

**NEATH PORT TALBOT COUNTY BOROUGH COUNCIL
CYNGOR BWRDEISTREF SIROL CASTELL-NEDD PORT TALBOT**

**(FURNACE TERRACE, NEATH) (LIMITED WAITING)
AND (LIMITED WAITING, RESIDENTS EXEMPT)**

ORDER 2010

The Neath Port Talbot County Borough Council in exercise of their powers under Sections 1, 2, 32, 45, 46 and 53 of the Road Traffic Regulation Act 1984 (hereinafter referred to as “the Act of 1984”) and of all other powers them enabling and after consultation with the Chief Officer of Police in accordance with Part III of Schedule 9 of the Act of 1984 hereby make the following Order:

1. This Order shall come into operation on the 23rd day of April 2010 and may be cited as the “Neath Port Talbot County Borough Council (Furnace Terrace, Neath) (Limited Waiting) and (Limited Waiting, Residents Exempt) Order 2010.

2. (1) In this Order –

“Disabled Person’s Vehicle” has the same meaning as in The Local Authorities’ Traffic Orders (Exemptions for Disabled Persons) (Wales) Regulations 2000;

“Disabled Person’s Badge” has the same meaning as in The Disabled Persons (Badges for Motor Vehicles) (Wales) Regulations 2000;

“Parking Disc” means a parking disc issued by a Local Authority, capable of showing the quarter hour period during which a period of waiting begins;

“Relevant Position” has the same meaning as in The Disabled Persons (Badges for Motor Vehicles) (Wales) Regulations 2000;

“Public Services Vehicle” shall have the same meaning as in Section 1 of the Public Passenger Vehicles Act 1981 and “local service” shall have the same meaning as in Section 1 of the Transport Act 1985;

“Universal Service Providers” means those operators of postal services who are licensed to provide all or part of a Universal Postal Service under the provisions contained in the Postal Services Act 2000.

“Residents Parking Place Permit” (hereinafter referred to as a “Permit”) means a Permit issued by the Council for a period of up to 12 months to a person who has satisfied the Council as being entitled to the issue of a Residents Permit in accordance with the Council’s policy as may be determined from time to time;

- (2) Except where otherwise stated, any reference in this Order to a numbered Article or Schedule is a reference to the Article or Schedule bearing that number in this Order.
 - (3) The Interpretation Act 1978 shall apply for the interpretation of this Order as it applies for the Interpretation of an Act of Parliament.
3. Save as provided in Articles 5, 6, 7, 8 and 9 of this Order, no person except at the direction of a Police Constable in uniform or of a Parking Attendant shall cause or permit any vehicle to wait for more than 2 hours or to return within 4 hours to the same length of side of road on which that period of waiting occurred on any day except Sunday between 8.00 a.m. and 6.00 p.m. on the lengths of sides of roads as set out in Schedule 1 to this Order.
 4. Save as provided in Articles 5, 7, 8 and 9 of this Order, no person except at the direction of a Police Constable in uniform or of a Parking Attendant shall cause or permit any vehicle to wait for more than 20 minutes or to return within 20 minutes to the same length of side of road on which that period of waiting occurred on any day except Sunday between 8.00 a.m. and 6.00 p.m. on the lengths of sides of roads as set out in Schedule 2 to this Order.
 5. Nothing in Articles 3 and 4 of this Order shall render it unlawful to cause or permit a disabled person’s vehicle which displays in the relevant position a disabled person’s badge to wait on the lengths of sides of road referred to in the said Article.

6. The prohibition imposed by Article 3 of this Order shall not apply to the holder of a Permit.
7. Nothing in Articles 3 and 4 of this Order shall render it unlawful to cause or permit any vehicle to wait on the lengths of sides of roads specified therein for so long as may be necessary to enable:
 - (A) A person to board or alight from a vehicle;
 - (B) 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, industrial or demolition operations;
 - (ii) The removal of any obstruction to traffic;
 - (iii) The laying, erection, alteration or repair in or on land adjacent to the said lengths of 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 apparatus defined in the Telecommunications Act 1984;
 - (C) The vehicle, if it cannot conveniently be used for such purpose in any other road, to be used in the service of a Local Authority or a Water Authority in pursuance of statutory powers or duties;
 - (D) The vehicle to be used by a Universal Service Provider for the purpose of deliveries or collecting postal packets;
 - (E) Public Services Vehicles operating a local service when waiting at an authorised bus stop to set down or pick up passengers, or to school buses;
 - (F) The vehicle to take in petrol, oil, water or air from any garage situated on or adjacent to the said length of road.
8. Nothing in Articles 3 and 4 of this Order shall render it unlawful to cause or permit any vehicle to wait on the lengths of sides of roads specified therein for so long as may be necessary to enable goods to be loaded and unloaded from the vehicle.

9. The prohibitions imposed by Articles 3 and 4 of this Order shall not apply to Police, Fire, Ambulance or other Emergency Service vehicles or to Local Authority vehicles when in pursuance of statutory duties or powers.

Permits

- E. (i) The Council may at any time require an applicant for a Permit or the holder of a Permit to produce to an Officer of the Council 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 to verify that the Permit is valid;
- (ii) on receipt of an application for a Permit the Council upon being satisfied that:
- (a) the applicant is a person who resides in a road referred to in Schedule 1 to this Order or is a person who falls within the categories of persons eligible for the granting of a Permit as may be determined from time to time by the Council;
 - (b) the application is made in respect of an eligible vehicle as defined in paragraph E (iii) of this Article;
- shall issue to the applicant a Permit in respect of that vehicle, subject to no more than two Permits being issued in respect of any particular residence.
- (iii) For the purposes of this Article “eligible vehicles” means:
- (a) a passenger vehicle which is a motor vehicle constructed solely for the carriage of passengers and their effects and adapted to carry not more than twelve passengers exclusive of the driver and not drawing a trailer;
 - (b) solo motor cycle or moped;

- (iv) (a) No person shall be entitled to hold a Permit for more than one vehicle at any time;
- (b) The permit shall be valid only for the vehicle in respect of which it is issued and no permit holder shall cause or permit any Permit issued to him by the Council to be displayed on any vehicle bearing a different registration number to that contained on that Permit.
- (v) A permit holder may surrender a Permit to the Council at any time and shall surrender it to the Council on the occurrence of any one of the following events:
 - (a) the permit holder ceasing to be a resident in the street for which the Permit was issued;
 - (b) save as provided in paragraph E (viii)(a) of this Article the permit holder ceasing to be the owner of the vehicle in respect of which the Permit was issued;
 - (c) the vehicle in respect of which the Permit was issued being adapted or used in such a manner that it ceased to be an eligible vehicle as defined in paragraph E (iii) of this Article;
 - (d) the issue by the Council of a duplicate Permit;
 - (e) the expiry of the Permit pursuant to paragraph E (vi) of this Article;
 - (f) the withdrawal of the Permit by the Council.
- (vi) A Permit shall cease to be valid at the expiration of the date stated thereon or on the occurrence of any of the events set out in paragraph E (v) of this Article whichever is the earlier.
- (i) The Council may by notice in writing served on a permit holder by sending the same by recorded delivery service 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 abode withdraw a Permit if it appears to the Council that any of the events set out in paragraph E (v) of this Article has occurred and the permit holder shall surrender the Permit to the Council within forty eight hours of the receipt of the aforementioned notice.

- (ii) A Permit shall be in writing and shall include the following particulars:
 - (a) the registration mark of the vehicle in respect of which the Permit was issued except when such Permit is issued to a resident whose vehicle is owned by a bona fide motor trader and in such cases the registration mark will be replaced with the words "MOTOR TRADER";
 - (b) the expiry date of the Permit pursuant to paragraph E (vi) of this Article;
 - (c) an indication that the Permit was issued by the Council;
 - (d) the name of the street in which the applicant resides.

SCHEDULES

Schedule 1 – Limited Waiting Monday to Saturday, 8am – 6pm 2 hours no return within 4 hours. Residents with Permits exempt (South Side)

- 1.1. Between points approximately 18 metres and 43 metres and approximately 48 metres and 94 metres south west of its junction with Herbert Road.

Schedule 2 – Limited Waiting Monday to Saturday, 8am-6pm 20 minutes no return for 20 minutes

- 2.1 Between points approximately 43 metres and 48 metres and approximately 94 metres and 101 metres south west of its junction with Herbert Road.

THE COMMON SEAL
of **THE COUNCIL** was
hereunto affixed on the
14th day of April 2010
in the presence of:



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) *B. S. Shorne*

Proper Officer