

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

C4  
NT13

(CAR PARK ADJACENT TO CARMEL CHURCH, PORT TALBOT)

ORDER 2002

The Neath Port Talbot County Borough Council in exercise of their powers under Sections 32, 33, and 35 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 7<sup>th</sup> day of May 2002 and may be cited as the Neath Port Talbot County Borough Council (Car Park Adjacent to Carmel Church Port Talbot) 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 2001

"Disabled Person's Badge" has the same meaning as in the Disabled Persons (Badges for Motor Vehicles) (Wales) Regulations 2001.

"Relevant Position" has the same meaning as in the Disabled Persons (Badges for Motor Vehicles) (Wales) Regulations 2001.

"The Car Park" means the Car Park adjacent to Carmel Church, Port Talbot.

"Parking Place" shall mean a length of side of the Car Park provided by the Council for the use as a parking place by vehicles as set out in the Schedules to this Order.

"Parking Bays" means the defined areas (marked on the ground) of the Parking Places in which individual vehicles are permitted to park.

"Permit Holders Parking Bay" means a parking bay situated within the Parking Place designated by Schedule 2 of this Order as a Parking Place only for the use of vehicles displaying on their windcreens valid permits.

"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 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 Parking Places specified in Schedules 1, and 2 of this Order may be used as parking places for vehicles by members of the public subject to the following provisions of this Order.
4. No person except at the direction of a Parking Attendant shall cause or permit any vehicle to wait in any part of the Car Park other than in a Parking Place.
5.
  - (1) Save as provided in Article 5 (2) and 6 of this Order, no person except at the direction of a Parking Attendant shall cause or permit any vehicle to wait for more than 1 hour in or to return within 2 hours to a Parking Bay situated within a Parking Place designated in Schedule 1 between the hours of 8.00am and 6.00pm on any day except Sunday.
  - (2) The prohibition imposed by Article 5 (1) shall not apply to a vehicle which displays on its windscreen a valid Permit issued by the Council exempting the vehicle from the provisions of that Article.
6. Nothing in Article 5 (1) 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 in a Parking Bay referred to in that Article.
7.
  - (1) Save as provided by Article 7 (2) of this Order or upon the direction or with the permission of a Traffic Attendant no person shall cause or permit any vehicle to wait in a Permit Holders Parking Bay situated within a Parking Place designated in Schedule 2.
  - (2) The prohibition imposed by Article 7 (1) shall not apply to the holder of a Permit when parking a vehicle in a Permit Holders Parking Bay when that vehicle is displaying a valid Permit issued

8. Regulation of the Car Park and Parking Places.

- (1) Every vehicle waiting in a Parking Place shall wait in such a position that every part of the vehicle is parked within the limits of an individual Parking Bay (as marked out on the ground of the Parking Place).
- (2) Where a Traffic Attendant is of the opinion that any of the provisions contained in Articles 4 to 7 (2) of this Order have been contravened or not complied with in respect of the Vehicle left in the Car Park or a Parking Place he may remove the Vehicle from the Car Park or Parking Place or cause it to be removed and where it is so removed shall provide for its safe custody.

Where a Vehicle is removed in accordance with the provisions of this Article the Council may recover the reasonable cost of such removal and storage from the Driver or other person claiming the Vehicle.

- (3) Any person duly authorised by the Council or a Police Constable in uniform may move or cause to be moved in case of emergency to any place he thinks fit Vehicles left in the Car Park or Parking Places.
- (4) Any person removing or altering the position of a Vehicle by virtue of Paragraphs (2) or (3) of this Article may do so by towing or driving a Vehicle or in such other manner as he may think necessary to enable him to remove it as aforesaid.
- (5) The Driver of a Vehicle whilst it is in a Parking Place shall comply with any instructions given to him by the Parking Attendant as to the manner of waiting of the Vehicle and shall remove the Vehicle from the Parking Place on being required by the Parking Attendant to do so.
- (6) Nothing in this Order shall prevent the Council by Notice displayed at the Car Park: -
  - (a) from closing the Car Park or any part thereof for any period whilst any works are being executed therein or whilst the Car Park or part thereof is required for the use of some special purpose or

Vehicles any part or parts of the Car Park on all days or on certain days

- (7) No person shall except with the permission of any person duly authorised by the Council drive any Vehicle in the Car Park other than for the purpose of leaving the Vehicle in a Parking Place in accordance with the provisions of this Order or for the purpose of departing from a Parking Place.
- (8) No person shall in the Car Park wantonly shout or otherwise make any loud noise to the disturbance or annoyance of users of the Car Park or residents of premises in the neighbourhood.
- (9) No person shall in the Car Park use any threatening abusive or insulting language gesture or conduct with intent to put any person in fear or so as to occasion a breach of the peace or whereby a breach of the peace is likely to be occasioned
- (10) Where in the Car Park signs are erected or surface markings are laid for the purpose of: -
  - (a) indicating the entrance to or exit from a Parking Place or
  - (b) indicating that a Vehicle using a Parking Place shall proceed in a specified direction within the Car Park.

no person shall drive or cause or permit to drive any Vehicle:-

- (i) so that it enters the Car Park otherwise than by an entrance or leaves the Car Park otherwise than by an exit so indicated or
  - (ii) in a direction other than that specified as the case may be.
- (11) In the Car Park no person shall: -
  - (a) erect or cause or permit to be erected any tent booth stand building or other structure without the written consent of the Council or
  - (b) light or cause or permit to be lit any fire
- (12) No unauthorised person shall enter onto the Car Park except with the intention of passing to or from a vehicle left in a Parking Place in accordance with this Order

cause an obstruction or nuisance to any person lawfully using the Car Park.

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 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 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

- (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) a 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: -

respect of which the Permit was issued;

- (b) 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;
  - (c) the issue by the Council of a duplicate Permit;
  - (d) the expiry of the Permit pursuant to paragraph (vi) of this Article;
  - (e) 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 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 (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
  - (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;

## SCHEDULES

### Schedule 1

One hour limited waiting no return within 2 hours with exemption for permit holders Monday-Saturday 8am to 6pm.

Car park adjacent to Carmel Church

North Side

- (i) From its eastern side for a distance of 15 metres in a westerly direction.

South Side

- (ii) Between points 15 and 30 metres in a westerly direction from the eastern side.

Schedule 2

Permit Holders Only

Car Park adjacent to Carmel Church

North Side

- (i) Between points 15 and 30 metres in a westerly direction from the eastern side.

South Side

- (ii) From the eastern side for a distance of 15 metres in a westerly direction.

THE COMMON SEAL of )  
THE COUNCIL was )  
hereunto affixed on the )  
19<sup>th</sup> day of April 2001 in the )  
presence of: - )

Proper Officer

*David McLeod*

