

**NEATH PORT TALBOT COUNTY BOROUGH COUNCIL
(PURCELL AVENUE, SANDFIELDS, PORT TALBOT)
(PROHIBITION OF WAITING AT ANY TIME, EXCEPT
RESIDENT PERMIT HOLDERS)
ORDER 1997**

The Neath Port Talbot County Borough Council hereinafter referred to as "the Council" in exercise of their powers under Section 1, 2, 32 and Part IV of Schedule 9 of the Road Traffic Regulations 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 1984 herein make the following Order:-

1. This Order shall come into operation on the 11th day of July 1997 and may be cited as the Neath Port Talbot County Borough Council (Purcell Avenue, Sandfields, Port Talbot (Prohibition of Waiting at any time except resident permit holders) ORDER 1997.
- 2.(1) In this Order:-

"carriageway" means a way consisting of or comprised in a highway being a way (other than a cycle track) over which the public have a right of way for the passage of vehicles.

"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 Permit" (hereinafter referred to as a "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 a bona fide resident of the area to which the Order relates.

 - (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. No person shall except on the direction of a Police Constable in uniform or a Traffic Warden, cause or permit any vehicle to wait on the sides or lengths of roads as set out in Schedule 1 of this Order.
4. The provisions of Article 3 to this Order shall not apply to the holder of a Residents Permit when parking a vehicle in the parking place as described in Schedule 1 to this Order.
5. Regulation of 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 Article 3 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 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) 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.
- (b) 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 part of the Parking Place a traffic sign placed in pursuance of Article 3 of this Order.

Provided that nothing in this Article shall apply:-

- (i) in respect of any vehicle being used for fire brigades, 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.
- (c) Nothing in Article 3 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 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 Residents Only Parking Area whilst visiting a Community Care dwelling in pursuit of their duties, provided the special permit issued by Neath Port Talbot County Borough Council is displayed in the correct position on the front windscreen of their vehicle.

Permits

- (d) (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 application is a person who resides in a road referred to in the Schedule 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 or adapted to carry no 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 was 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 was 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 event 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 the 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

- E. 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 appropriate 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.
6. The provision of this Order shall be in addition to and not in derogation of any other restriction or prohibition whether imposed under the Act of 1984 or otherwise.

The COMMON SEAL of the
COUNCIL was hereunto affixed
on the 7th day of July 1997
in the presence of:-

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PROPER OFFICER

SCHEDULES

SCHEDULE 1 - PROHIBITION OF WAITING AT ANY TIME - EXCEPT RESIDENT PERMIT HOLDERS

That surfaced area bounded on its north side by the southern kerbline of Mozart Drive, on its west side by the eastern kerbline of Purcell Avenue and on its east side by the frontage boundary walls of nos 1- 9 (odd) Purcell Avenue and no 19 Mozart Drive.