

**THE SHROPSHIRE COUNCIL
(CARTWAY AND RIVERSIDE, BRIDGNORTH)
(RESIDENTS PARKING SCHEME) ORDER 2010**

The Shropshire Council (hereinafter referred to as "the Council"), in exercise of their powers under Sections 1(1), 2(1) and (2), 4(2), 32(1), 35(1), 45, 46, 47 and 49 of, and Part IV of Schedule 9 to, the Road Traffic Regulation Act 1984 ("The Act"), as amended by the Local Government Act 1985, The Parking Act 1989 and the Road Traffic Act 1991, and of all other enabling powers and after consultation with the Chief Officer of Police in accordance with Part III of Schedule 9 of the Act, hereby make the following Order:

1. (i) This Order shall come into effect on 9 November 2010 and may be cited as The Shropshire Council (Cartway and Riverside, Bridgnorth) (Residents Parking Scheme) Order 2010.
- (ii) The Shropshire Council (Prohibition and Restriction of Waiting and Parking Places) (Consolidation) Order 2009 is hereby amended by: the deletion from Schedule 4.06 of the sides of roads specified in Schedule 1 to this Order.

PART I

GENERAL

2. (1) In this Order except where the context otherwise requires the following expressions have the meanings hereby respectively assigned to them –
 - “resident” means a person whose usual residence is at premises that have a postal address on Bank Steps, Cartway, Friar Street, Riverside or Southwell Riverside;
 - “business owner” means a person who owns a business at premises that have a postal address on Bank Steps, Cartway, Friar Street, Riverside, Southwell Riverside or The Severn Arms Hotel on Underhill Street;
 - “certificate” means a certificate issued by, or on behalf of the Council;
 - “driver”, in relation to a vehicle waiting in a parking place, means the person driving the vehicle at the time it was left in the parking place;
 - "disabled person's badge" has the same meaning as in The Disabled Person's (Badges for Motor Vehicles) (England) Regulations 2000;
 - "disabled person's vehicle" has the same meaning as in The Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000;
 - “loading and unloading” means loading and unloading for some commercial purpose and includes putting into and taking out of a private motor vehicle things which would not be reasonable for a person to carry by hand;
 - “Civil Enforcement Officer” means a person authorised by or on behalf of the Shropshire Council under Section 76 of the Traffic Management Act

Comment: Need to include that ll refs to Civil Enforcement Officer are to be read as civil enforcement officer

2004 to supervise and enforce the road traffic contraventions for which Shropshire Council is the enforcement authority;

Comment: See also section 74 TMA 2004

"parking disc" has the same meaning as in the Local Authorities Traffic Orders (exemptions for disabled persons) (England) Regulations 2000;

"permit" means a permit issued by, or on behalf of the Council for use in the parking spaces reserved for permit holders;

"parking place" means any part of a road authorised by this Order to be used as a parking place;

"Penalty Charge" and "Reduced Penalty Charge" means a charge set by Shropshire Council in accordance with the provisions of Section 77 and Schedule 9 of the Traffic Management Act 2004 and Regulations made thereunder and in accordance with any guidance given by the Secretary of State.

"Penalty Charge Notice" means a notice issued by a Civil Enforcement Officer pursuant to the provisions section 78 Traffic Management Act 2004 and Regulations made thereunder.

- (2) For the purposes of this Order, a vehicle shall be regarded as displaying
- a) a disabled person's badge in the relevant position, when: -
 - i) in the case of a vehicle fitted with a dashboard or facia panel, the badge is exhibited thereon so that Part 1 of the badge is legible from outside the vehicle; or
 - ii) in the case of a vehicle not fitted with a dashboard or facia panel, the badge is exhibited in a conspicuous position on the vehicle so that Part I of the badge is legible from outside the vehicle.
 - b) a parking disc is in the relevant position, when: -
 - i) in the case of a vehicle fitted with a dashboard or facia panel, the disc is exhibited thereon so that the quarter hour period during which the period of waiting began is legible from outside the vehicle; or
 - ii) in the case of a vehicle not fitted with a dashboard or facia panel, the disc is exhibited in a conspicuous position on the vehicle so that the quarter hour period during which the period of waiting began is legible from outside the vehicle.
 - c) a permit is in the relevant position, when the certificate is exhibited in a prominent position on the front or nearside of the vehicle, with the side of the certificate showing the registration number of the vehicle in which it is displayed visible from the outside of the vehicle
- (3) In this Order all distances relating to the restrictions imposed have been measured in relation to the roads or the length of road specified in the following manner: -
- i) except where otherwise specified a dimension has been measured from the limit of the highway

- ii) for restrictions relating to side roads, the start point of measurement, when measured from a junction, is the rear of the highway relating to the main road.
- (4) The street and road names quoted in this Order are taken from the National Gazetteer.
- (5) Residents and business owners, as defined in Article 2 (1), are eligible to apply for a permit to allow them to park in the limited waiting parking places specified in Schedules 3 and 4 of this Order;
- 3. The prohibitions and restrictions imposed by this Order shall be in addition to and not in derogation from any restriction or requirement imposed by any regulation made or having effect as if made under the Act or by or under any other enactment.
- 4. Save as provided in Article 5 of this Order, no person shall, except upon the direction or with the permission of a police constable in uniform or of a Civil Enforcement Officer, cause or permit any vehicle to wait on any of the sides of roads specified in Schedule 2.
- 5. (i) Nothing in Article 4 of this Order shall render it unlawful to cause or permit any vehicle to wait in the road or in any of the lengths of road or on any or the sides or road referred to in that Article, as the case may be, for so long as may be necessary to enable :-
 - (a) a person to board or alight from the vehicle;
 - (b) goods to be loaded on or unloaded from the vehicle;
 - (c) 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 said lengths of roads or sides of roads; or
 - iv) the laying, erection, alteration or repair in, or in land adjacent to said lengths of roads or sides of roads of any sewer of any main, pipe or apparatus for the supply of gas, water or electricity or of any Telecommunications apparatus as defined in paragraph 1(1) of the Telecommunications Code contained in Schedule 2 of the Telecommunications Act 1984;
 - (d) the vehicle, if it cannot conveniently be used for such purpose in any other road, to be used in the service of a local authority, or a water undertaker or sewerage undertaker or the Environmental Agency in pursuance of statutory powers or duties;

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- (e) the vehicle to be used for the purpose of delivering or collecting postal packets as defined in section 125(1) of the Postal Services Act 2000;
- (f) the vehicle to be used for fire brigade, ambulance or police purposes;
- (g) the vehicle to take in petrol, oil, water or air from any garage situated on or adjacent to the said lengths of roads or sides of roads; or
- (h) the vehicle to wait near at or near to any premises situated on or adjacent to said lengths of road or sides of road for so long as such waiting by that vehicle is reasonably necessary in connection with any wedding or funeral.

- (ii) Nothing in Article 4 of this Order shall render it unlawful to cause or permit a disabled person's vehicle which displays in the relevant position a disabled person's badge, and 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) to wait on the sides of roads referred to in the said Article 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 on the same side of road on the same day).

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PART II

AUTHORISATION AND USE OF PARKING PLACES

6. (1) The sides of roads specified in Schedules 3 and 4 of this Order are authorised to be used subject to the following provisions of this Order, as parking places for such classes of vehicles in such positions and on such days and during such hours as are specified in relation to that side of road.
- (2) Nothing in paragraph (1) of this Article shall restrict the power of the Council or any other local authority, for preventing obstruction of the streets, by order on the occasion of any public procession, rejoicing or illumination or any other appropriate local authority, for preventing obstruction of the highway, or when the streets are thronged or liable to be obstructed, to close any parking place.
7. Where, in Schedules 3 and 4 of this Order, a parking place is described as available for vehicles of a specified class or in a specified position, the driver of a vehicle shall not, save as provided in Article 8, permit it to wait in that parking place, except upon the direction or with the permission of a uniformed police constable, community support officer or a civil enforcement officer:-
 - a) unless it is of the specified class, or
 - b) in a position other than that specified.

8. (1) Nothing in Article 7 shall render it unlawful to cause or permit any vehicle to wait in a parking place for so long as may be necessary:-
- a) to enable a person to board or alight from the vehicle;
 - b) to enable goods to be loaded on or unloaded from the vehicle;
 - c) to enable the vehicle, if it cannot conveniently be used for such purpose in any other road, to be used in connection with any building operation or demolition; the removal of any obstruction to traffic; the maintenance, improvement or reconstruction of the parking place so referred to; or the laying, erection, alteration or repair in or near the said parking place of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity or of any telecommunications apparatus as defined in paragraph 1(1) of the Telecommunications Code contained in Schedule 2 of the Telecommunications Act 1984;
 - d) to enable the vehicle to be used for fire brigade, police or ambulance purposes;
 - e) to enable the vehicle, if it cannot conveniently be used for such purpose in any other road, to be used in the service of a local authority or a water undertaker or sewerage undertaker, or the Environment Agency in pursuance of statutory powers or duties.
 - f) the vehicle to be used for the purposes of delivering or collecting postal packets as defined in Section 125(1) of the Postal Services Act 2000;
 - g) the vehicle to be used for the purpose of delivering or collecting cash or valuables;
- (2) Nothing in Article 7 of this Order shall render it unlawful to cause or permit any vehicle which displays a permit valid for Cartway or Riverside or Riverside Southwell, exempting that vehicle from the provisions of that Article, to wait on the sides of roads referred to in Schedules 3 and 4;

PROVIDED That:

The vehicle waits in the said parking place no longer than is necessary and for the purpose specified.

9. A driver of a vehicle shall not use a parking place:-
- a) so as unreasonably to prevent access to any premises adjoining the side of road, or the use of the road by other persons, or so as to be a nuisance;
 - b) when, for preventing obstruction of the streets, the Council or any other appropriate local authority shall, by order made on the occasion of any public procession, rejoicing or illumination or when the streets are thronged or liable to be obstructed, have closed that parking place and exhibited notice of such closing on or near the parking place.
10. Nothing in Article 7 of this Order shall render it unlawful to cause or permit a disabled person's vehicle which displays in the relevant position a disabled person's badge, to wait for an unlimited period in a parking place on the sides of roads specified in Schedules 3 and 4.

11. The driver of a 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 the parking place.
12. No person shall use a vehicle while 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 skills or services.
13. Subject to the proviso hereto, when a vehicle is left in a parking place in contravention of any of the provisions contained in Article 7, a person authorised in that behalf by the Council may remove the vehicle or arrange for it to be removed from that parking place, provided that, when a vehicle is waiting in a parking place in contravention of Article 7(b) a person authorised in that behalf by the Council may alter or cause to be altered the position of the vehicle in order that its position shall comply with that provision.
14. Any person removing a vehicle or altering its position by virtue of Article 13 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.
15. When a person authorised by the Council removes or makes arrangements for the removal of a vehicle from a parking place by virtue of Article 14, he shall make such arrangements as may be reasonably necessary for the safe custody of the vehicle.
16. If a vehicle is left at any time in contravention of a provision of this Order a Penalty Charge shall be payable
17. In the case of a vehicle in respect of which a Penalty Charge is payable notification of the Penalty Charge may be given by a Civil Enforcement Officer in accordance with the requirements of Section 78 of the Traffic Management Act 2004 and Regulations made thereunder.

SCHEDULE 1

REVOKED

Limited Waiting (40 Minutes) Parking Places, between 8am – 6pm No return within 1 hour, with Exemption for Permit Holders

Sides of roads in Bridgnorth in the County of Shropshire

Riverside (west side)	From a point 69 metres north of its junction with Cartway for a distance of 20 metres in a northerly direction.
Riverside/ Southwell Riverside (east side)	a) From a point 78 metres north of its junction with Cartway for a distance of 42 metres in a northerly direction. b) From a point 135 metres north of its junction with Cartway for a distance of 27 metres in a northerly direction. c) From a point 181 metres north of its junction with Cartway for a distance of 45 metres in a northerly direction. d) From a point 242 metres north of its junction with Cartway for a distance of 36 metres in a northerly direction. e) From a point 290 metres north of its junction with Cartway for a distance of 48 metres in a northerly direction. f) From a point 350 metres north of its junction with Cartway to a point 8 metres south of its junction with Friar's Street.

SCHEDULE 2

Prohibition of Waiting At Any Time

Sides of roads in Bridgnorth in the County of Shropshire

Cartway (north side)	From its junction with High Street for a distance of 9 metres in an easterly direction.
Cartway (south side)	From its junction with Postern Gate for a distance of 19 metres in an easterly direction.
Cartway (east side)	From a point 69 metres north of its junction with Postern Gate for a distance of 16 metres in a generally northerly direction.
Friars Street (west side)	From a point 12 metres north of its junction with St. Leonards Steps for a distance of 25 metres in a northerly direction.
Friars Street (east side)	From its junction with Cartway for a distance of 34 metres in a northerly direction.

Southwell Riverside (west side)	The whole length from its junction with Friars Street in a northerly direction.
Southwell Riverside (east side)	<p>a) From a point 35 metres north of its junction with Friars Street for a distance of 20 metres in a northerly direction.</p> <p>b) From a point 109 metres north of its junction with Friars Street for a distance of 29 metres in a northerly direction.</p> <p>c) From a point 159 metres north of its junction with Friars Street for a distance of 26 metres in a northerly direction.</p>
Abbots Way (both sides)	From its junction with Southwell Riverside for a distance of 20 metres in a generally westerly direction.
King Charles Way (both sides)	From its junction with Southwell Riverside for a distance of 20 metres in a generally westerly direction.

SCHEDULE 3

<i>Class of Vehicle</i>	<p>a) All Classes except Valid permit holders</p> <p>b) Permit Holders</p>
<i>Days of operation</i>	a) and b) All Days
<i>Hours of operation</i>	a) and b) 8:00am to 6:00pm
<i>Maximum period for which vehicles may wait</i>	<p>a) 1 hour - return prohibited within 1 hour</p> <p>b) All Day</p>

1	2
Sides of roads at Bridgnorth authorised to be used as street parking place	Position in which vehicles may wait
Riverside (west side)	From a point 69 metres north of its junction with Cartway for a distance of 20 metres in a northerly direction
Riverside/Southwell Riverside (east side)	<p>a) From a point 78 metres north of its junction with Cartway for a distance of 42 metres in a northerly direction</p> <p>b) From a point 135 metres north of its junction with Cartway for a distance of 27 metres in a northerly direction</p>

	c) From a point 181 metres north of its junction with Cartway for a distance of 45 metres in a northerly direction
	d) From a point 242 metres north of its junction with Cartway for a distance of 36 metres in a northerly direction
	e) From a point 290 metres north of its junction with Cartway for a distance of 48 metres in a northerly direction
	f) From a point 350 metres north of its junction with Cartway to a point 8 metres south of its junction with Friar's Street

SCHEDULE 4

Limited Waiting Parking Places
Restriction of Waiting – Waiting Limited to 2 hours, 8am to 6pm.
No return within 2 hours - except Permit Holders

<i>Class of Vehicle</i>	a) All Classes except Valid permit holders. b) Permit Holders
<i>Days of operation</i>	a) and b) All Days
<i>Hours of operation</i>	a) and b) 8:00am to 6:00pm
<i>Maximum period for which vehicles may wait</i>	a) 2 hours - return prohibited within 2 hours b) All Day

1	2
Sides of road at Bridgnorth authorised to be used as street parking place	Position in which vehicles may wait
Southwell Riverside (east side)	1) From a point 11 metres north of its junction with Friars Street for a distance of 24 metres in a northerly direction.
	2) From a point 55 metres north of its junction with Friars Street for a distance of 54 metres in a northerly direction.
	3) From a point 135 metres north of its junction with Friars Street for a distance of 22 metres in a northerly direction.

THE COMMON SEAL of THE)
SHROPSHIRE COUNCIL)
was affixed the 5th day of)
November 2010)
in the presence of)

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T W Collard
Head of Adult and Children Law

The information in this Traffic Regulation Order should not be used for the purposes of conducting a search for preparation of a Hip. Please contact Shropshire Council's Highways Development Control service on 01743 255493 for further advice.