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CAB

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

(ORCHARD STREET, NEATH) (TRAFFIC MANAGEMENT)

ORDER 2004

THE NEATH PORT TALBOT COUNTY BOROUGH COUNCIL in exercise of its powers under Section 1, 2, 32, 35 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 26th day of July 2004 and may be cited as the Neath Port Talbot County Borough Council (Orchard Street, Neath) (Traffic Management) Order 2004.

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;

“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.

“Bus” means a motor vehicle constructed or adapted to carry more than 8 passengers (exclusive of the driver) and Public Service Vehicles not so constructed or adapted used for the provision of local services.

- (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 in so far as they relate to the lengths of sides of roads set out in Schedule 2 to 4 of this Order.
4. Save as provided in Articles 7 and 9 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 anytime on the length of side of road set out in Schedule 2 of this Order.
5. Save as provided in Articles 7, 8, 9 and 10 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 between the hours of 8.00am and 6.00pm on Mondays to Saturdays on the length of side of road set out in Schedule 3 of this Order.
6.
 - (1) The Loading Bay set out in Schedule 4 of this Order is designated as a parking place between the hours of 8.00am and 6.00pm on any day except Sunday for vehicles which are being loaded or unloaded subject to the proviso that any such vehicle using the Loading Bay for the purpose of loading or unloading shall not remain in the Loading Bay for more than 30 minutes duration at any given time.

- (2) Save as provided by Articles 7 and 9 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 6(1) above other than for the purpose of loading or unloading vehicles subject to the proviso specified in that Article.
7. Nothing in Articles 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 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;
 - (E) Public Services 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.

8. Nothing in Article 5 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 goods to be loaded and unloaded from the vehicle.
9. 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.
10. Nothing in Article 5 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).

SCHEDULES

Schedule 1 – Revocations

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

West Glamorgan County Council (Orchard Street and Greenway Road, Neath) (Prohibition of Waiting/Loading/Unloading, Entry and Weight Restrictions) and (Revocation) Order 1987

Neath Port Talbot County Borough Council (Neath Traffic Management) Order 2003

Schedule 2 – No Waiting, Loading or Unloading at Anytime

Orchard Street, Neath – East Side

From its junction with St. David's Street for a distance of approximately 120 metres in a southerly direction.

Schedule 3 – No Waiting, 8am–6pm, Monday to Saturday

Orchard Street, Neath – West Side

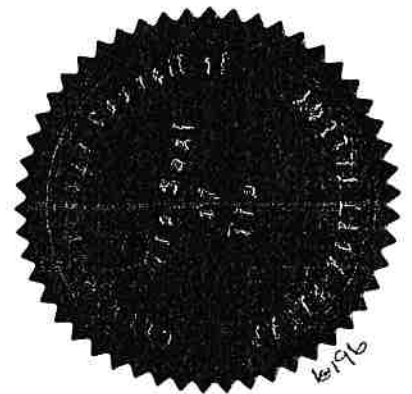
Between points approximately 60 metres and 75 metres north of its junction with Queen Street.

Schedule 4 – Loading Only, Maximum Duration 30 Minutes, Monday to Saturday 8am-6pm

Orchard Street, Neath – West Side

Between points approximately 75 metres and 91 metres north of its junction with Queen Street.

THE COMMON SEAL of
THE COUNCIL was hereunto)
affixed on the 9th day of July 2004)
in the presence of:-)



[Handwritten Signature]
PROPER OFFICER