

EAST SUSSEX COUNTY COUNCIL
ROAD TRAFFIC REGULATION ACT 1984

The East Sussex (Dorothy Avenue and A259 South Coast Road Peacehaven)
(Prohibition of Waiting, Waiting Restriction and Loading Restriction) Order 2011

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

1. In this Order all references to measured distances are approximate, and

"carriageway" means a way constituting 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;

"disabled person" and "disabled person's badge" have the same meaning as in The Disabled Persons' (Badges for Motor Vehicles) Regulations 2000;

"disabled person's concession" has the meaning given by Section 117(3) of the 1984 Act;

"disabled person's vehicle" means a vehicle lawfully displaying a disabled person's badge and which is a vehicle which, immediately before or after any period of waiting allowed by virtue of a provision of a kind required by the Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England and Wales) Regulations 2000 to be included in an Order under the Act of 1984, has been or is to be driven by a disabled person or, as the case may be, has been or is to be used for carrying disabled persons as passengers;

"goods vehicle" has the same meaning as in the Traffic Signs Regulations and General Direction 2002;

"loading bay" means any area of the carriageway being an area appointed as a parking place for loading and unloading by a goods carrying vehicle by the Council and which area is bounded by a traffic sign comprising a road marking that is compliant with the Traffic Signs Regulations and General Directions 2002;

" parking disc" means a device which-

(a) is 125 millimetres square and coloured blue, if issued on or after 1st April 2000

(b) has been issued by a local authority and has not ceased to be valid; and

(c) is capable of showing the quarter hour period during which a period of waiting has begun;

"parking place" means each area on a highway comprising the length of street specified in Schedules P1.4C and P7.1 inclusive, having a width throughout of 2 metres, unless otherwise specified.

"relevant position" means for the purposes of this regulation, In the case of a Disabled

Person's Badge -

(a) A vehicle displays a disabled person's badge in the relevant position if:-

(i) in the case of a vehicle fitted with a dashboard or fascia panel, the badge is exhibited thereon so that Part 1 of the badge is legible from the outside the vehicle; or

(ii) in the case of a vehicle not fitted with a dashboard or fascia panel, the badge is exhibited in a conspicuous position on the vehicle so that Part 1 of the badge is legible from outside the vehicle.

(b) A vehicle displays a parking disc in the relevant position if:-

(i) in the case of a vehicle fitted with a dashboard or fascia panel, the disc is exhibited thereon so that the quarter-hour period during which the period of waiting began is legible from outside the vehicle; or

(ii) in the case of a vehicle not so fitted, the disc is exhibited in a conspicuous position on the vehicle so that the quarter-hour period during which the period of waiting began is legible from outside the vehicle.

2. Save as provided in Article 3 and 4 of this Order, no person shall except upon the direction or with the permission of a police constable in uniform or of a civil enforcement officer or a Police Community Support Officer in uniform, cause or permit any vehicle to wait at any time in the lengths of road specified in Schedule W1.1 to this Order.

3. Nothing in Article 2 of this Order shall render it unlawful to cause or permit any vehicle to wait in the length of road referred to in that Article for so long as may be necessary to enable:-

(a) a person to board or alight from the vehicle;

(b) goods to be loaded onto 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 operations;

(ii) the removal of any obstruction to traffic;

(iii) the maintenance, improvement or reconstruction of the said lengths of roads;
or

(iv) the laying, erection, alteration or repair in, or in land adjacent to, the said lengths of roads of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity or of any telecommunications system 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 a water authority in pursuance of statutory powers or duties;

(e) the vehicle to be used for the purpose of delivering or collecting postal packets as defined in the Postal Services Act 2000 (Consequential Modifications to Local

Enactments No.1) Order 2002 (S.I.2002/648);

(f) the vehicle to be used for emergency services purposes.

4. Nothing in Article 2 of this Order shall render it unlawful to cause or permit a disabled person's vehicle which clearly displays for the entire length of waiting, in the relevant position, a disabled person's badge, and a parking disc (on which the driver or other person in charge of the vehicle has marked the time at which the period of waiting began) to wait in the lengths of roads referred to in that Article for a period not exceeding three hours (not being a period separated by an interval of less than one hour from a previous period of waiting by the same vehicle in the same length of road) provided that:-

(a) the driver of the vehicle or other person in charge of the vehicle marks on the parking disc the time at which the period of waiting has begun;

(b) and the vehicle is not causing obstruction or inconvenience to other road users, including pedestrians.

5. The length of road specified in Schedule P7.1 to this Order which is defined by the layby with line markings at the carriageway edge and designated by the word "Loading Bay" marked on the carriageway adjacent to the bay, is hereby authorised to be used, subject to the following provisions to this Order, as a loading bay for goods vehicles to load at any time

6. Nothing in Article 7 of this Order shall render it unlawful to cause or permit a disabled person's vehicle which clearly displays for the entire length of waiting, in the relevant position, a disabled person's badge to wait in the lengths of roads referred to in those Articles.

7. Save as provided in Articles 3 and 6 of this Order, no person shall, except upon the direction or with the permission of a police constable in uniform or of a civil enforcement officer or a Police Community Support Officer in uniform, cause or permit any vehicle to wait within the time limited parking places in the lengths of road specified in Schedule P1.4C between:-

(a) the hours of 8.00 am and 6.00 pm on Monday to Friday inclusive in the length of road specified in Schedule P1.4C to this Order;

(i) for a period longer than 1 hour, or

(ii) if a period of less than 1 hour has elapsed since the termination of the last period of waiting (if any) by that vehicle in that length of road.

8. (a) Nothing in Article 7 of this Order shall render it unlawful to cause or permit any vehicle to wait in the length of road referred to in that Article for so long as the vehicle is displaying in a prominent position behind the windscreen so that it is facing forwards and can be entirely, easily and continuously seen for the duration of the waiting period, from the front of the vehicle a valid waiver certificate issued by a person duly authorised by the Council and is waiting in accordance with the terms and conditions prescribed by the said certificate;

(b) and provided that a waiver certificate may be cancelled at any time at the sole discretion of the Council and the notification of the cancellation shall be sent by post to the holder of the certificate at any address which the Council believes to

be that person's address and the certificate shall forthwith be surrendered to the Council.

9. (1) The driver of a vehicle waiting in a parking place referred to in Schedules P1.4C and P7.1 at any time shall cause it so to stand:-
- (a) in the case of a parking place in relation to which special provisions as to the manner of standing of a vehicle in that parking place are specified, so as to be in accordance with those provisions;
 - (b) in the case of any other parking place so that the longitudinal axis of the vehicle is parallel to the edge of the carriageway nearest to the vehicle and the wheels of the vehicle are not more than 30 centimetres away from the edge of the carriageway nearest the vehicle.
 - (c) so that every part of the vehicle is within the limits of a parking place; and
 - (d) so that no part of the vehicle obstructs any vehicular means of ingress to or egress from any premises adjacent to the side of the road on which the vehicle is waiting.
 - (e) Motorcycles must be parked perpendicularly to the kerb line with the front wheel of the motorcycle facing away from the kerb line.
- (2) Articles 9(1) above does not apply where:
- (a) the vehicle is in actual use in connection with 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;
 - (b) in any other case the vehicle is waiting for the purpose of delivering or collecting goods or loading or unloading the vehicle at premises adjacent to the parking place in which the vehicle is waiting and the vehicle does not wait for such purpose for more than twenty minutes or for such longer period as a civil enforcement officer may approve.
10. (1) The Chief Officer of Police or any police officer above the rank of Chief Inspector may suspend the use of a parking place or any part thereof for a period not exceeding twenty-eight days whenever he considers such suspension necessary for maintaining the security of premises in the vicinity of that parking place.
- (2) At the expiration of the period of twenty-eight days mentioned in paragraph (1) of this Article, the suspension of the parking place, as the case may be, or any part thereof shall be reviewed by the person who suspended its use and any continuation of the suspension that they consider necessary shall be notified to the Council and shall not exceed a further period of twenty-eight days without similar review.
- (3) Any person duly authorised by the Council or authorised agent may suspend the use of a parking place or any part thereof whenever they consider such suspension reasonably necessary:-

- (a) for the purpose of facilitating the movement of traffic or promoting its safety;
 - (b) on any occasion on which it is likely, by reason of some special attraction or occurrence, that any street will be thronged or obstructed;
 - (c) 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 or loading area, as the case may be, 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 telecommunication system or the placing, maintenance or removal of any traffic sign;
 - (d) 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 dwelling-house adjacent to that parking place from or to a depository, or another office or dwelling-house; 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.
- (4) A police officer in uniform may suspend for not longer than seven days the use of a parking place or any part thereof whenever he considers such suspension reasonably necessary:-
- (a) for the purpose of facilitating the movement of traffic or promoting its safety; or
 - (b) on any occasion on which it is likely, by reason of some special attraction or occurrence, that any street will be thronged or obstructed.
- (5) On the suspension of the use of a parking place or any part thereof in accordance with the provisions of this Article, the person authorising or causing such suspension shall place or cause to be placed in or adjacent to that parking place, or that part thereof, as the case may be, a traffic sign indicating that waiting by vehicles is prohibited.
- (6) No person shall cause or permit a vehicle to wait in a parking place or any part thereof at any time during which there is displayed in or adjacent to that parking place or that part thereof, as the case may be, a traffic sign placed in pursuance of paragraph (5) of this Article:

Provided that nothing in this paragraph shall apply:-

- (a) in respect of any vehicle being used for ambulance, fire brigade or police purposes or any vehicle which is waiting for any reason specified in Article 11(1) (b) (c) (d) (e)
- (b) to anything done with the permission of the person suspending the use of

the parking place or the part thereof, as the case may be, in pursuance of paragraph (1), (3) or (4) of this Article, a police officer in uniform or a parking attendant.

11. (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 for a period not exceeding two minutes or such longer period as a parking attendant may approve to enable a person to board or alight from the vehicle or load thereon or unload there from their personal luggage:

Provided that if the said person is a person suffering from any disability or injury which seriously impairs their ability to walk, or who is blind, the vehicle may wait for so long as may be necessary to enable that person to board or alight from the vehicle or load thereon or unload there from their personal luggage;

(b) the vehicle is waiting owing to the driver being prevented from proceeding by circumstances beyond their control or to such waiting being necessary in order to avoid an accident;

(c) the vehicle is being used for ambulance, fire brigade or police purposes or, not being a passenger vehicle, is being used in the service of a local authority in pursuance of statutory powers or duties provided that in all the circumstances it is reasonably necessary in the exercise of such powers or the performance of such duties for the vehicle to wait in the place in which it is waiting;

(d) the vehicle is waiting only for so long as may be necessary to enable it to be used in connection with the removal of any obstruction to traffic;

(e) the vehicle is being used by a universal service provider in the course of the provision of a universal postal service and the vehicle is waiting only for so long as may be reasonably necessary for postal packets to be collected or delivered at premises or posting boxes adjacent to the place in which the vehicle is waiting;

(f) the vehicle, not being a passenger vehicle, is waiting only for so long as may be necessary to enable it to be used for any purpose specified in Article 10(3)(c);

(g) the vehicle is waiting with the written consent of the Council or authorised agent and such conditions and requirements as they may impose are being complied with.

(2) 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 in actual use in connection with 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;

(b) in any other case the vehicle is waiting for the purpose of delivering or collecting

goods or loading or unloading the vehicle at premises adjacent to the parking place in which the vehicle is waiting and the vehicle does not wait for such purpose for more than twenty minutes or for such longer period as a parking attendant may approve.

(3) Except as provided by this Order, the driver or person in charge of a vehicle shall not cause or permit that vehicle to wait in a parking place during the permitted hours.

(4) The driver of a vehicle waiting in a parking place by virtue of the provisions of paragraph (1) or (2) of this Article shall cause it so to stand in accordance with the provisions of Article 9.

(5) Nothing in the foregoing provisions of this Order shall be taken as authorising anything which would be a contravention of any Regulations made or having effect as if made under section 25 of the Road Traffic Regulation Act 1984.

12. Nothing in Article 7 of this Order shall restrict the power of the County Council, for preventing obstruction of the streets, by order on the occasion of any public procession, rejoicing or illumination, or where the streets are thronged or liable to be obstructed, to close any or all of the parking places.

13. The following parts of The East Sussex (Lewes District)(Traffic Regulation) Order 2004 Amendment Order 2005 No. 1 are hereby revoked:

Schedule 1 Part A:

Peacehaven

13 Dorothy Avenue

(a) East Side

(i) from a point 13.72 north-east of its junction with the northern kerblines of the South Coast Road (A259), north-eastwards for a distance of 14 metres.

(d) South-east side

(i) from a point 42.7 metres north-east of its junction with the northern kerblines of the South Coast Road (A259), north-eastwards for a distance of 60 metres.

36 South Coast Road (A259)

(a) Both sides

(i) from a point 39.32 metres east of its junction with Downland Avenue, westwards to a point 38.40 metres west of its junction with Broomfield Avenue, a distance of 2994.62 metres but excluding the lengths of road specified in the Second Schedule hereto.

13. This Order may be cited as "The East Sussex (Dorothy Avenue and A259 South Coast Road Peacehaven) (Prohibition of Waiting, Waiting Restriction and Loading Restriction) Order 2011" and shall come into force on 22 October 2011

**SCHEDULE W1.1
NO WAITING AT ANY TIME**

Dorothy Avenue

East side

- (i) from its junction with South Coast Road (A259) in a north-eastwards direction for a distance of 18.94 metres;
- (ii) from its junction with the service road in a south-westerly direction for 5.25 metres;
- (iii) from its junction with the service road in a northerly, then north-easterly direction for 54.67 metres

South Coast Road (A259)

North side

- (i) from a point 14.19 metres west of its junction with Dorothy Avenue in a westerly direction for 10.8 metres.

Both sides

- (ii) from a point 39.32 metres east of its junction with Downland Avenue, westwards to a point 38.40 metres west of its junction with Broomfield Avenue, a distance of 2994.62 metres but excluding the lengths of South Coast Road as specified in Schedule P1.4C hereto.

**SCHEDULE P1.4C
TIME LIMITED PARKING MONDAY TO FRIDAY 8AM TO 6PM
MAXIMUM STAY 1 HOUR, NO RETURN WITHIN 1 HOUR**

Dorothy Avenue

East side

- (i) from a point 18.94 metres north of its junction with South Coast Road (A259) for a distance of 30.6 metres in a northerly direction;

South Coast Road (A259)

North Side

- (i) from a point 13.72 metres west of its junction with Keymer Avenue, westwards to an extension of the eastern kerblines of Capel Avenue.
- (ii) from a point 2.13 metres east of its junction with Central Avenue, eastwards for a

- distance of 26.82 metres.
- (iii) from a point 33.7 metres west of the junction with Malines Avenue, westwards to an extension of the eastern kerbline of Cairo Avenue
 - (iv) from a point 23.72 metres west of its junction with Seaview Avenue, westwards to the north-western boundary of No.96 South Coast Road.
 - (v) from a point 9 metres west of its junction with Broomfield Avenue westwards for a distance of 27 metres.
 - (vi) from a point 34.7 metres west of its junction with Downland Avenue, westwards to the boundary of Nos. 32/32a South Coast Road.
 - (vii) from an extension of the eastern kerbline of Cornwall Avenue to the eastern boundary of No. 48 South Coast Road..
 - (viii) from an extension of the western kerbline of Friars Avenue, westwards to a point 13.72 metres east of its junction with Seaview Avenue.
 - (v) from an extension of the western kerbline of Slindon Avenue westwards to a point 19.72 metres east of its junction with Keymer Avenue.
 - (vi) from the eastern boundary of No. 164 South Coast Road westwards to a point 80 metres east of its junction with Steyning Avenue.
 - (vii) from a point opposite the boundary of Nos. 225/225a South Coast Road, westwards to an extension of the eastern kerbline of Edith Avenue.
 - (viii) from a point 13.72 metres west of its junction with Dorothy Avenue, westwards to a point 74.9 metres south-east of the north-western boundary of No.230 South Coast Road.

South Side

- (i) from a point 5.79 metres east of its junction with Central Avenue, eastwards to the south-eastern building line of the property 363a South Coast Road.
- (ii) from a point 5 metres south-east of the south-eastern building line of the property 363a South Coast Road, south-eastwards for a distance of 7.5 metres.

North-east Side

- (i) from a point 44.5 metres south-east of the north-western boundary of No.164 South Coast Road, south-eastwards for a distance of 30 metres.

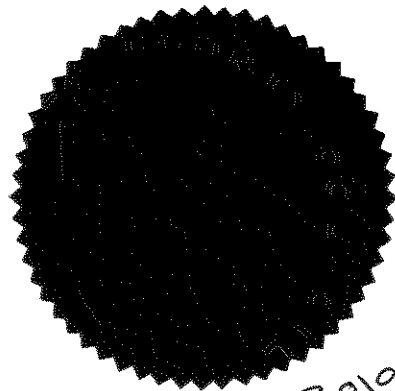
SCHEDULE P7.1 GOODS VEHICLES LOADING ONLY AT ANY TIME

South Coast Road

North Side

- (i) from a point 17.31 metres north of its junction with Dorothy Avenue for a distance of 28.75 metres in a northerly direction.

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



301991

Michael Wells
Authorised Signatory

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

EAST SUSSEX COUNTY COUNCIL
ROAD TRAFFIC REGULATION ACT 1984

**The East Sussex (Dorothy Avenue and A259 South Coast Road Peacehaven)
(Prohibition of Waiting, Waiting Restriction and Loading Restriction) Order 2011**

Notice is hereby given that East Sussex County Council have made an Order, under Section 1(1) and (2), 2(1) to (3) and 4(2) of, and Parts III and IV of Schedule 9 to the Road Traffic Regulation Act 1984, as amended, which introduces No Waiting At Any Time, Limited Waiting and Loading Only restrictions along the following lengths of road:-

No Waiting "At Any Time" in

Dorothy Avenue east side; from its junction with South Coast Road (A259) in a north-eastwards direction for a distance of 18.94 metres;

from its junction with the service road in a south-westerly direction for 5.25 metres;

from its junction with the service road in a northerly, then north-easterly direction for 54.67 metres

A259 South Coast Road north side; from a point 14.19 metres from its junction with Dorothy Avenue in a westerly direction for 10.8 metres.

Both sides; from a point 39.32 metres east of its junction with Downland Avenue, westwards to a point 38.40 metres west of its junction with Broomfield Avenue, a distance of 2994.62 metres but excluding the lengths of road as specified in Schedule P1.4C of the draft order.

**Waiting limited to 1 hour in any period of 2 hours 8am to 6pm on Monday to
Friday**

Dorothy Avenue east side 18.94 metres from its junction with South Coast Road A259 for a distance of 30.6 metres in a northerly direction;

Loading and unloading only 'At Any Time'

South Coast Road north Side from a point 17.31 metres from its junction with Dorothy Avenue for a distance of 28.75 metres in a northerly direction

A copy of the Order, statement of the County Council's reasons making the Order and plans showing the lengths of road affected, may be examined in the main Reception area at East Sussex County Council, County Hall, Lewes on Mondays to Fridays between the hours of 9:00am and 4:00pm inclusive.

Any person wishing to question the validity of the Order or any of its provisions on the grounds that it is not within the powers conferred by the Road Traffic Regulation Act of 1984, or on the grounds that any requirement of the Road Traffic Regulation Act or of any instrument made under it has not been complied with in relation to the Order, may within six weeks of 21 October 2011, apply to the High Court for this purpose.

If you require further information telephone the Network Highways Office on 0345 60 80 193.

**Philip Baker, Assistant Director, Legal & Democratic Services,
Governance & Community Services Department, County Hall, Lewes,
East Sussex BN7 1SW**

