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WEST GLAMORGAN COUNTY COUNCIL

(CRESWELL ROAD, NEATH)

(LIMITED WAITING) AND (RESIDENTS ONLY PARKING)

AND (REVOCATION) ORDER 1994

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(LIMITED WAITING) AND (RESIDENTS ONLY PARKING)

AND (REVOCATION) ORDER 1994

The Council of the County of West Glamorgan (hereinafter referred to as "the Council") in exercise of their powers as contained in Sections 1, 2, 32, 35, 36, 45, 46, 53, 54 of the Road Traffic Regulations Act 1984 (hereinafter referred to as "the Act of 1984") and of all other enabling powers and after consultation with the Chief Officer of Police in accordance with Part III and IV of Schedule 9 of the Act of 1984, hereby make the following Order:-

1. **THIS ORDER** shall come into operation on the 1st day of September 1994 and may be cited as the "West Glamorgan County Council" (Creswell Road, Neath) (Limited Waiting) and (Residents Only Parking) and (Revocation) Order 1994.

2. 2.1 In this Order:-

"disabled person's vehicle" has the same meaning as in Regulation 2 of the Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England and Wales) Regulations 1986.

"disabled person's badge" has the same meaning as in Regulation 3(i) of the Disabled Persons (Badges for Motor Vehicles) Regulations 1982.

"parking disc" means a disc issued by a Local Authority, complying with the requirements of the British Standard Specifications for parking discs (BS 4631 - 1970) coloured orange and capable of showing the quarter hour period during which a period of waiting begins, and

"relevant position" means:-

- (i) in the case of a vehicle fitted with a front windscreen, the badge is exhibited thereon with the obverse side facing forwards on the nearside of and immediately behind the windscreen.
- (ii) in the case of a vehicle not fitted with a front windscreen, the badge is exhibited in a conspicuous position on the front or nearside of the vehicle.

"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 1983.

"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 Residents Permit") means a Permit issued by the Council for a period of up to twelve 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.

Each area on a highway referred to in the Schedules to this Order and bounded on one side by the edge of the carriageway and on the other side by a broken white line is designated as a Parking Place.

"Temporary Visitor" means a visitor residing more than three days.

"Resident" means a person normally residing in the said area to which the Order relates and for the purpose of this Order shall also include relatives, normally residing outside the said area but attending to elderly, permanently sick or disabled members of their family who are non car owners; authorised social workers when attending to householders in the said area; and students providing they have been in residence for at least three months in the said area.

2.2 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.

2.3 The Interpretation Act 1978 shall apply for the interpretation of this Order as it applies for the Interpretation of an Act of Parliament.

3. Regulation of a Parking Place

- A (i) The holder of a Residents 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 Traffic Warden is of the opinion that the provisions contained in Articles 6, 7 and 8 of this Order have been contravened he may remove or cause to be removed the vehicle from the Parking Place and where it so removed shall provide for the safe custody of the vehicle.

(iii) A Police Constable in uniform or a Traffic Warden 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) Every vehicle left 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 Traffic Warden 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 purposes of facilitating the movement of traffic or promoting its safety;

(ii) 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 office or dwelling house adjacent to the Parking Place;

(iii) on any occasion on which it is likely by reason some special attraction that any streets will be thronged or obstructed;

(iv) for the convenience of occupiers of premises adjacent to the Parking Place at times of weddings or funerals;

(v) any person or Police Constable in uniform or a Traffic Warden 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 to cause 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 Article 2B(v) of this Order.

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, Traffic Warden or the person suspending the use of the Parking Place or part thereof in pursuance of this Order.

D Nothing in Articles 6, 7 and 8 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 Residents Parking Place provided that the vehicle is displaying an appropriately 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) Support Officers of a bona fide Care Organisation to park in the Residents Only Parking Area whilst visiting a Community Care Dwelling in pursuit of their duties providing the special permit issued by West Glamorgan County Council is displayed in the correct position on the front windscreen of their vehicle.

Permits

E (i) The Council may at any time require an applicant for a Permit or a 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 the Schedules 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 (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) a goods vehicle the weight of which does not exceed 30 cwt unladen;
- (c) 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 (viii)(a) of this Article the permit holder ceasing to be the owner of the vehicle in respect of which the Permit is 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 (iii) of this Article;

- (d) the issue by the Council of a duplicate Permit;
 - (e) the expiry of the Permit pursuant to paragraph (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 (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 except when such permit is issued to a resident whose vehicle is owned by a bona fide motor trader and which vehicle does not exceed 30 cwt unladen weight in such cases the registration mark will be replaced with the words "MOTOR TRADER".
 - (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 in which the applicant resides;

Charges

- F** The Council may at its discretion charge for the issue of residents parking places permits, such charge to be determined from time to time by resolution of the Council or the Environment and

Highways Committee thereof and in any case any duplicate permit shall only be issued on the payment by the applicant of a fee of one pound sterling.

4. Nothing in Articles 6 and 7 of this Order shall render it unlawful to cause or permit any vehicle to wait on the sides or lengths of road specified therein for as long as may be necessary to enable:-
- (a) a person to board or alight from the vehicle;
 - (b) goods to be loaded on or unloaded from the vehicle;
 - (c) 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 side of the 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;
 - (iv) a vehicle being used for Police, Ambulance or Fire Brigade purposes; or
 - (d) 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;
 - (e) the vehicle to be used for the purpose of delivering or collecting postal packets as defined in Section 37 of the Post Office Act 1953;
 - (f) the vehicle to take in petrol, oil, water or air from any garage situated on or adjacent to the said length of road;
 - (g) public service vehicles when waiting at an authorised bus stop to set down or pick up passengers.
 - (h) support officers of a bona fide care organisation to park in the Residents Only Parking area whilst visiting a community care dwelling in pursuit of their duties, providing the special permit issued by West Glamorgan County Council is displayed in the correct position in the front windscreen of their vehicle.

5. Nothing in Articles 6 and 7 of this Order shall render it unlawful for the holder of a Residents Parking Permit to wait on the side or length of road referred to thereon when displaying in the windscreen of the vehicle a Residents Permit.
6. Save as provided in Article 4 to this Order, no person shall, except upon the direction of a police constable in uniform, or of a traffic warden, cause or permit any vehicle to wait at any time on the sides or length of road specified in Schedule 1 of this Order.
7. Save as provided in Article 4 and 6 to this Order, no person shall, except upon the direction of a police officer in uniform, or of a traffic warden, cause or permit any vehicle to wait between the hours of 8.00 a.m. and 6.00 p.m. on any day except Sunday on the sides or lengths of road as specified in Schedule 2 to this Order.
8. The prohibitions imposed by Article 7 shall not apply to residents when displaying on the windscreen of their vehicle a Residents Permit.
9. The provisions of the West Glamorgan County Council (Various Streets) (Prohibition and Restriction of Waiting, Loading and Unloading) Order 1976 (Amendment No. 5) Order 1978 are hereby partially revoked in so far as they relate to the lengths or sides of roads specified in Schedule 3 and 4 to this Order.

SCHEDULES

SCHEDULE I

To introduce Residents Only Parking At Any Time Creswell Road.

North Side

Between points 72m (approx) and 98m (approx) east of the eastern kerbline of London Road.

South Side

- (a) Between points 34m (approx) and 57m (approx) east of the eastern kerbline of London Road.
- (b) Between points 24m (approx) and 44m (approx) west of the western kerbline of Victoria Gardens.

SCHEDULE 2

To introduce Limited Waiting Monday to Saturday 8.00 a.m. to 6.00 a.m. Waiting Permitted for 2 Hours, Return Prohibited within 2 Hours, Return Prohibited within 2 Hours (with exception for residents obtaining and displaying a valid permit).

Creswell Road, Neath (North Side)

- (a) Between points 46m (approx) and 72m (approx) east of eastern kerbline of London Road.
- (b) Between points 26m (approx) and 53m (approx) west of the western kerbline of Victoria Gardens.

South Side

Between points 57m (approx) and 109m (approx) east of the eastern kerbline of London Road.

SCHEDULE 3

To revoke the existing Prohibition of Waiting At Any Time Creswell Road, Neath.

North Side

Between points 46m (approx) and 142m (approx) east of the eastern kerbline of London Road.

South Side

Between points 10m (approx) and 142m (approx) east of the eastern kerbline of London Road.

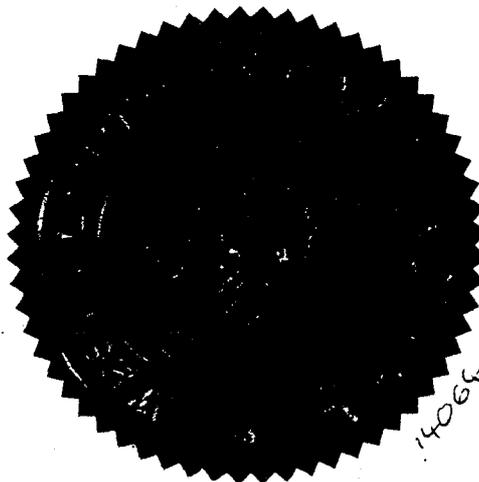
SCHEDULE 4

To revoke the existing Limited Waiting Monday to Saturday 8.00 a.m. to 6.00 p.m. Waiting for 2 hours, return prohibited within 2 hours.

Creswell Road, Neath

Centre of carriageway (in front of numbers 23 to 37, Creswell Road).

The **COMMON SEAL** of the)
WEST GLAMORGAN COUNTY)
COUNCIL was hereunto)
affixed on the 26th of)
August 1994 in the)
presence of:)



K R Sanger

COUNTY SECRETARY