THE NEATH PORT TALBOT COUNTY BOROUGH COUNCIL in exercise of its powers under Sections 1, 2, 32, 35, 45, 46, 53 and Part IV of Schedule 9 of the Road Traffic Regulation Act 1984 (hereinafter referred to as "The Act of 1984") and of all other powers it enabling and after consultation with the Chief Officer of Police in accordance with Part III of Schedule 9 of the Act of 1984 hereby makes the following Order: -

1. This Order shall come into operation on the 6th day of September 2002 and may be cited as the "Neath Port Talbot County Borough Council (Aberafan Shopping Centre Service Area Access Road) Order 2002.

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;

   “Parking Place” means the area of road designated by Schedule 4 of this Order as a parking place for vehicles;
“Parking Place Permit” (hereafter referred to as a “Permit”) means a permit issued by the Council to a person which authorises that person to use the Parking Place for the parking of vehicles referred to in that permit;

“Loading Bay” means a parking place designated by this Order as a parking place only for the use of vehicles which are being loaded or unloaded;

“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.

(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 the Order specified in Schedule 1 to this Order are hereby revoked insofar as they relate to the lengths of sides of roads specified in Schedule 2 to 4 to this Order.

4. Save as provided in Articles 7 and 8 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, load or unload at any time on the lengths of sides of roads as set out in Schedule 2 to this Order.

5. (1) The Loading Bay as set out in Schedule 3 to this Order is designated as a parking place only for vehicles which are being loaded or unloaded subject to the provisos that any such vehicles using the Loading Bay for the purpose of loading or unloading shall not remain in the Loading Bay for more than 20 minutes duration at any given time and shall not return within 40 minutes to the Loading Bay for the purpose of loading or unloading following the cessation of a previous period of loading or unloading.

(2) Save as provided by Articles 7 and 8 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 (including a Disabled Persons Vehicle) to use the Loading Bay referred to in Article 5(1) above other than for
the purpose of loading or unloading vehicles subject to the provisos specified in that Article.

6. Save as provided in Articles 7 and 8 of this Order, no person except at the direction of a Police Constable in uniform or a Parking Attendant shall cause or permit any vehicle to use the Parking Place designated by Schedule 4 of this Order between the hours of 9.00 a.m. and 3.00 p.m. on any day except Sunday unless that vehicle is displaying on the windscreen a Permit which has been issued in accordance with the provisions of this Order.

7. Nothing in Article 4, 5 and 6 of this Order shall render it unlawful to cause or permit any vehicle to wait on the lengths of sides of roads, Loading Bay or Parking Place 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 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;

8. The prohibitions imposed by Articles 4, 5 and 6 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.
9. **Permits**

(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 of 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 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 (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 Applicant.

(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;

(c) a commercial goods vehicle.

(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 other vehicle.

(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 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 (iii) of this Article;
(b) the issue by the Council of a duplicate Permit;
(c) the expiry of the Permit pursuant to paragraph (vi) of this Article;
(d) 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 (v) of this Article whichever is the earlier.

(vii) The Council may be 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 (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) Particulars of the vehicle in respect of which the Permit was issued;
(b) the expiry date of the Permit pursuant to paragraph (vi) of this Article;
(c) an indication that the Permit was issued by the Council;
(d) the name of the street to which the Permit applies.

10. Charges

(i) The issue of a Permit, shall be subject to the successful applicant for a Permit paying a charge of £10.00 to the Council for the issue and use of the permit, such payment to be paid to the Council prior to the issue of the permit.

(ii) In the event that a Permit Holder requires a duplicate permit to replace a permit which has been lost or destroyed, the issue of such a permit shall be subject to a fee of £5.00 being paid to the Council prior to the issue of the duplicate permit.
SCHEDULES

Schedule 1 – Revocations

1. Rear lanes and car parks access road, Station Road, Port Talbot – Order 2000.

Schedule 2 – No Waiting, Loading or Unloading at Any Time

1. Service Area Access Road
   (south east side)

   From a point where the former south mall car park meets its access road, a distance of approximately 14m in a northerly direction, then a distance of approximately 26m in a north easterly direction.

   North west side

   From a point in line with the junction of the former south mall car park and its access road, a distance of approximately 6m in a north easterly direction.

2. Turning area off service area access road
   North west side

   Between its junctions with the south western and north eastern kerblines of the turning area off south mall car park a distance of approximately 5m through the turning head.

   South west side

   From its junction with the former south mall car park’s access road for a distance of approximately 45m in a north westerly direction.

   North east side

   From a point in line with the junction of the former south mall car park and its access road, for a distance of approximately 31m in a north westerly direction.
Schedule 3 – Loading Bay
Loading and Unloading Limited to 20 Minutes only, No Return Within 40 Minutes

Service Area Access Road
North west side

That area of the road located between a point situated approximately 6m north east of the junction with the former South Mall Car Park and a point situated approximately 47m north east of that junction which is bounded by the kerb of the carriageway on 3 sides and by a broken white line road marking on the fourth side and is shown for identification purposes only coloured green on the plan annexed to this order.

Schedule 4 – Parking Place
Monday – Saturday 9am – 3pm Permitted Vehicles Only

Service Area Access Road

That area of the north eastern end of the access road which is shown for identification purposes only coloured pink on the plan annexed to this order.

THE COMMON SEAL of THE COUNCIL was hereunto affixed on the 2nd day of September 2002 in the presence of: -

Proper Officer