

**THE VALE OF GLAMORGAN COUNCIL
(PROHIBITION AND RESTRICTION OF WAITING AND
LOADING AND PARKING PLACES)
(CIVIL ENFORCEMENT) (AMENDMENT) (NO2A) ORDER 2015**

The Vale of Glamorgan Council in exercise of its powers under Sections 1, 2, 3, 4, 32, 35, 45, 46, 53 and 124 of and Part IV of Schedule 9 of the Road Traffic Regulation Act 1984 and Part 6 of the Traffic Management Act 2004 and of all other powers enabling it in that behalf and after consultation with the Chief Officer of South Wales Police, in accordance with Part III of Schedule 9 to the said Act of 1984 hereby makes the following Order:-

Interpretation

In this Order **Disabled Persons Parking Place** (hereinafter referred to as a "Parking Place") means an area on a highway designated as a Parking Place by this Order exclusively for the use of a vehicle which is being used for the conveyance of a disabled person and is displaying in a conspicuous position a Badge in accordance with the Disabled Person (Badges for Motor Vehicles) (Wales) Regulations 2000 and a Parking Disc as defined in the Local Authorities Traffic Orders (Exemptions for Disabled Persons) (Wales) Regulations 2000.

Resident Parking Place means an area on a highway referred to in this Order, and marked as prescribed by regulations, and designated as a Resident Parking Place.

'Residents Parking 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 a bona fide resident of the area to which the Permit relates, having an eligible vehicle within the meaning of Article 1(iii) and who does not enjoy the facility of Off Street Parking.

'Permit Holder' means an applicant who has been issued with a Residents Parking Permit, Temporary Residents Parking Permit or Visitors Parking Permit.

Resident Parking Place – Permit issue conditions

- i. A duly authorised officer of the Council may at any time require an applicant for a Permit to produce to him such evidence in respect of an application to the Council for a permit as he may reasonably require to verify any particulars or information required pursuant to Clause (ii) (a), (b) or (c) of this Article or in respect of any permit issued by the Council as he may reasonably require to verify that the Permit is in accordance with this Article.
- 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 property having a frontage adjoining a street comprising a Parking Place;
- b) The applicant does not enjoy the facility of Off Street Parking;
- c) 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.

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 12 passengers exclusive of the driver and not drawing a trailer;
- b) A goods vehicle or a hatchback motor car;
- c) A motor vehicle as described in (a) and (b) above which is taxed and insured for use on the highway.

iv. 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 1500 Kilograms unladen weight in such cases the registration mark will be replaced with the words 'MOTOR TRADER'; or when certain conditions are met it may be replaced by the word 'VISITOR' or the word 'TEMPORARY'.
- b) The expiry date of the Permit pursuant to paragraph (vii) of this Article;
- c) An indication that the Permit was issued by the Council;
- d) The name of the street in which the resident resides.

v. No person shall be entitled to hold a Permit for more than one vehicle at any one time, except that the holder of a resident parking permit may also hold a Temporary Residents Parking Permit.

vi. The Permit shall only be valid in respect of the vehicle for 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 the Permit at the

time of issue. A Permit shall cease to be valid in any of the following circumstances:

- a) At the expiration of the date stated thereon; or
 - b) On the occurrence of any one or more of the events set out in paragraph (vii) of this Article; or
 - c) At the expiration of one date from the date of effective service of a notice upon the Permit Holder pursuant to paragraph (viii) of this Article; whichever occurs first.
- vii. 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 or more of the following events.
- a) The applicant ceasing to be resident in the street for which the Permit was issued;
 - b) The applicant ceasing to be the owner of the vehicle in respect of which the Permit was issued or the Permit when issued was marked with the words 'MOTOR TRADER' as provided in subparagraph (iv)(a) of this Article then for the purpose of this subparagraph only for the words 'Permit Holder' there shall be read the words 'Bona Fide Motor Trader';
 - c) The vehicle in respect of which the permit was issued being adapted or used in such manner that it ceased to be an eligible vehicle as defined in paragraph (iii) of this Article;
 - d) The temporary resident no longer residing at the address of the applicant;
 - e) The cessation of visits by carers;
 - f) The issue by the Council of a duplicate Permit.
- viii. The Council may, by notice in writing served on a Permit Holder by delivering the same to the Permit Holder personally or by delivering it at or sending it by first class post to 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 (vii) of this Article has occurred, or in the event of the revocation of this Order. In the above circumstances the Permit Holder shall surrender the Permit to the Council within 28 days from the date of effective service of the aforementioned Notice.

- ix. For the purposes of this Order the date of effective service shall be:
- a) The date on which the notice or other relevant document was served personally; or
 - b) The second date after the date on which the notice or other relevant document was sent by first class post; whichever is appropriate.

Regulation of Parking Places

1. Where a police constable in uniform or a traffic warden is of the opinion that the provisions contained in this Order have been contravened he may remove or cause to be removed the vehicle from its Parking Place.
2. 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 and where it is so removed shall provide for the safe custody of the vehicle.
3. Every vehicle left in a Parking Place shall stand so that every part of the vehicle is within the limits of the Parking Place.
4. A police constable in uniform or a traffic warden or a person duly authorised by the Council may suspend the use of a Parking Place or any part thereof whenever he considers such suspension 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 or any sewer or of any main pipe or apparatus for the supply of gas water electricity or of any telecommunication system 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 an office or dwellinghouse adjacent to the Parking Place;
 - (iv) on any occasion on which it is likely by reason of some special attraction that the street in which the Parking Place is situate will be thronged or obstructed;
 - (v) for the convenience of occupiers of premises adjacent to the Parking Place for parking the official vehicles (provided that there are no more than three) being at that time in use in connection with a wedding taking place that day comprising

only the vehicles to transport the bride and/or the bridegroom and/or the bridesmaids to the place of the marriage ceremony on the wedding day;

- (vi) for the convenience of occupiers of premises adjacent to the Parking Place for the use of vehicle as a part of a funeral cortege or otherwise in connection with a funeral provided the vehicle is owned by a funeral director or by an owner of funeral vehicles.

5. Any person or police constable in uniform or traffic warden suspending the use of a Parking Place or any part thereof in accordance with the provisions of this Order shall thereupon place or cause to be placed in or adjacent to 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 waiting of vehicles is prohibited.
6. No person shall cause or permit a 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 in a traffic sign placed in pursuance of this Order.
7. Notwithstanding the foregoing provisions of this order any vehicle may wait in any part of a Parking Place provided that:-
 - (i) the vehicle is waiting only for so long as is necessary to enable a person to board or alight from the vehicle;
 - (ii) the vehicle is waiting owing to the driver being prevented from proceeding by circumstances beyond his control or such waiting being necessary in order to avoid an accident;
 - (iii) the vehicle is being used for fire brigade or ambulance purposes or a vehicle (other than a passenger vehicle) in the service of a police force in either case being used in pursuance of statutory powers or duties;
 - (iv) 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;
 - (v) the driver has been given the permission of the Council;
 - (vi) the driver has been given the permission of a police constable in uniform, a traffic warden or the person suspending the use of the Parking Place or part thereof in pursuance of this Order.



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Revisions		Drawn by	Checked by	Date

VALE of GLAMORGAN
 VISIBLE SERVICES AND HOUSING

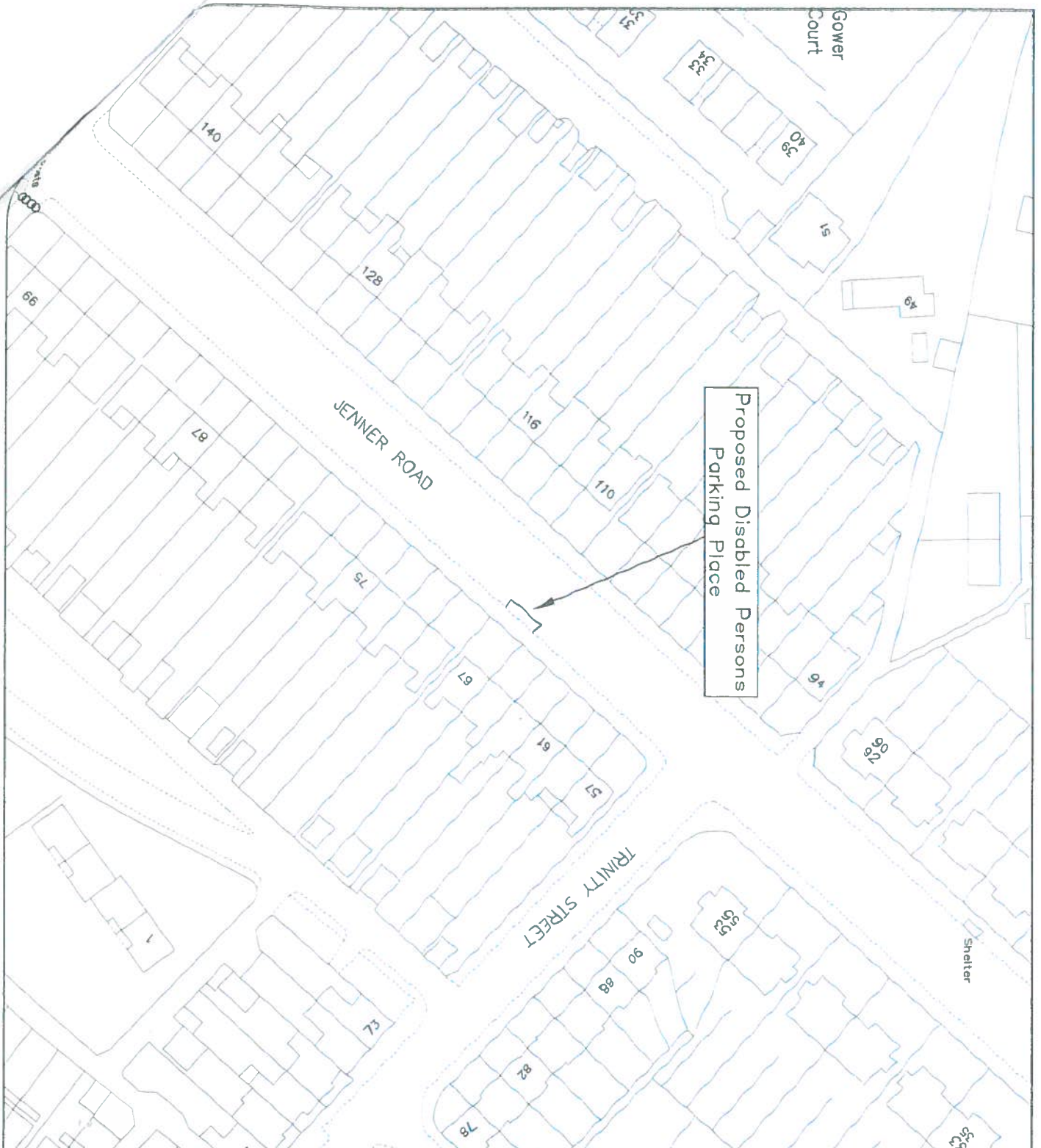
BRO MORGANNWG
 HIGHWAYS & ENGINEERING

Client
 The Vale of Glamorgan Council

Project
 16 Jenkin Street, Barry

Drawing Title
 Disabled Persons Parking Place


Name	MS	Scale	Project No.	Drawing No.
Drawn	MS	SCALE	AS53	T/15/11
Checked	APRTS	T/15		
Date				



Proposed Disabled Persons
Parking Place

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Date	By	Description of Amendment	Issuance	Date by	Date

VALE OF GLAMORGAN
 VISIBEL SERVICES AND HOUSING

BRO MORGANWVG

HIGHWAYS & ENGINEERING

Client
 The Vale of Glamorgan Council

Project
 67 Jenner Road, Barry

Drawing Title
 Disabled Persons Parking Place

Date	Drawn	WS	Scale	Project No.	Drawing No.

Except as provided by this Order or upon the direction or with the permission of a police constable in uniform or a traffic warden no person shall cause or permit any vehicle to wait at any time in a Parking Place designated by this Order, unless the vehicle is displaying in a conspicuous position a Badge in accordance with the Disabled Person (Badges for Motor Vehicles) (Wales) Regulations 2000 and a Parking Disc as defined in the Local Authorities Traffic Orders (Exemptions for Disabled Persons) (Wales) Regulations 2000.

Citation and Commencement

The restrictions imposed by this Order shall be in addition to and not in derogation of any restriction or requirement imposed by any regulations made or having effect as if made under the Road Traffic Regulation Act 1984 or by or under any other enactment.

This Order shall come into operation on the 23rd November 2015 or on the dates that the signs and road markings are in place whichever is the later and may be cited as the "Vale of Glamorgan Council (Prohibition and Restriction of Waiting and Loading and Parking Places) (Civil Enforcement) (Amendment) (No2A) Order 2015"

The following Traffic Regulation Order is to be amended as follows:

Vale of Glamorgan Council (Prohibition and Restriction of Waiting and Loading and Parking Places) (Civil Enforcement) Order 2013

SCHEDULE 1

Insert Map of the Following Proposed Disabled Persons Parking Places

Jenkin Street, Barry (16) (AS53)

On its north west side from the boundary line of property numbers 14 and 16 in a south westerly direction for 5.5 metres.

Jenner Road, Barry (67) (AW50)

On its south east side from the boundary line of property numbers 65 and 67 in a south westerly direction for 6.6 metres.

THE COMMON SEAL of
VALE OF GLAMORGAN COUNCIL was
hereunto affixed the 16th day of
November 2015 in the presence of



D. Jones
Head of
Operational Manager
Legal Services
Vale of Glamorgan Council

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(2 of 2)