

**SURREY COUNTY COUNCIL
(VARIOUS ROADS IN TANDRIDGE)
(FREE ON-STREET LOADING BAYS)
ORDER 2024**

SURREY COUNTY COUNCIL
(VARIOUS ROADS IN TANDRIDGE)
(FREE ON-STREET LOADING BAYS)
ORDER 2024

ARRANGEMENT OF ARTICLES

	Article(s)
PART I – GENERAL	
Citation and Commencement	1
Interpretation	2
PART II – AUTHORISATION AND USE OF FREE ON-STREET LOADING BAYS	
Authorisation of loading bays	3
Vehicles for which loading bays are authorised to be used	4
Period for which vehicle may be left in such a loading bay	5
Interval before which a vehicle may again be left in such a loading bay	6
Manner of standing in the loading bay	7
Alteration of position of a vehicle in the loading bay	8
Restriction on the use of the loading bay or a vehicle in the loading bay	9 – 10
Power to suspend the use of the loading bay	11
Restriction on waiting by a vehicle in the loading bay	12
Manner of waiting in the loading bay	13
Movement of a vehicle in the loading bay in an emergency	14
Removal of a vehicle from the loading bay	15 - 16
Charges for the removal and storage of a vehicle from the loading bay	17
Placing of traffic signs etc	18

PART III – SUPPLEMENTARY PROVISIONS

Saving in respect of pedestrian crossings	19
Saving in respect of bus stop clearways	20
Saving with respect to loading bays	21
Saving with respect to other enactments	22

PART IV - REVOCATION

Revocation	23
------------	----

ARRANGEMENT OF THE SCHEDULES

FIRST SCHEDULE	List of Plans
SECOND SCHEDULE	List of Revocations

THE SURREY COUNTY COUNCIL in exercise of their powers under Sections 32 35 and 36 of and Part IV to Schedule 9 to the Road Traffic Regulation Act 1984 (“the Act”) and all other enabling powers and after consultation with the Chief Officer of Police in accordance with Part III of Schedule 9 to the Act hereby make the following Order: -

PART I

GENERAL

Citation and commencement

- 1 This Order may be cited as “The Surrey County Council (Various Roads in Tandridge) (Revocation and Consolidation of Free On-Street Loading Bays) Order 2024” and shall come into operation on 22 August 2024

Interpretation

- 2 (1) In this Order the expression –
 - “agents” means any person or persons authorised by or on behalf of the Council to supervise and/or enforce the loading bay
 - “carriageway” has the same meaning as in Section 329 of the Highways Act 1980
 - “civil enforcement officer” has the same meaning as in Section 76 of the Traffic Management Act 2004
 - “Council” means the Surrey County Council or its appointed agents
 - “driver” in relation to a vehicle waiting in a loading bay means the person driving the vehicle at the time it was left in the loading bay
 - “electronic communications apparatus” has the same meaning as in Section 151 of the Communications Act 2003
 - “enactment” means any enactment whether public general or local and includes any order bylaw rule regulation scheme or other instrument having effect by virtue of an enactment
 - “goods” means goods of any kind whether animate or inanimate

“delivering” and “collecting” in relation to any goods or postal packets includes checking the goods or postal packets for the purpose of their delivery or collection

“goods vehicle” means a motor vehicle or trailer constructed or adapted for use for the carriage or haulage of goods or burden of any description

“hand held device” is a device used by a civil enforcement officer which is updated from time to time with information on valid and invalid (expired) virtual parking transactions

“loading bay” means the part of the road authorised by this Order to be used as an on-street loading bay

“motor cycle” “motor vehicle” and “invalid carriage” have the same meanings as in Section 136 of the Act

"one-way road" means a highway in which the driving of vehicles otherwise than in one direction is prohibited

"Owner" has the same meaning as defined in sub-section (1) of Section 92 of the Traffic Management Act 2004

“passenger vehicle” means a motor vehicle (other than a motor-cycle or invalid carriage) constructed or adapted solely for the carriage of not more than eight passengers (exclusive of the driver) and their effects and not drawing a trailer

“permitted hours” means the hours identified as such in the key relating to the plans

“plans” means the drawings listed in the Schedule the drawing number of each of those drawings being given in the first column of that Schedule

“postal packets” has the same meaning as in Sub-section (1) of Section 125 of the Postal Services Act 2000

“road” includes part of a road and has the same meaning as in Section 142 of the Act

"the 1986 Regulations" means The Removal and Disposal of Vehicles Regulations 1986 (S. I. 1986 No. 183)

“the 2008 Regulations” means The Removal, Storage and Disposal of Vehicles (Prescribed Sums and Charges etc.) Regulations 2008 (S.I 2008 No. 2095)

“traffic signs” means a sign of any size colour and type prescribed or authorised under or having effect as though prescribed or authorised under Section 64 of the Act

“trailer” has the same meaning as in Section 136 of the Act and includes a trailer any part of which is superimposed on the drawing vehicle

“virtual parking transaction” is amongst other things a virtual waiver certificate

“virtual waiver certificate” means a waiver certificate that is electronically issued and verified by the Council

"Waiver Certificate" means a paper or virtual certificate issued on behalf of the Council for the purposes of paragraph (g) of Article 12 of this Order permitting a specified vehicle to wait in special circumstances on a length or lengths of a road or roads where the waiting of that vehicle would otherwise be restricted or prohibited

- (2) Any reference in this Order to a numbered Article or to The Schedule shall unless the context otherwise requires be construed as a reference to the Article bearing that number in this Order or to The Schedule to this Order
- (3) Any reference in this Order to any enactment shall be construed as a reference to that enactment as amended applied consolidated re-enacted by or as having effect by virtue of any subsequent enactment

PART II

AUTHORISATION AND USE OF FREE ON STREET PARKING BAYS

Authorisation of Loading Bays

- 3 EACH area on a highway comprising the length of carriageway of a road identified on the plans as a free on-street loading bay and bounded on one side of that length by the edge of the carriageway and having a minimum width throughout of 1.8 metres is authorised to be used subject to the following provisions of this Order as a free on-street loading bay for use as such during the permitted hours

Vehicles for which loading bays are authorised

- 4 EACH loading may be used subject to the provisions of this Order for the leaving without charge during the permitted hours of all classes of vehicle (including any trailer that is being drawn by any such vehicle)

PROVIDED THAT the vehicle left in the loading bay is actually in the process of being used for the purpose of collecting goods or burden of any description from or delivering goods or burden of any description to any premises situated adjacent to or in the vicinity of that loading bay

FOR the avoidance of doubt it is hereby stated by the Council that any exemption for vehicles displaying a blue badge pursuant to the provisions of the Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000 (S.I. 2000/683) shall not apply to this Order

Period for which a vehicle may be left in such a loading bay

- 5 WITHOUT prejudice to the provisions of Article 12 no person shall cause any vehicle to be left during the permitted hours in a time limited loading bay for longer than the maximum period permitted for waiting specified in relation to that loading bay as identified on the plans

Interval before a vehicle may again be left in such a loading bay

- 6 WITHOUT prejudice to the provisions of Article 12 no vehicle which has been taken away from a loading bay identified on the plans during the permitted hours shall until the expiration of the period of time indicated on the said plans from the time it was taken away again be left in that loading bay during the permitted hours

Manner of standing in the loading bay

- 7 THE drive of a vehicle waiting in the loading bay during the permitted hours in accordance with the foregoing provisions of this Order shall cause it so to stand
- (a) (i) if the loading bay is not in a one-way road that the left or near-side or right or off-side of the vehicle is parallel to the edge of the carriageway nearest to the vehicle or

- (ii) if the loading bay is in a one-way road that the left or near-side of the vehicle is adjacent to the left-hand edge of the carriageway or that the right or off-side of the vehicle is adjacent to the right-hand edge of the carriageway and
 - (iii) that the distance between the edge of the carriageway and the nearest wheel of the vehicle is not more than 300 millimetres and
- (b) that every part of the vehicle is within the limits of the loading bay and
 - (c) that no part of the vehicle obstructs any vehicular means of ingress to or egress from any premises adjacent to the side of the road on which the vehicle is waiting

Alteration of position of a vehicle in the loading bay

- 8 WHERE any vehicle is standing in the loading bay in contravention of the provisions of Article 7 or of the provisions of Article 13 a police constable in uniform or a civil enforcement officer or a person duly authorised by the Council may alter or cause to be altered the position of the vehicle in order that its position shall comply with those provisions

Restriction on the use of a loading bay

- 9 DURING the permitted hours no person shall use the loading bay or any vehicle while it is in the loading bay in connection with the sale or offering or exposing for sale of any goods to any person in or near the loading bay or in connection with the selling or offering for sale of his skill in handicraft or his services in any other capacity

PROVIDED THAT nothing in this Article shall prevent the sale of goods from a vehicle if the vehicle is one which may wait in the loading bay in accordance with Article 4 and the goods are immediately delivered and taken into premises adjacent to the vehicle from which the sale is effected

- 10 THE driver of a motor vehicle using the loading bay shall stop the engine as soon as the vehicle is in position in the loading bay and shall not start the engine except when about to change the position of the vehicle in or to depart from the loading bay

Power to suspend the use of the loading bay

- 11 (1) SUBJECT to the following persons or organisations being able to exercise the function described below by virtue of legislation a civil enforcement officer a

police constable in uniform a person acting under the instructions (whether general or specific) of the Chief Officer of Police or a person duly authorised by the Council may suspend the use of a loading bay or any part thereof whenever they consider such suspension reasonably necessary:

- (a) for the purpose of facilitating the movement of traffic or promoting its safety
 - (b) for the purpose of any building operation demolition or excavation adjacent to the loading bay the maintenance improvement or reconstruction of the highway or the cleansing of gullies in or adjacent to the loading bay the laying erection alteration or repair in or adjacent to the loading bay of any sewer or of any main pipe or apparatus for the supply of gas water or electricity or of any electronic communications apparatus or the placing maintenance or removal of any traffic sign
 - (c) for the convenience of occupiers of premises adjacent to the loading bay on any occasion of the removal of furniture to or from one office or dwelling-house adjacent to the loading bay room or to a depository another office or dwelling-house
 - (d) on any occasion on which it is likely by reason of some special attraction that any road will be thronged or obstructed or
 - (e) For the convenience of occupiers of premises adjacent to the loading bay at times of weddings or funerals or on any other special occasions
- (2) Subject to the provision set out in paragraph (1) of this Article a police constable in uniform or a civil enforcement officer may suspend for not more than twenty-four hours the use of a loading bay or any part thereof whenever they consider such a suspension reasonably necessary for the purpose of facilitating the movement of traffic or promoting its safety
- (3) On suspension of the use of the loading bay or any part thereof in accordance with the provisions of this Article the person authorising or causing such suspension shall place or cause to be placed in or adjacent to the loading bay or that part thereof as the case may be a traffic sign or traffic signs indicating that the waiting by vehicles is prohibited
- (4) No person shall cause or permit any vehicle to wait in the loading bay or any part thereof at any time during the permitted hours during which there is

displayed or adjacent to the loading bay or that part thereof as the case may be a traffic sign or traffic signs placed pursuant to paragraph (3) of this Article: -

PROVIDED THAT nothing in this paragraph shall apply -

- (a) in respect of any vehicle being used for fire brigade ambulance or police purposes or any vehicle which is waiting for any reason specified in Article 12 (1) (b) (d) or (e) or
- (b) to anything done with the permission of the person suspending the use of the loading bay or part thereof in pursuance of paragraph (1) of this Article or a police constable in uniform or a civil enforcement officer acting in the exercise of lawful authority

Restrictions on waiting by a vehicle in the loading bay

12 (1) NOTWITHSTANDING the foregoing provisions of this Order any vehicle may wait during the permitted hours anywhere in any part of the loading bay if the use of that part has not been suspended and if

- (a) the vehicle is waiting owing to the driver being prevented from proceeding by circumstance beyond his control or to such waiting being necessary in order to avoid an accident
- (b) the vehicle is being used for fire brigade ambulance or police purposes or not being a passenger vehicle a motor-cycle or an invalid carriage is being used in the service of a local authority in pursuance of statutory power or duties provided that in all the circumstances it is reasonably necessary in the exercise of such powers or in the performance of such duties of the vehicle to wait in the place in which it is waiting
- (c) the vehicle is waiting only for so long as may be necessary to enable it to be used in connection with the removal of any obstruction to traffic
- (d) the vehicle is waiting -
 - (i) while postal packets addressed to premises adjacent to the loading bay in which the vehicle is waiting are being unloaded from the vehicle or having been unloaded therefrom are being delivered or

- (ii) while postal packets are being collected for loading on the vehicle from premises or posting boxes adjacent to the loading bay in which the vehicle is waiting or having been so collected are being loaded thereon
- (e) the vehicle not being a passenger vehicle a motor-cycle or an invalid carriage is waiting only for so long as may be reasonably necessary to enable it to be used for any purpose specified in Article 11 (1) (b)
- (f) The vehicle is in actual use in connection with the removal of furniture to or from one office or dwelling-house adjacent to the loading bay in which the vehicle is waiting from or to a depository another office or dwelling-house
- (g) the vehicle is displaying in a prominent position behind the windscreen so that it is facing forwards and can be entirely and easily seen from the front of the vehicle a valid waiver certificate issued by a person duly authorised by the Council to wait in accordance with the terms and conditions prescribed by the said certificate

PROVIDED THAT a waiver certificate may be cancelled at any time at the sole discretion of the Council and shall thereupon immediately cease to be valid and that a notification of such cancellation shall be sent by post to the holder of the certificate at any address which the Council believes to be that person's address and the certificate shall forthwith be surrendered to the Council

PROVIDED THAT a vehicle which is validated by the hand held device as having a valid virtual waiver certificate then no certificate needs to be displayed on that vehicle

- (2) Except as provided by this Order the driver or person in charge of a vehicle shall not cause or permit a vehicle to wait in the loading bay during the permitted hours

Manner of waiting in the loading bay

- 13 (1) NO person shall cause or permit a vehicle to wait in the loading bay by virtue of the provisions of sub-paragraph (1) (d) (e) (f) and (g) of the last preceding Article otherwise so that

- (a) The longitudinal axis of the vehicle is parallel to the edge of the carriageway nearest to the vehicle and
 - (b) The distance between the said edge and the nearest wheel of the vehicle is not more than 300 millimetres and
 - (c) No part of the vehicle obstructs any vehicular means of ingress to or egress from any premises adjacent to the side of the road on which the vehicle is waiting
- (2) FOR the purposes of the foregoing paragraph the expression “premises” shall not include any premises to or from which any furniture is being removed by virtue of the provisions of sub-paragraph (1) (f) of Article 12

Movement of a vehicle in the loading bay in an emergency

- 14 ANY person duly authorised by the Council a police constable in uniform or a civil enforcement officer may move or cause to be moved in a case of emergency to any place they think fit any vehicle left unattended in the loading bay

Removal of vehicles from the loading bay

- 15 (1) When a vehicle is left in the loading bay in contravention of any of the provisions contained in this Order a person authorised in that behalf by the Council or a police constable in uniform or a civil enforcement officer may remove the vehicle or arrange for it to be moved from the loading bay

PROVIDED THAT civil enforcement officers shall not exercise the power in this Article other than in accordance with the 1986 Regulations

- (2) Where it appears to the Council or a police constable in uniform that a vehicle left in the loading bay has been abandoned a civil enforcement officer or a police constable in uniform may in such manner as they consider necessary for the purpose remove the vehicle or arrange for it to be moved from the loading bay

PROVIDED THAT where the Council or a police constable in uniform propose to move such a vehicle in which in the opinion of the Council or the Chief Constable of Police is in such a condition that it ought to be destroyed then they shall not less than twenty-four hours before removing it cause it to be affixed to

the vehicle a notice stating that they propose to remove it for destruction at the end of the period

- 16 WHEN a person authorised by the Council or a police constable in uniform removes or makes arrangements for the removal of a vehicle from the loading bay by authority of Article 15 they shall except in the case of a vehicle which in the opinion of the Council or the Chief Constable of Police is in such condition that it ought to be destroyed make such arrangements as may be deemed reasonably necessary for the safe custody of the vehicle

Charges for the removal and storage of vehicles

- 17 WHERE a vehicle is removed by the Council or a police constable in uniform from the loading bay in pursuance of Article 15 there shall be payable to the Council or the Chief Constable of Police pursuant to Section 102 of the Act and the 2008 Regulations charges for the removal storage and disposal of the said vehicle in accordance with the provisions of the said Regulations

Placing of traffic signs etc

- 18 THE Council shall -
- (a) place and maintain a traffic sign or traffic signs indicating the limits of each loading bay and
 - (b) place and maintain in or in the vicinity of each loading bay referred to in the plans a traffic sign or traffic signs indicating that such a loading bay may be used during the permitted hours for the leaving only of the vehicles specified in Article 4 and
 - (c) carry out such other work as is reasonably required for the purposes of the satisfactory operation of a loading bay

PART III

SUPPLEMENTARY PROVISIONS

Saving in respect of pedestrian crossings

- 19 NOTHING in the foregoing provisions of this Order shall be taken as authorising anything which would be a contravention of any Regulations made or having effect as if made under Section 25 of the Act

Saving in respect of bus stop clearways

20 INsofar as any provision contained in PART II of this Order conflicts with a provision which is contained in paragraphs 2 3 or 4 of Schedule 19 to The Traffic Signs Regulations and General Directions 2016 (S.I. 2016 No. 362) then the provision contained in the said paragraphs of the said Regulation shall prevail

Saving with respect of loading bays

21 INsofar as any provision contained in PART II of this Order conflicts with a provision imposed by any other enactment existing at the time when this Order comes into operation and which imposes or has the effect of imposing any restriction or prohibition on -

- (a) the waiting loading and/or unloading by vehicles and/or
- (b) the delivering or collecting of goods by vehicles
- (c) or grants an exemption from any such restriction or prohibition then the provisions contained in PART II of this Order shall prevail

Saving with respect to other enactments

22 SUBJECT to the provisions contained in Articles 19 20 and 21 the prohibitions restrictions and requirements imposed by this Order are in addition to and not in derogation of any prohibition restriction or requirement imposed by any other enactment and any exception or exemption from the provisions of this Order is without prejudice to the provisions of any other enactment

PART IV

REVOCATION

Revocation

23 WITHOUT prejudice to the validity of anything done or to any liability incurred in respect of any act or omission before the coming into force of this Order the Orders specified in the Second Schedule to this Order are hereby revoked in their entirety

SCHEDULES OVERLEAF

3282/TAN/23118												
3282/TAN/23119												
3282/TAN/23120												
3282/TAN/23121												
3282/TAN/23122												
3282/TAN/23123												
3282/TAN/23124												
3282/TAN/23125												
3282/TAN/23126												
3282/TAN/23127												
3282/TAN/23128												
3282/TAN/23129												

SECOND SCHEDULE

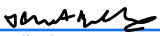
List of Revocations

- 1 “The Surrey County Council (Various Roads in Tandridge) (Free On-Street Loading Bays) Order 2024”
- 2 “Surrey County Council (Various Roads in Tandridge) (Free On-Street Loading Bays) Order 2024 (Amendment No.1) Order 2024”

Executed as a Deed by Surrey County Council on 13 August 2024

EXECUTED AS A DEED by)
 Affixing THE COMMON SEAL of)
 SURREY COUNTY COUNCIL)
 in the presence of and attested by:)




 Janet Polley (Aug 13, 2024 14:58 GMT+1)

Assistant Director - Children's Safeguarding

Authorised Signatory

DATE: 13 AUGUST 2024

SURREY COUNTY COUNCIL

**No. IN SEALING
REGISTER**

1250
.....

**ORDERED TO
BE SEALED**

**Parking Traffic & Enforcement Manager
07 August 2024**

ROAD TRAFFIC REGULATION ACT 1984

SECTIONS 32 35 AND 36 OF

AND PART IV OF SCHEDULE 9

**SURREY COUNTY COUNCIL
(VARIOUS ROADS IN TANDRIDGE)
(REVOCATION AND CONSOLIDATION OF
FREE ON-STREET LOADING BAYS)
ORDER 2024**








Loading Bays 2024

Final Audit Report

2024-08-13

Created:	2024-08-13
By:	Bradley Bushell (brad.bushell@surreycc.gov.uk)
Status:	Signed
Transaction ID:	CBJCHBCAABAAdGu_zSLn8My3H2FmSHbCCSiQeYGr6OsH

"Loading Bays 2024" History

-  Document created by Bradley Bushell (brad.bushell@surreycc.gov.uk)
2024-08-13 - 08:48:53 GMT - IP address: 212.219.23.1
-  Document approved by Bradley Bushell (brad.bushell@surreycc.gov.uk)
Approval Date: 2024-08-13 - 08:50:13 GMT - Time Source: server- IP address: 212.219.23.1
-  Document emailed to Janet Polley (JANET.POLLEY@SURREYCC.GOV.UK) for signature
2024-08-13 - 08:50:15 GMT
-  Email viewed by Janet Polley (JANET.POLLEY@SURREYCC.GOV.UK)
2024-08-13 - 13:58:02 GMT - IP address: 212.219.23.1
-  Janet Polley (JANET.POLLEY@SURREYCC.GOV.UK) entered valid password assigned by the sender.
2024-08-13 - 13:58:08 GMT
-  Document e-signed by Janet Polley (JANET.POLLEY@SURREYCC.GOV.UK)
Signature Date: 2024-08-13 - 13:58:17 GMT - Time Source: server- IP address: 212.219.23.1
-  Agreement completed.
2024-08-13 - 13:58:17 GMT