

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

(OLD MARKET STREET AND CASTLE STREET, NEATH)
(REVOCATION) (PROHIBITION OF WAITING, LOADING OR
UNLOADING AT ANY TIME) (NO STOPPING EXCEPT TAXIS) (GOODS
LOADING ONLY)(RESIDENTS ONLY PARKING) (DISABLED BADGE
HOLDERS ONLY) AND (LIMITED WAITING)

ORDER 2017

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 24th day of February 2017 and may be cited as the "Neath Port Talbot County Borough Council (Old Market Street and Castle Street, Neath) (Revocation) (Prohibition of Waiting, Loading or Unloading At Any Time) (No Stopping Except Taxis) (Goods Loading Only) (Residents Only Parking) (Disabled Badge Holders Only) and (Limited Waiting) Order 2017".

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;

“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;

“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.

Each area on a highway referred to in Schedule 5 to this Order and bounded on one side by the edge of the carriageway and on the other by a broken white line is designated as a Parking Place.

“Taxi” shall mean a licensed Hackney Carriageway.

“Goods Vehicles” means motorised vehicles constructed or adapted for use for the carriage of goods.

- (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 Orders set out in Schedule 1 of this Order are hereby revoked as described in that Schedule.
 4. Nothing in Articles 5, 7(2), 8, 10 and 11(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 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 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 length of road.
5. Save as provided in Articles 4 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, load or unload at any time on the lengths of sides of roads set out in Schedule 2 of this Order.
- 6.(1) Save as provided in Articles 6(2), 13 and 14 of this Order no vehicle shall stop at any time on the length of side of road specified in Schedule 3 of this Order
- 6.(2) The prohibition imposed by Article 6(1) shall not apply to Taxis.
- 7.(1) The Loading Bays set out in Schedule 4 of this Order are designated as a parking place between the hours of 8.00am and 6.00pm on any day except Sunday for goods vehicles which are being loaded or unloaded only subject to the proviso that any such goods vehicle using the Loading Bays for the purpose of loading or unloading shall not remain in the Loading Bays for more than 30 minutes duration at any given time.
- 7.(2) Save as provided in Articles 4 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 (including a Disabled Persons Vehicle) to use the Loading Bays referred to in Article 7(1) above other than for the purpose of loading and unloading goods vehicles subject to the proviso specified in that Article.
8. Save as provided in Articles 4, 9, 13, 14 and 15 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 2 hours or to return within 2 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 length of side of road set out in Schedule 7 of this Order.
9. Nothing in Article 8 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 length of side of road referred to in the said Article.

10. Save as provided in Articles 4, 13 and 15 of this Order or upon the direction or permission of a Police Constable in uniform or a Parking Attendant, no person shall cause or permit any vehicle to park in in the Disabled Parking Place designated in Schedule 6 of this Order between the hours of 8.00am and 6.00pm on any day except Sunday unless that vehicle is a Disabled Person's Vehicle which displays in the relevant position a Disabled Person's Badge.

11. **Residents Parking Places**

- (1) Except as provided in Articles 4, 11(2), 13 and 15 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 5 to this Order.
- (2) The provisions of Article 11(1) to this Order shall not apply to the holder of a Permit when parking a vehicle in a Parking Place as described in Schedule 5 to this Order and the vehicle is displaying a valid parking permit (on the front or nearside of the vehicle).

12. **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 11(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 any 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 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 11(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

- 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 5 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;
- (c) 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.
- (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 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.
- (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 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.

Charges

- (i) The issue of a permit shall be subject to the successful applicant for a permit paying a charge to the Council for the issue and use of the permit, such payment to be paid to the Council prior to the issue of a 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 being paid to the Council prior to the issue of the duplicate permit
13. The prohibitions imposed by Articles 5, 6(1), 7(2), 8, 10 and 11(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. Nothing in Article 6(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) 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;

(B) 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;

(C) The vehicle to be used by a Universal Service Provider for the purpose of delivering or collecting postal packets;

15. Nothing in Articles 8 , 10 and 11(1) of this Order shall render it unlawful to cause or permit any vehicle to wait on the lengths of sides of roads specified for so long as may be necessary to enable goods to be loaded and unloaded from the vehicle.

SCHEDULES

Schedule 1 – Revocations

All existing Orders are hereby revoked in so far as they relate to Old Market Street.

To revoke the no waiting at any time order in so far as it relates to the lengths and sides of road set out in Schedule 4.3 of this Order.

West Glamorgan County Council (Neath Town Centre) (Traffic Management) Order 1988 (Amendment Order) 1990

Schedule 10

Waiting Limited to 2 Hours, Return Prohibited within 2 Hours, 8am-6pm, Monday-Saturday

Castle Street (South Side)

Between points 20 metres north east of its junction with Old Market Street and 30 metres west of its junction with Prince of Wales Drive, a distance of approximately 65 metres.

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

Old Market Street, Neath (South West Side)

2.1 From its junction with Wind Street for a distance of approximately 10 metres in a north westerly direction.

2.2 From a point approximately 49 metres north west of its junction with Wind Street for a distance of approximately 13 metres in a north westerly direction.

Old Market Street, Neath (North West Side)

2.3 From its junction with Castle Street for a distance of approximately 3 metres in a south westerly direction.

Castle Street, Neath (North West Side)

2.4 From a point approximately 27 metres north east of its junction with Old Market Street for a distance of approximately 6 metres in a north easterly direction.

Schedule 3 – No Stopping Except Taxi's 24 Hours a day, 7 days a week

Old Market Street (West Side)

3.1 From a point approximately 10 metres north west of its junction with Wind Street for a distance of approximately 32 metres in a north westerly direction.

Schedule 4 – Goods Vehicles Loading Only, Monday – Saturday, 8am-6pm for 30 minutes only

Old Market Street, Neath (South West Side)

4.1 From a point approximately 42 metres north west of its junction with Wind Street for a distance of approximately 7 metres in a north westerly direction.

4.2 From a point approximately 62 metres north west of its junction with Wind Street for a distance of approximately 21 metres in a north westerly direction.

Castle Street, Neath (North West Side)

4.3 From a point approximately 33 metres north east of its junction with Old Market Street for a distance of approximately 6 metres in a north easterly direction.

Schedule 5 – Residents Only Parking, 24 hours a day, 7 days a week

Old Market Street, Neath (West Side)

5.1 From a point approximately 3 metres south east of its junction with Castle Street for a distance of approximately 12 metres in a southerly direction.

Schedule 6 – Disabled Badge Holders Only, Monday to Saturday, 8am-6pm

Castle Street, Neath (South East Side)

6.1 From a point approximately 11 metres north east of its junction with Old Market Street for a distance of approximately 25 metres in a north easterly direction.

Schedule 7 – Limited Waiting, 2 Hours No Return Within 2 Hours, 8am-6pm

Monday to Saturday

Castle Street, Neath (South East Side)

7.1 From a point approximately 30 metres west of its junction with Prince of Wales Drive for a distance of approximately 27 metres in a south westerly direction.

THE COMMON SEAL OF)
THE COUNCIL WAS HEREUNTO)
AFFIXED THIS 16TH DAY OF)
FEBRUARY 2017)
IN THE PRESENCE OF: -)



J. C. Sawyer

PROPER OFFICER