

East Sussex County Council

Road Traffic Regulation Act 1984, Road Traffic Act 1991, & Traffic Management Act 2004

The East Sussex (Rock-a-Nore Road, Hastings) (Prohibition of Waiting, Prohibition of Loading and unloading, Prohibition of Stopping, Loading Bay, Disabled Parking Places and Prohibition of Vehicles) Order, 2014

East Sussex County Council, in exercise of their powers under Sections 1(1), 2(1) to (4), 3(2), 4(2), 32, 35(1) and (3), 45, 49, 51, 52 and 53 of, and Part IV of Schedule 9 to the Road Traffic Regulation Act 1984 ("the Act"), as amended, the Road Traffic Act 1991, as amended, Part 6 of the Traffic Management Act 2004, and of all other enabling powers and after consultation with the Chief Officer of Police in accordance with Part III of Schedule 9 to the Act hereby make the following Order:-

1. When this Order comes into effect

- (a) The East Sussex (Borough of Hastings) (Traffic Regulation) (Consolidation) Order 2013, as amended, shall have effect except as hereinafter contained.

(i) **Schedule One, Prohibition of Waiting At Any Time, that this Schedule be amended as follows:**

1 Delete item 328 and insert item 328 as follows:

328	Rock-A-Nore Road	(a)	North Side	1	From its junction with East Beach Street, eastwards to a point 10 metres east of its junction with All Saints Street
328	Rock-A-Nore Road	(a)	North Side	2	From a point 43 metres east of its junction with All Saints Street, eastwards to the western boundary of No. 15
328	Rock-A-Nore Road	(a)	North Side	3	From the eastern boundary of No. 22, eastwards to a point 42.5 metres west of the eastern end of Rock-A-Nore Road
328	Rock-A-Nore Road	(a)	North Side	4	From a point 12.5 metres west of the eastern end of Rock-A-Nore Road, eastwards to its eastern end
328	Rock-A-Nore Road	(b)	South Side	1	From its junction with East Beach Street, eastwards to a point 103.5 metres west of the eastern end of Rock-A-Nore Road
328	Rock-A-Nore Road	(b)	South Side	2	From its eastern end, westwards for a distance of 88.5 metres (including the entrance to Rock-A-Nore Car Park)

(ii) Schedule Two, Prohibition of Waiting between 8.00am and 6.00pm On All Days, that this Schedule be amended as follows:

1 Delete item 16 and insert item 16 as follows:

16	Rock-A-Nore Road	(a)	North Side	1	From the western boundary of No 15, eastwards to the eastern boundary of No.22
----	------------------	-----	------------	---	--

(iii) Schedule Two A, Prohibition of Waiting Between 8.00am and 6.00pm On All Days (April to September), and Waiting Area Limited to Two Hours in Any Period of Four Hours, Between 8.00am and 6.00pm On All Days (October to March), that this Schedule be amended as follows:

1 Delete item 1 and insert item 1 as follows:

1	Rock-a-Nore Road	(a)	North Side	1	From a point 12.5 metres west of its eastern end, westwards for a distance of 30 metres
---	------------------	-----	------------	---	---

(iv) Schedule Eight, Prohibition of Loading Between 8.30am and 6.00pm Monday to Saturday, that this Schedule be amended as follows:

1 Delete item 10, Rock-a-Nore Road (both sides, from the eastern wall of No.22, eastwards to the East Hill Lift)

(v) Insert a new Section and Schedule Eleven B as follows:

Section Eleven B, Prohibition of Loading and Unloading between 11.00am and 5.00pm On All Days

1	Save as provided in Article 2 below, no person shall cause or permit any vehicle to be used for the purpose of loading or unloading between the hours of 11.00am and 5.00pm on all days in the lengths of road specified in the Schedule to this Section.	
2	Nothing in Article 1 of this Section shall render it unlawful to cause or permit any vehicle which clearly and continuously displays a Waiver Certificate such that;	
	(a)	the Waiver Certificate is displayed in the windscreen of the vehicle to which it relates in such a manner that the details of the vehicle, location and purposes for which it has been issued are clearly visible from the outside of the vehicle;
	to wait in any of the lengths of road referred to in that Article, provided that the Waiver Certificate has not been defaced or altered. Any alterations to or defacement of the Waiver Certificate shall render it invalid and render the use of the vehicle liable to the restrictions applicable to the location.	
3	Where any vehicle is waiting in contravention of any of the provisions contained within this Section and a Civil Enforcement Officer has reason to believe that a penalty charge is payable, he may:-	

	(a)	fix a penalty charge notice to the vehicle; or
	(b)	give such a notice to the person appearing to him to be in charge of the vehicle; and
	(c)	arrange for the vehicle to be removed from the parking place by any person duly authorised by Hastings Borough Council, who shall provide for the safe custody of the vehicle where it is so removed; or
	(d)	cause to be altered the position of the vehicle in order that its position shall comply with those provisions; or
	(e)	in the case of an emergency cause to be moved any vehicle left in a parking place to any place he thinks fit.

Schedule Eleven B, Prohibition of Loading and Unloading between 11.00am and 5.00pm On All Days

1	All Saints Street	(a)	East Side	1	From the boundary of Nos. 73A/74, southwards to its junction with Rock-A-Nore Road
1	All Saints Street	(b)	West Side	1	From its junction with East Beach Street, southwards to its junction with Rock-A-Nore Road
2	East Beach Street	(a)	South Side	1	From its junction with All Saints Street, westwards for a distance of 3 metres
3	Rock-A-Nore Road	(a)	North Side	1	From its junction with East Beach Street, eastwards to a point 10 metres east of its junction with All Saints Street
3	Rock-A-Nore Road	(a)	North Side	2	From a point 43 metres east of its junction with All Saints Street, eastwards to a point 42.5 metres west of its eastern end
3	Rock-A-Nore Road	(a)	North Side	3	From its eastern end, westwards for a distance of 12.5 metres
3	Rock-A-Nore Road	(b)	South Side	1	From its junction with East Beach Street, eastwards to a point 103.5 metres west of the eastern end of Rock-A-Nore Road
3	Rock-A-Nore Road	(b)	South Side	2	From its eastern end, westwards for a distance of 88.5 metres (including the entrance to Rock-A-Nore Car Park)

(vi) Schedule Nineteen, Disabled Persons Parking Places, that this Schedule be amended as follows:

- 1 Delete item 65, Rock-a-Nore Road, north side, from a point 28 metres east of All Saints Street, eastwards for 15 metres

(vii) Schedule Forty-Two A, Prohibition of Stopping on the Footway At Any Time, that this Schedule be amended as follows:

- 1 Insert item 0.5 as follows:

0.5	East Beach Street	(a)	South Side	1	From its junction with the access road to the Lifeboat Station, north-eastwards to its junction with Rock-A-Nore Road
-----	-------------------	-----	------------	---	---

- 2 Insert item 4.5 as follows:

4.5	Rock-A-Nore Road	(a)	North Side	1	From its junction with East Beach Street, eastwards to its junction with All Saints Street (across the entire area of Winkle Island)
4.5	Rock-A-Nore Road	(b)	South Side	1	From its junction with East Beach Street, eastwards for a distance of 80 metres

(viii) Insert a new Section and Schedule Fifty-One as follows:

Section Fifty-One, Loading Bay for Goods Vehicles Only, 30 minute maximum stay, 9.00am to 6.00pm On All Days

1	Those lengths of road specified in the Schedule to this Section, which have a width throughout of 2.7 metres, and designated by the word "Loading Only" marked on the carriageway adjacent to the bay, bounded on one side by the edge of the carriageway and defined by line markings on the other three sides, or where a different width or position is stated in which vehicles are obliged to wait, are hereby authorised to be used, subject to the provisions of this Section, as a Loading Bay(s).	
2	Save as provided by this Section, No person shall cause or permit any vehicle other than a goods vehicle to wait for the purpose of loading or unloading goods or burden of any description in a loading bay referred to in Article 1 of this Section;	
	(a)	between the hours of 9.00am and 6.00pm on all days;
	(b)	For a period not exceeding 30 minutes;
3	The Council shall -	
	(a)	cause the limits of the loading bay(s) to be indicated on the carriageway by placing and maintaining thereof the appropriate traffic signs;

	(b)	place and maintain on or in the vicinity of each loading bay appropriate traffic signs for indicating that such bays may be used for the loading or unloading of vehicles; and	
	(c)	carry out such other work as is reasonably required for the purposes of the satisfactory operation of the loading bay(s).	
4	(a)	Any person duly authorised by East Sussex County Council or Hastings Borough Council may suspend the use of a loading bay(s) or any part thereof whenever that person considers such suspension reasonably necessary:-	
		(i)	for the purpose of facilitating the movement of traffic or promoting its safety; or
		(ii)	for the purpose of enabling a bus or public service vehicle to wait there; or
		(iii)	for the purpose of the maintenance improvement or reconstruction of the road or the cleansing of gullies in or adjacent to the parking place, the laying, erection, alteration, removal or repair in or adjacent to the parking place of any sewer or of any main, pipe or apparatus or supply of gas, water or electricity or of any telecommunications apparatus as defined in the Communications Act 2003 or the placing, maintenance or removal of any traffic sign, or a vehicle (other than a passenger vehicle) in the service of a local authority which is being used in pursuance of statutory powers or duties;
	(b)	Any person duly authorised by the Council may suspend for not longer than twenty-four hours the use of a loading bay(s) or any part thereof whenever he considers such suspension reasonably necessary:	
		(i)	for any of the purposes referred to in sub-paragraphs (i) or (ii) of paragraph (a) of this Article;
		(ii)	for the convenience of occupiers of premises adjacent to the loading bay on any occasion of the removal of furniture to or from one office or dwelling house adjacent to the parking place from or to a depository, another office or dwelling house;
		(iii)	on any occasion for preventing obstruction of the streets, by Order on the occasion of any public procession, rejoicing or illumination, or where it is likely by reason of some special attraction that the streets are thronged or liable to be obstructed, to close any or all of the parking places.
	(c)	A duly authorised person suspending the use of a loading bay(s) or any part thereof in accordance with the provisions of paragraph (a) or, as the case may be, paragraph (b) of this Article shall thereupon place or cause to be placed in or adjacent to that loading bay, or as the case may be, that part thereof and the use of which is suspended a traffic sign indicating that loading by vehicles is prohibited.	

	(d)	Save as provided by Article 7 (b) (i), (ii), (iii), or (iv) and Article 8, and to anything done with the permission of the person suspending the use of the loading bay or part thereof in pursuance of paragraph (a) of this Article, the provisions of Article 9 will apply to any person who causes or permits a vehicle to wait or load in any part of a loading bay during such period as there is in or adjacent to that part of the loading bay a traffic sign placed in pursuance of paragraph (c) of this Article.	
5	Where a traffic sign indicating the suspension of a loading bay(s) or any part thereof has been left in accordance with the provision of paragraph (c) of Article 4 of this Section, no person except a Civil Enforcement Officer or other person duly authorised by the Council shall remove that sign.		
6	(a)	While any vehicle is in a loading bay, no person shall use the vehicle;	
		(i)	so as unreasonably to prevent access to any premises adjoining the road, or the use of the road by other persons, or so as to be a nuisance;
		(ii)	when for preventing obstruction of the streets East Sussex County Council or Hastings Borough Council have by Order made on the occasion of any such public procession, rejoicing, illumination or when the streets are thronged or liable to be obstructed, have closed any or all of the parking places and exhibited notice of such closing on or near each loading bay;
		(iii)	to carry out or permit the carrying out of any repairs or other work to the vehicle except such as may be necessary to enable the vehicle to be moved from the loading bay; or
		(iv)	in connection with the sale of any article to any person in or near the loading bay or in connection with the selling or offering for sale of his skill or services;
	(b)	The driver of a vehicle using a loading bay shall stop the engine of the vehicle as soon as the vehicle is in the proper position in the loading bay and shall not start the engine except when about to change the position of the vehicle in or to depart from the loading bay.	
7	(a)	Notwithstanding the foregoing provisions of this Section, any vehicle may wait in any of the loading bays specified in the Schedule to this Section (other than a loading bay or part of a loading bay the use of which has been suspended under Article 4 of this Section), if the vehicle is waiting for any of the reasons referred to in paragraph (b) of this Article below;	
	(b)	Nothing in respect of paragraph (a) above shall apply to any vehicle waiting in any loading bay or on any length of carriageway specified in this Section (other than in a loading bay or part of a loading bay the use of which has been suspended under Article 5 of this Section) for so long as may be necessary to enable:	
		(i)	a vehicle to wait owing to the driver being prevented from proceeding by circumstances beyond his control or to such waiting being necessary in order to avoid accident;
		(ii)	a vehicle to be used for police, fire brigade or ambulance purposes;

		(iii)	a vehicle to wait to while it is used in connection with the removal of any obstruction to traffic;
		(iv)	a vehicle of (and bearing a livery used by) a universal service provider within the meaning ascribed by the Postal Services Act 2000 to be used for the purpose of delivering or collecting postal packets in the course of the provisions of a universal postal service as defined in that Act or, to any vehicle being used in connection with the servicing or cleaning of telephone kiosks;
		(v)	a vehicle (not being a passenger vehicle) to wait to enable it to be used for any purpose specified in Article 4 (a) (iii) of this Section, whether or not the loading bay has been suspended;
		(vi)	the vehicle (not being a passenger vehicle) is in actual use in connection with the removal of furniture or goods from one office or dwelling house adjacent to the loading bay to another office or dwelling house, or the removal of furniture or goods from such premises to a depository or to such premises from a depository;
		(vii)	the vehicle is waiting to enable it to be used in connection with posting or removing advertising material in the form of posters on or from, or cleaning windows or chimneys in, premises adjacent to the loading bay or length of carriageway in which the vehicle is waiting;
8	Nothing in respect of paragraph 7 (a) above shall apply to any vehicle waiting in any loading bay or on any length of carriageway specified in this Section (other than in a loading bay or part of a loading bay the use of which has been suspended under Article 4 of this Section) which clearly and continuously displays a Waiver Certificate such that;.		
	(a)	the Waiver Certificate is displayed in the windscreen of the vehicle to which it relates in such a manner that the details of the vehicle, location and purposes for which it has been issued are clearly visible from the outside of the vehicle;	
	provided that the Waiver Certificate has not been defaced or altered. Any alterations to or defacement of the Waiver Certificate shall render it invalid and render the use of the vehicle liable to the restrictions applicable to the location.		
9	Where any vehicle is standing in a parking place in contravention of any of the provisions contained within this Section and a Civil Enforcement Officer has reason to believe that a Penalty Charge is payable, he may:-		
	(a)	fix a penalty charge notice to the vehicle; or	
	(b)	give such a notice to the person appearing to him to be in charge of the vehicle; and	
	(c)	arrange for the vehicle to be removed from the parking place by any person duly authorised by Hastings Borough Council, who shall provide for the safe custody of the vehicle where it is so removed; or	
	(d)	cause to be altered the position of the vehicle in order that its position shall comply with those provisions; or	

	(e)	in the case of an emergency cause to be moved any vehicle left in a parking place to any place he thinks fit.
--	-----	---

Schedule Fifty-One, Loading Bay for Goods Vehicles Only, 30 minute maximum stay, 9.00am to 6.00pm On All Days

1	Rock-A-Nore Road	(a)	North Side	1	From a point 28 metres east of its junction with All Saints Street, eastwards for a distance of 15 metres
1	Rock-A-Nore Road	(b)	South Side	1	From a point 88.5 metres west of its eastern end, westwards for a distance of 15 metres

(ix) Insert a new Section and Schedule Fifty-two as follows:

Section Fifty-two, Prohibition of Buses, Coaches, and Public Service Vehicles

1	No person shall cause or permit any bus, coach, or public service vehicle to proceed in the lengths of road specified in the Schedule to this Section.				
---	--	--	--	--	--

Schedule Fifty-two, Prohibition of Buses, Coaches, and Public Service Vehicles

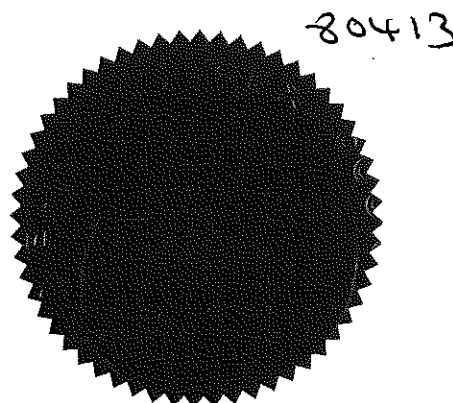
1	Rock-A-Nore Road	(a)	For its entire length
---	------------------	-----	-----------------------

2. This Order may be cited as "The East Sussex (Rock-a-Nore Road, Hastings) (Prohibition of Waiting, Prohibition of Loading and unloading, Prohibition of Stopping, Loading Bay, Disabled Parking Places and Prohibition of Vehicles) Order, 2014" and shall come into effect on 24th October 2014.

THE COMMON SEAL of EAST SUSSEX
COUNTY COUNCIL was affixed hereto on
the 17th day of October two thousand and
fourteen in the presence of:-

)
)
)
)

Kevin Mally
Authorised Signatory



H & T Cttee. 2.4.74 - para 4.2 joint report of Director of Legal & Community Services & County Engineer - para 4.