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DATED 12th October 2001

ROAD TRAFFIC REGULATION ACT, 1984

THE BOROUGH OF READING (OXFORD ROAD)
(WAITING RESTRICTIONS) ORDER 2001

R.C. Taylor
Head of Legal Services,
Civic Offices, Civic Centre,
Reading, RG1 7TD
Legal/DJC/TC 2850/543
(Document No. 44760)

THE BOROUGH OF READING
(OXFORD ROAD) (WAITING RESTRICTIONS) ORDER 2001

The Reading Borough Council (hereinafter referred to as "The Council"), pursuant to Sections 1(1), 2(1) to (3), 4(2), 32(1), 35(1) and Part IV of Schedule 9 to the Road Traffic Regulation Act 1984 ("the Act of 1984"), 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 of 1984, hereby make the following Order:-

PART I
CITATION AND INTERPRETATION

1. This Order shall come into operation on the 12th day of October 2001 and may be cited as The Borough of Reading (Oxford Road)(Waiting Restriction)Order 2001

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 markings complying with diagram 1028.2 in Schedule 6 to the 1994 Regulations;

"authorised officer" means the Head of Planning and Transport for the Council or any other officer to be designated by the Council;

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

"bus" has the same meaning as in Regulations 22 of the 1994 Regulations;

"bus stand" means any area of carriageway, intended for the for the waiting by buses, which is comprised within and indicated by road markings complying with diagram 1025.1 and incorporating the words "Bus Stand" in Schedule 6 and a sign complying with diagram 975 in Schedule 5 to the 1994 Regulations;

"bus stop clearway" means any area of carriageway intended for the waiting by buses, which is comprised within and indicated by road markings complying with diagram 1025.1 in Schedule 6 and a sign complying with diagram 974 in Schedule 5 to the 1994 Regulations;

"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;

"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;

"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;

"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 and 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;

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

"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 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;

"immobilisation device" has the same meaning as in Section 104(9) of the Road Traffic Regulation Act 1984;

"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 means a resident who is named in the vehicle registration document as the registered keeper of a goods or passenger vehicle or who has the use of such a vehicle in the course of his employment and who is entitled to use such a vehicle as though he were the registered keeper thereof;

"parking attendant" means a person authorised by or on behalf of the Council to supervise any parking area;

"parking place" means a road or length of road which is provided for the leaving of vehicles;

"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;

"penalty charge" and "reduced penalty charge" means a charge set by the Council under the provisions of section 66 of the Road Traffic Act 1991 and with the approval of the Secretary of State for Transport which is to be paid to the Council within 28 days beginning with the date of the notice, or 14 days in the case of a reduced penalty charge, following the issue of a penalty charge notice;

"penalty charge notice" means a notice issued or served by a parking attendant pursuant to the provisions of section 66 of the Road Traffic Act 1991;

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

"permitted hours" means the hours shown at the commencement of a Schedule;

"relevant position" in respect of: -

- (a) (i) disabled person's badge or a parking permit, means 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 parking disc, means that the side showing the time is facing forward or outward and immediately behind the windscreen or side window nearest to the kerb;

"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:-

- (a) in the case of the parking place in relation to which special provisions as to the manner of standing of a vehicle in that place are specified in an item specified in a Schedule as to be in accordance with those provisions;
- (b) in the case of any other parking place –
 - (i) if the parking place is not in a one-way street, that the left or near-side of the vehicle is adjacent to the left-hand edge of the carriageway;
 - (ii) that the distance between the edge of the carriageway and the nearest wheel of the vehicle is not more than 300 millimetres;
- (c) so that every part of a vehicle is within the limits of a parking place;
- (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.

"specified hours" means the hours shown at the commencement of a Schedule containing parking or unloading places;

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

"The 1994 Regulations" means the Traffic Signs Regulations and General Directions 1994;

"traffic sign" means a sign of any size, colour and type prescribed or authorised under, or having the effect as though prescribed or authorised under Section 64 of the Act of 1994.

- 3. (a) Except where otherwise stated, any reference in this Order to a numbered Article or Schedule is a reference to the Article or Schedule bearing that number in this Order;
 - (b) insofar as any provision of this Order conflicts with a provision which is contained in an Order made or having effect as if made under the Act of 1984 and existing at the time when this Order comes into operation and which imposes a restriction or prohibition on waiting by vehicles other than buses in a Bus Stop Area or grants an exemption from such restriction or prohibition, that provision of that Order shall prevail.
4. 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.
5. Save where the contrary is indicated, any reference in this Order to:-
- (a) 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;

- (b) 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.
- (c) 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

- 6. Save as provided in Articles 7 and 8 no person shall, except upon the direction or with the permission of a Police Constable in uniform, Traffic Warden or a Parking Attendant, cause or permit any vehicle to:-
 - (a) wait at any time or load or unload between the hours of 8.15 – 9.15am and 4.00 – 6.15pm in the lengths of roads specified in Schedule 1;
 - (b) wait between the hours of 8.00am – 6.30pm on Mondays to Saturdays inclusive in the lengths of roads specified in Schedule 2 for a longer period than 30 minutes, or if a period of less than 1 hour has elapsed since the previous period of waiting by the same vehicle in the same length of road;
- 7. Nothing in Article 6 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 delivering or collecting postal packages as defined in Section 87 of the Post Office Act 1953;
 - (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.
- 8. (1) Nothing in Article 6 shall apply:-

- (a) 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;
- (b) to a Disabled Person's Vehicle, displaying a Disabled Person's Badge in the relevant position, for a period not exceeding 3 hours (not being a period separated by an interval of less than 1 hour from a previous period of waiting by the same vehicle in the same length of road on the same day), provided that the Disabled Person's Vehicle also displays 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) excepting those lengths of roads specified in the Schedules referred to in paragraph (c) of this Article;

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

(2) Nothing in Article 6 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.

9. No person shall, except upon the direction or with the permission of a Police Constable in uniform, Traffic Warden or a Parking Attendant, cause or permit any vehicle other than a goods vehicle to wait at any time for the purpose of loading in a loading bay specified in Schedule 3.

10. No person shall, except upon the direction or with the permission of a Police Constable in uniform, Traffic Warden or a Parking Attendant, cause or permit any vehicle:-

- (a) to wait, at any time in the lengths of roads specified in Schedule 4 other than vehicles displaying in the relevant position a valid Disabled Persons Badge;
- (b) other than a bus to wait at any time on Mondays to Sundays inclusive, in a bus stand as specified in Schedule 5;

11. (1) Nothing in Article 11 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) the vehicle, if it cannot conveniently be used for such purpose in any other road, to be used in connection with the removal of any obstruction to traffic;
- (b) the vehicle to be used for the purpose of delivering or collecting postal packages as defined in Section 87 of the Post Office Act 1953;
- (c) the vehicle being used for fire brigade, ambulance or police purposes;
- (d) the maintenance, improvement or reconstruction of the said lengths of roads;
- (e) 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;

- (f) the vehicle, if it cannot conveniently be used in any other road, to be used in connection with any building operation or demolition.
- (2) Nothing in Article 11 shall apply to any vehicle waiting in any of roads or lengths of roads referred to therein when the person in control of the vehicle:-
 - (a) is required by law to stop;
 - (b) is obliged to do so in order to avoid an accident; or
- (3) is prevented from proceeding by circumstances outside his control and it is not reasonably practicable for him to drive or move the vehicle to a place not on any main carriageway

PART V
CONTRAVENTION OF ORDER

- 12. (1) If a vehicle is left in a parking place during the permitted hours or in any road or length of road in contravention of any provision of this Order, a penalty charge shall be payable and/or the vehicle may be removed from that location.
- (2) In the case of a vehicle in respect of which a penalty charge is payable, a penalty charge notice showing the information required by section 66(3) of the Road Traffic Act 1991 may then be issued by a parking attendant in uniform in accordance with section 66(1) of the said Act.
- (3) If a vehicle is left after a penalty charge has been incurred, a parking attendant in uniform or a person acting under his direction may attach to the vehicle an immobilisation device and a notice in accordance with the requirements of section 69(1) and (2) of the Road Traffic Act 1991 and that vehicle shall only be released from the device on payment of the penalty charge, or as the case may be a reduced penalty charge, along with such release fee as may be required by the Council.
- (4) Where a parking attendant has removed or caused to be removed a vehicle in accordance with paragraph (1) of this Article:-
 - (a) he shall provide for the safe custody of the vehicle;
 - (b) the Council shall be entitled to recover from the person responsible such charges in respect of the removal, storage and disposal of the vehicle as it might prescribe from time to time;
 - (c) the provisions of the Road Traffic Regulation Act 1984 as amended shall apply to the disposal of any such vehicle removed by or on behalf of the Council pursuant to this Article.

Nothing in paragraphs (3) and (4) of this Article shall apply in respect of a vehicle displaying in the relevant position a valid disabled person's badge issued by any local authority.

PART VI
REVOCATION OF TRAFFIC REGULATION ORDERS

13. Schedules and items contained within the Borough of Reading (North West Zone)(Special Parking Area) (Waiting Restrictions and Parking Places) Order 2000 are hereby revoked or varied as follows:-

(i) Schedules and Items to be revoked

Schedule 1 entirely - (No Waiting at any time/No Loading or Unloading)

Items (3) and (6) of Schedule 4 - (No Waiting at any time)

Item (36) of Schedule 14 -
(No Waiting at any time/No Loading 8.15am – 9.15am and 4pm –6.15pm)

Items (50), (51) and (52) of Schedule 24
(Waiting limited to 30 minutes, return prohibited within 30 minutes Mon – Sat 8.am – 6.30pm)

Schedule 25 entirely
(Waiting limited to 2 hours, Return Prohibited within 30 minutes Mon-Sat 8am – 6.30pm)

Items (66),(67), (71), (72) and (73) of Schedule 28
(No Waiting At Any Time/No Loading Mon-Sat 8.15am and 4pm-6.15pm)

(ii) Items to be varied

In Schedule 14 (No Waiting At Any Time/No Loading 8.15am and 4pm-6.15pm) –
Item (13) - the following words are substituted therefor :

“Oxford Road, north side from a point 137 metres east of its junction
with Trinity Place to a point 17 metres east of its junction with George
Street”

Item (14) – the following words are substituted therefor:

“Oxford Road, south side from a point 14 metres east of its junction
with Russell Street to a point 115 metres east of its junction with Prospect
Street”.

Item (35) – the following words are substituted therefor:

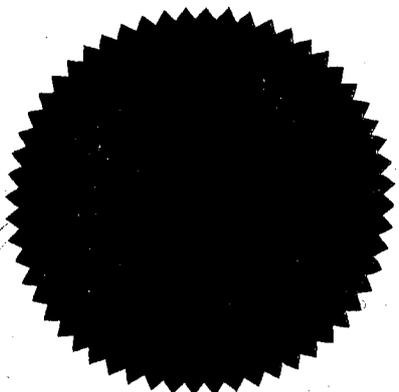
“Oxford Road, north side from a point 149 metres east of its junction
with Valentia Road to a point 183 metres east of that junction”.

In Schedule 28 (No Waiting at Any Time/No Loading Mon-Sat 8.15am and 4pm-
6.15pm) –

Item (68)- the following words are substituted therefor:

“Oxford Road, south side from a point 183 metres east of its junction
with Lorne Street to a point 14 metres east of its junction with Russell
Street”

THE COMMON SEAL of the READING)
BOROUGH COUNCIL was hereunto)
affixed this day of 10th October 2008)
in the presence of:-)


Authorized Signatory 

Minute	11-3-08
Originator	P. Baker
Serial No.	504/01
Checked	2/1

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SCHEDULE 1

No Waiting at any time and No Loading 8.15 – 9.15am and 4.00 – 6.15pm

1) North Side

- i) From the prolongation of the eastern kerbline of Beresford Road, eastwards to the prolongation of the western kerbline of Salisbury Road.
- ii) From the prolongation of the eastern kerbline of Salisbury Road, eastwards for a distance of 48m.
- iii) From the prolongation of the western kerbline Gower Street, eastwards for a distance of 31m.
- iv) From the prolongation of the eastern kerbline of Gower Street, eastwards for a distance of 27.5m.
- v) From a point 33.5 metres east of the prolongation of the eastern kerbline of Gower Street, eastwards for a distance of 7m.
- vi) From a point 82.5 metres east of the prolongation of the eastern kerbline of Gower Street, eastwards for a distance of 58.5m.
- vii) From a point 177 metres east of the prolongation of the eastern kerbline of Gower Street, eastwards for a distance of 48m.
- viii) From a point 244 metres east of the prolongation of the eastern kerbline of Gower Street, eastwards for a distance of 11.5m.

2) South Side

- i) From the prolongation of the western kerbline of Western Elms Avenue, westwards for a distance of 53m.
- ii) From the prolongation of the eastern kerbline of Western Elms Avenue, eastwards for a distance of 34.5m.
- iii) From a point 46.5 metres east of the prolongation of the eastern kerbline of Western Elms Avenue, eastwards for a distance of 44.5m.
- iv) From a point 115 metres east of the prolongation of the eastern kerbline of Western Elms Avenue, eastwards for a distance of 2m.
- v) From the prolongation of the western kerbline of Argyle Street, westwards for a distance 113 m
- vi) From the prolongation of the eastern kerbline of Argyle Street, eastwards for a distance of 44.5 m.
- vii) From the prolongation of the western kerbline of Lorne Street, westwards for a distance of 10.5m
- viii) From the prolongation of the eastern kerbline of Lorne Street, eastwards for a distance of 11m.

- ix) From a point 29 metres east of the prolongation of the eastern kerblines of Lorne Street, eastwards for a distance of 2m.
- x) From the prolongation of the western kerblines of Prospect Street, westwards for a distance of 48.5m
- xi) From the prolongation of the eastern kerblines of Prospect Street, eastwards for a distance of 11.5m
- xii) From a point 33 metres east of the eastern kerblines of Prospect Street, eastwards for a distance of 3.5m.
- xiii) From a point 114.5 metres east of the eastern kerblines of Prospect Street, eastwards for a distance of 48m.

SCHEDULE 2

**WAITING LIMITED TO 30 MINUTES.
RETURN PROHIBITED WITHIN 1 HOUR
8.00am to 6.30pm MONDAY TO SATURDAY**

(1) North Side

- i) From a point 40.5 metres east of the prolongation of the eastern kerblines of Gower Street, eastwards for a distance of 42 metres.
- ii) From a point 141 metres east of the prolongation of the eastern kerblines of Gower Street, eastwards for a distance of 30m.

(2) South Side

- i) From a point 34.5 metres east of the prolongation of the eastern kerblines of Western Elms Avenue, westwards for a distance of 12metres.
- ii) From a point 91 metres east of the prolongation of the eastern kerblines of Western Elms Avenue, eastwards for a distance of 24 metres.
- iii) From a point 44.5 metres east of the prolongation of the eastern kerblines of Argyle Street, eastwards for a distance of 18 metres.
- iv) From a point 11 metres east of the prolongation of the eastern kerblines of Lorne Street, eastwards for a distance of 18 metres.
- v) From a point 36.5 metres east of the prolongation of the eastern kerblines of Prospect Street, eastwards for a distance of 66m.

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SCHEDULE 3

GOODS VEHICLES LOADING ONLY

- (1) South Side.
- i) From a point 11.5 metres east of the prolongation of the eastern kerbline of Prospect Street, eastwards for a distance of 21.5 metres.

SCHEDULE 4

NO WAITING AT ANY TIME
EXCEPT DISABLED BADGE HOLDERS

- 1) North side
- i) From a point 27.5metres east of the prolongation of the eastern kerbline of Gower Street, eastwards for a distance of 6 m.
 - ii) From a point 171 metres east of the prolongation of the eastern kerbline of Gower Street, eastwards for a distance of 6m.
- 2) South side
- i) From a point 102.5metres east of the prolongation of the eastern kerbline of Prospect Street, eastwards for a distance of 12m.

SCHEDULE 5

NO STOPPING OR WAITING AT ANY TIME EXCEPT BUSES

- (1) North Side
- i) From a point 48 metres east of the prolongation of the eastern kerbline of Salisbury Road, eastwards for a distance of 19 metres.
 - ii) From a point 225 metres east of the prolongation of the eastern kerbline of Gower Street, eastwards for a distance of 19m.
- (2) South Side
- i) From a point 117 metres east of the prolongation of the eastern kerbline of Western Elms Avenue, eastwards for a distance of 19 metres.
 - ii) From a point 31 metres east of the prolongation of the eastern kerbline of Lorne Street, eastwards for a distance of 19m.