

**THE SHROPSHIRE COUNCIL (LUDLOW ECO PARK ACCESS ROAD)
(EXPERIMENTAL PARKING) ORDER 2012**

The Shropshire Council (hereinafter referred to as "the Council"), in exercise of their powers under Sections 9 and 10 of the Road Traffic Regulation Act 1984 ("the Act"), 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. This Order shall come into effect on 25 June 2012 and may be cited as The Shropshire Council (Ludlow Eco Park Access Road) (Experimental Parking) Order 2012.

2. (1) In this order-

"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;

"parking disc" means a disc issued by a local authority, 125 millimetres square, coloured blue or orange and capable of showing the quarter hour period during which a period of waiting begins.

"loading and unloading" means loading or unloading for some commercial purpose, and includes putting into or taking out of a private motor vehicle things which it 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 County Council under Section 76 of the Traffic Management Act 2004 to supervise and enforce the road traffic contraventions for which Shropshire County Council is the enforcement authority.

"Penalty Charge" and "Reduced Penalty Charge" means a charge set by Shropshire County 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 if –

- i. in the case of a vehicle fitted with a dashboard or a facia panel the badge is exhibited thereon so that Part I 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 in the relevant position if -
 - i. in the case of a vehicle fitted with a dashboard or a 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.
 - ii. in the case of a vehicle not so fitted, 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.
- 3. In this order all distances relating to the restrictions imposed have been measured in relation to the roads, lengths of roads or sides of roads specified in the following manner.
 - a) except where otherwise specified a dimension has been measured along the kerbline or edge of carriageway of the roads specified.
 - b) 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. Save as provided in Article 5, 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 the side of road specified in the Schedule to this Order.
- 5. Nothing in Article 4 shall render it unlawful to cause or permit any vehicle to wait in on the side of road in the Schedule to this order for so long as may be necessary:-
 - a) to enable a person to board or alight from the vehicle;
 - b) 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;
 - c) to enable the vehicle to be used for fire brigade, police or ambulance purposes;
 - d) 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.
 - e) 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

- f) to enable goods to be loaded on or unloaded from the vehicle.

PROVIDED that the vehicle waits no longer than is necessary and for the purpose specified.

6. 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 side of road specified in the Schedule to this Order for a period not exceeding three hours (not being a period separated by an interval of less than one hour from a previous period of waiting on the same side of road on the same day).
7. If a vehicle is left at any time in contravention of a provision of this Order a Penalty Charge shall be payable
8. 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.
9. Modifications to this order may be made during its operation by the Highways and Transport Manager, or any person so authorised by him to do so.
10. 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.

THE COMMON SEAL OF THE)	
SHROPSHIRE COUNCIL)	
was affixed hereto the 30 th day)	LS
of May 2012)	
in the presence of)	

T W Collard
Legal Services Manager - People

SCHEDULE

Side of road at Ludlow in the County of Shropshire

Ludlow Eco Park access road (both sides)	from its junction with Sheet Road) for its full length (including the junctions with minor access roads leading to offices and business etc. and the park and ride site)
---------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------