

ROAD TRAFFIC REGULATION ACT 1984

BOROUGH OF READING

**(REDLANDS ROAD AREA)
(PROHIBITION OF WAITING) ORDER 2001**

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THE BOROUGH OF READING
(REDLANDS ROAD AREA)
(PROHIBITION OF WAITING) ORDER 2001

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) of and Part IV of Schedule 9 of 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 the Road Traffic Act 1991, hereby make the following Order:-

PART I
CITATION AND INTERPRETATION

1. This Order shall come into operation on the 20th December 2001 and may be cited as The Borough of Reading (Redlands Road Area) (Prohibition of Waiting) 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

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" means a permit issued under the provisions of Articles 22, 23, 26 and 27;

"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) a disabled person's badge or 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 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 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;

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 or load 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 Sundays inclusive in the lengths of roads specified in Schedule 4
 - (c) wait at any time on Mondays to Sundays inclusive or load between 8.15 a.m. and 9.15 a.m. and between 4.00 p.m. and 6.15 p.m. on Mondays to Sundays inclusive in the lengths of roads specified in Schedule 14;
 - (d) wait between 8.00 a.m. and 6.30 p.m. on Mondays to Saturdays inclusive in the lengths of roads specified in Schedule 25 for a longer period than 2 hours or, 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;
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;

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.

- 10. Where a penalty charge notice has been attached to the vehicle in accordance with Article 9(2), no person other than a Police Constable in uniform, Traffic Warden or parking attendant shall remove such permit or notice from the vehicle unless authorised to do so by the driver of that vehicle.
- 11. 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.

LIST OF SCHEDULES

- 1 No Waiting or loading/unloading at any time
- 4 No Waiting At Any Time
- 14 No Waiting At Any Time/No Loading 8.15am-9.15am and 4pm-6.15pm
- 25 Waiting Limited To 2 hours, Return Prohibited Within 2 hours Mon-Sat 8am-6.30pm

Southern Hill

- North Side North side, between its junction with Redlands Road and a point 3 metres west of that junction
- South side between its junction with Redlands Road and a point 4 metres west of that junction

Upper Redlands Road

- North Side Between its junction with Redlands Road and a point 15 metres east of that junction
- South Side Between its junction with Redlands Road and a point 13 metres east of that junction

SCHEDULE 14

No Waiting At Any Time

No Loading or Unloading 8:15 – 9:15 AM and 4:00 – 6:15 PM

Redlands Road

- West Side Between its junction with London Road and its junction with Acacia Road
- East Side Between its junction with London Road and a point 285 metres south of that junction

SCHEDULE 25

WAITING LIMITED TO TWO HOURS
(RETURN PROHIBITED WITHIN TWO HOURS) –
8:00am to 6:30 PM MONDAY TO SATURDAY

Addington Road

- South Side Between a point 14 metres east of its junction with Redlands Road and a point 87 metres east of that junction

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The Reading Borough Council on 12 December made an Order under Sections 1(1), 2(1) to (3), 4(2), and Part IV of Schedule 9 to the Road Traffic Regulation Act 1984 the effect of which is to confirm the restrictions previously imposed as follows:

- (a) No waiting at any time in parts of (i) New Road, (ii) Redlands Road, (iv) Southern Hill and (v) Upper Redlands Road and continued in parts of Addington Road;
- (b) No waiting at any time and no loading or unloading at any time is continued in parts of Redlands Road.
- (c) No waiting at any time and no loading or unloading between 8.15am and 9.15am and between 4.00pm and 6.15 in parts of Redlands Road;
- (d) Waiting limited to 2 hours and return prohibited for 2 hours from 8.00am to 6.30pm, Monday to Saturday is continued in parts of Addington Road
- (e) The Borough of Reading (Redlands Zone P) (Special Parking Area) (Waiting Restrictions & Parking Places) Order 2000 is varied.

The Order will come into operation on 20 December 2001.

Copies of the Order, statement of reasons, relevant map and varied Order can be inspected during the hours of 9.00am and 5.00pm, Monday to Friday at the Main Reception Desk, Ground Floor Civic Offices, Civic Centre, Reading.

If you wish to question the validity of the Order or any provisions contained in it on the grounds that it is not within the powers conferred by the Road Traffic Regulation Act 1984 or on the grounds that any requirement of that Act or any instrument made under it has not been complied with in relation to the Order you may, within six weeks from the 12 December 2001 apply to the High Court for this purpose.

Dated 13 December 2001

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