

THE SURREY COUNTY COUNCIL
((VARIOUS ROADS IN EPSOM AND EWELL)
(CONSOLIDATION OF FREE STREET PARKING PLACES AND
REVOCATION) ORDER 2005) (AMENDMENT NO.5) ORDER 2009

THE SURREY COUNTY COUNCIL
(VARIOUS ROADS IN EPSOM AND EWELL)
(CONSOLIDATION OF FREE STREET PARKING PLACES AND
REVOCATION) ORDER 2005) (AMENDMENT NO.5) ORDER 2009

SURREY COUNTY COUNCIL in exercise of their powers under Sections 32 35 and 36 and Part IV of Schedule 9 of the Road Traffic Regulation Act 1984 (“the Act”) 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:-

Citation and commencement

1 THIS Order may be cited as “The Surrey County Council ((Various Roads in Epsom and Ewell) (Consolidation of Free Street Parking Places and Revocation) Order 2005 (Amendment No.5) Order 2009” and shall come into operation on 26 October 2009

Interpretation

- (1) In this Order "the Principal Order" means The Surrey County Council (Various Roads in Epsom and Ewell) (Consolidation of Free Street Parking Places and Revocation) Order 2005
- (2) Any reference in 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) Unless the context otherwise requires any expression used in this Order which is also used in the Principal Order shall have the same meaning as in that Order

Amendment of The Principal Order

2 WITHOUT prejudice to the validity of anything done or to any liability incurred in respect of any act or omission before the coming into operation of this Order the Principal Order shall have effect as though:-

- (a) in the ARRANGEMENT OF ARTICLES for the words “PART II – DESIGNATION OF FREE PARKING PLACES” there was substituted the words “PART II PARTS OF ROADS AUTHORISED TO BE USED AS FREE STREET PARKING

PLACES”

- (b) in PART II of the ARRANGEMENT OF ARTICLES for the words “Designation of parking places” and “Vehicles for which parking places are designated” there were substituted respectively the words “Authorisation for parking places” and “Vehicles for which parking places are authorised to be used”
- (c) in relation to the following expression in paragraph (1) of Article 2 of that Order there was substituted the following meaning in replacement for the meaning currently assigned to it –
““parking place" means an area on a highway authorised as a street parking place by this Order”
- (d) in relation to the following expression in paragraph (1) of Article 2 of that Order there were added the following expressions which shall have the meanings hereby assigned to them -
““credit card" has the same meaning as in Paragraph (6) of Section 35A of the Act
"debit card" has the same meaning as in Paragraph (6) of Section 35A of the Act
“electronic communications apparatus” has the same meaning as in paragraph 1 of Schedule 2 to the Telecommunications Act 1984 and Sections 106 and 151 of the Communications Act 2003”
- (e) in paragraph (1) of Article 2 of that Order the expression “telecommunication system” and the meaning currently assigned to it was deleted in its entirety
- (f) for the words “telecommunication system” wherever the words occur there were substituted the words “electronic communications apparatus”
- (g) in paragraph (1) of Article 2 of that Order the expression “street parking places” and the meaning assigned thereto in the second line thereof for the words “and designated as such as a street parking place by this Order” there were substituted the words

“and authorised to be used as a street parking place by this Order”

(h) in the heading to PART II for the words “DESIGNATION OF FREE STREET PARKING PLACES” there were substituted the words “AUTHORISATION AND USE OF FREE STREET PARKING PLACES”

(i) for Article 3 there was substituted the following similarly numbered Article -

“3 EACH part of a highway comprising the length of carriageway of a road specified on the plans (excluding the areas marked by a black broken line and labelled as Controlled Parking Zone A B or C) attached to this Order as a free street parking place and unless otherwise so specified bounded on one side of that length by the edge of the carriageway and having a width throughout which varies between 1.83 and 2.5 metres is authorised to be used subject to the following provisions of this Order as a free parking place for use on such days and during such hours as identified on the plans (excluding the areas marked by a black broken line and labelled as Controlled Parking Zone A B or C) attached to this order”

(j) in Article 4 in the shoulder heading thereto for the words “are designated” there were substituted the words “are authorised to be used”

(k) for the Second Schedule to the Principal Order there was substituted the Second Schedule set out in THE SCHEDULE to this Order

(l) in paragraph (1) of Article 9 for the words “Any person duly authorised by the Council or the Chief Constable of the Surrey Police (hereinafter called the "Chief Constable") may suspend the

use of” there were substituted the words “Subject to the following persons or organisations being able to exercise the function described below in this Article by virtue of legislation, a civil enforcement officer or a police constable in uniform, a person under the instructions (whether general or specific) of the Chief Officer of Police, or a person duly authorised by the Council may suspend the use of”

- (m) in paragraph (2) of Article 9 for the words “A police constable in uniform” there were substituted the words “Subject to as set out in paragraph (1) of this Article a police constable in uniform or a civil enforcement officer”
- (n) in sub-paragraph (a) of paragraph (1) of Article 12 after the words “A police constable in uniform or a civil enforcement officer” there were added the words “acting in accordance with lawful authority”
- (o) in sub-paragraph (ii) of paragraph (4) of Article 9 after the words “or a police constable in uniform” there were added the words “or a civil enforcement officer acting in the exercise of lawful authority”

(SCHEDULE OVERLEAF)

THE SCHEDULE
(SECOND SCHEDULE)

LIST OF PLANS

Drawing No	Date Drawn	Rev'n	Date Revised	Rev'n	Date Revised	Rev'n	Date Revised	Rev'n	Date Revised	Rev'n	Date Revised
3282/E&E/KEY	03/05	A	09/05	B	03/07	C	05/08	D	10/09		
3282/E&E/0301	03/05	A	03/07	B	01/08						
3282/E&E/0302	03/05	A	01/08								
3282/E&E/0303	03/05	A	05/08								
3282/E&E/0304	03/05										
3282/E&E/0305	03/05										
3282/E&E/0306	03/05	A	01/08								
3282/E&E/0307	03/05	A	01/08								
3282/E&E/0308	03/05	A	01/08								
3282/E&E/0309	03/05										
3282/E&E/0310	03/05										
3282/E&E/0311	03/05										
3282/E&E/0312	03/05										
3282/E&E/0313	03/05										
3282/E&E/0314	03/05										
3282/E&E/0315	03/05	A	03/07	B	01/08						
3282/E&E/0316	03/05	A	01/08								
3282/E&E/0317	03/05										
3282/E&E/0318	03/05	A	03/07	B	01/08	C	05/08				
3282/E&E/0319	03/05	A	01/08								
3282/E&E/0320	03/05										
3282/E&E/0321	03/05										
3282/E&E/0322	03/05										
3282/E&E/0323	03/05	A	03/07	B	01/08						
3282/E&E/0324	03/05	A	01/08								
3282/E&E/0325	03/05	A	05/06	B	01/08						
3282/E&E/0326	03/05	A	01/08								
3282/E&E/0327	03/05	A	01/08	B	05/08						
3282/E&E/0328	03/05	A	05/06	B	01/08						
3282/E&E/0329	03/05	A	05/06								
3282/E&E/0330	03/05	A	01/08								
3282/E&E/0331	03/05										
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3282/E&E/0336	03/05	A	01/08	B	05/08						
3282/E&E/0337	03/05	A	01/08	B	05/08						
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3282/E&E/0339	03/05	A	05/08								
3282/E&E/0340	03/05	A	09/05	B	01/08	C	05/08				
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3282/E&E/0342	03/05	A	05/06	B	03/07						
3282/E&E/0343	03/05	A	03/07								
3282/E&E/0344	03/05	A	03/07	B	05/08						
3282/E&E/0345	03/05										
3282/E&E/0346	03/05	A	05/08								
3282/E&E/0347	03/05	A	05/06	B	03/07	C	01/08	D	05/08		

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3282/E&E/0351	03/05										
3282/E&E/0352	03/05	A	03/07	B	01/08	C	05/08				
3282/E&E/0353	03/05	A	05/06	B	03/07	C	01/08	D	05/08		
3282/E&E/0354	03/05	A	09/05	B	05/06	C	01/08				
3282/E&E/0355	03/05	A	09/05	B	05/06	C	01/08	D	05/08		
3282/E&E/0356	03/05	A	03/07	B	01/08	C	05/08				
3282/E&E/0357	03/05	A	05/06	B	03/07	C	01/08				
3282/E&E/0358	03/05	A	05/06	B	01/08						
3282/E&E/0359	03/05	A	05/06	B	01/08	C	05/08				
3282/E&E/0360	03/05	A	05/06	B	01/08	C	05/08				
3282/E&E/0361	03/05	A	05/06	B	03/07	C	01/08	D	05/08		
3282/E&E/0362	03/05	A	05/06	B	03/07	C	01/08	D	05/08		
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3282/E&E/0364	03/05	A	03/07	B	05/08						
3282/E&E/0365	03/05	A	05/06	B	03/07	C	01/08				
3282/E&E/0366	03/05	A	03/07	B	01/08	C	05/08	D	10/09		
3282/E&E/0367	03/05	A	03/07								
3282/E&E/0368	03/05	A	03/07	B	01/08						
3282/E&E/0369	03/05										
3282/E&E/0370	09/05										
3282/E&E/0371	09/05	A	01/08	B	05/08						
3282/E&E/0372	03/07	A	05/08								
3282/E&E/0373	03/07										
3282/E&E/0374	03/07										

EXECUTED as a Deed by Surrey County Council on 14 October 2009

EXECUTED AS A DEED by)
affixing THE COMMON SEAL of)
SURREY COUNTY COUNCIL)
in the presence of and attested by:)



Nancy D. Skelton
Head of Legal Services/Authorised Signatory

DATED 14 OCTOBER 2009

**ROAD TRAFFIC REGULATION
ACT 1984
SECTIONS 32 35 AND 36
AND PART IV OF
SCHEDULE 9**

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EPSOM AND EWELL)
(CONSOLIDATION OF
(FREE STREET PARKING
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(AMENDMENT NO.5)
ORDER 2009**

SURREY COUNTY COUNCIL

No. IN SEALING REGISTER 99553

ORDERED TO BE SEALED EPSOM & EWELL LOCAL COMMITTEE
4.06.07 ITEM 12