

THE BOROUGH OF READING

**(CIVIL ENFORCEMENT AREA)
(WAITING RESTRICTIONS AND PAY AND DISPLAY)
(CINTRA AVENUE AND WARWICK ROAD) ORDER 2017**

The Reading Borough Council (hereinafter referred to as "the Council") in exercise of the powers conferred by Sections 1(1), 2(1) to (3), 4(2), 32, 33, 35, 39, 45 and 46 of and Part IV of Schedule 9 to the Road Traffic Regulation Act 1984 ("the Act of 1984"), as amended and of all other powers thereunto enabling and after consultation with the Chief Officer of Police in accordance with Part III of Schedule 9 to the Act of 1984 and Part 6 of the Traffic Management Act 2004 ("the Act of 2004"), hereby make the following Order:-

**PART I
CITATION AND INTERPRETATION**

1. This Order may be cited as The Borough of Reading (Civil Enforcement Area) (Waiting Restrictions and Parking Places) (Cintra Avenue and Warwick Road) Order 2017 and shall come into operation on the 4th September 2017.

2. In this Order, except where the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them:-

"ambulance" has the same meaning as in the Vehicle Excise and Registration Act 1994;

"authorised agent" means the parking services contractor appointed by and acting on behalf of the Council for the purposes of the supervision and enforcement of this Order;

"authorised cab rank" means an area of carriageway which is comprised within and indicated by road

"authorised parking place" means any parking place on a road, authorised or designated by this Order;

"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;

"civil enforcement officer" has the same meaning as in section 76 of the Act of 2004;

"disabled person's badge", "disabled person's vehicle" and "parking disc" have the same meanings as in the Local Authorities Traffic Orders (Exemption for Disabled Persons) (England) Regulations 2000;

"doctor" means a 'fully registered person' as defined in section 55 of the Medical Act 1983;

"driver", in relation to a vehicle waiting in a parking place or on a road or length of road, means the person driving the vehicle at the time it was left in that parking place or road or length of road;

"goods" means goods or burden of any description and includes postal packets of any description;

"goods vehicle" means a motor vehicle which is constructed or adapted for use for the carriage of goods or burden of any description and which does not exceed 5.30 metres in length or 2.25 metres in height;

"hackney carriage" means a vehicle licensed under Section 37 of the Town Police Causes Act 1847, Section 6 of the Metropolitan Carriages Act 1869, or any similar enactment;

"loading" means the loading or unloading of goods to or from a vehicle;

"motorcycle" and "invalid carriage" have the same meanings as in Section 136 of the Road Traffic Act of 1984;

"owner", in relation to a vehicle, has the same meaning as in Section 92(1) of the Act of 2004 or the person who has the use of such a vehicle in the course of his/her employment and is entitled to use such a vehicle as though he/she were the registered keeper thereof;

"parking place" has the same meaning given by section 79(7) of the Act of 2004;

"passenger vehicle" means a motor vehicle (other than a motor cycle or invalid carriage) not exceeding 5.30 metres in length and 2.25 metres in height and constructed or adapted for the carriage of passengers and their effects;

"permit" means a permit issued under the provisions of Part IV;

"permit holder" means a person to whom a permit has been issued;

"permitted hours" means 24 hours Monday to Sunday unless otherwise stated in Article 8 to this Order;

"relevant position" in respect of: -

- (a) a parking permit, means
 - (i) in the case of a vehicle fitted with a front windscreen, that the badge or permit is exhibited thereon with the front facing forward on the nearside of and immediately behind the windscreen; or
 - (ii) the case of a vehicle not fitted with a front windscreen, that the badge or permit is exhibited on the front or nearside of the vehicle;
- (b) a disabled person's badge, in accordance with Section 12 of The disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000;

"resident" means a person whose usual place of abode is at premises the postal address of which is in a road or part of a road specified in Schedule 5;

"Residents Parking Permit" means a parking permit issued to the Council in accordance with Part IV of this Order;

"specified class" means a disabled persons vehicle, a dual purpose vehicle, goods vehicle being less than 3.5 tonnes, an invalid carriage, a motor cycle, motor tricycle or a passenger vehicle;

"specified position" a vehicle left in a parking place during the permitted hours in accordance with the foregoing provisions of this Order shall cause it so to stand so that every part of a vehicle is within the limits of a parking place.

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

"The 2002 Regulations" means the Traffic Signs Regulations and General Directions 2002.

3. The prohibitions imposed by this Order shall be in addition to and not in derogation of any restriction, prohibition or requirement imposed by any Regulations or Orders made or having effect as if made under the Act of 1984, or by or under any other enactment.
4. Save where the contrary is indicated, any reference in this Order to:-
 - (a) a numbered Article or Schedule is a reference to the Article or Schedule bearing that number in this Order;
 - (b) this Order or another Order shall be construed as such a reference to this Order or, as the case may be, such other Order, as the same may have been or may from time to time be amended, varied or supplemented;
 - (c) a Statute or Regulation shall be construed as reference to such Statute or Regulations as the same may have been, or may from time to time be amended or re-enacted.
 - (d) The requirements of any Article making reference to a numbered Schedule to this Order shall only have effect when a Schedule similarly numbered is appended to this Order.

PART II
WAITING AND LOADING OF VEHICLES

5. Save as provided in Articles 6 and 7 no person shall, except upon the direction or with the permission of a Police Constable in uniform or a civil enforcement officer, cause or permit any vehicle during each separately dated day, to:-
 - (a) wait at any time on Mondays to Sundays inclusive in the lengths of roads specified in Schedule 1;
 - (b) wait at any time on Mondays to Saturdays inclusive between 8.00 a.m. to 5.30 p.m. on the lengths of roads as specified in Schedule 2;
6. Nothing in Article 5 shall apply to any vehicle waiting in the lengths of roads referred to therein for so long as it may be necessary to enable:-
 - (a) a person to board or alight from the vehicle;
 - (b) 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;
 - (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;
 - (v) the service of a Local Authority or a Water Authority in pursuance of statutory powers or duties;

- (c) the vehicle to be used for the purpose of providing a postal service as defined in section 27 Postal Services Act 2011;
- (d) the vehicle to take in petrol, oil, water or air from any garage situated on or adjacent to the said lengths of roads;
- (e) 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;
- (f) the vehicle being used for fire brigade, ambulance or police purposes.

7. (1) Nothing in Article 5 (a), (b) and (c) shall apply:-

- (a) to a Disabled Person's Vehicle, displaying a Disabled Person's Badge in accordance with Section 12 of The Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000;
- (b) to a Disabled Person's Vehicle, displaying a Disabled Person's Badge in the relevant position, waiting on the lengths of roads specified in Schedules 3 and 4 during the specified limited waiting hours;

provided that such exemptions do not apply during the hours when loading restrictions are imposed by that Article.

(2) Nothing in Article 5(a) shall apply to any vehicle waiting for so long as may be necessary for the purpose of enabling goods to be loaded on or unloaded from the vehicle.

(3) Nothing in Article 5 shall apply to any vehicle:-

- (a) waiting upon an authorised parking place; or
- (b) being a Hackney Carriage, waiting upon an authorised cab rank; or
- (c) waiting for so long as may be necessary to enable the vehicle to be used in the provision of a local service within the meaning of the Transport Act 1985.

PART III

AUTHORISATION AND USE OF PAY AND DISPLAY PARKING PLACES

8. The Council may:-

- (a) Install, in such a position or in the vicinity of a Pay and Display Parking Places as it may think fit, such ticket machines or Mechanical device as are required by this Order for the purpose of that Pay and Display parking place; and
- (b) carry out such works as is reasonably required for the purpose of that Pay and Display parking place

9. The lengths of roads specified in Schedule 3 are authorised to be used:

- (a) as pay and display on street parking places for the parking during the permitted hours of 8.00 a.m. to 5.30 p.m. inclusive for a period of 3 hours excepting if a period of less than 2 hours has elapsed since the previous period of waiting by the same vehicle in the same length of road as detailed in the Schedule provided the driver, owner or passenger of the vehicle has paid the charges as specified in

the said Schedule; AND

(b) the lengths of roads in Schedule 3, are authorised to be used as parking places for the parking during the permitted hours of a vehicle displaying in the relevant position a valid Residents Parking Permit issued by the Council;

10. The lengths of roads specified in Schedule 4 are authorised to be used:

(a) as pay and display on street parking places for the parking during the permitted hours being the hours of 8.00 a.m. to 5.30 p.m. inclusive for a period of 2 hours excepting if a period of less than 2 hours has elapsed since the previous period of waiting by the same vehicle in the same length of road as detailed in the Schedule provided the driver, owner or passenger of the vehicle has paid the charges as specified in the said Schedule; AND

(b) the lengths of roads in Schedule 4, are authorised to be used as parking places for the parking during the permitted hours of a vehicle displaying in the relevant position a valid Residents Parking Permit issued by the Council;

11. Where in Schedules 3 and 4 a parking place is described as available for vehicles of a specific class or in a specified position, the driver of a vehicle shall not permit it to wait in the parking place unless it:-

(a) is of the specified class; or as the case may be -

(b) is in the specified position;

(c) displays a valid parking permit issued by the Council.

12. A driver of a vehicle shall not use a parking place:-

(a) so as to unreasonably prevent access to any premises adjoining the road, or the use of the road by any other person, or so as to be a nuisance;

(b) when a Police Constable in uniform, Civil Enforcement Officer or a or a person authorised by the Council has closed the parking place.

13. On leaving the vehicle in the parking places as specified in Schedule 3 the driver of the motor vehicle or motorcycle shall;

a) immediately upon entry of the motor vehicle or motorcycle into the parking place, be responsible for paying the fees due in accordance with the scale of fees as specified in the relevant Schedule 3 into a mechanical device or by payment by any other Approved Method of Payment and for obtaining there from a parking ticket indicating the amount paid and/or the time of arrival at the parking places;

b) upon payment of the minimum charge for the vehicle, the driver thereof shall exhibit on that vehicle, in accordance with the provisions of c) below, a parking ticket issued by a pay and display ticket machine,

c) the parking ticket referred to in b) above shall be exhibited on the vehicle:-

i) where the vehicle is fitted with a front glass windscreen extending across the vehicle to the near side facing forwards on the near side of the glass of such a windscreen, behind the glass or

ii) where the vehicle is not fitted with a front glass windscreen on the near side of the vehicle facing towards the near side of the road

but in all cases so that the time shown on the ticket is clearly visible to a person standing at the kerbside of the vehicle.

14. 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, that parking place.
15. No person shall use a vehicle whilst it is in a parking place in connection with the sale of any article to persons in or near the parking place, or in connection with the selling or offering for hire of his skill or services.
16. When a vehicle is left in a parking place in contravention of the provisions of Article 12(b), a Police Constable in uniform or a Civil Enforcement Officer or a person authorised by the Council to do so may alter or cause to be altered the position of the vehicle so that its position shall comply with that provision.
17. A Police Constable in uniform or a Civil Enforcement Officer or a person authorised by the Council to do so may, in case of emergency, or in contravention of Article 10, remove or cause to be removed to any place he thinks fit any vehicle left in a parking place.
18. Any person altering the position of a vehicle by virtue of Articles 16 or 17 may do so in such manner as he thinks necessary.
19. Any person removing or causing to be removed a vehicle from a parking place in accordance with Article 17 shall provide for the safe custody of the vehicle.

PART IV
PERMITS

20. (1) Any resident or doctor, who is the owner of a vehicle of the following class, that is to say a passenger vehicle, a goods vehicle, an invalid carriage or a motorcycle may apply to the Council or an authorised agent for a permit for the parking of that vehicle in a parking place specified in paragraph (5) of this Article and any such application shall be made on a form issued by and obtainable from the Council or authorised agent and shall include the particulars and information required by such form to be supplied.
- (2) The Council or authorised agent may at any time require an applicant for a permit or a permit holder to produce to an officer of the Council or authorised agent such evidence in respect of an application for a permit as they may reasonably require to verify the particulars or information given to them or to verify that the permit is valid.
- (3) The Council or authorised agent upon being satisfied that the applicant is:-
 - (a) a resident who is the owner of a vehicle of the class specified in paragraph (1) of this Article, shall issue to the applicant a Residents Parking Permit for the leaving during the permitted hours in a parking place of the vehicle to which such permit relates, by the owner or by any person using such vehicle with the consent of the owner (other than a person to whom such vehicle has been let for hire and reward);
 - (b) a Doctor, who is the owner of a vehicle of the class specified in paragraph (1) of this Article, shall issue to the applicant 1 Doctors Parking Permit for the leaving at any time in the Doctors Parking Place specified thereon such vehicles as they are satisfied are used by fully registered persons who are liable to be called of necessity to emergencies

away from the surgery or consulting room shown on the application to the extent that the need for special parking arrangements is justified and to whom no suitable alternative parking facility is available within a reasonable distance.

- (4) A resident shall not be entitled to be in possession of more than one permit at any one occasion.
 - (5) a Residents Parking Permit shall only be a valid for use in a parking place specified in Schedules 3 and 4;
21. Notwithstanding the provisions contained in Article 20 the Council may also grant permits to such other persons as they may think fit.
22. (1) A permit holder (whether of a Residents or Doctors Parking Permit), may surrender such permit to the Council or authorised agent at any time and shall surrender such permit to the Council or authorised agent on the occurrence of any one of the events set out in paragraph (3) of this Article.
- (2) The Council or authorised agent may, by notice in writing served on the permit holder at the address shown by that person on the application for the permit or at any other address believed to be that person's residence, withdraw a permit if it appears to the Council or authorised agent that any one of the events set out in paragraph (3) of this Article has occurred and the permit holder shall surrender the permit to the Council or authorised agent within 48 hours of the receipt of the aforementioned notice.
- (3) The events referred to in the foregoing provisions of this Article are:-
- (a) the permit holder ceasing to be a resident;
 - (b) the permit holder ceasing to be the owner of the vehicle in respect of which the permit was issued;
 - (c) the vehicle in respect of which such permit was issued being adapted or used in such a manner that it is not a vehicle of the class specified in Article 20(1);
 - (d) the issue of a duplicate permit by the Council under the provisions of Article 20(4);
 - (e) the expiry of the period for which the permit was issued;
 - (f) where a permit is issued to any person upon receipt of a cheque and the cheque is subsequently dishonoured, the permit shall cease to be of any effect;
 - (g) in the case of a fully registered person holding a Doctor's Parking Permit:-
 - (i) the vehicle or any vehicle in respect of which the permit was issued ceasing to be used by a fully registered person who is liable to be called of necessity to emergencies away from the surgery or consulting room shown on the application for the permit to the extent that the need for special parking arrangements is justified;
 - (ii) the revocation of the designation of the parking place in respect of which the permit was issued.
23. Without prejudice to the provisions of Article 22, a permit shall cease to be valid at the expiration of the

period specified thereon:-

- (a) which period, in the case of a Residents or Doctors Permit, shall not exceed a period of twenty-three months from the end of the month during which it first became valid;

or on the occurrence of any one of the events set out in paragraph (3) of Article 22, whichever is the earlier.

- 24. (1) A holder of a Doctors Parking Permit, may at any time apply to the Council or authorised agent for a permit issued to him to be amended so as to relate to any other vehicle, being a vehicle which is used by a fully registered person who are liable to be called of necessity to emergencies away from the surgery or consulting room shown on the application to the extent that the need for special parking arrangements can be justified.
- (2) Upon receipt of an application pursuant to paragraph (1) of this Article and of the relevant permit, the Council or authorised agent may amend the permit accordingly, or to such extent as they think fit, or at their discretion issue a revised permit, and if a revised permit is so issued, the permit shall become invalid and shall be surrendered to the Council.
- 25. (1) If a permit is accidentally mutilated or defaced or the figures or particulars thereon have become illegible or the colour of the permit has become altered by fading or otherwise, the permit holder shall surrender it to the Council or authorised agent and apply to the Council or authorised agent for the issue to him of a duplicate permit, whereupon Council or authorised agent, shall issue a duplicate permit so marked and upon such issue the original permit shall become invalid.
- (2) If a permit is lost or destroyed, the permit holder may apply to the Council or authorised agent for the issue to him of a duplicate permit and the Council or authorised agent upon being satisfied as to such loss or destruction, shall issue a duplicate permit so marked and upon such issue the permit shall become invalid.
- (3) All the provisions of this Order shall apply to a duplicate permit to the same extent as they applied to the original permit.
- 26. A permit shall be in writing and shall include the following particulars:-
 - (a) the registration mark of the vehicle in respect of which the permit has been issued;
 - (b) the period during which, subject to the provisions of Article 22, the permit shall remain valid;
 - (c) an authentication that the permit has been issued by the Council;
 - (d) a code indicating the parking area for which the permit is valid.
- 27. At all times during which a vehicle is left in a parking place specified in Schedules 3 and 4 during the permitted hours, there shall be displayed in the relevant position a permit issued in respect of that vehicle valid for parking place.
- 28. When a permit has been displayed in accordance with the provisions of Article 27, no person other than a Police Constable in uniform, or a parking attendant shall remove such permit or notice from the vehicle unless authorised to do so by the driver of that vehicle.

29. Notwithstanding the foregoing provisions of this Order, the Council may at its discretion issue a discretionary Notice allowing a specific vehicle to wait in a road or a parking place during the hours of operation of any restriction or prohibition to the contrary.

PART V
REVOCATIONS

30. The following items contained within orders detailed below shall be revoked:

Borough of Reading (Civil Enforcement Area) (Waiting Restrictions review B 2014) Order 2015

Schedule 4, item 32, Cintra Avenue, east side

Schedule 4, item 33, Cintra Avenue, east side

Borough of Reading (Civil Enforcement Area 9) (Waiting Restrictions and Parking Places) Order 2011

Schedule 4, item 30, Cintra Avenue, both sides

Schedule 4, item 31, Cintra Avenue, both sides

Schedule 4, item 32, Warwick Road, both sides

THE COMMON SEAL of the READING)
BOROUGH COUNCIL was hereunto)
affixed this 4 day of September 2017)
in the presence of:-)

Minute	Min 77 Traffic Management Sub-Com 9/3/2017
Originator	CMS
Seal No.	214 /17
Checked	SEO

S. E. O'Boyle

Authorised Signatory

LIST OF SCHEDULES

1. No Waiting At Any Time
2. No Waiting Monday to Saturday 8.00 a.m. to 5.30 p.m.
3. Shared Use: Monday - Saturday 8.00 a.m. to 5.30 p.m. pay and display 3 hours no return within 2 hours, or permit holders only. At all other times permit holders only.
4. Shared Use: Monday to Sunday Pay and Display 8.00 a.m. to 5.30 p.m. 2 hours no return within 2 hours or permit holders only. At all other times permit holders only.
5. List of Residents Addresses for the Issue of Parking Permits

Schedule 1
No Waiting At Any Time

Cintra Avenue, East side

From a point 61m south of its junction with Christchurch Road to a point 76m south of that junction

Cintra Avenue, East side

From a point 103m south of its junction with Christchurch Road to a point 117m south of that junction

Cintra Avenue, Both sides

From its junction with Christchurch Road to a point 15m south of that junction

Cintra Avenue, Both sides

From its junction with Warwick Road to a point 15m north of that junction

Warwick Road, Both sides

From its junction with Cintra Avenue to a point 15m west of that junction

Warwick Road, South side

From a point 108m east of its junction with Northumberland Avenue to a point 118m east of that junction

Schedule 2
No Waiting Monday to Saturday 8.00 a.m. to 5.30 p.m.

Cintra Avenue, West side

From a point 15m south of its junction with Christchurch Road to a point 15m north of its junction with Warwick Road

Schedule 3

Shared Use: Monday - Saturday 8.00 a.m. to 5.30 p.m. pay and display 3 hours no return within 2 hours, or permit holders only. At all other times permit holders only.

Cintra Avenue, East side

From a point 15m south of its junction with Christchurch Road to a point 61m south of that junction

Cintra Avenue, East side

From a point 76m south of its junction with Christchurch Road to a point 106m south of that junction

Cintra Avenue, East side

From a point 117m south of its junction with Christchurch Road to a point 15m north of its junction with Warwick Road

Name of Street	Charge Period	Scale of charges
Cintra Avenue	Mon-Sat 8 am- 5.30pm	Up to 20min - 60p Up to 40min - £1.10 Up to 1hr - £1.50 Up to 1hr 20min - £2.10 Up to 1hr 40min - £2.60 Up to 2hr - £3.10 Up to 2hr 20min - £3.50

		Up to 2hr 40min - £3.90 Up to 3hr - £4.20
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Schedule 4

Shared use: Monday-Sunday 8.00am-5.30pm 2 hours no return within 2 hours, or permit holders only. At all other times permit holders only.

Warwick Road, North side

From a point 17m east of its junction with Northumberland Avenue to a point 15m west of its junction with Cintra Avenue

Warwick Road, South side

From a point 17 east of its junction with Northumberland Avenue to a point 108m east of that junction

Warwick Road, South side

From a point 118m east of its junction with Northumberland Avenue to a point 15m west of its junction with Cintra Avenue

Schedule 5

List of Residents for the Issue of Parking Permits

Cintra Avenue - 15R (include all addresses)

Warwick Road - 15R (include all addresses)

ROAD TRAFFIC REGULATION ACT 1984

BOROUGH OF READING

(CIVIL ENFORCEMENT AREA)

(WAITING RESTRICTIONS AND PAY AND DISPLAY)
(CINTRA AVENUE AND WARWICK ROAD) ORDER 2017

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