

THE SURREY COUNTY COUNCIL  
(VARIOUS ROADS IN MOLE VALLEY)  
(CONSOLIDATION OF WAITING RESTRICTIONS AND FREE ON-STREET  
PARKING PLACES) ORDER 2004

ARRANGEMENT OF ARTICLES

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ARRANGEMENT OF SCHEDULES

FIRST SCHEDULE	Lengths of roads subject to a prohibition on waiting by vehicles applying at any time
SECOND SCHEDULE	Designated parking places applying during the permitted hours with waiting permitted for a period of one hour and thirty minutes no return being permitted within a further period of one hour during the prescribed hours only
THIRD SCHEDULE	Designated parking place applying during the permitted hours with waiting permitted for a period of one hour no return being permitted within a further period of one hour during the prescribed hours only
FOURTH SCHEDULE	Revocation

THE COUNTY COUNCIL OF SURREY in exercise of their powers under Sections 1(1) and 2(1) to (3) and 4(2) and 32 35 and 36 of and Part IV of Schedule 9 to 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:-

## **PART I**

### **GENERAL**

#### **Citation and commencement**

1 THIS Order may be cited as "The Surrey County Council (Various Roads in Mole Valley) (Consolidation of Waiting Restrictions and Free On-Street Parking Places) Order 2004" and shall come into operation on 28 April 2004

#### **Interpretation**

2 (1) In this Order unless the context otherwise requires the following expressions shall have the meanings hereby respectively assigned to them -

"agents" means any person or persons authorised by or on behalf of the Council to supervise and/or enforce any prohibition and restriction on the waiting by vehicles and/or any parking place

"Burford Bridge Roundabout" means the roundabout situated at or adjacent to the junction of London Road (A24) Mickleham By-Pass (A24) and Old London Road (B2209) (also known as "Old Mickleham Road")

"bus" has the same meaning as in Regulation 22 of the Traffic Signs Regulations and General Directions 2002 (S.I. 2002 No 3113)

"bus stop clearway" has the same meaning as in sub-paragraph (a) of paragraph 1 of schedule 19 to the Traffic Signs Regulations and General Directions 2002 (S.I. 2002 No. 3113)

"carriageway" has the same meaning as in Section 329 of the Highways Act 1980

"community bus" means a vehicle being used to provide a "community bus service" as defined in Section 22(1) of the Transport Act 1985 ("the 1985 Act") to which a community bus permit has been granted by virtue of Section 22 of the 1985 Act

"Council" means Surrey County Council or its appointed agents

"disabled person's badge" has the same meaning as in the Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000 (S.I. 2000 No. 682)

"disabled person's vehicle" means a motor vehicle being driven by a disabled person or being used for the carriage of a disabled person or disabled persons

"enactment" means any enactment whether public general or local and includes any order byelaw rule regulation scheme or other instrument having effect by virtue of an enactment

"driver" in relation to a vehicle waiting in a parking place means the person driving the vehicle at the time it was left in the parking place

"express carriage" means a "public service vehicle" as defined in Section 1 of the Public Passenger Vehicles Act 1981 being used in the provision of an "express carriage service" as defined in sub-paragraph (b) of paragraph 16 of Schedule 1 of the 1985 Act

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

"goods vehicle" means a motor vehicle the maximum gross weight of which does not exceed 5 tonnes and which is constructed or adapted for use for the carriage of goods or burden of any description and is not drawing a trailer

"hackney carriage" means a hackney carriage in respect of which there is in force a licence granted under Section 37 of The Town Police Clauses Act 1847 and Part II of the Local Government (Miscellaneous Provisions) Act 1976

"kerb-line" in relation to a length of road specified and described in either the First Schedule or the Second Schedule or the Third Schedule shall mean that imaginary line

which is the projection of the line formed by the edge of the main carriageway of the aforesaid length of road adjacent to its junction with the side in question of any other road  
"lay-by" means any area of carriageway not forming part of a main carriageway and which for the purposes of this Order is either -

- (a) designated for the time being as a street parking place by this Order or any other Order made or having effect as if made under Sections 1(1) and (2) and 2(1) to (3) and 4 and/or 32 and 35 and 36 of and/or Part IV of Schedule 9 to the Act within the District of Mole Valley in the County of Surrey and/or
- (b) an area of carriageway intended for the waiting of vehicles and which is bounded partly by a traffic sign of the type shown in Diagram 1010 in Schedule 6 to the Traffic Signs Regulations and General Directions 2002 (S.I. 2002 No. 3113) and partly by the outer edge of the carriageway on the same side of the road as that on which the traffic sign is placed and/or
- (c) an area of carriageway bounded by the continuous and broken straight yellow lines comprised in the road marking of the type shown in Diagram 1025.3 or in Diagram 1025.4 in Schedule 6 to the Traffic Signs Regulations and General Directions 2002 (S.I. 2002 No. 3113)

"local bus" means a "public service vehicle" as defined in Section 1 of the Public Passenger Vehicles Act 1981 being used in the provision of a "local service" as defined in Section 2 of the 1985 Act

"local service taxi" means a licensed taxi as defined in Section 13(3) of the 1985 Act which is licensed under section 37 of the Town Police Clauses Act 1847 being used to provide a local service as defined in Section 2 of the 1985 Act under a restricted PSV operator's licence granted by virtue of Section 12 of the 1985 Act

"main carriageway" means any carriageway used primarily by through traffic but excludes any lay-by

"maximum gross weight" has the same meaning as in Regulation 4 of the Traffic Signs

Regulations and General Directions 2002 (S.I. 2002 No. 3113)

"motor cycle" "motor vehicle" and "invalid carriage" have the same meanings as in Section 136 of the Act

"one-way road" means a highway in which the driving of vehicles otherwise than in one direction is prohibited

"Owner" means the person by whom the vehicle is kept and in determining who was the owner of a vehicle at any time it shall be presumed that the owner was the person in whose name the vehicle was at that time registered under the Vehicle Excise and Registration Act 1994

"Parking Attendant" means a person authorised by or on behalf of the Council to enforce the restrictions imposed by this Order

"parking disc" has the same meaning as in the Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England and Wales) Regulations 2000 (S.I. 2000 No. 683)

"parking place" means an area on a highway designated as a street parking place by this Order

"passenger vehicle" means a motor vehicle (other than a motor cycle or invalid carriage) constructed or adapted solely for the carriage of not more than eight passengers (exclusive of the driver) and their effects and not drawing a trailer

"Penalty Charge" means the charge set by the Council under the provisions of the Road Traffic Act 1991 which is to be paid to the Council following the issue of a Penalty Charge Notice within twenty-eight days of the issue of that Notice

"permitted hours" in the Arrangement of Schedules and in Part III and in the Second Schedule and in the Third Schedule only means at any time

"postal packets" has the same meaning as in Section 87 of the Post Office Act 1953

"restricted hours" in the Arrangement of Schedules and in Part III and in the Second Schedule and in the Third Schedule only means the period between 8.00 a.m. and 6.00

p.m. on Mondays to Saturdays inclusive

"road" includes part of a road and has the same meaning as in Section 142 of the Act

"street parking place" has the same meaning as in Section 142 of the Act and designated as such as a street parking place by this Order

"telecommunication system" has the same meaning as in the Telecommunications Act 1984

"traffic sign" means a sign of any size colour and type prescribed or authorised under or having effect as though prescribed or authorised under Section 64 of the Act

"trailer" has the same meaning as in Section 136 of the Act and includes a trailer any part of which is superimposed on the drawing vehicle

"Waiver Certificate" means a certificate issued on behalf of the Council for the purposes of Article 4(i) permitting a specified vehicle to wait in special circumstances on a length or lengths of roads where the waiting of that vehicle would otherwise be restricted or prohibited.

(2) For the purpose of this Order a vehicle shall be regarded as displaying -

(a) a disabled person's badge issued on or after 2 March 1992 in the relevant position when -

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

(b) a disabled person's badge issued on or after 1 April 2000 in the prescribed manner when -

(i) the badge is exhibited thereon on the dashboard or fascia of the vehicle or

(ii) where the vehicle is not fitted with a dashboard or fascia the badge is

exhibited in a conspicuous position on the vehicle

so that the front of the badge is clearly legible from the outside of the vehicle

- (c) a parking disc in the relevant position if -
    - (i) the disc is exhibited on the dashboard or fascia of the vehicle or
    - (ii) where the vehicle does not have a dashboard or fascia the disc is exhibited in a conspicuous position on the vehicle
- so that when marked to show the quarter-hour period during which a period of waiting began that period is clearly legible from the outside of the vehicle
- (3) 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
  - (4) Any reference in this Order to a length of a road shall unless otherwise specified be construed as a reference to the whole width of that length of road
  - (5) Any reference in this Order to a numbered Part Article or Schedule shall unless the context otherwise requires be construed as a reference to the Part Article or Schedule bearing that number in this Order
  - (6) For the purposes of sub-paragraph (i) of paragraph (4) of Article 16 and of Article 19 a vehicle and any trailer drawn thereby shall be deemed to be a single vehicle

## **PART II**

### **WAITING RESTRICTIONS**

#### **Prohibition on waiting by vehicles**

3 SAVE as provided in Articles 4 5 6 7 and 8 no person shall except upon the direction or with the permission of a police constable in uniform a traffic warden or a parking attendant cause or permit any vehicle to wait at any time in the lengths of roads specified and described in the First Schedule

#### **Exceptions and exemptions from the Prohibition on waiting by vehicles**

4 NOTHING in Article 3 shall render it unlawful to cause or permit any vehicle to wait in any



of the lengths of roads specified and described therein for so long as may be necessary to enable -

- (a) a person to board or alight from the vehicle
- (b) goods to be loaded on 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 operation
  - (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 apparatus provided under the Telecommunications Act 1984
- (d) the vehicle if it cannot conveniently be used for such purposes in any other road to be used in the service of a local authority or of 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
- (f) the vehicle to take in petrol oil water or air from any garage situated in or adjacent to the said lengths of roads
- (g) the vehicle to wait at or near to any premises situated on or adjacent to the said lengths of roads for so long as such waiting by that vehicle is reasonably necessary in connection with any wedding or funeral
- (h) the vehicle to be used for fire brigade ambulance or police purposes
- (i) the vehicle is displaying in a prominent position behind the windscreen so that it is facing forwards and can be entirely and easily seen from the front of the vehicle a valid waiver certificate issued by a person duly authorised by the Council to wait in accordance with the terms and conditions prescribed by the said certificate

PROVIDED THAT a waiver certificate may be cancelled at any time at the sole discretion of the Council and shall thereupon immediately cease to be valid and that a notification of such 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

5 NOTHING in Article 3 shall render it unlawful to cause or permit a disabled person's vehicle which displays in the relevant position or in the prescribed manner a disabled person's badge and in the relevant position 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 on each separate length of road specified and described in the First Schedule 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 on the same separate length of road)

6 NOTHING in Article 3 shall render it unlawful to cause or permit a vehicle to wait in any case where the person in control of it -

- (a) is required by law to stop
- (b) is obliged to stop in order to prevent an accident or
- (c) is prevented from proceeding by circumstances outside his control

7 NOTHING in Article 3 shall render it unlawful to cause or permit a community bus an express carriage a local bus or a local service taxi to wait at an authorised crew relief point bus timing point bus stand bus turning point or bus termination point situated in or adjacent to any of or all of the lengths of Old London Road (B2209) Mickleham specified and described in the First Schedule

### **Furniture Removals**

8 NOTHING in Article 3 shall apply so as to restrict or prohibit the waiting of any vehicle while the vehicle is in actual use in any length of road specified and described in the First Schedule in connection with the removal of furniture from one office or dwelling house to another or the removal of furniture from any such premises to a depository or to any such premises from

a depository

PROVIDED THAT this Article shall not apply to a vehicle waiting in any part of any length of road specified and described in the First Schedule unless notice is given twenty-four hours in advance to the Council and a valid waiver certificate is obtained

### **PART III**

#### **DESIGNATION OF FREE ON-STREET PARKING PLACES**

##### **Designation of parking places**

9 EACH area on a highway comprising the length of carriageway of a road specified in the Second Column of the Second Schedule and the Second Column of the Third Schedule and unless otherwise so specified bounded on one side of that length by the edge of the carriageway and having a width throughout of 1.83 metres is designated as a parking place

##### **Vehicles for which parking places are designated**

10 EACH parking place may be used subject to the provisions of this Order for the leaving during the permitted hours of such vehicles only as are passenger vehicles goods vehicles motor cycles or invalid carriages

##### **Period for which a vehicle may be left in a parking place**

11 WITHOUT prejudice to the provisions of Article 19 no person shall cause any vehicle to be left in a parking place described in the Second Schedule during the restricted hours for a continuous period of more than one hour and thirty minutes:

PROVIDED THAT nothing in this Article shall apply to a disabled person's vehicle which displays in the relevant position or in the prescribed manner a disabled person's badge issued by any local authority

12 WITHOUT prejudice to the provisions of Article 19 no person shall cause any vehicle to be left in the parking place described in the Third Schedule during the restricted hours for a continuous period of more than one hour:

PROVIDED THAT nothing in this Article shall apply to a disabled person's vehicle which displays in the relevant position or in the prescribed manner a disabled person's badge issued by any local

authority

### **Interval before a vehicle may again be left in a parking place**

13 WITHOUT prejudice to the provisions of Article 19 no vehicle which has been taken away from a parking place described in the Second Schedule and the Third Schedule during the restricted hours shall until the expiration of one hour from the time it was taken away again be left in that parking place during the restricted hours:

PROVIDED THAT nothing in this Article shall apply to a disabled person's vehicle which displays in the relevant position or in the prescribed manner a disabled person's badge issued by any local authority

### **Manner of standing in a parking place**

14 THE driver of a vehicle waiting in a parking place during the permitted hours in accordance with the foregoing provisions of this Order 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 in the Third Column of the Second Schedule or the Third Column of the Third Schedule so as to be in accordance with those provisions
- (b) in the case of any other parking place -
  - (i) if the said parking place is not in a one-way road that the left or near side or right or off side of the vehicle is parallel to the edge of the carriageway nearest to the vehicle or
  - (ii) if the said parking place is in a one-way road that the left or near side of the vehicle is adjacent to the left-hand edge of the carriageway or that the right or off side of the vehicle is adjacent to the right-hand edge of the carriagewayand
  - (iii) that the distance between the edge of the carriageway and the nearest wheel of the vehicle is not more than 300 millimetres
- (c) that every part of the vehicle is within the limits of a parking place and

- (d) 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

### **Alteration of position of a vehicle in a parking place**

15 WHERE any vehicle is standing in a parking place in contravention of the provisions of Article 14 or of the provisions of Article 20 a police constable in uniform or a traffic warden or a person duly authorised by the Council may alter or cause to be altered the position of the vehicle in order that its position shall comply with those provisions

### **Power to suspend the use of a parking place**

16 (1) 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 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
  - (b) 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 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
  - (c) 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 the parking place from or to a depository another office or dwelling-house
  - (d) on any occasion on which it is likely by reason of some special attraction that any road will be thronged or obstructed 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
- (2) A police constable in uniform or a traffic warden may suspend for not longer than twenty-

four hours the use of a parking place or any part thereof whenever he considers such suspension reasonably necessary for the purpose of facilitating the movement of traffic or promoting its safety

(3) 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 or traffic signs indicating that the waiting by vehicles is prohibited

(4) No person shall cause or permit any vehicle to wait in a parking place or part thereof during such period as there is in or adjacent to that parking place or that part thereof a traffic sign or traffic signs placed in pursuance of paragraph (3) of this Article:

PROVIDED THAT nothing in this paragraph shall apply -

- (i) in respect of any vehicle being used for fire brigade ambulance or police purposes or any vehicle which is waiting for any reason specified in Article 19(1)(b) (d) or (e) or
- (ii) to anything done with the permission of the person suspending the use of the parking place or part thereof in pursuance of paragraph (1) of this Article or a police constable in uniform or a traffic warden

### **Restriction on the use of a parking place or a vehicle in a parking place**

17 DURING the permitted hours no person shall use any parking place or any vehicle while it is in a parking place in connection with the sale or offering or exposing for sale of any goods to any person in or near the parking place or in connection with the selling or offering for sale of his skill in handicraft or his services in any other capacity:

PROVIDED THAT nothing in this Article shall prevent the sale of goods from a vehicle -

- (a) if the vehicle is one which may wait in a parking place in accordance with Article 10 and the goods are immediately delivered at or taken into premises adjacent to the vehicle from which the sale is effected or
- (b) if the vehicle is one to which the provisions of Article 19(1)(h) or (i) apply

18 THE driver of a motor vehicle using a parking place shall stop the engine as soon as the vehicle is in position in the parking place and shall not start the engine except when about to change the position of the vehicle in or to depart from the parking place

## **Restriction on waiting by a vehicle in a parking place**

19 (1) Notwithstanding the foregoing provisions of this Order any vehicle may wait during the permitted hours anywhere 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 police constable in uniform or a traffic warden may approve to enable a person to board or alight from the vehicle or load thereon or unload therefrom his personal luggage:

PROVIDED THAT if the said person is a person suffering from any disability or injury which seriously impairs his ability to walk or who is blind the vehicle may wait for as long as may be necessary to enable that person to board or alight from the vehicle or load thereon or unload therefrom his personal luggage

- (b) the vehicle is waiting owing to the driver being prevented from proceeding by circumstances beyond his control or to such waiting being necessary in order to avoid an accident
- (c) the vehicle is being used for fire brigade ambulance or police purposes or not being a passenger vehicle a motor cycle or an invalid carriage 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 in 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 waiting:
  - (i) while postal packets addressed to premises adjacent to the parking place in which the vehicle is waiting are being unloaded from the vehicle or having been unloaded therefrom are being delivered or
  - (ii) while postal packets are being collected for loading on the vehicle from

premises or posting boxes adjacent to the parking place in which the vehicle is waiting or having been so collected are being loaded thereon

- (f) the vehicle not being a passenger vehicle a motor cycle or an invalid carriage is waiting only for so long as may be reasonably necessary to enable it to be used for any purpose specified in Article 16(1)(b)
- (g) 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 in which the vehicle is waiting from or to a depository another office or dwelling-house
- (h) 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 police constable in uniform or a traffic warden may approve or
- (i) goods are being sold or offered or exposed for sale from the vehicle by a person who is licensed by the Council or the Mole Valley District Council to sell goods from a stationary vehicle on a pitch situated in the parking place
- (j) the vehicle is displaying in a prominent position behind the windscreen so that it is facing forwards and can be entirely and easily seen from the front of the vehicle a valid waiver certificate issued by a person duly authorised by the Council to wait in accordance with the terms and conditions prescribed by the said certificate

PROVIDED THAT a waiver certificate may be cancelled at any time at the sole discretion of the Council and shall thereupon immediately cease to be valid and that a notification of such 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

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



### **Manner of waiting in a parking place**

20 NO person shall cause or permit a vehicle to wait in a parking place by virtue of the provisions of sub-paragraph (1)(e) (f) (g) (h) (i) or (j) of the last preceding Article otherwise than:-

- (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 in the Third Column of the Second Schedule or the Third Column of the Third Schedule so that the vehicle shall stand -
  - (i) unless the length of the vehicle precludes compliance with this sub-paragraph in accordance with those provisions and so that every part of the vehicle is within the limits of the aforesaid parking place or
  - (ii) if the length of the vehicle does preclude compliance with the last preceding sub-paragraph so that the longitudinal axis of the vehicle is parallel to the edge of the carriageway nearest to the vehicle and the distance between the said edge and the nearest wheel of the vehicle is not more than 300 millimetres and
- (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 distance between the said edge and the nearest wheel of the vehicle is not more than 300 millimetres and
- (c) 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

For the purposes of the last foregoing paragraph the expression "premises" shall not include any premises to or from which any furniture is being removed by virtue of the provisions of paragraph (1)(g) of the last preceding Article or to or from which goods are being delivered or collected by virtue of the provisions of paragraph (1)(h) of that Article

### **Movement of a vehicle in a parking place in an emergency**

21 ANY person duly authorised by the Council 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 unattended in a parking place

### **Removal of a vehicle from a parking place**

22 (1) When a vehicle is left in a parking place in contravention of any of the provisions contained in this Order a person authorised in that behalf by the Council or a police constable in uniform may remove the vehicle or arrange for it to be moved from that parking place

(2) Where it appears to the Council or a police constable in uniform that a vehicle left in a parking place has been abandoned a person authorised in that behalf by the Council or a police constable in uniform may in such manner as they consider necessary for the purpose remove the vehicle or arrange for it to be moved from that parking place:

PROVIDED THAT where the Council or a police constable in uniform propose to move such a vehicle which in the opinion of the Council or the Chief Constable is in such a condition that it ought to be destroyed then they shall not less than seven days before removing it cause to be affixed to the vehicle a notice stating that they propose to remove it for destruction at the end of that period

23 WHEN a person authorised by the Council or a police constable in uniform removes or makes arrangements for the removal of a vehicle from a parking place by authority of Article 22 he shall except in the case of a vehicle which in the opinion of the Council or the Chief Constable is in such condition that it ought to be destroyed make such arrangements as may be deemed reasonably necessary for the safe custody of the vehicle

### **Charges for the removal and storage of a vehicle from a parking place**

24 WHERE a vehicle is removed by the Council or a police constable in uniform from a parking place in pursuance of Article 22 there shall be payable to the Council or the Chief Constable pursuant to Section 102 of the Act and the Removal, Storage and Disposal of Vehicles (Prescribed Sums and Charges etc.) Regulations 1989 charges for the removal storing and disposal of the said vehicle in accordance with the provisions of the said Regulations

### **Placing of traffic signs etc**

25 THE Council shall -

(a) place and maintain a traffic sign or traffic signs indicating the limits of each parking place

and

- (b) place and maintain in or in the vicinity of each parking place referred to in the Second Schedule and the Third Schedule a traffic sign or traffic signs indicating that such parking place may be used during the permitted hours for the leaving only of the vehicles specified in Article 10 and
- (c) carry out such other work as is reasonably required for the purposes of the satisfactory operation of a parking place

## **PART IV**

### **SUPPLEMENTARY PROVISIONS**

#### **Saving in respect of pedestrian crossings**

26 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 Act

#### **Saving in respect of Hackney Carriages**

27 NOTHING in Article 3 shall render it unlawful to cause or permit hackney carriages to wait upon any stand for hackney carriages duly authorised under Section 63 of the Local Government (Miscellaneous Provisions) Act 1976

PROVIDED THAT the said hackney carriages are waiting wholly within the limits of any said stand for hackney carriages

#### **Saving in respect of bus stop clearways**

28 INSOFAR as any provision contained in PART II and PART III conflicts with a provision which is contained in paragraphs 2 3 or 4 of Schedule 19 to the Traffic Signs Regulations and General Directions 2003 (S.I. 2002 No. 3113) then the provision contained in the said paragraphs of the said Regulations shall prevail

#### **Saving with respect to parking places**

29 INSOFAR as any provision contained in PART III conflicts with a provision which is

contained in PART II or in any other enactment existing at the time when this Order comes into operation and which imposes or has the effect of imposing any restriction or prohibition on -

- (a) the waiting loading and/or unloading by vehicles and/or
- (b) the delivering or collecting of goods by vehicles

or grants an exemption from any such restriction or prohibition then the provisions contained in PART III shall prevail

PROVIDED THAT nothing in this Article shall apply in respect of a bus stop clearway

### **Saving with respect to other enactments**

30 SUBJECT to the provisions contained in Articles 26 27 28 and 29 the prohibitions restrictions and requirements imposed by this Order are in addition to and not in derogation of any prohibition restriction or requirement imposed by any other enactment and any exception or exemption from the provisions of this Order is without prejudice to the provisions of any other enactment

## **PART V**

### **ENFORCEMENT**

#### **Contraventions**

31 IF a vehicle is left without complying with any of the requirements of this Order then a contravention will have occurred and a penalty charge shall be payable. A Penalty Charge Notice showing the information required by the Road Traffic Act 1991 may then be issued by a Parking Attendant in accordance with the requirements of the Road Traffic Act 1991

#### **Notice of penalty charge**

32 IN the case of a vehicle in respect of which the penalty charge may have been incurred it shall be the duty of a Parking Attendant to attach to the vehicle in a conspicuous position a Notice which shall include the following particulars:

- (a) the grounds on which the Parking Attendant believes that a penalty charge is payable with respect to the vehicle and
- (b) the amount of the penalty charge which is payable and

- (c) that the penalty charge must be paid before the end of the period of twenty-eight days beginning with the date of the Notice and
- (d) that if the penalty charge is paid before the end of the period of fourteen days beginning with the date of the Notice the amount of the penalty charge will be reduced by the specified proportion and
- (e) that if the penalty charge is not paid before the end of the twenty-eight day period a Notice to the owner may be served by the Council on the person appearing to them to be the owner of the vehicle and
- (f) the address to which payment of the penalty charge must be sent

PROVIDED THAT in paragraph (d) above "specified proportion" means such proportion applicable to all cases as may be determined by the Local Authorities acting through the Joint Committee

### **Restriction on removal of Penalty Charge Notices**

33 WHERE a Penalty Charge Notice has been attached to a vehicle in accordance with the provisions of this Order no person not being the driver of the vehicle a police constable in uniform or a traffic warden shall remove that Notice from the vehicle unless authorised to do so by the driver

### **Manner of payment of penalty charge**

34 (1) The owner of a vehicle in respect of which the penalty charge has been incurred shall pay the penalty charge to the Council EITHER by cheque or postal order which shall be delivered or sent by post so as to reach EITHER the Administrative Centre of the Mole Valley District Council situated at Pippbrook Dorking Surrey RH4 1SJ or the Leatherhead Help Shop (a partnership between the aforesaid Mole Valley District Council and Surrey County Council) situated at 25/29 High Street Leatherhead Surrey KT22 8AB within twenty-eight days of the issue of the

penalty charge OR in cash in person at either the said Administrative Centre or Help Shop not later than as aforesaid OR by credit card or debit card

- (2) If the penalty charge is paid before the end of the period of fourteen days beginning with the date of the Notice the amount of the penalty charge will be reduced by the specified proportion
- (3) If the owner fails to pay the penalty charge by the end of the twenty-eight day period a Notice to Owner may be served and if the charge is then not paid within a further period of twenty-eight days it may be increased by fifty per cent

If the fourteen or twenty-eight day periods referred to above fall on a day when either the said Administrative Centre or Help Shop is closed the period within which payment shall be made shall be extended until 4.30 p.m. on the next full day on which the said Administrative Centre or Help Shop is open

## **PART V**

### **REVOCATION**

35 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 Orders specified in the Fourth Schedule to this Order are hereby revoked in their entirety

### **FIRST SCHEDULE**

Prohibition of Waiting at any time

Cock Lane (D2543)

Fetcham

north side

from the western kerb-line of The Street Fetcham westwards for a distance of 67 metres

south side from the western kerb-line of The Street Fetcham westwards for a distance of 67 metres

Felday Road (B2126)

Abinger Hammer

east side from the southern kerb-line of Dorking Road (A25) southwards for a distance of 50 metres

west side from the southern kerb-line of Dorking Road (A25) southwards for a distance of 100 metres

Povey Cross Road

(C62) Horley

both sides from the south-westernmost kerb-line of Brighton Road (A23) (at the junction of Brighton Road (A23) and Povey Cross Road with Reigate Road (A217) at the roundabout known as "the Longbridge Roundabout") south-westwards to a point opposite the property boundary line between the properties currently known as "Tangmere" and "Briar House" Povey Cross Road a distance of approximately 162 metres

Old London Road

(B2209) Mickleham

north north-west and

west side

- (i) from a point 34 metres east of the north-eastern kerb-line of London Road (A24) (at the Burford Bridge Roundabout) eastwards then north-eastwards and then northwards for a distance of 45 metres
- (ii) from a point 89 metres east then north-east and then north of the north-eastern kerb-line of London Road (A24) (at the

Burford Bridge Roundabout) northwards for a distance of 45 metres

(iii) from a point 197 metres east then north-east and then north of the north-eastern kerb-line of London Road (A24) (at the Burford Bridge Roundabout) northwards for a distance of 27 metres

south and east side

from a point 10 metres east of the north-eastern kerb-line of London Road (A24) (at the Burford Bridge Roundabout) eastwards then north-eastwards and then northwards for a distance of 624 metres to a point opposite the northern property boundary line of the property presently known as "Fredley" Old London Road

Rectory Lane (D323)

Charlwood

Both sides

from the western kerb-line of The Street Charlwood westwards for a distance of 15 metres

The Street (C57)

Charlwood

eastern and north-eastern part

both sides

from a point opposite the property boundary line between the Charlwood Parish Hall and No. 1 Norwood Hill Road southwards and then south-eastwards along the eastern and north-eastern part of The Street Charlwood to a point 7 metres north-west of a point opposite the eastern flank wall of the property presently known as "Aberdeen House" The Street Charlwood a distance of



approximately 160 metres

The Street (D2644)

Fetcham

west side

- (i) from the northern kerb-line of Cock Lane Fetcham northwards  
for a distance of 15 metres
- (ii) from the southern kerb-line of Cock Lane Fetcham  
southwards for a distance of 15 metres

## **SECOND SCHEDULE**

(See over)

**SECOND SCHEDULE (SEE ARTICLE 8)**

**AREAS ON ROADS DESIGNATED AS PARKING PLACES**

**SUBJECT TO THE PROVISIONS OF ARTICLES 16(4)(I) AND (II) AND 19 PARKING PLACES IN WHICH ONLY PASSENGER VEHICLES GOODS VEHICLES MOTOR CYCLES AND INVALID CARRIAGES MAY BE LEFT**

**SUBJECT TO THE PROVISIONS OF ARTICLE 19 PARKING PLACES IN RESPECT OF WHICH A VEHICLE MAY BE LEFT DURING THE PERMITTED HOURS FOR ANY PERIOD WITHOUT TIME LIMIT PROVIDED THAT DURING THE PRESCRIBED HOURS A VEHICLE MAY NOT BE LEFT FOR A PERIOD EXCEEDING ONE HOUR AND THIRTY MINUTES NO RETURN BEING PERMITTED WITHIN A FURTHER PERIOD OF ONE HOUR**

FIRST COLUMN	SECOND COLUMN	THIRD COLUMN
No. of parking place	Designated parking place	Special manner of standing
1	COBHAM ROAD (D2508) FETCHAM the north-east side that part of the lay-by fronting Nos. 216 to 226 Cobham Road Fetcham which extends from a point 1 metre north-west of a point opposite the south-eastern wall of No. 216 Cobham Road Fetcham north-westwards for a distance of 38 metres and which has a width throughout of 5 metres	At an angle of 90 degrees to the north-eastern edge of the carriageway comprised in the said part of the said lay-by with

2	<p>COBHAM ROAD (D2508) FETCHAM the north-east side that part of the lay-by fronting Nos. 228 and 230 to Nos. 242 and 244 Cobham Road Fetcham which extends from a point 1.5 metres south-east of a point opposite the south-eastern wall of Nos. 228 and 230 Cobham Road Fetcham north-westwards for a distance of 27.5 metres and which has a width throughout of 5 metres</p>	<p>the rear wheels or the front wheels nearest to the said edge</p> <p>At an angle of 90 degrees to the north-eastern edge of the carriageway comprised in the said part of the said lay-by with the rear wheels or the front wheels nearest to the said edge</p>
3	<p>COBHAM ROAD (D2508) FETCHAM the north-east side that part of the lay-by fronting No. 246A Cobham Road Fetcham (Budgen Food Shops Supermarket) which extends from a point 3 metres north-west of a point opposite the south-eastern wall of No. 246A Cobham Road Fetcham north-westwards for a distance of 26.5 metres and which has a width throughout of 5 metres</p>	<p>At an angle of 90 degrees to the north-eastern edge of the carriageway comprised in the said part of the said lay-by with the rear wheels or the front wheels nearest to the said edge</p>

**THIRD SCHEDULE**

**(See over)**

**THIRD SCHEDULE (SEE ARTICLE 8)**

**AREA ON A ROAD DESIGNATED AS A PARKING PLACE**

**SUBJECT TO THE PROVISIONS OF ARTICLES 16(4)(I) AND (II) AND 19 PARKING PLACE IN WHICH ONLY PASSENGER VEHICLES GOODS VEHICLES MOTOR CYCLES AND INVALID CARRIAGES MAY BE LEFT**

**SUBJECT TO THE PROVISIONS OF ARTICLE 19 PARKING PLACE IN RESPECT OF WHICH A VEHICLE MAY BE LEFT DURING THE PERMITTED HOURS FOR ANY PERIOD WITHOUT TIME LIMIT PROVIDED THAT DURING THE PRESCRIBED HOURS A VEHICLE MAY NOT BE LEFT FOR A PERIOD EXCEEDING ONE HOUR NO RETURN BEING PERMITTED WITHIN A FURTHER PERIOD OF ONE HOUR**

FIRST	SECOND	THIRD
COLUMN	COLUMN	COLUMN
No. of parking place	Designated parking place	Special manner of standing
4	GUILDFORD ROAD (B2122) FETCHAM the north-west side that part of the lay-by fronting the property presently known as "Juniper House" Guildford Road Fetcham and Nos. 1 to 3 (inclusive) Sunmead Parade Guildford Road Fetcham which extends from a point opposite the north-easternmost flank wall of No. 1 Sunmead Parade south-westwards to a point opposite the south-westernmost flank wall of No. 3 Sunmead Parade a distance of approximately 25 metres and which has a width throughout of 2.16 metres	-

## FOURTH SCHEDULE

### Orders to be revoked

The Leatherhead Urban District (Street Parking Place) (Fetcham) Order, 1967

The Surrey County Council (Various Roads in Mole Valley) (Consolidation of Waiting Restrictions and Free Street Parking Places) Order 1992

The Surrey County Council ((Various Roads in Mole Valley) (Consolidation of Waiting Restrictions and Free Street Parking Places) Order 1992) (Amendment No. 1) Order 1994

The Surrey County Council ((Various Roads in Mole Valley) (Consolidation of Waiting Restrictions and Free Street Parking Places) Order 1992) (Amendment No. 2) Order 1996

The Surrey County Council ((Various Roads in Mole Valley) (Consolidation of Waiting Restrictions and Free Street Parking Places) Order 1992) (Amendment No. 3) Order 2001

The Surrey County Council ((Various Roads in Mole Valley) (Consolidation of Waiting Restrictions and Free Street Parking Places) Order 1992) (Amendment No. 4) Order 2002

THE COMMON SEAL of THE COUNTY )  
COUNCIL OF SURREY was hereunto )  
affixed on 21 April 2004 in the )  
presence of:- )

Ann Charlton  
Head of Legal Services

**DATED 21 APRIL 2004**

**ROAD TRAFFIC REGULATION  
ACT 1984  
SECTIONS 1 (1) AND 2 (1) TO  
(3) AND 4(2) AND  
32 35 AND 36 AND PART IV  
OF SCHEDULE 9**

**THE SURREY COUNTY  
COUNCIL (VARIOUS  
ROADS IN MOLE VALLEY)  
(CONSOLIDATION OF  
WAITING RESTRICTIONS  
AND FREE ON-STREET  
PARKING PLACES)  
ORDER 2004**

REF: E.LEGAL/11713/AK