card reader or mobile phone text or phone call or decrementing card;

“authorised officer” means a person authorised by or on behalf of the Council to supervise any parking place and enforce the provisions of this Order;

“carer”/“essential visitor” means anyone, as determined from time to time by the Council, who performs a caring function in the community to include registered carers, doctors, district nurses, professional carers and other qualified medical practitioners who have a genuine reason to park in residents permit parking places while visiting a resident in a caring situation;

“carer/essential visitor permit” means a permit issued at the absolute discretion of the Council to a person who is or organisation which is construed as being a carer/essential visitor;

“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 and marked in accordance with the Traffic Signs and General Directions Order 2002 as amended;

“Council” means Bridgend County Borough 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;

“disabled person’s badge” has the same meaning as in the Disabled Persons (Badges for Motor Vehicles) (Wales) Regulations 2000 (S.I. 2000/1786 (W.123)) as amended;

“disabled person’s vehicle” means a vehicle displaying in the relevant position a disabled person’s badge in accordance with the Local Authorities’ Traffic Orders (Exemptions for Disabled Persons) (Wales) Regulations 2000;

“dispensation certificate” means a certificate issued on or behalf of the Council under the provisions of this Order permitting a specified vehicle to park in specified circumstances in a parking place, where the parking of that vehicle would otherwise be restricted or prohibited;

“doctor’s permit” means a permit issued to a qualified medical practitioner;

“driver” in relation to a vehicle waiting or parked in a prohibited or restricted zone or parking place respectively, means the person driving the vehicle at the time it was waiting or parked in the prohibited or restricted zone or parking place;

“enactment” means any enactment, whether public, general or local, and includes any order, byelaw rule, regulation, scheme or other instrument having effect by virtue of an enactment;

“goods” means goods of any kind whether animate or inanimate and includes postal packets of any kind and “delivering” and “collecting” in relation to goods includes checking the goods for the purpose of their delivery or collection;

“hackney carriage” means a hackney carriage as defined in section 37 of the Town Police Clauses Act 1847;

“household” means a house or flat which has its own postal address. In the case of sub-divided properties the establishment of an individual address is subject to any appropriate planning consent having been obtained for the sub-division of the property and the paying of separate Council Tax;

“key” means the key (legend sheet) attached to the Plans, to be read in conjunction with the Plans in Schedule 2;

“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 as amended, intended for the parking of vehicles, provided that no person shall cause or permit any vehicle to park in any lay-by for the purpose of selling goods or services from that vehicle;

“light 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 5.25 metres and is not drawing a trailer;

“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 public 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 S136 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;

“owner” in relation to a vehicle, means the person by whom such vehicle is kept and used and 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;

“pay by phone” means a method of payment of the parking charge involving registration of payment by phone or electronic means and, on first use, registration of the relevant registration number of the vehicle, location of the parking place, credit or debit card details or any such other details as the Council may from time to time require which is accepted by the Council as a valid method of payment for the relevant time of use of the parking place;

“park” and “parked” refer to the stopping of a vehicle and it remaining at rest whether or not the driver is still in the vehicle and a vehicle shall be deemed to be parked for any period in the same parking place or parking bay (as the case may be) if any part of it is below the vehicle or the vehicle's load (if any) whether or not the vehicle is moved during that period;

“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 parking has begun;

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

“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;

“penalty charge” has the same meaning as in section 92 of the Traffic Management Act 2004 or any subsequent legislation so enabling;

“permit” means any permit issued by the Council under the provisions of this Order;

“permit holder” means a person who has been issued with and holds a valid permit issued under the provisions of this Order;

“permitted hours” means the periods specified for each parking place during which parking 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;

“qualified medical practitioner” means a registered person within the meaning of the Medical Act 1983;

“registered carer” means any person employed by the Council or the National Health Service to provide care to other people in the exercise of its functions under any enactment;

“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;
- (b) a permit or dispensation 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; and
- (c) in respect of a vehicle displaying a hackney carriage plate the plate being affixed to the vehicle in accordance with the instructions given within the licence as issued by the Council;

“resident” means a person whose usual residence is at premises the postal address of which is in any road or part of road specified in Schedule 1;

“resident’s permit” means a permit issued to a resident to permit parking in a resident’s parking place;

“restricted hours” means in relation to any restricted road the hours during which waiting is restricted or specific activities are restricted as specified on the Plans;

“restricted road or zone” 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 which is indicated by road markings complying with the Traffic Signs Regulations and General Directions 2002 for use by hackney carriages;

“telecommunications system” has the same meaning as in the Telecommunications Act 1984;

“vehicle” means a motor vehicle or a trailer and “motor vehicle” and “trailer” have the same meaning as that assigned to motor vehicle in section 136 of the Act of 1984;

“virtual parking permit” means an electronic record of parking ticket, permit or dispensation issued and confirmed by Bridgend County Borough Council to exempt a vehicle from a restriction in the provisions of this order, under the terms applicable at the time of issue;

“wait” and “waiting” mean the stopping of a vehicle and it remaining at rest whether or not the driver is still in the vehicle; “Wait” and “waiting” apply as for “park” and “parked”;

“zone” means an area comprising the respective roads specified in the respective Schedule.

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 the Plans is a reference to the Plans incorporated as schedule 2 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.

7. The restrictions prohibitions and requirements imposed by this Order shall be in addition to and not in derogation from any restriction or requirements imposed by any regulations or Order made or having effect as if made under the Act of 1984 or by or under any other enactment.
8. If a court, the Department for Transport, the Welsh Government, the Traffic Penalty Tribunal or the Traffic Enforcement Centre declares any part of this Order to be invalid or un-enforceable, such declaration shall not invalidate the remainder of the Order.

SECTION 2 – PROHIBITION AND RESTRICTION OF WAITING AND LOADING

Prohibition of waiting

9. Save as provided in Articles 15 to 23 no person shall, except upon the direction or with the permission of a police officer in uniform or authorised officer, cause or permit any vehicle to wait at any time on any prohibited road as specified on the Plans.

Restriction of waiting

10. Save as provided in Articles 15 to 23 no person shall, except upon the direction or with the permission of a police officer in uniform or authorised officer, 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

11. Save as provided in Articles 15, 16 and 21 no person shall, except upon the direction or with the permission of a police officer in uniform or authorised officer, 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.
12. 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 or authorised officer, 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 of length of road.

Restriction on loading and unloading

13. Save as provided in Articles 15, 16 and 21 no person shall, except upon the direction or with the permission of a police officer in uniform or authorised officer, 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

14. Save as provided in Articles 15, 16 and 21 no person shall, except upon the direction or with the permission of a police officer in uniform or authorised officer,

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

15. Nothing in Articles 9 to 14 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

16. Nothing in Articles 9 to 14 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) the removal of any obstruction to traffic;
 - (ii) the maintenance, improvement or reconstruction of the said lengths or sides of road;
 - (iii) 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 telecommunications system or apparatus;
 - (iv) for the purposes of qualified medical practitioners and veterinary surgeons when on call;
 - (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; or
- (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

17. Nothing in Articles 9 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 goods to be loaded to or unloaded from a vehicle or goods or merchandise to be delivered or collected from premises situated adjacent to the vehicle.

Board and alight from a vehicle

18. Nothing in Articles 9 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 specified therein for so long as may be necessary to enable a person to board or alight from the vehicle.

Funerals and weddings

19. Nothing in Articles 9 to 10 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

20. Nothing in Articles 9 to 14 shall render it unlawful to cause or permit any vehicle to park upon a designated parking place.

Waiting by vehicle displaying a dispensation certificate

21. Nothing in Articles 9 to 14 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 dispensation certificate issued by the Council and the vehicle is waiting in accordance with the terms and conditions of the said certificate.

Waiting/parking by disabled persons' vehicle

22. Nothing in Articles 9 to 10 shall render it unlawful to cause or permit a disabled person's 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 disabled person's vehicle immediately before or after the act of waiting 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

23. Nothing in Articles 9 and 10 and 14 shall prevent any person from causing or permitting a licensed hackney carriage to stop or wait in any duly authorised taxi rank during the period of operation specified on the Plans.

24. No person shall cause or permit any vehicle other than a hackney carriage to stop or wait on a taxi rank during the period of operation specified on the Plans.
25. No person shall cause or permit a hackney carriage to stop / wait on a taxi rank during the period of operation other than for the purpose of plying for hire.

General conditions of waiting

26. 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.
27. 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 – PERMITTED PARKING PLACES

Limited waiting parking places

Designation of limited waiting parking places

28. 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.
29. No person shall cause or permit any vehicle to park 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

30. Subject to the provisions of this Order, limited waiting parking places may be used during the permitted hours for the parking of passenger vehicles, light goods vehicles, motor cycles and disabled persons vehicles displaying a disabled persons' badge.

Restriction on parking

31. 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

32. 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. (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).

Doctor's parking places

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 park 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 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.

Disabled person's parking places

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 a disabled person's vehicle 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 parking 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 on the Plans.
39. Where as indicated on the Plans there is a maximum period specified for that disabled person's parking place, the driver of a vehicle shall upon leaving the vehicle in the 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 parking 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 parked again in the disabled person's 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.

Permit only parking places

Designation of permit holders only parking places

41. The parking places identified in the Plans as permit holders only parking places are hereby designated as being restricted to use during the permitted hours by vehicles displaying or obtaining through electronic means a valid permit.
42. No person shall cause or permit any vehicle to park in a permit holder's only parking place during the periods specified in the Plans unless there is on display in the relevant position on that vehicle a permit valid for that parking place.

Permits to be displayed on vehicles and virtual parking permits

43. At all times during which a vehicle is parked in a permit holders only parking place during the permitted hours, the driver thereof shall cause to be displayed in the relevant position a valid permit issued in respect of that vehicle relating to the parking place within which that vehicle is parked or shall have obtained a virtual parking permit or made some other alternative approved method of payment in respect of that vehicle relating to the parking place within which that vehicle is parked.
44. Where a permit has been displayed on a vehicle in accordance with the preceding Article, no person other than the driver of the vehicle shall remove the permit from the vehicle unless authorised to do so by the driver of the vehicle.

Other parking places

Special classes of vehicles

45. 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.
46. Where parking places are provided for the leaving of specific classes of vehicle with or without time limit, no person shall cause or permit any vehicle to park in that parking place during the periods specified in the Plans, unless it is of the class specified, and
 - (a) for a period longer than that specified, or
 - (b) where a period within which a vehicle must not be parked again in the 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.

General conditions in respect of parking places

Manner of standing in a parking place

47. Unless indicated otherwise by markings on the carriageway, each vehicle parked in a parking place in accordance with the foregoing provisions of this Order shall stand:
- (i) so that the distance between the edge of the carriageway and the nearest wheel of the vehicle is not more than 50cms;
 - (ii) 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 parked; and
 - (iii) 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

48. Where any vehicle is standing in a parking place in contravention of the provisions of the preceding Article, an authorised 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

49. 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 parked in a parking place and shall provide for the safe custody of the vehicle.

Suspension of use of a parking place

50. An authorised officer 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 telecommunications 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 or delivery of furniture adjacent to the parking place.
- (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;
- (f) on any occasion in the interests of traffic or pedestrian movement and safety when a special event is taking place in the vicinity.

51. A police officer in uniform may suspend for not longer than 7 days 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.

52. Any person or police officer suspending the use of a parking place or any part thereof in accordance with the provisions of this Order shall thereupon place or cause to be placed in or adjacent to that parking place or part thereof a traffic sign indicating that parking by vehicles is prohibited.

No parking in a suspended parking place

53. No person shall cause or permit a vehicle to park 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.
54. Nothing in the preceding Article shall render it a contravention to cause or permit a vehicle to be parked in a parking place which has been suspended, which displays in the relevant position a valid dispensation certificate issued by the Council, and the vehicle is parking in accordance with the terms and conditions of the said certificate.

Restrictions on the use of vehicles in a parking place

55. During the permitted hours no person shall use any parking place or any vehicle whilst it is in a parking place
- (i) to carry out any trade,
 - (ii) in connection with the sale or offering or exposing for sale any goods to any person in or near the parking place, or
 - (iii) in connection with the selling or offering for sale of their skill in handicraft or their services in any other capacity:

Provided that 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.

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

56. Notwithstanding for foregoing provisions of this Order any vehicle may be parked 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 parked 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 parked owing to the driver being prevented from proceeding by circumstances beyond their control or to such parking 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 park in the place in which it is parked;
- (e) the vehicle is parked 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 parked for the purpose of delivering and/or collecting mail; or
- (g) in any other case the vehicle is parked 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 parked and the vehicle does not park for a period exceeding 20 minutes or for such longer period as a person duly authorised by the Council may approve.

Exemptions for vehicles displaying a valid disabled person's badge

57. Notwithstanding for foregoing provisions of this Order any disabled persons vehicle displaying in the relevant position a valid disabled person's badge may be parked without payment of a daily charge or time limit during the permitted hours in any part

of a parking place if the use of that part has not been suspended provided that the vehicle is parked in accordance with the terms and conditions of the said badge.

Exemptions for vehicles displaying a valid dispensation certificate

58. Notwithstanding for foregoing provisions of this Order any vehicle displaying in the relevant position a valid dispensation certificate issued by the Council may be parked
- (i) without time limit during the permitted hours in any part of a parking place if the use of that part has not been suspended, or
 - (ii) in any part of a parking place the use of which has been suspended;
- provided that the vehicle is parked in accordance with the terms and conditions of the said certificate.

Placing of traffic signs etc.

59. 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 it reasonably required for the purposes of the satisfactory operation of a parking place.

SECTION 4 - CONDITIONS AS TO PERMITS AND CERTIFICATES

Classes of vehicles for which permits are applicable

60. Subject to the provisions of this Order, permits may be issued to classes of vehicles being passenger vehicles, light goods vehicles, motor-cycles and disabled persons vehicles.

Use of permits

61. A permit shall only be valid for use in a parking place on a road within the area identified on the permit and specified on the Plans.

Entitlement to and application for permits

62. Any resident in an area of a residents parking scheme as stated in Schedule 1, who is the owner of a vehicle of the class specified may apply to the Council for the issue of a permit in respect of that vehicle and any such application shall be made on a form issued by and obtainable from the Council and shall include the particulars and information required by such form to be supplied.

Evidence in respect of application

63. The Council may at any time require an applicant for a permit or the holder of a permit to produce to an authorised officer or authorised agent such evidence in respect of an application for a permit made to them as they may reasonably require to verify any particulars or information given to them or in respect of any permit issued by them as they may reasonably require for to verify that the permit is valid.

Issue of permits

64. Upon receipt of an application duly made under the provisions of this Order, the Council upon being satisfied that the applicant is a person entitled who is the owner of a vehicle of the class specified and on payment of any fee as specified in Schedule 1 may issue to the applicant a permit for the leaving during the permitted hours in a parking place of the vehicle to which such permit relates; provided that if the permit is a resident's permit a limit on the number of permits per resident or per household applies in accordance with Schedule 1 the limit is not exceeded.

Surrender of permits

65. A permit holder may surrender such permit to the Council or authorised agent at any time and shall surrender such permit to the Council or authorised agent on the occurrence of any one of the surrender events.

Withdrawal of permit

66. The Council or authorised agent may, by notice in writing served on the permit holder at the address shown by that person on the application for the permit or at any other address believed to be that person's residence or place of business, withdraw a permit if it appears to the Council or authorised agent that any one of the surrender events has occurred and the permit holder shall surrender the permit to the Council or authorised agent within 48 hours of the receipt of the aforementioned notice.

Surrender events

67. Each of the following is a surrender event:
- (i) the permit holder ceasing to be entitled;
 - (ii) the permit holder ceasing to be the owner of the vehicle in respect of which the permit was issued;
 - (iii) the vehicle in respect of which such permit was issued being adapted or used in such a manner that it is not a vehicle of the class specified;
 - (iv) the issue of a duplicate permit by the Council under the provisions of this Order; or
 - (v) the permit being defaced, mutilated or altered.

Validity of permit

68. A permit shall cease to be valid at the expiration of the period specified thereon or on the occurrence of any of the surrender events, whichever is the earlier.

69. Where a permit is issued to any person upon receipt of a cheque and the cheque is subsequently dishonoured, the permit shall cease to be of any effect and the council shall by notice in writing served on the person to whom such permit was issued by sending the same to the permit holder at the address shown by that person on the application for the permit, or at any other address believed to be that person's place of abode, require that person to surrender the permit to the Council within 48 hours of receipt of the aforementioned notice.
70. A permit shall cease to be valid if:
- (i) the details have been altered or defaced;
 - (ii) any additional details required as a condition of the permit are not exhibited;
 - or
 - (iii) the details cannot be easily read from outside the vehicle.

Duplicate permits

71. If a permit is accidentally mutilated or defaced or the figures or particulars thereon have become illegible or the colour of the permit has become altered by fading or otherwise, the permit holder shall surrender it to the Council and apply to the Council for the issue of a replacement permit.
72. If a permit is lost or destroyed, the permit holder may apply to the Council for the issue of a duplicate permit.
73. On application under the provisions of this Order, the Council, being satisfied as to the circumstances as indicated, and on payment of any fee as the Council may from time to time determine, shall issue a replacement or duplicate permit so marked and upon such issue the original permit shall become invalid.
74. All the provisions of this Order shall apply to a replacement or duplicate permit to the same extent as they applied to the original permit.

Form of permit

75. A permit shall be in writing and shall include the following particulars:-

- (i) the registration mark of the vehicle in respect of which the permit has been issued.
Provided that in exceptional circumstances at the absolute discretion of the Council the vehicle registration mark may be omitted;
- (ii) the period during which, subject to the provisions pertaining to surrender or withdrawal, the permit shall remain valid;
- (iii) an indication that the permit has been issued by the Council; and
- (iv) a code or identification indicating the parking area for which the permit is valid.

Refund of charge paid

76. A permit holder who surrenders a permit to the Council before the permit becomes valid or after the permit becomes valid may be entitled to a refund of a sum determined by reference to a policy agreed from time to time by the Council.

Display of permit

77. No person shall cause or permit any vehicle to park in a parking place during the periods specified in the Plans unless there is on display in the relevant position on that vehicle a permit valid for that parking place or shall have obtained a virtual parking permit issued or some other alternative approved method of payment in respect of that vehicle relating to the parking place within which that vehicle is parked.

Dispensation certificate

78. The Council may issue a dispensation certificate on receipt of application and may impose charges, terms and conditions as appropriate.
79. A dispensation 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.

SECTION 5 - GENERAL

General conditions of waiting or parking in unregulated situations

Pedestrian crossings

80. 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 6 - CONTRAVENTION AND PENALTY CHARGE

Contravention

81. If a vehicle is waiting or parked in a prohibited or restricted road or parking place respectively without complying with the requirements of this Order, a contravention shall have occurred and a penalty charge shall be payable.

Indications as evidence

82. The particulars given in any notice served on a vehicle in contravention of any provision of this Order shall be treated as evidence in any proceedings relating to failure to pay such penalty charge.

Restriction on removal of notices

83. Where a 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, or an authorised officer shall remove the notice from the vehicle unless authorised to do so by the keeper of the vehicle.

Immobilisation

84. If a vehicle is left or parked after a penalty charge has been incurred, an authorised officer or a person acting under his/her direction may attach to the vehicle an immobilisation device and a notice in accordance with the provisions of the Traffic Management Act 2004 or any subsequent legislation so enabling 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.
85. Nothing in respect of immobilisation of a vehicle shall apply in respect of a disabled persons' vehicle displaying in a relevant position a valid disabled person's badge.
86. 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 7 - REVOCATIONS

87. All the traffic regulation orders or parts of traffic regulation orders and bye laws imposing the following restrictions:

- (a) Prohibition and restrictions of parking 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

as they relate to roads in the Bridgend County Borough Council area as defined in the Orders/schedules/Plans made prior to this Order are pursuant to the Road Traffic Regulation Act 1984 and where appropriate the Local Government (Miscellaneous Provisions) Act 1976 hereby revoked.

THE COMMON SEAL of BRIDGEND)
COUNTY BOROUGH COUNCIL was)
hereunto affixed this 18TH day of MARCH)
2013 in the presence of:-)



DEPUTY
MAYOR:

A handwritten signature in black ink, likely belonging to the Deputy Mayor.

AUTHORISED SIGNATORY:

A handwritten signature in blue ink, likely belonging to the Authorised Signatory.

SCHEDULES

SCHEDULE 1 -

RESIDENTS PERMIT AREAS

STREET	TOWN
ALFRED STREET	MAESTEG
AUSTRALIAN TERRACE	BRIDGEND
CASTLE STREET	MAESTEG
CROSS STREET	MAESTEG
EDWARD STREET	BRIDGEND
FERRIERS ROW	BLAENGARW
GOODWIN STREET	MAESTEG
MACKWORTH ROAD	PORTHCAWL
MEADOW STREET	MAESTEG
PLASNEWYDD STREET	MAESTEG
QUEEN STREET	MAESTEG
RIVER STREET	MAESTEG
THE STRAND	BLAENGARW
TABOR PLACE	MAESTEG
TEMPLE STREET	MAESTEG
WELLFIELD AVENUE	PORTHCAWL

Notes:

One residents permit per person with an address in the road of the scheme that covers that road

No limit on number of permits to a household.

SCHEDULE 2

THE PLANS

