

WEST GLAMORGAN COUNTY COUNCIL

(DOCTORS PARKING PLACES) ORDER 1985

The Council of the County of West Glamorgan (hereinafter referred to as "the Council") in exercise of their powers under Sections 45, 46, 124 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 enabling powers, 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:-

P A R T    1

G E N E R A L

Commencement and Citation.

1. This Order shall come into operation on the 3<sup>rd</sup> day of FEBRUARY 1985 and may be cited as the West Glamorgan County Council (Doctors Parking Places) Order, 1985.

Interpretation.

2. (1) In this Order, except where the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them:-

"drivers", in relation to a vehicle waiting in a parking place, means the person driving the vehicle at the time it was left in the parking place;

"enactment" means any enactment whether public, general or local, and includes any order, byelaw, rule regulation, scheme or other instrument having effect by virtue of an enactment;

"legally qualified medical practitioner" has the same meaning as in Section 52 of the Medical Act 1956;

"one-way street" means a highway in which the driving of vehicles otherwise than in one direction is prohibited;

"parking attendant" means a person authorised by or on behalf of the Council to supervise any parking place;

"parking space" means a space in a parking place referred to in the Schedules which is provided for the leaving of a vehicle;

"parking place" means any area on a highway designated as a parking place by this Order;

"permit" means a permit issued under the provisions of Article 15(3)(a) of this Order;

"permit holder" means a person to whom a permit has been issued under the provisions of Article 15(3)(a) of this Order;

"permitted hours", in relation to a parking place, means the period specified at the beginning of the Part of the Schedules relating to that parking place;

"protective cover" means a protective cover issued by the Council under the provisions of Article 15(3)(b) of this Order;

"Schedules" means the Schedules to this Order;

"telegraphic line" has the same meaning as in the Telegraph Act 1878.

- (2) Any reference to this Order to any enactment shall be construed as a reference to that enactment as amended, applied, consolidated, re-enacted by or as having effect by virtue of any subsequent enactment.
- (3) Any reference in this Order to the number of a parking place shall be construed as a reference to the letter and number set out in column 1 of the Schedules in relation to the parking place referred to in column 2 of the said Schedules.
- (4) The Interpretation Act 1978 shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.

## P A R T    I I

### DESIGNATION OF PARKING PLACES

#### Designation of parking places.

3. Each area on a highway comprising the length of carriageway of a road specified in column 2 of the Schedules and, unless otherwise so specified, bounded on one side of that length by the edge of the carriageway and having a width throughout of 6 feet, is designated as a parking place.

#### Number and situation of parking spaces.

4. The number of parking spaces in each parking place referred to in the Schedules shall be the number specified in relation to column 3 of the Schedules and the situation of such parking spaces in each parking place shall be as may be determined by the Council.

#### Vehicles for which parking places are designated.

5. Each parking place referred to in the Schedules may be used, subject to the provisions of this Order, for the leaving during

the permitted hours of such vehicles as displayed in the manner specified in Article 6 of this Order a valid permit issued in respect of that vehicle and relating to that parking place.

Permits to be displayed on vehicles left in parking places.

6. At all times during which a vehicle is left in a parking place referred to in the Schedules during the permitted hours the driver thereof shall cause to be displayed in a protective cover on the front or near side of the vehicle a valid permit issued in respect of that vehicle and relating to that parking place so that all the particulars referred to in Article 19 of this Order are readily visible from the front or near side of the vehicle.

Alteration of position of a vehicle in a parking place.

7. Where any vehicle is standing in a parking place in contravention of the provisions of Article 11 of this Order, a police constable in uniform a traffic warden or a parking attendant may alter or cause to be altered the position of the vehicle in order that its position shall comply with those provisions.

Removal of a vehicle from a parking place.

8. Where a traffic warden or a parking attendant is of the opinion that the provisions contained in Article 13(2) 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.

Movement of a vehicle in a parking place in an emergency.

9. A police constable in uniform or a traffic warden may move or cause to be moved, in case of emergency, to any place he thinks fit any vehicle left in a parking place.

P A R T   I I I

SUPPLEMENTARY PROVISIONS

Section 1 - General

Restriction on the removal of permits.

10. Where a permit has been displayed on a vehicle in accordance with the provisions of this Order, no person, not being the driver of the vehicle, shall remove the permit from the vehicle unless authorised to do so by the driver of the vehicle.

Manner of standing in a parking place.

11. Every vehicle left in a parking place in accordance with the foregoing provisions of this Order shall so stand:-

- (a) that the left or near side of the vehicle is adjacent to the left-hand edge of the carriageway and
- (b) that the distance between the edge of the carriageway and the nearest wheel of the vehicle is not more than twelve inches; and
- (c) that every part of the vehicle is within the limits of a parking space.

Power to suspend the use of a parking place.

12. (1) The County Engineer & Surveyor or any person duly authorised by the Council may suspend the use of a parking place or any part thereof when ever he considers such suspension reasonably necessary -
- (a) for the purpose of facilitating the movement of traffic or promoting its safety;
  - (b) for the purpose of any building operation, demolition or excavation adjacent to the parking place, 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 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;
  - (c) for the convenience of occupiers of premises adjacent to the parking place on any occasion of the removal of furniture to or from one office or dwellinghouse adjacent to the parking place from or to a depository, another office or dwellinghouse;
  - (d) on any occasion on which it is likely by reason of some special attraction that any street will be thronged or obstructed; or
  - (e) for the convenience of occupiers of premises adjacent to the parking place at times of weddings or funerals, or on other special occasions.
- (2) A police constable in uniform may suspend for not longer than twenty-four hours the use of a parking place or any part thereof whenever he considers such suspension reasonably necessary for the purpose of facilitating the movement of traffic or promoting its safety.
- (3) Any person or police constable suspending the use of a parking place or any part thereof in accordance with the provisions of paragraph (1) or as the case may be paragraph (2) of this Article shall thereupon place or cause to be

placed in or adjacent to that parking place or as the case may be that part thereof and 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 waiting by vehicles is prohibited.

- (4) No person shall cause or permit a vehicle to wait in any part of a 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 (3) of this Article;

Provided that nothing in this paragraph 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 reason specified in paragraphs (1)(a) or (1)(c) of Article 13 of this Order; or
- (ii) to anything done with the permission of the persons suspending the use of the parking place or part thereof in pursuance of paragraph (1) of this Article, a police constable in uniform or a traffic warden.

Restriction on waiting by a vehicle in a parking place.

13. (1) Notwithstanding the foregoing provisions of this Order any vehicle may wait during the permitted hours in any part of a parking place, if the use of that part has not been suspended and if:
- (a) the vehicle is waiting only for so long as is necessary to enable a person to board or alight from the vehicle;
  - (b) the vehicle is waiting owing to the driver being prevented from proceeding by circumstances beyond his control or to such waiting being necessary in order to avoid accident;
  - (c) the vehicle is being used for fire brigade purposes or ambulance, or a vehicle (other than a passenger vehicle) in the service of a local authority or a vehicle in the service of a police force in either case being used in pursuance of statutory powers or duties;
  - (d) the vehicle is waiting for only so long as may be necessary to enable it to be used in connection with the removal of any obstruction to traffic.
- (2) Except as provided by this Order the driver or person in charge of a vehicle shall not cause or permit a vehicle to wait in a parking place during the permitted hours.

Placing of traffic signs, etc.

14. The County Council shall:-

- (a) cause the limits of each parking place and of each parking space to be indicated on the carriageway by placing and maintaining thereon appropriate traffic signs of a size, colour and type prescribed or authorised under Section 64 of the Act of 1984; and
- (b) place and maintain in or in the vicinity of each parking place traffic signs of any size, colour and type prescribed or authorised under Section 64 of the Act of 1984 indicating the number of such parking place and that such parking place may be used during the permitted hours for the leaving only of the vehicles specified in Article 5 of this Order; and
- (c) carry out such work as is reasonably required for the purposes of the satisfactory operation of a parking place.

## Section 2 - Permits

### Application for and issue of permits for the use of parking places.

- 15. (1) Any legally qualified medical practitioner may apply to the County Council for the issue of a permit in respect of each vehicle which shall be specified in the application and any such application shall be made on a form issued by and obtainable from the Council and shall include the particular information and authentication required by such form to be supplied.
- (2) The County Council may at any time require an applicant for a permit or a permit holder 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 call for to verify any particulars or information given to them or in respect of any permit issued by them as they may reasonably call for to verify that the permit is valid.
- (3) Upon receipt of an application duly made under the foregoing provisions of this Article and upon receipt of the charge specified in paragraph (4) of this Article, the County Council may issue to the applicant: permits for the leaving during the permitted hours in the parking place specified thereon of such vehicles specified in the application as they are satisfied are used by legally qualified medical practitioners who are liable to be called, of necessity, to emergencies away from the surgery or consulting room shown on such application to the extent that the need for special parking arrangements is justified and to whom no suitable alternative parking facility is available within a reasonable distance.

- (4) The charge referred to in paragraph 3 of this Article in respect of a parking place referred to in column 2 of the Schedule shall be as may from time to time be fixed by the County Council.
- (5) Without prejudice to the provisions of Article 17 of this Order, where the County Council have issued a permit or permits in relation to any particular parking place, the Council shall not issue any further permit in relation to that parking place which would be valid during any period during which any other permit is or would be valid.

Surrender, withdrawal and validity of permits.

- 16. (1) A permit holder may surrender a permit to the County Council at any time and shall surrender a permit to the Council on the occurrence of any one of the events set out in paragraph (3) of this Article or in accordance with the provisions of paragraph (6) of this Article.
- (2) The County Council may, by notice in writing served on the permit holder by sending the same by the 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 place of abode, withdraw a permit if it appears to the Council that any one of the events set out in paragraph (3)(a) or (3)(c) of this Article has occurred and the permit holder shall surrender the permit to Council within 48 hours of the receipt of the aforementioned notice.
- (3) The events referred to in the foregoing provisions of this Article are:-
  - (a) the vehicle or any vehicle in respect of which the permit was issued ceasing to be used by a legally qualified medical practitioner who is liable to be called, of necessity, to emergencies away from the surgery or consulting room shown on the application for that permit to the extent that the need for special parking arrangements can be justified;
  - (b) the withdrawal of such permit by the County Council under paragraph (2) of this Article;
  - (c) the revocation of the designation of the parking place in respect of which the permit was issued;
  - (d) the issue of a revised permit or a duplicate permit by the County Council under the provisions of Article 17 of this Order;
  - (e) the permit ceasing to be valid pursuant to the provisions of paragraph (4) of this Article.

- (4) Without prejudice to the foregoing provisions of this Article, a permit shall cease to be valid at the expiration of the period specified thereon (which period shall not exceed a period of 12 months) from the beginning of the month during which it first became valid or on the occurrence of any one of the events set out in paragraph (3)(a), (3)(b), (3)(c) or (3)(d) of this Article, whichever is the earlier.
- (5) Nothing in the foregoing provisions of this Article shall affect the validity of or require the surrender of or enable the Council to withdraw the permit or not renew it on the grounds that the event set out in paragraph (3)(a) of this Article has occurred if the permit holder has duly applied to the Council for the permit to be amended pursuant to Article 17(1) of this Order.
- (6) Where a permit relating to a parking place is issued pursuant to Article 15(3) of this Order to any person upon receipt of a cheque and the cheque is subsequently dishonoured, all the permits relating to that parking place shall cease to be of any effect and the County Council shall by notice in writing served on the permit holder by sending the same by the recorded delivery service to him at the address shown by that person on the application for the permit or permits or at any other address believed to be that person's place of abode, require that person to surrender all the permits to the County Council within 48 hours of the receipt of the aforementioned notice.

Application for amendment of permits and issue of duplicate permits.

17. (1) (a) A permit holder may at any time apply to the County Council for a permit issued to him to be amended so as to relate to any other vehicle or any additional vehicle or both being in either case a vehicle which is used by a legally qualified medical practitioner who is liable to be called, of necessity, to emergencies away from the surgery or consulting room shown on the application for that permit to the extent that the need for special parking arrangements can be justified.
- (b) Upon receipt of an application pursuant to sub-paragraph (1)(a) and of the relevant permit, the Council may amend the permit accordingly or to such lesser extent as they think fit, or, at their discretion, issue a revised permit, and if a revised permit is so issued, the permit shall become invalid and shall be surrendered to the County Council.
- (2) If a permit is mutilated or accidentally defaced or the figures or particulars thereon have become illegible or the colour of the permit has become altered by fading or otherwise, the permit holder shall either surrender it to the County Council or apply to the County Council for the issue



to him of a duplicate permit and the County Council, upon the receipt of the permit, shall issue a duplicate permit so marked and upon such issue the permit shall become invalid.

- (3) If a permit is lost or destroyed, the permit holder may apply to the County Council for the issue to him of a duplicate permit and the County Council, upon being satisfied as to such loss or destruction, shall issue a duplicate permit so marked and upon such issue the permit shall become invalid.
- (4) The provisions of this Order shall apply to a revised permit or a duplicate permit and an application therefore as if it were a permit or as the case may be an application therefore.

Form of permits.

18. 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 has been issued;
- (b) the period during which, subject to the provisions of Article 16(4) of this Order, the permit shall remain valid;
- (c) the number of the parking place to which the permit relates;
- (d) an indication that the permit has been issued by the Council;
- (e) the hours during which the vehicle in respect of which the permit has been issued may be left in a parking place;
- (f) an indication that the charges appropriate to the period during which the permit shall remain valid has been paid to the Council.

19. The provisions of all previous Doctor's Parking Permit Orders made by the former Swansea City Council or the West Glamorgan County Council are hereby revoked.

The COMMON SEAL of the  
West Glamorgan County Council  
was hereunto affixed the 20  
day of January 1985  
in the presence of

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*K R Smyth*

DEPUTY COUNTY CLERK.

9630

#### SCHEDULE 6

<u>No of Parking Place</u>	<u>Designated Parking Place</u>	<u>No of Parking Spaces</u>
F1	That part of the southern kerbline of Wern Road, Ystalyfera, from a point 10 metres west of its junction with Darren Road to a point 6 metres in a westerly direction.	1

#### SCHEDULE 7

In this Schedule the expression "permitted hours" means the period between 9.00 a.m. and 12 noon and 4.00 p.m. to 6.00 p.m. Monday to Friday (inclusive) and 9.00 a.m. to 12 noon on Saturday.

<u>No of Parking Place</u>	<u>Designated Parking Place</u>	<u>No of Parking Spaces</u>
G1	The full width of carriageway at the north western end of Cory Street, Swansea (stopped off) of cul-de-sac from a point 62 metres north west of the north west kerb line of Park View Terrace for a distance of 10 metres in a south easterly direction.	6

#### SCHEDULE 8

In this Schedule the expression "permitted hours" means the period between 8.30 a.m. to 11.30 a.m. and 2.30 p.m. to 6.30 p.m. Monday to Friday (inclusive) and 8.30 a.m. to 11.30 a.m. on Saturday.

<u>No of Parking Place</u>	<u>Designated Parking Place</u>	<u>No of Parking Spaces</u>
H1	That part of the northern kerb line from the western bounday of No 121 Walter Rd Swansea for a distance of 12 metres in a westerly direction.	2
H2	That part of the northern kerbline of Mansel Street, Swansea at the end of the pedestrian crossing directly outside No 52 Mansel Street a length of 4.8 metres.	1

SCHEDULE 9

In this schedule the expression "permitted hours" means at any time.

<u>No of Parking Place</u>	<u>Designated Parking Place</u>	<u>No of Parking Spaces</u>
F1	From a point 60 metres south east of the southern kerbline of Lloyds Terrace (A4107) Cymmer for a distance of 6 metres in a south easterly direction.	1