

MEDWAY COUNCIL
TRAFFIC REGULATION ORDER

No.528

The Medway Council (Rochester) (Parking Places and Waiting, Loading and Stopping Restrictions)
Consolidation Order 2016

Made: 11th August 2016

Coming into force: 16th August 2016

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Medway Council, in exercise of its powers under sections 1, 2, 32, 35, 37, 45, 46, 49 and 124 of and Part IV of Schedule 9 to the Road Traffic Regulation Act 1984¹ ("the Act") and of all other enabling powers, and having consulted the Chief Officer of Police in accordance with Part III of Schedule 9 to the Act, hereby makes the following Order:-

In accordance with the provisions of section 37 of the Act, this Order forms part of a general scheme of traffic control within the district of Medway Council.

PART 1 – PRELIMINARY

Commencement and Citation

1. This Order shall come into force on **Tuesday 16 August 2016** and may be cited as the Medway Council (Rochester) (Parking Places and Waiting, Loading and Stopping Restrictions) Consolidation Order 2016.

Interpretation

2. (1) In this Order, except where the context otherwise requires:-

"ambulance" means a vehicle which is constructed or adapted for, and used for no other purpose than, the carriage of sick, injured or disabled people to or from welfare centres or places where medical or dental treatment is given, and is readily identifiable as such a vehicle by being marked with the word "Ambulance";

"annual visitor's permit" and "daily visitor's permit" mean permits issued to a resident under the provisions of Article 15(2) and 15(3) respectively;

"bus" means a motor vehicle which is constructed or adapted to carry more than eight passengers and is used for carrying passengers for hire or reward, or a motor vehicle which is not so constructed or adapted but is used in the course of a business of carrying passengers for hire or reward at separate fares;

"business user" means a person who uses a vehicle other than a bus or heavy goods vehicle which is essential to the operation of a business carried out at any premises the address of which is in a road or part of a road specified in Schedule 11 and which is used for the purchase and sale of goods or services in connection with that business;

"business user's permit" means a permit issued to a business user under the provisions of Article 15(4);

"carer" means a professional person who provides help and care in the community and who uses a vehicle, other than a bus or heavy goods vehicle, which is essential to the carrying out of their day to day occupation visiting clients who live at premises the address of which is in a road or part of a road specified in Schedule 11, or premises adjacent to any such road or part of a road;

"carer's permit" means a permit issued to a carer under the provisions of Article 15(6);

"civil enforcement officer" means a civil enforcement officer appointed by the Council under section 76 of the Traffic Management Act 2004²;

"Council" means Medway Council or its duly authorised agent or officer;

"disabled person's badge" has the same meaning as in the Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000³;

"driver", in relation to a vehicle that is left in a parking place, means the person driving the vehicle at the time it was left in the parking place;

¹ 1984 c. 27

² 2004 c. 18

³ S.I. 2000/683

"electronic communications network" has the same meaning as in the Communications Act 2003⁴;

"essential user" means a professional person who provides health care and treatment to the sick and housebound and who uses a vehicle, other than a bus or a heavy goods vehicle, which is essential to the carrying out of their day to day occupation visiting clients who live at premises the address of which is in a road or part of a road specified in Schedule 11 or premises adjacent to any such road or part of a road;

"essential user's permit" means a permit issued to an essential user under the provisions of Article 15(7);

"goods" means goods of any kind whether animate or inanimate and includes postal packets of any description and "delivering" and "collecting" in relation to any goods includes checking the goods for the purpose of their delivery or collection;

"goods vehicle" means a motor vehicle or trailer constructed or adapted for use for the carriage or haulage of goods or burden or any description and not constructed or adapted solely for the carriage of passengers and their effects;

"heavy goods vehicle" means a goods vehicle which has a maximum gross weight exceeding 7.5 tonnes;

"local bus" has the same meaning as in Schedule 1 of the Traffic Signs Regulations and General Directions 2016⁵;

"maximum gross weight" means the same meaning as in Schedule 1 of the Traffic Signs Regulations and General Directions 2016;

"Medway staff member" means a member of staff employed by or contracted to Medway Council who uses a vehicle, other than a bus or heavy goods vehicle, which is essential to the carrying out of their day to day duties on behalf of the Council in any road or part of a road to which the provisions of this Order apply, and such duties shall include (but not be limited to) visiting clients and attending site visits;

"parking charge" means an amount referred to in Article 13(1) and specified in Schedule 21 to this Order, being the amount which is payable at a ticket machine, subject to the provisions of this Order, in respect of a vehicle left in a parking place referred to in Schedule 15 or 16;

"parking clock" means a clock issued by the Council under the provisions of Article 15(5), 15(6), and 15(7) for the purpose of indicating the time at which a vehicle displaying either a special business permit, a carer's permit or an essential user's permit is left in a parking place specified in Schedule 12, 13, 14 or 16;

"parking disc" has the same meaning as in Regulation 3(1) of the Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000;

"parking period" means a period of time for which payment of the parking charge has been made in respect of a vehicle and during which, subject to the provisions of this Order, that vehicle may be left in a parking place referred to in Schedule 15 or 16;

"parking place" means any area on a highway or road which is designated or authorised as a parking place by this Order, including a loading place, and includes any part of a parking place;

"parking zone" means a zone which is indicated by a letter or letters as specified in Schedule 11, each comprising a group of roads or parts of roads in which residents or business users may apply for permits valid for use in certain parking places within that zone;

"particulars" means:-

⁴ 2003 c. 21

⁵ S.I 2016/362

