

I certify this to be a true copy of the original.

28.9.2011

AJ.T

THE BOROUGH OF SLOUGH
(DISABLED PERSONS' PARKING PLACES) ORDER 2011

The Council of the Borough of Slough ("the Council") in exercise of its powers under Section 45 and Part IV of Schedule 9 to the Road Traffic Regulation Act 1984 ("the Act") as amended by Part 6 of the Traffic Management Act 2004 and all other enabling powers and having regard to Section 122 of the Act and having consulted the Chief Officer of Police in accordance with Part III of Schedule 9 to the Act and in accordance with The Road Traffic (Permitted Parking Area and Special Parking Area) (Borough of Slough) Order 2003 ("the 2003 Order") made by the Secretary of State hereby makes the following Order.

In accordance with Section 37 of the Road Traffic Regulation Act 1984 this Order forms part of a general scheme of traffic control for the area designated as a Special Parking Area by the 2003 Order.

1 CITATION AND COMMENCEMENT

This Order may be cited as the Borough of Slough (Disabled Persons' Parking Places) Order 2011 and shall come into operation on 14th October 2011.

2 INTERPRETATION

(1) In this Order, except where the context otherwise requires:-

"civil enforcement officer" means a person authorised by or on behalf of the Council in accordance with Part 6 of the Traffic Management Act 2004 to enforce the restrictions imposed by this Order;

"disabled persons' badge" means a badge issued by any local authority in accordance with the Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000 or a badge having effect under those regulations as if it were a disabled person's badge;

"disabled persons' vehicle" means a vehicle which displays a Disabled Persons' Badge in accordance with Regulation 12 of the Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000;

"electronic communications network" means the same as in section 32 of the Communications Act 2003;

"goods" includes postal packets of any description, and "delivering" and "collecting" of goods includes checking them for the purpose of their delivery or collection;

"highway" means a way over which members of the public have a right to pass and repass;

"parking place" means an area of road designated as a parking place by Article 3(1) and includes any part of such a parking place;

"postal packets" means the same as in section 87 of the Post Office Act 1953;

"penalty charge" and "penalty charge notice" mean the same as in the Civil Enforcement of Parking Contraventions (England) General Regulations 2007;

“statutory undertaker” means the same as in section 48(4) of the New Roads and Street Works Act 1991; and

“vehicle” means any vehicle, any trailer or any vehicle and trailer.

(2) Except where otherwise stated, any reference in this Order to an Article or Schedule is a reference to an Article or Schedule in this Order.

(3) Any reference in this Order to any enactment shall be construed as a reference to that enactment as amended by any subsequent enactment.

(4) The Interpretation Act 1978 shall apply to this Order as it applies to an Act of Parliament.

(5) The provisions of this Order are in addition to and not in limitation of the provisions of any other enactment and any exception or exemption from the provisions of this Order is without prejudice to the provisions of any other enactment:

EXCEPT THAT if any provision of this Order conflicts with any provision of any other Order relating to the waiting of vehicles, that provision of this Order shall prevail.

3 DESIGNATION OF DISABLED PERSONS' PARKING PLACES

(1) Each area of the roads specified in Schedules 1 and 2 which is marked as a parking place reserved for disabled persons' vehicles by a road marking conforming to the Traffic Signs Regulations and General Directions 2002 is hereby designated as a parking place.

(2) There shall be a maximum of 6 parking places in each of the roads specified in Schedule 1.

(3) There shall be a maximum of 12 parking places in each of the roads specified in Schedule 2.

4 USE OF DISABLED PERSONS' PARKING PLACES

(1) Any parking place which is not suspended under Article 7 may be used as a parking place for disabled persons' vehicles in accordance with this Order.

(2) Except as specified in Article 5, no person shall cause or permit any vehicle other than a disabled persons' vehicle to wait in a parking place.

(3) Any vehicle left in a parking place shall so stand that:-

(a) if the parking place is not in a one-way street, the left or near side of the vehicle is adjacent to the left hand edge of the carriageway;

(b) the distance between the edge of the carriageway and the nearest wheel of the vehicle is not more than 50 centimetres, except where the road marking indicating the parking place is so placed as to require the vehicle to stand otherwise;

(c) no part of the vehicle extends beyond the limits of the parking place or beyond the limits of any single vehicle space that may be marked upon the parking place; and

(d) no part of the vehicle obstructs any vehicular access to or from any premises on the side of the road on which the vehicle is waiting.

(4) No person shall use any vehicle while it is in a parking place for the sale or for the offering or exposing for sale of any goods or services except for the sale of goods that are immediately delivered at or taken into premises adjacent to the parking place.

5 EXEMPTIONS

Nothing in Article 4 shall prevent any vehicle, if it cannot conveniently be used for such purposes elsewhere, from waiting in a parking place for so long as may be reasonably necessary for:-

- (a) anything to be done upon the direction or with the permission of a Police Constable in uniform;
- (b) a person to board or alight from the vehicle;
- (c) use in connection with building, industrial or demolition operations;
- (d) the removal of any obstruction to traffic;
- (e) the maintenance, improvement or reconstruction of a road;
- (f) the laying, erecting, alteration or repair of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity or of any electronic communications network;
- (g) exercising the statutory powers or performing the duties of a statutory undertaker or public authority;
- (h) police, fire brigade or ambulance purposes;
- (i) the delivery or collection of postal packets;
- (j) any wedding or funeral or the removal of furniture to or from offices or dwelling houses;
- (k) any vehicle to wait when required to do so by law or in order to avoid an accident or if the vehicle is prevented from proceeding by circumstances beyond the driver's control;
- (l) the collection of refuse or litter by or on behalf of the Council;
- (m) the posting or removing of advertising material or the cleaning of windows or chimneys;
- (n) the loading or unloading of goods or merchandise, including, so far as a bank is concerned, cash or other valuables or valuable securities, for a period not exceeding thirty minutes or such other period as a police constable in uniform may authorise;
- (o) the provision of healthcare to a resident, provided that, if called upon to do so, the person providing such healthcare produces confirmation that they have provided it; or
- (p) in the case of a parking place suspended in accordance with Article 7, anything done with the permission of the person who has suspended that parking place.

6 REMOVAL OF VEHICLES

(1) Where a vehicle is standing in a parking place in contravention of this Order, a police constable in uniform or a civil enforcement officer may alter or cause to be altered the position of that vehicle in order that its position shall comply with this Order.

(2) In case of emergency, a police constable in uniform or a civil enforcement officer may move or cause to be moved to any place he thinks fit any vehicle left in a parking place.

7 SUSPENSION OF PARKING PLACES

(1) Any person duly authorised by the Council or by the Chief Officer of Thames Valley Police may suspend the whole or any part of a parking place whenever that person considers it reasonably necessary to do so:-

(a) for the purpose of assisting the movement of traffic or promoting its safety;

(b) for the purpose of any building operation, demolition or excavation adjacent to that length of restricted road, the maintenance, improvement or reconstruction of the highway or the cleansing of gullies in or adjacent to the parking place, the laying erection, alteration or repair in or adjacent to that length of restricted road of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity or of any telecommunications system or the placing, maintenance or removal of any traffic sign;

(c) for the convenience of occupiers of premises adjacent to that parking place on any occasion of the removal of furniture to or from an office or dwelling house or at the times of weddings or funerals or on other special occasions; or

(d) whenever it is likely that a street will be crowded or obstructed because of some special attraction or event.

(2) Any police constable in uniform who considers it reasonably necessary to suspend a parking place for the purpose of assisting the movement of traffic or promoting its safety may do so for no longer than 24 hours.

(3) Any person suspending a parking place under this Article shall place or cause to be placed in or adjacent to that parking place, a traffic sign indicating that the waiting of vehicles is prohibited.

(4) No person shall cause or permit any vehicle to wait in a parking place which is suspended under this Article, unless that vehicle is waiting for any of the purposes specified in paragraphs (c), (d), (e), (f), (g), (h), (i), (j), (k), (l) and (p) of Article 5.

8 CONTRAVENTIONS

(1) Where a vehicle contravenes any provision of this Order a penalty charge shall be payable and a penalty charge notice may be issued by a civil enforcement officer or served by post in accordance with the Traffic Management Act 2004.

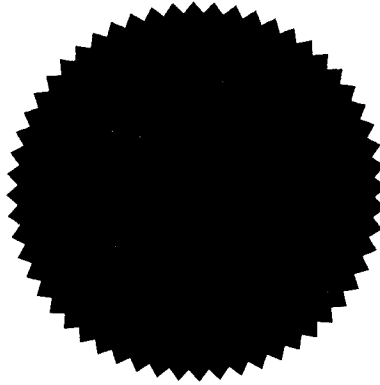
(2) The penalty charge shall be paid to the Council by any method considered appropriate by the Council and in accordance with the instructions stated on the penalty charge notice.

THE COMMON SEAL OF THE
BOROUGH OF SLOUGH was
hereunto affixed this 28th day
of September 2011

in the presence of:

Graham Ste,

~~For~~ Interim Head of Legal
Services



(1348)

Schedule 1: Roads Designated for up to 6 Disabled Persons' Parking Places

All highways open to vehicular traffic within the Borough of Slough, except those listed below in Schedules 2 and 3.

Schedule 2: Roads Designated for up to 12 Disabled Persons' Parking Places

Arthur Road, Blumfield Crescent, Churchill Road, College Avenue, Goodman Park, Hawthorne Crescent, King Edward Street and Northborough Road

Schedule 3: Roads with Disabled Persons' Parking Places Designated by the Borough of Slough Waiting Restrictions and Residents' Parking (Consolidation) Order 2010

Hershel Street, High Street (Slough), Montem Lane and The Crescent