

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

**(GURNOS ROAD AND SAINT DAVID'S ROAD, YSTALYFERA)**  
**(PROHIBITION OF WAITING AT ANY TIME) (RESIDENTS ONLY**  
**PARKING) (LIMITED WAITING, PERMIT HOLDERS EXEMPT) AND**  
**(LIMITED WAITING)**

**ORDER 2013**

The Neath Port Talbot County Borough Council in exercise of their powers under Sections 1, 2, 32, 45, 46 and 53 and Part IV of Schedule 9 of the Road Traffic 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 force on the 15th day of March 2013 and may be cited as the "Neath Port Talbot County Borough Council (Gurnos Road and Saint David's Road, Ystalyfera) (Prohibition of Waiting At Any Time) (Residents Only Parking) (Limited Waiting, Permit Holders Exempt) and (Limited Waiting) Order 2013".

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 Person's (Badges for Motor Vehicles) (Wales) (Amended) 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) (Amended) Regulations 2000;

"Public Service 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 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;

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“Residents Parking Place” (hereinafter referred to as a “Parking Place”) means an area of highway designated as a Parking Place by this Order for the use of vehicles displaying on the front or nearside of the vehicle a valid Residents Parking Place Permit;

“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. The provisions of any existing waiting loading or unloading orders and residents permit holders only orders (if any) are hereby revoked insofar as they relate to the sides and lengths of roads set out in the Schedules of this Order.
4. Save as provided in Articles 9, 11, 12 and 13 of this Order, no person except on the direction of a Police Constable in uniform or a Parking Attendant shall cause or permit any vehicle to wait at any time on the lengths of sides of roads as set out in Schedule 1 of this Order.
5. Save as provided in Articles 8, 11, 12 and 13 of this Order, no person except on the direction of a Police Constable in uniform or a Parking Attendant shall cause or permit any vehicle to wait for more than 3 hours or to return within 3 hours to the same length of side of road on which that period of waiting began between the hours of 8.00am to 6.00pm on any day except Sunday on the lengths of sides of road set out in Schedule 3 of this Order.
6. Save as provided in Articles 8, 10, 11, 12 and 13 of this Order, no person except on the direction of a Police Constable in uniform or a Parking Attendant shall cause or permit any vehicle to wait for more than 3 hours or to return within 3 hours to the same length of side of road on which that period of waiting began between the hours of 8.00am and 6.00pm on any day except Sunday on the lengths of sides of road set out in Schedule 4 of this Order.
7. Save as provided in Articles 8, 11, 12 and 13 of this Order, no person except on the direction of a Police Constable in uniform or a Parking Attendant shall cause or permit any vehicle to wait for more than 1 hour or to return within 1 hour to the same length of side of road on which that period of waiting began between the hours of 8.00am and 6.00pm on any day except Sunday on the length of side of road set out in Schedule 5 of this Order.

8. Nothing in Articles 5, 6 and 7 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 roads referred to in the said Articles.
9. Nothing in Article 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 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 on the lengths of sides of roads referred to in the Article for a period not exceeding 3 hours (not being a period separated by an interval of less than 1 hour from a previous period of waiting by the same vehicle on the same length of side of road on which that vehicle had previously been waiting).
10. The prohibitions imposed by Article 6 of this Order shall not apply to the holder of a Permit.
11. Nothing in Articles 4, 5, 6, 7 and 14(1) 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 roads of any sewer or any main pipe or apparatus for the supply of gas, water or electricity or 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 delivering or collecting postal packets;
  - (E) Public Service 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 lengths of roads.

12. Nothing in Articles 4, 5, 6, 7 and 14(1) of this Order shall render it unlawful to cause or permit any vehicle to wait on the length of sides of roads specified therein for so long as may be necessary to enable goods to be loaded or unloaded from the vehicle.

13. The prohibitions imposed by Articles 4, 5, 6, 7 and 14(1) 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.

14. **Residents Parking Places**

(1) Except as provided by Articles 11, 12, 13 and 14(2) of this Order or upon the direction or with the permission of a Police Constable in uniform or a Parking Attendant no person shall cause or permit any vehicle to wait in a Parking Place designated by Schedule 2 of this Order.

(2) The provisions of Article 14(1) of this Order shall not apply to the holder of a Permit when parking a vehicle in a Parking Place as described in Schedule 2 of this Order and the vehicle is displaying a valid parking permit (on the front or nearside of the vehicle).

15. **Regulation of a Parking Place**

A (i) The holder of a Permit shall not park in any Parking Place other than in the street named on the Permit;

(ii) where a Police Constable in uniform or a Parking Attendant is of the opinion that the provisions contained in Article 14(1) of this Order have been contravened he may remove or cause to be removed the vehicle from the Parking Place and where it is so removed shall provide for the safe custody of the vehicle;

(iii) a Police Constable in uniform or a Parking Attendant may move or cause to be moved in the case of emergency to any place he thinks fit any vehicle left in the Parking Place;

(iv) 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) Every vehicle in the Parking Place shall stop so that every part of the vehicle is within the limits of the Parking Place.

B A Police Constable in uniform or a Parking Attendant or a person duly authorised by the Council may suspend the use of the Parking Place or any part thereof whenever he considers such suspension is reasonably necessary:

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

- (ii) for the purpose of any building operation, 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 of any sewer or of any main pipe apparatus for the supply of gas, water or electricity or of any telegraphic line or the placing, maintenance or removal of any traffic sign;
- (iii) for the convenience of occupiers of premises adjacent to the Parking Place on any occasion of the delivery or removal of furniture to or from any office or dwelling house adjacent to the Parking Place;
- (iv) on any occasion on which it is likely by reason of some special attraction that the streets will be thronged or obstructed;
- (v) for the convenience of occupiers of premises adjacent to the Parking Place at times of weddings or funerals;
- (vi) any person or Police Constable in uniform or a Parking Attendant suspending the use of the Parking Place or any part thereof, in accordance with the provisions of this Article shall thereupon place or cause to be placed in that Parking Place or as the case may be that part thereof the use of which is suspended a traffic sign of any size colour and type prescribed or authorised under Section 64 of the Act of 1984 indicating that the waiting by vehicles is prohibited.

C No person shall cause or permit any vehicle to wait in any part of the Parking Place during such period as there is in or adjacent to that part of the Parking Place a traffic sign placed in pursuance of Paragraph B (vi) of this Article.

Provided that nothing in this Article shall apply:

- (i) in respect of any vehicle being used for fire brigade, ambulance or police purposes or any vehicle which is waiting for any other reason specified in this Order;
- (ii) to anything done with the permission of a Police Constable in uniform, Parking Attendant or the person suspending the use of the Parking Place or part thereof in pursuance of this Order;

D Nothing in Article 14(1) of this Order shall apply to:

- (a) legally qualified medical practitioners as defined in Section 52 of the Medical Act 1956, community nurses or registered veterinary surgeons while visiting premises adjacent to the Parking Place provided that the vehicle is displaying an

appropriate worded notice to the effect that it is being used “on call”;

- (b) a maximum of two vehicles being used in connection with a wedding;
- (c) vehicles being used for building and maintenance purposes in properties adjacent to a Parking Place;
- (d) to enable any hearse or any vehicle owned by a funeral director or owner of funeral vehicles to be used as part of a funeral cortege or otherwise in connection with a funeral;
- (e) to enable Support Officers of a bona fide care organisation to park in the Parking Place whilst visiting a Community Care dwelling in pursuit of their duties, providing the special permit issued by the Council is displayed in the correct position on the front windscreen of their vehicle.

## **Permits**

A. (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 Schedules 2 and 4 of 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 A(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 vehicle” 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 one 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 is issued;
  - (b) save as provided in paragraph A (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 ceases to be an eligible vehicle as defined in paragraph A (iii) of this Article;
  - (d) the issue by the Council of a duplicate permit;
  - (e) the expiry of the permit pursuant to paragraph A (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 A(v) of this Article, whichever is the earlier.
- (vii) The Council may by notice in writing served on the 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 A(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.
- (viii) 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 shall be replaced with the words "Motor Trader";

- (b) the expiry date of the permit pursuant to paragraph A(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.

### **Charges**

The Council reserves the right to charge for the issue of a Permit or a duplicate Permit to replace a permit which has been lost or destroyed.

## **SCHEDULES**

### **Schedule 1 – Prohibition of Waiting At Any Time**

#### **1.1 Saint David's Road – South East Side**

From its junction with Swanfield for a distance of approximately 125 metres in a north easterly direction.

#### **1.2 Gurnos Road – South East Side**

From the western kerb line of Glantwrch for a distance of approximately 80 metres in a south westerly direction.

#### **1.3 Swan Lane – East Side**

From its junction with Gurnos Road for a distance of approximately 13 metres in a south easterly direction then approximately 4 metres in a south westerly direction.

### **Schedule 2 – Resident Permit Holders Only**

#### **2.1 Gurnos Road – North West Side**

Between points approximately 60 metres and 84 metres and 99 metres and 119 metres in a south westerly direction from a point in line with the western kerb line of Glantwrch.

### **Schedule 3 – Waiting Limited to 3 Hours, Return Prohibited Within 3 hours, Monday to Saturday, 8.00am to 6.00pm**

#### **3.1 Gurnos Road – North West Side**

Between points approximately 42 metres and 60 metres in a south westerly direction from a point in line with the western kerb line of Glantwrch.

#### **3.2 Gurnos Road – South East Side**

Between points approximately 4 metres and 16 metres south west of its junction with Swan Lane.



3.3 **Gurnos Road Car Park – Both Sides**

From its junction with Gurnos Road for a distance of approximately 19 metres in a south easterly direction (11 car parking spaces in total).

**Schedule 4 – Waiting Limited to 3 Hours, Return Prohibited Within 3 Hours, Monday to Saturday, 8.00am to 6.00pm, Permit Holders Exempt**

4.1 **Gurnos Road – North West Side**

Between points approximately 124 metres and 162 metres in a south westerly direction from a point in line with the western kerb line of Glantwrch.

**Schedule 5 – Waiting Limited to 1 Hour, Return Prohibited Within 1 Hour, Monday to Saturday, 8.00am to 6.00pm**

5.1 **Gurnos Road – South East Side**

Between points approximately 28 metres and 58 metres south west of its junction with Swan Lane.

THE COMMON SEAL OF  
THE COUNCIL WAS HEREUNTO  
AFFIXED THIS 8TH DAY OF  
MARCH 2013  
IN THE PRESENCE OF: -

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PROPER OFFICER