

ROAD TRAFFIC REGULATION ACT 1984

BOROUGH OF READING

**(CASTLE STREET) (TOWN CENTRE ZONE G) (SPECIAL PARKING AREA)
(WAITING RESTRICTIONS AND PARKING PLACES) ORDER 2005**

C.J. Brooks
Head of Legal Services
Civic Offices
Civic Centre
Reading
RG1 7TD

File TC2850/632
Datix 13692

THE BOROUGH OF READING
(CASTLE STREET)(TOWN CENTRE ZONE G)(SPECIAL PARKING AREA)
(WAITING RESTRICTIONS AND PARKING PLACES) ORDER 2005

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, 35 and Part IV of Schedule 9 of the Road Traffic Regulation Act 1984 ("the Act of 1984"), as amended 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 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 1st March 2005 and may be cited as The Borough of Reading (Castle Street) (Town Centre Zone G) (Special Parking Area)(Waiting Restrictions and Parking Places) Order 2005

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 2002 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;

"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;

"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" means a permit issued under the provisions of Articles 17, 20, 21 and 22;

"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; so that every part of a vehicle is within the limits of a parking place;

"resident" means a person whose usual place of abode is at premises the postal address of which is in Castle Street including the Almshouses;

"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 2002 Regulations" means the Traffic Signs Regulations and General Directions 2002;

"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 1984.

3. 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;
4. 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) 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, Traffic Warden or a Parking Attendant, cause or permit any vehicle to wait at any time on Mondays to Sundays inclusive or load between 7.30am and 9.30am and between 4.00pm and 6.00pm on Mondays to Sundays inclusive in the lengths of roads 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;
 - (a) 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;
 - (b) the vehicle to take in petrol, oil, water or air from any garage situated on or adjacent to the said lengths of roads;
 - (c) 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;
 - (d) the vehicle being used for fire brigade, ambulance or police purposes.

7. (1) Nothing in Article 5 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), EXCEPT those lengths of road specified in Schedule 8 hereto and 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 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 PARKING PLACES

8. (1) The lengths of roads specified in Schedule 56 are authorised to be used :
- (a) as parking places for the parking as specified in the said Schedule, of a vehicle displaying in the relevant position a valid Residents Parking Permit issued by the Council AND
 - (b) for vehicles to wait between 8.00 a.m. and 6.30 p.m. on Mondays to Saturdays inclusive for a period of 1 hour excepting 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.
- (2) Nothing in paragraph (1) of this Article shall restrict the power of the Council to close a parking place.
9. Where in the Schedules 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.

10. 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, Traffic Warden or a parking attendant or a person authorised by the Council has closed the parking place.
11. 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.
12. 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.
13. When a vehicle is left in a parking place in contravention of the provisions of Articles 15(b), a Police Constable in uniform, Traffic Warden or a parking attendant 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.
14. Any person altering the position of a vehicle by virtue of Article 13 may do so in such manner as he thinks necessary.
15. A Police Constable in uniform, Traffic Warden or a parking attendant 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.
16. Any person removing or causing to be removed a vehicle from a parking place in accordance with Article 15 shall provide for the safe custody of the vehicle.

PART IV

PERMITS

17. (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, a 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) a Residents Parking Permit shall only be a valid for use in a parking place specified in Schedules 49, 55, 56, 61, 99, 100, 101, 104, 105, 106, 109 and 111;
 - (b) a Doctors Parking Permit shall only be valid for use in a parking place specified in Schedule 102.
- 18. Notwithstanding the provisions contained in Article 17 the Council may also grant permits to such other persons as they may think fit.
- 19.
 - (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 17(1);
 - (d) the issue of a duplicate permit by the Council under the provisions of Article 22;
 - (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.

20. Without prejudice to the provisions of Article 25, 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 19, whichever is the earlier.
21. (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.
22. (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.
23. 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 19, 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.
24. At all times during which a vehicle is left in a parking place specified in Schedules 56 during the permitted hours, there shall be displayed in the relevant position a permit issued in respect of that vehicle valid for parking place.
25. When a permit has been displayed in accordance with the provisions of Article 24, or where a penalty charge notice has been attached to the vehicle in accordance with Article 27(2), no person other than a Police Constable in uniform, Traffic Warden or a parking attendant shall remove such permit or notice from the vehicle unless authorised to do so by the driver of that vehicle.
26. 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 III
CONTRAVENTION OF ORDER

27. (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 IV
REVOCATIONS

28. The following items within The Borough of Reading (Town Centre Zone G)(Special Parking Area) Waiting Restrictions and Parking Places) Revision No. 1 Order 2003 shall be revoked.

Schedule 2 - No Waiting At Any Time No Loading 7.30 - 9.30am and 4.00 - 6.00pm

Item (57) Castle Street, south side

Item (76) Castle Street, south side

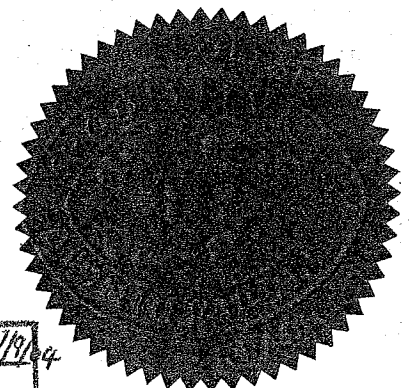
Schedule 50- Waiting Limited to 1 hr, No Return within 1 hr, Mon-Sat, 8.00am - 6.30pm

Item (308) Castle Street, South side

THE COMMON SEAL of the READING)
BOROUGH COUNCIL was hereunto)
affixed this 23 day of February 2005)
in the presence of:-


Authorised Signatory

Minute	48 CAB 2/19/04
Originator	RB
Deal No.	101/05



SCHEDULE 2
NO WAITING AT ANY TIME
NO LOADING/UNLOADING 7.30 - 9.30AM AND 4.00-6.00PM

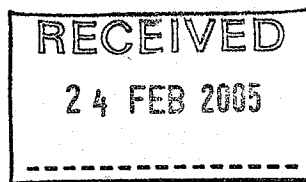
- (1) **Castle Street, south side**
From its junction with Bridge Street to a point 122 metres south-west of that junction
- (2) **Castle Street, south side**
From a point 193 metres south-west of its junction with Bridge Street to its junction with the Inner Distribution Road.

SCHEDULE 56

(A) PERMIT HOLDERS ONLY - (Monday to Sunday 24 hrs)
OR

(B) 1 HOUR LIMITED WAITING, NO RETURN WITHIN 1 HOUR
(Monday to Saturday 8.00am - 6.30pm)

- (3) **Castle Street, south side**
From a point 122 metres south-west of its junction with Bridge Street to a point 168 metres south west of that junction.
- (4) **Castle Street, south side**
From a point 181 metres south-west of its junction with Bridge Street to a point 193 metres south-west of that junction.



Memorandum

To: Vaughan Norris, Traffic Management
Paul Allcock; Keith Smart

From: Pat Bishop, Legal Services **Date:** 23rd February 2005

RE: The Borough of Reading (Castle Street)(Town Centre
Zone G) (Special Parking Area)(Waiting Restrictions and
Parking Places) Order 2005

I enclose a copy of the sealed order to come into effect on 1st March 2005.

A handwritten signature in black ink, appearing to be "Pat Bishop", written in a cursive style.

Pat Bishop



THE BOROUGH OF READING (CASTLE STREET) (TOWN CENTRE ZONE G)(SPECIAL PARKING AREA)(WAITING RESTRICTIONS AND PARKING PLACES) ORDER 2005

The Reading Borough Council has made an order under Sections 1(1), 2(1) to (3), 4(2), 32, 35 and Part IV of Schedule 9 to the Road Traffic Regulation Act 1984 the effect of which is to **Revise Waiting Restrictions to include residents' parking** as follows:

PERMIT HOLDERS ONLY (MON - SUN.24 HRS)

OR 1 HR LIMITED WAITING, NO RETURN WITHIN 1 HR, MON - SAT 8.AM - 6.30PM

Castle Street - south side

From a point 122 metres south-west of its junction with Bridge Street to a point 168 metres south west of that junction, and

From a point 181 metres south-west of its junction with Bridge Street to a point 193 metres south-west of that junction.

NO WAITING AT ANY TIME, NO LOADING/UNLOADING 7.30 - 9.30 AM AND 4 - 6PM

Castle Street - south side

From its junction with Bridge Street to a point 122 metres south-west of that junction

From a point 193 metres south-west of its junction with Bridge Street to its junction with the Inner Distribution Road.

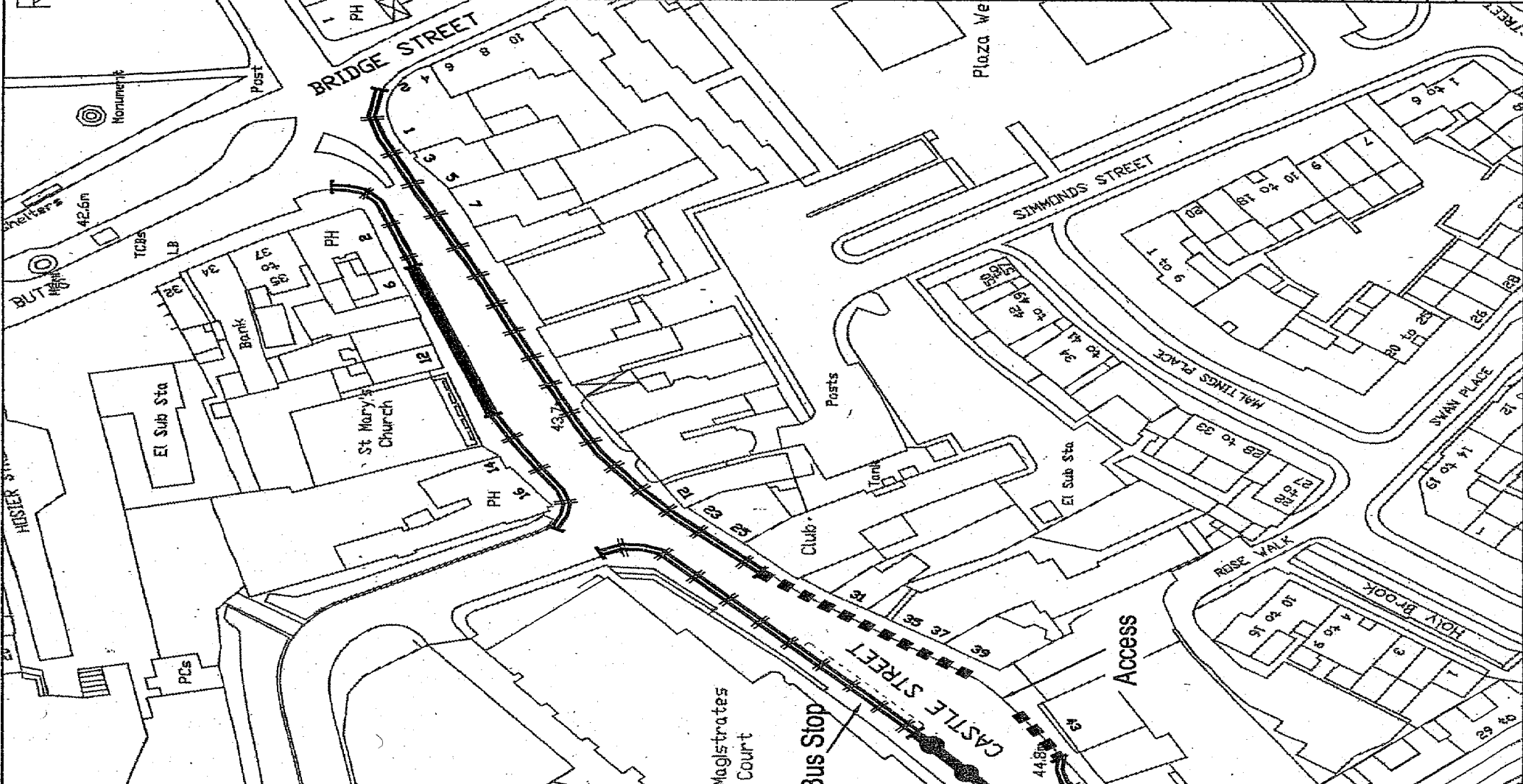
The Order was made on 23rd February 2005 and comes into operation on 1st March 2005.

Copies of the order, relevant map and The Borough of Reading (Newtown Zone G) (Special Parking Area) (Waiting Restrictions and Parking Places) Revision No. 1 Order 2003 to be varied 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 any person wishes to question the validity of the Order or of any of its provision on the grounds that it or they are not within the powers conferred by the Act, or that any requirement of the Act, or of any instrument made under the Act has not been complied with, that person may, within 6 weeks from 23rd February 2005 apply for the purpose to the High Court.

Dated : 25th February 2005

C.J. Brooks
Head of Legal Services
Reading Borough Council
Civic Offices, Civic Centre
Reading RG1 7TD



Drawing Number 5106/PH1/1/C	
Notes 10 Likely parking spaces	
(Town Centre Zone G)(SPA) Revision No 1 Order 2003	
Key	2 No Waiting At Anytime No Loading 7.30 - 9.30am and 4.00 - 6.00pm
50 1 Hour Limited Waiting Monday - Saturday 8am - 6.30pm	107 Disabled Parking
0 Residents/Permit Holders or 1 hour limited waiting Monday to Saturday 8am - 6.30pm	Do not scale this drawing
Rev	Date
Checked	
Babtie	
Client	Reading BOROUGH COUNCIL
Project	Residents Parking Scheme
Proposed Boundary Proposed Restrictions Castle Street	
Drg. No. 5106/PH1/1/C	
Scale 1:1250	Date Sept.04
Designer KS	Checked RM
CAD Operator LPC	Approved NC
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