

THE OXFORDSHIRE COUNTY COUNCIL
(WEST OXFORDSHIRE DISTRICT)
(DISABLED PERSONS' PARKING PLACES)
ORDER 2006

The Oxfordshire County Council ("the Council") in exercise of their powers contained in Sections 32, 35 and 45 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, make the following Order:-

PART I
IMPLEMENTATION, CITATION DEFINITIONS AND CONSTRUCTION

1. This Order shall come into operation on 13th June 2006 and may be cited as The Oxfordshire County Council (West Oxfordshire District) – (Disabled Persons' Parking Places) Places Order 200*.
2. In this Order, except where the context otherwise requires, the following expressions shall have the following meanings: -

"disabled persons badge" has the meaning given in the Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000

"disabled persons' parking place" means a length of road specified in Schedule 1 to this Order, being located in any of the towns or parishes specified in Schedule 2 to this Order, and authorised to be used as a parking place for disabled persons' vehicles (and otherwise) as provided by Article 4 of this Order;

"disabled person's vehicle" means

- (a) a vehicle lawfully displaying in the relevant position a disabled person's badge; and
- (b) a vehicle lawfully displaying a recognised badge;



"driver" in relation to a vehicle waiting in a disabled persons' parking place, means the person driving the vehicle at the time it was left there;

"postal packet" means a letter, parcel, packet or other article transmitted by post;

"recognised badge" has the meaning given in Section 21 A of the Chronically Sick and Disabled Persons Act 1970;

"relevant position" means for the display of a disabled persons' badge displayed in the manner prescribed by Regulation 12 of the Disabled Persons' (Badges for Motor Vehicles) (England) Regulations 2000;

"traffic sign" means any object, device, line or mark for conveying/or notifying to traffic on roads or any specified class of traffic warnings, information, requirements, restrictions or prohibitions as specified in Section 64 of the Act;

"universal service provider" has the meaning given in Sections 4(3) and (4) of the Postal Services Act 2000.

3. (1) Any reference in this Order to any enactment shall be construed as a reference to that enactment as amended or replaced by any subsequent enactment;
- (2) Words importing the masculine gender shall also include the feminine gender and words in the singular include the plural and vice versa;
- (3) The restrictions imposed by this Order shall be in addition to and not in derogation from any restriction or requirement imposed by any other enactment;
- (4) Any reference in this Order to a numbered Article or Schedule shall unless the context otherwise requires be construed as a reference to the numbered Article or Schedule bearing that number in this Order;
- (5) Headings are inserted for convenience and shall not affect the construction or interpretation of this Order;

- (6) Where this Order repeals an order which in turn repealed a previous order, the repeal contained in this Order does not revive any order previously repealed unless express words are added reviving it.

PART II

DISABLED PERSONS' PARKING PLACES

Authorisation of Parking Places

4. (1) Each of the lengths of road specified in Schedule 1 to this Order is authorised to be used, subject to the following provisions of this Part of this Order, as a parking place for the classes of vehicles specified in Article 5 only.
- (2) No vehicle other than of a class specified in Article 5 shall park at any time in the lengths of road specified in Schedule 1.
5. Each parking place specified in Schedule 1 may be used for the leaving of the following classes of vehicle:-
- (1) a disabled person's vehicle;
- (2) a vehicle being used for any purpose specified in Article 11 of this Order.

Position In Which A Vehicle May Stand

6. The driver of a vehicle of a class specified in Article 5 shall not permit it to wait in a disabled persons' parking place unless it is standing in position in single line with the whole nearside or offside of the vehicle adjacent to the kerb unless otherwise specified in Schedule 1.
7. The limits of each disabled persons' parking place shall be indicated by the Council on the carriageway by the appropriate traffic signs and any vehicle

standing in a disabled persons' parking place shall stand wholly within the limits so marked.

Restrictions on Use

- 8 The driver of a vehicle using a disabled persons' parking place shall stop the engine as soon as the vehicle is in position in the disabled persons' parking place, and shall not start the engine except when about to change the position of the vehicle in or to depart from the disabled persons' parking place.
- 9 No person shall use any vehicle while it is in a disabled persons' parking place in connection with the sale of any article to any person in or near it or in connection with the selling or offering for hire of his skill or services.

Removal and Moving of Vehicles

10. (1) Where a traffic warden or a police officer in uniform is of the opinion that any of the provisions contained in this Part of this Order have been contravened or not complied with in respect of a vehicle left in a disabled persons' parking place he may remove the vehicle or arrange for it to be removed from the disabled persons' parking place and, where it is so removed, he shall make such arrangements as may be reasonably necessary for the safe custody of the vehicle, provided that when a vehicle is parked in a disabled persons' parking place in a position contravening the provisions of this Part of this Order a traffic warden or a police officer in uniform may alter or cause to be altered the position of the vehicle in order that its position shall comply with the provisions.
- (2) A police officer in uniform may, in case of emergency, move, or cause to be moved to any place he thinks fit, any vehicle left in a disabled persons' parking place.
- (3) Any person authorised to remove a vehicle or alter its position by virtue Article 10 (1) may do so by towing or driving the vehicle or in such other

manner as he may think necessary and may take such measures in relation to the vehicle as he may think necessary to enable him to remove it or alter its position as the case may be.

11 Suspension of Use of Disabled Persons' Parking Place

(1) A traffic warden, police officer in uniform or person authorised by the Council may suspend the use of a disabled persons' parking place or any part of it 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 :-
 - (i) any building operation, demolition or excavation in or adjacent to such a parking place;
 - (ii) works to the road (including but not by way of limitation cleansing of gulleys and installation of traffic signs) in or adjacent to such a parking place;
 - (iii) the laying, erection, alteration, removal, repair or servicing in or adjacent to such a parking place of any sewer or any main, pipe or apparatus for the supply of gas, water electricity or communications services;
- (c) for the convenience of occupiers of premises adjacent to the disabled persons' parking place for of the removal of furniture or household effects to or from a shop, office, or dwellinghouse, or depository;
- (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 disabled persons' parking place at times of weddings or funerals, or on other special occasions.

- (2) Any person suspending the use of a disabled persons' parking place or any part of it in accordance with the provisions of Article 11 (1) shall place or cause to be placed in or adjacent to that disabled persons' parking place or the part of it whose use is suspended a traffic sign indicating that waiting by vehicles is prohibited.
- (3) No person shall cause or permit a vehicle to be left in a disabled persons' parking place or part of a disabled persons' parking place during any period when there is in or adjacent to that disabled persons' parking place or part of it a traffic sign placed pursuant to Article 11 (2).

Exemptions

12 Notwithstanding the above provisions of this Part of the Order a vehicle may wait in a disabled persons' parking place, other than a parking place the use of which has been suspended, if the vehicle is:-

- (1) an ambulance being used for ambulance purposes;
- (2) in the service of the fire brigade and being used for fire brigade purposes;
- (3) a police vehicle;
- (4) in the service of a local authority pursuant to statutory functions;
- (5) in the service of or employed by a universal service provider while in use for the purpose of loading, unloading, delivering or collecting postal packets at premises or posting boxes adjacent to the parking place;
- (6) waiting while any gate or other barrier at the entrance to land or premises to which the vehicle requires access or from which it has emerged is being opened or closed, if it is not reasonably practicable for the vehicle to wait otherwise than in the parking place while such gate or other barrier is being opened or closed;
- (7) waiting in any case where the person in control of the vehicle is required by law to stop, or is obliged to do so in order to avoid an accident or is prevented from proceeding by circumstances outside his control;

(8) being used for any of the following purposes, but for so long only as is required to enable the vehicle to be so used:-

- (i) in connection with any funeral;
- (ii) in connection with any building operation, demolition or excavation in or adjacent to the parking place where it is not reasonably practicable for the vehicle to wait elsewhere;
- (iii) in connection with any emergency maintenance operation in premises adjacent to the parking place;
- (iv) the removal of any obstruction to traffic in or adjacent to the vehicular parking place;
- (v) the maintenance, improvement or reconstruction of the road (including cleansing of gullies) in or adjacent to the parking place;
- (vi) the installation or carrying out of works to a traffic sign, road lighting or street furniture in or adjacent to the parking place
- (vii) the laying, erection, alteration, removal, repair or servicing in or adjacent to the parking place of any sewer or of any main, pipe or other apparatus (which includes a telephone kiosk) for the supply of gas, water, electricity or communication services

Provided that in any of the cases mentioned above the person in control of the vehicle shall move it on the instruction of a traffic warden or police officer in uniform, wherever this shall be necessary for the purpose of preventing obstruction.

PART III

REVOCATIONS

13. (1) The Orders specified in Schedule 3 to this Order are revoked.

**GIVEN UNDER the Common Seal of the Oxfordshire County Council the 31st
May 2006**

SCHEDULE 1
DISABLED PERSONS' PARKING PLACES
(24 Hour Parking Places Without Time Limit)

- | | | | |
|---|---------|-------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1 | Burford | High Street | <p>West side from a point 11 metres north of the centre line of Sheep Street northwards for a distance of 29 metres</p> <p>East side from a point 13 metres north of the centre line of Witney Street for a distance of 10 metres</p> |
|---|---------|-------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

12 places

SCHEDULE 2
TOWNS AND PARISHES

1. Alverscot
2. Ascott-under-Wychwood
3. Asthal
4. Aston Cote, Shifford and Chimney
5. Bampton
6. Black Bourton
7. Bladon
8. Blenheim
9. Brize Norton
10. Broadwell
11. Bruern
12. Burford
13. Carterton
14. Cassington
15. Chadlington
16. Charlbury
17. Chastleton
18. Chilson
19. Chipping Norton
20. Churchill and Sarsden
21. Clanfield
22. Combe
23. Cornbury and Wychwood
24. Cornwell
25. Crawley
26. Curbridge and Lew
27. Ducklington
28. Enstone
29. Eynsham
30. Fawler
31. Fiffield
32. Filkins and Broughton Poggs
33. Finstock
34. Freeland
35. Fulbrook
36. Glympton
37. Grafton and Radcot
38. Great Tew
39. Hailey
40. Hanborough
41. Hardwick-with-Yelford
42. Heythrop
43. Holwell
44. Idbury
45. Kelmscott
46. Kencot
47. Kiddington with Asterleigh
48. Kingham
49. Langford

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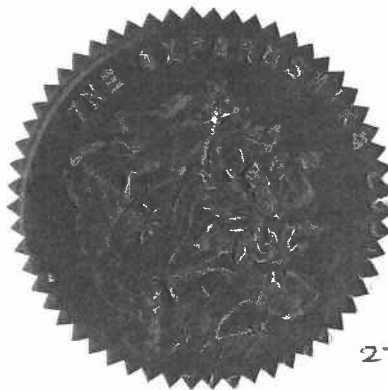
50. Leaffield
51. Little Faringdon
52. Little Tew
53. Lyneham
54. Milton-under-Wychwood
55. Minster Lovell
56. Northe Leigh
57. Northmoor
58. Over Norton
59. Ramsden
60. Rollright
61. Rousham
62. Salford
63. Sandford St. Martin
64. Shilton
65. Shipton-under-Wychwood
66. South Leigh
67. Spelsbury
68. Standlake
69. Stanton Harcourt
70. Steeple Barton
71. Stonesfield
72. Swerford
73. Swinbrook and Widford
74. Tackley
75. Taynton
76. Westcote Barton
77. Westwell
78. Witney
79. Woodstock
80. Wooton (Woodstock)
81. Worton

SCHEDULE 3
REVOCATIONS

1. The Oxfordshire County Council (High Street, Burford) (Disabled Persons' Parking Place) Order 1992 as amended

THE COMMON SEAL of THE)
OXFORDSHIRE CITY COUNCIL was)
hereunto affixed in the presence of:-)

Murrian Graham
County Solicitor/ Designated Officer



274/06