

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

(RESIDENTS PARKING)

(CHURCH STREET, PONTARDAWE)

ORDER 2009

The Neath Port Talbot County Borough Council in exercise of their powers under Sections 1, 2, 32, 45, 46 and 53 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 makes the following Order: -

1. This Order shall come into operation on the 5th day of May 2009 and may be cited as the "Neath Port Talbot County Borough Council (Residents Parking) (Church Street, Pontardawe) Order 2009".

2. (1) In this Order: -

"Residents Parking Place" means an area of highway designated as a Parking Place by Schedule 2 of this Order for the use of a vehicle displaying on the front or nearside of the vehicle a valid Residents Parking Place Permit.

"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 permit in accordance with the Council's policy for the issue of such permits as may be determined from time to time.

"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.

"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:

- (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.

RESIDENTS PARKING PLACES

- (1) Except as provided by Articles 5, 6 and 3(2) of this Order or upon the direction of a Police Constable in uniform or a Parking Attendant no person shall cause or permit any vehicle to park in a Resident Parking Place designated by Schedule 2 to this Order.
- (2) The provisions of Article 3(1) to this Order shall not apply to the holder of a Permit when parking a vehicle in a Resident Parking Place as described in Schedule 2 to this Order and the vehicle is displaying a valid Permit (on the front or nearside of the vehicle).

Regulation of Resident Parking Place

- A.
 - (i) The holder of a Permit shall not park in any Resident 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 3(1) of this Order have been contravened he may remove or cause to be removed the vehicle from the Resident 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 Resident 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 Resident Parking Place shall stop so that every part of the vehicle is within the limits of the Resident 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 Resident 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 purposes or any building operation, the maintenance, improvement or reconstruction of the highway, or the cleansing of gullies in or adjacent to the Resident Parking Place, the laying, erection, alteration or repair in or adjacent to the Resident Parking Place of any sewer or of any main pipe or 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 Resident Parking Place on any occasion of the delivery or removal of furniture to or from any office or dwelling house adjacent to the Resident 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 Resident Parking Place at times of weddings or funerals;
- (vi) Any person or Police Constable in uniform or 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 Resident 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 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 Resident Parking Place or part thereof in pursuance of this Order.

D. Nothing in Article 3(1) 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 the Resident 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 Resident 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 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 2 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 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) 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 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) (d) 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 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 expiry date of the Permit pursuant to paragraph E(vi) of this Article.
 - (b) an indication that the Permit was issued by the Council;
 - (c) the name of the street at which the applicant resides.
 - (d) 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".

CHARGES

- F. 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 of £5.00 being paid to the Council prior to the issue of the duplicate permit to cover the administration costs of issuing the replacement permit.
- 5. Nothing in Article 3(1) of this Order shall render it unlawful to cause or permit any vehicle to wait in the Parking Place 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 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 operation;
 - (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 road of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity or of any telecommunications apparatus as defined in the Telecommunications Act 1984;

- (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 of a water authority in pursuance of statutory powers or duties;
 - (e) the vehicle to be used by a Universal Service Provider for the purpose of delivering or collecting postal packets;
 - (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 operating a local service when waiting at an authorised bus stop to set down or pick up passengers, or to school buses.
6. The prohibitions imposed by Article 3(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.

SCHEDULES

Schedule 1 – Revocation

The following Order is revoked only in so far as it relates to the length of road specified in Schedule 2 to this Order.

Neath Port Talbot County Borough Council (Disabled Residents Parking Places)
(Various Streets – Neath Port Talbot County Borough) No.2 Order 2004

Schedule 2 - Residents Permit Holders Only (24 Hours) **Church Street, Pontardawe – North Side**

Between points approximately 52 metres and 58 metres east of its junction with Quarr Road.

THE COMMON SEAL
of the COUNCIL was
hereunto affixed on the
23rd day of April 2009
in the presence of :-

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B. S. Shorne

PROPER OFFICER

