

SURREY COUNTY COUNCIL

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**ROAD TRAFFIC REGULATION ACT 1984
SECTIONS 32 35 AND 36**

**SURREY COUNTY COUNCIL
(VARIOUS LAY-BYS IN TANDRIDGE
AND WESTWAY (D1399) CATERHAM
ON THE HILL)
(FREE ON-STREET PARKING
PLACES) ORDER 2006**

REF: E.LEGAL/AK/17/10/GEN/TAN

THE SURREY COUNTY COUNCIL
(VARIOUS LAY-BYS IN TANDRIDGE
AND WESTWAY (D1399) CATERHAM ON THE HILL)
(FREE ON-STREET PARKING PLACES)

ORDER 2006

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SURREY COUNTY COUNCIL in exercise of their powers under Sections 32 35 and 36 of
to 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 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 Lay-bys in Tandridge and Westway (D1399) Caterham on the Hill) (Free On-Street Parking Places) Order 2006" and shall come into operation on 28 September 2006

Interpretation

2 (1) In this Order unless the context otherwise requires the following expressions shall have the meanings hereby respectively assigned to them -

"agents" means any person or persons authorised by or on behalf of the Council to supervise and/or enforce any parking place

"bus" has the same meaning as in Regulation 22 of the Traffic Signs Regulations and General Directions 2002 (S.I. 2002 No. 3113)

"bus stop clearway" has the same meaning as in sub-paragraph (a) of paragraph 1 of Schedule 19 to the Traffic Signs Regulations and General Directions 2002 (S.I. 2002 No. 3113)

"carriageway" has the same meaning as in Section 329 of the Highways Act 1980

"Council" means Surrey county Council or its appointed agents

"disabled person's badge" has the same meaning as in the Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000 (S.I. 2000 No. 682)

"disabled person's vehicle" has the same meaning as in the Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England and Wales) Regulations 2000 (S.I. 2000 No. 683)

"electronic communications apparatus" has the same meaning as in paragraph 1 of Schedule 2 to the Telecommunications Act 1984

"enactment" means any enactment whether public general or local and includes

any order byelaw rule regulation scheme or other instrument having effect by virtue of an enactment

"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

"footway" has the same meaning as in Section 329 of the Highways Act 1980

"goods" means goods of any kind whether animate or inanimate and "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 the maximum gross weight of which does not exceed 5 tonnes and which is constructed or adapted for use for the carriage of goods or burden of any description and is not drawing a trailer

"lay-by" means any area of carriageway not forming part of a main carriageway and which for the purposes of this Order is either -

- (a) authorised to be used for the time being as a street parking place by any Order or any other Order made or having effect as if made under Sections 1(1) and (2) and 2(1) to (3) and 4 and/or 32 35 and 36 of and/or Part IV of Schedule 9 to the Act within the District of Tandridge in the County of Surrey or
- (b) an area of carriageway intended for the waiting of vehicles and which is bounded partly by a traffic sign of the type shown in Diagram 1010 in Schedule 6 to the Traffic Signs Regulations and General Directions 2002 (S.I. 2002 No. 3113) and partly by the outer edge of the carriageway on the same side of the road as that on which the traffic sign is placed and/or
- (c) an area of carriageway bounded by the continuous and broken straight yellow lines comprised in the road marking of the type shown in Diagram 1025.3 or in Diagram 1025.4 in Schedule 6 to the Traffic Signs Regulations and General Directions 2002 (S.I.2002 No.3113)

"main carriageway" means any carriageway used primarily by through traffic but

excludes any lay-by

"maximum gross weight" has the same meaning as in Regulation 4 of the Traffic Signs Regulations and General Directions 2002 (S.I. 2002 No. 3113)

"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" means the person by whom the vehicle is kept and in determining who was the owner of a vehicle at any time it shall be presumed that the owner was the person in whose name the vehicle was at that time registered under the Vehicle Excise and Registration Act 1994

"Parking Attendant" means a person authorised by or on behalf of the Council to enforce the restrictions imposed by this Order

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

"parking space" means a space in a parking place which is provided for the leaving of vehicles

"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

"Penalty Charge" means the charge set by the Council under the provisions of the Road Traffic Act 1991 which is to be paid to the Council following the issue of a Penalty Charge Notice within twenty-eight days of the issue of that Notice

"permitted hours" means the hours identified on the plans attached to this Order

"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 and which drawings are attached to this Order

"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

"street parking place" has the same meaning as in Section 142 of the Act and [authorised to be used](#) as a street parking place by this Order

"traffic sign" 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

"waiver certificate" means a certificate issued on behalf of the Council for the purposes of paragraph (j) of Article 12 and paragraph (h) of Article 36 permitting a specified vehicle to wait in special circumstances on a length or lengths of roads where the waiting of that vehicle would otherwise be restricted or prohibited

(2) For the purpose of this Order a vehicle shall be regarded as displaying -

(a) a disabled person's badge issued on or after 2 March 1992 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 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 disabled person's badge issued on or after 1 April 2000 in the prescribed manner when -

(i) the badge is exhibited on the dashboard or facia of the vehicle or

- (ii) where the vehicle does not have a dashboard or facia the badge is exhibited in a conspicuous position on the vehicle so that the front of the badge is clearly legible from outside of the vehicle
- (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
- (4) Any reference in this Order to a length of a road shall unless otherwise specified be construed as a reference to the whole width of that length of road
- (5) Any reference in this Order to a numbered Part or Article or to The Schedule shall unless the context otherwise requires be construed as a reference to the Part or Article bearing that number in this Order or to The Schedule to this Order

PART II

AUTHORISATION AND USE OF FREE STREET PARKING PLACES

IN WESTWAY (D1399) CATERHAM ON THE HILL

Authorisation of parking places

3 EACH part of that length of Westway (D1399) Caterham on the Hill which lies between the north-western kerb-line of Chaldon Road and the south-eastern kerb-line of Avenue Road and which comprises a length of carriageway of that road which is identified on the plans and bounded on one side of that length by the edge of the carriageway and having a width throughout of 2.75 metres is authorised to be used subject to the following provisions of this Part of this Order as a parking place

Vehicles for which parking places are authorised

4 EACH parking place may be used subject to the provisions of this Order for the leaving during the permitted hours of all classes of vehicle and any type of vehicle

PROVIDED THAT no vehicle shall be left in a parking place if the overall width of that

vehicle together with the load (if any) carried thereon exceeds 2.75 metres

Period for which a vehicle may be left in a parking place

5 WITHOUT prejudice to the provisions of Article 12 no person shall cause any vehicle to be left during the permitted hours in a parking place identified on the plans during the permitted hours for a continuous period of more than two hours:

PROVIDED THAT nothing in this Article shall apply to a disabled person's vehicle which displays in the relevant position or in the prescribed manner a disabled person's badge issued by any local authority

Interval before a vehicle may again be left in a parking place

6 WITHOUT prejudice to the provisions of Article 12 no vehicle which has been taken away from a parking place identified on the plans during the permitted hours shall until the expiration of one hour from the time it was taken away again be left in that parking place during the permitted hours:

PROVIDED THAT nothing in this Article shall apply to a disabled person's vehicle which displays in the relevant position or in the prescribed manner a disabled person's badge issued by any local authority

Manner of standing in a parking place

7 THE driver of a vehicle waiting in a parking place during the permitted hours in accordance with the foregoing provisions of this Order shall cause it so to stand: -

- (a) (i) 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 and
- (ii) 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 a parking place 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 a parking place

8 WHERE any vehicle is standing in a parking place in contravention of the provisions of

Article 7 or of the provisions of Article 13 a police constable in uniform or a parking attendant 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

Power to suspend the use of a parking place

9 (1) Any person duly authorised by the Council or the Chief Constable of the Surrey Police (hereinafter called the "Chief Constable") may suspend the use of a parking place or any part thereof whenever he considers 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 parking place 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 the parking place 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 parking place on any occasion of the removal of furniture to or from one office or dwelling-house adjacent to the parking place from 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 parking place at times of weddings or funerals or on other special occasions

(2) A police constable in uniform or a parking attendant may suspend for not longer than twenty-four hours the use of a parking place or any part thereof whenever he considers such suspension reasonably necessary for the purpose of facilitating the movement of traffic or promoting its safety

(3) On the suspension of the use of a parking place 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 that parking place 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 a parking place or part thereof during such period as there is in or adjacent to that parking place or that part thereof a traffic sign or traffic signs placed in pursuance of paragraph (3) of this Article:

PROVIDED THAT nothing in this paragraph shall apply -

- (i) 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
- (ii) to anything done with the permission of the person suspending the use of the parking place or part thereof in pursuance of paragraph (1) of this Article or a police constable in uniform or a parking attendant

Restriction on the use of a parking place or a vehicle in a parking place

10 DURING the permitted hours no person shall use any parking place or any vehicle while it is in a parking place in connection with the sale or offering or exposing for sale of any goods to any person in or near the parking place 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 -

- (a) if the vehicle is one which may wait in a parking place in accordance with Article 4 and the goods are immediately delivered at or taken into premises adjacent to the vehicle from which the sale is effected or
- (b) if the vehicle is one to which the provisions of Article 12(1)(h) apply

11 THE driver of a motor vehicle using a parking place shall stop the engine as soon as the motor vehicle is in position in the parking place and shall not start the engine except when about to change the position of the motor vehicle in or to depart from the parking place

Restriction on waiting by a vehicle in a parking place

12 (1) Notwithstanding the foregoing provisions of this Order any vehicle may wait during the permitted hours anywhere in any part of a parking place if the use of that part has

not been suspended and if:

- (b) the vehicle is waiting owing to the driver being prevented from proceeding by circumstances beyond his control or to such waiting being necessary in order to avoid an accident
- (c) 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 powers 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 for the vehicle to wait in the place in which it is waiting
- (d) 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
- (e) the vehicle is waiting:
 - (i) while postal packets addressed to premises adjacent to the parking place 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 parking place in which the vehicle is waiting or having been so collected are being loaded thereon
- (f) the vehicle is waiting only for so long as may be reasonably necessary to enable it to be used for any purpose specified in Article 9 (1)(b)
- (g) in any other case the vehicle is waiting for the purpose of delivering or collecting goods or loading or unloading the vehicle at premises adjacent to the parking place in which the vehicle is waiting and the vehicle does not wait for such purpose for more than twenty minutes or for such longer period as a police constable in uniform or a parking attendant may approve or
- (h) goods are being sold or offered or exposed for sale from the vehicle by a person who is licensed by the Council or the Tandridge District Council to

- sell goods from a stationary vehicle on a pitch situated in the parking place
- (i) 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 or the Tandridge District Council of the Council Offices Station Road East Oxted Surrey RH8 0BT 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 or the said Tandridge District 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 or the said Tandridge District Council believes to be that person's address and the certificate shall forthwith be surrendered to the Council or the said Tandridge District Council

- (2) Except as provided by Part II the driver or person in charge of a vehicle shall not cause or permit a vehicle to wait in a parking place during the permitted hours

Manner of waiting in a parking place

13 NO person shall cause or permit a vehicle to wait in a parking place by virtue of the provisions of sub-paragraph (1)(e) (f) (g) (h) or (i) of the last preceding Article otherwise than so that:

- (a) so that the longitudinal axis of the vehicle is parallel to the edge of the carriageway nearest to the vehicle and 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

For the purposes of the last foregoing paragraph the expression "premises" shall not include any premises or to or from which goods are being delivered or collected by virtue of the provisions of paragraph (1)(g) of that Article

Movement of a vehicle in a parking place in an emergency

14 ANY person duly authorised by the Council a police constable in uniform or a parking attendant may move or cause to be moved in case of emergency to any place he thinks fit any vehicle left unattended in a parking place

Removal of a vehicle from a parking place

15 (1) When a vehicle is left in a parking place 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 may remove the vehicle or arrange for it to be moved from that parking place

(2) Where it appears to the Council or a police constable in uniform that a vehicle left in a parking place has been abandoned a person authorised in that behalf by the Council 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 that parking place:

PROVIDED THAT where the Council or a police constable in uniform propose to move such a vehicle which in the opinion of the Council or the Chief Constable is in such a condition that it ought to be destroyed then they shall not less than seven days before removing it cause to be affixed to the vehicle a notice stating that they propose to remove it for destruction at the end of that 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 a parking place by authority of Article 15 he shall except in the case of a vehicle which in the opinion of the Council or the Chief Constable 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 a vehicle from a parking place

17 WHERE a vehicle is removed by the Council or a police constable in uniform from a parking place in pursuance of Article 15 there shall be payable to the Council or the Chief Constable pursuant to Section 102 of the Act and the Removal, Storage and Disposal of Vehicles (Prescribed Sums and Charges etc.) Regulations 1989 charges for the removal storing 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 parking place and
- (b) carry out such other work as is reasonably required for the purposes of the satisfactory operation of a parking place

PART III

AUTHORISATION AND USE OF FREE STREET PARKING PLACES

IN VARIOUS LAY-BYS IN THE DISTRICT OF TANDRIDGE

Authorisation of parking places

19 EACH part of a highway comprising the length of carriageway of a road or the area of carriageway adjacent to a road or a lay-by and which is identified on the plans is authorised to be used subject to the following provisions of this Part of this Order as a parking place

Vehicles for which parking places are authorised

- 20 (1) Each parking place comprising or situated within the lay-bys known as the Antlands Lane Lay-by at Burstow (adjoining the south side of Antlands Lane (B2037)) the Copthorne Road Lay-by at Felbridge (adjoining the south side of Copthorne Road (A264)) the East Bysshe Lay-by at Newchapel (adjoining the west side of Eastbourne Road (A22)) the Godstone Hill Lay-by at Caterham Valley (adjoining the east side of Godstone Hill (A22)) the Godstone Hill Lay-by at Godstone (adjoining the east side of Godstone Hill (A22)) the Godstone Hill

Lay-by at Godstone (adjoining the west side of Godstone Hill (B2235)) the Moorhouse Lay-by at Limpsfield (adjoining the north side of Westerham Road (A25)) the Nutfield Cemetery Lay-by at Nutfield Cemetery (adjoining the north and north-west side of Nutfield Road (A25)) and the Tandridge Lay-by at Oxted (adjoining the south side of Godstone Road (A25)) may be used subject to the provisions of this Order for the leaving during the permitted hours of all classes of vehicle

- (2) The parking place forming that part of the lay-by fronting Nos. 214 to 224 Pollards Oak Road so much as is highway maintainable at the public expense and lying on the south-west side of that road may be used subject to the provisions of this Order for the leaving during the permitted hours of all classes of motor vehicle as define in Section 136 of the Act

Period for which a vehicle may be left in a parking place

21 WITHOUT prejudice to the provisions of Article 12 no person shall cause any vehicle to be left during the permitted hours in a parking place identified as such on the plans and described in Article 20 for longer than the maximum period permitted for waiting specified in relation to that parking place and as identified on the plans:

PROVIDED THAT nothing in this Article shall apply to a disabled person's vehicle which displays in the relevant position or in the prescribed manner a disabled person's badge issued by any local authority

Interval before a vehicle may again be left in a parking place

22 WITHOUT prejudice to the provisions of Article 12 no vehicle which has been taken away from a parking place identified on the plans and described in Article 20 during the permitted hours shall until the expiration of the period of time indicated on the plans from the time it was taken away again be left in that parking place during the permitted hours:

PROVIDED THAT nothing in this Article shall apply to a disabled person's vehicle which displays in the relevant position or in the prescribed manner a disabled person's badge issued by any local authority

Conditions of use of a parking place

23 THE driver of a motor vehicle using a parking place shall stop the engine as soon as the motor vehicle is in position in that parking place and shall not start the engine except when about to change the position of the motor vehicle in or to depart from that parking place

24 EVERY vehicle left in a parking place shall be left in such a position as will not obstruct any other vehicle from entering or leaving that parking place

25 NO person shall use any 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 -

PROVIDED THAT nothing in this Article shall apply to a vehicle waiting anywhere in any part of a parking place if the use of that part has not been suspended if goods are being sold or offered or exposed for sale from that vehicle by a person who is licensed by the Council or the Tandridge District Council of the Council Offices Station Road East Oxted Surrey RH8 0BT to sell goods from a stationary vehicle on a pitch situated in that parking place whether or not that pitch is situated within a parking space or part thereof or not as the case may be

26 NO person shall use any part of a parking place or cause or permit any vehicle to be left in a parking place -

- (a) for sleeping or camping purposes
- (b) for cooking purposes
- (c) for lighting or causing to be lit any fire
- (d) for the purposes of servicing or washing any vehicle or part thereof other than is reasonably necessary to enable that vehicle to depart from a parking place

27 NO person shall drive any vehicle in a parking place other than for the purpose of leaving that vehicle in that parking place in accordance with the provisions of this Order or for the purpose of departing from that parking place

28 IN a parking place no person shall erect or cause or permit to be erected any tent

booth stand building or other structure

29 WHERE in a parking place signs are erected or surface markings are laid for the purpose of indicating -

(a) the entrance to or exit from that parking place no person shall drive or cause or permit to be driven any vehicle so that it enters that parking place otherwise than by an entrance or leaves that parking place otherwise than by an exit so indicated

(b) parking spaces for the leaving of vehicles within that parking place no person shall cause or permit a vehicle to be left in that parking place unless the vehicle is left wholly within the limits of a parking space

PROVIDED THAT nothing in this paragraph of this Article shall apply to a vehicle to which the provisions of the proviso to Article 25 apply

30 ARTICLES 23 24 25 26 27 28 and 29 shall not apply to any person or vehicle with the written permission of the Council

31 THE driver of a vehicle shall not permit that vehicle to wait in a parking place -

(a) unless the vehicle is licensed in accordance with the provisions of Section 1 of the Vehicles Excise and Registration Act 1994 and

(b) unless there is in relation to the use of the vehicle by the driver such a policy of insurance as complies with the requirements of Part VI of the Road Traffic Act 1988

32 THE driver of a motor vehicle using a parking place shall not sound any horn or other similar instrument except when about to change the position of the vehicle in or to depart from that parking place

33 NO person shall in a parking place wantonly shout or otherwise make any loud noise to the disturbance or annoyance of users of that parking place

34 NO person shall in a parking place use any threatening abusive or insulting language gesture or conduct with intent to put any person in fear or so as to occasion a breach of the peace or whereby a breach of the peace is likely to be occasioned

Power to suspend the use of a parking place

35 (1) Any person duly authorised by the Council or the Chief Constable of the Surrey Police (hereinafter called the "Chief Constable") may suspend the use of a parking place or any part thereof whenever he considers 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 parking place the maintenance improvement or reconstruction of the parking place or the cleansing of gullies in or adjacent to the parking place the laying erection alteration or repair in or adjacent to the parking place 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 parking place on any occasion of the removal of furniture to or from any premises adjacent to the parking place from or to a depository or other premises
- (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 parking place at times of weddings or funerals or on other special occasions

(2) A police constable in uniform or a parking attendant may suspend for not longer than twenty-four hours the use of a parking place or any part thereof whenever he considers such suspension reasonably necessary for the purpose of facilitating the movement of traffic or promoting its safety

(3) On the suspension of the use of a parking place 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 that parking place 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 a parking place or part thereof during such period as there is in or adjacent to that parking place or that part thereof a traffic

sign or traffic signs placed in pursuance of paragraph (3) of this Article:

PROVIDED THAT nothing in this paragraph shall apply -

- (i) in respect of any vehicle being used for fire brigade ambulance or police purposes or
- (ii) in respect of any other vehicle if that vehicle is left with the permission of any person authorised by the Council of the Chief Constable of the Surrey Police in pursuance of paragraph (1) of this Article or a police constable in uniform or a parking attendant in pursuance of paragraph (2) of this Article

Restriction on waiting by a vehicle in a parking place

36 (1) Notwithstanding the foregoing provisions of this Part of this Order any vehicle may wait during the permitted hours anywhere in any part of a parking place referred to in this Part if the use of that part has not been suspended and if:

- (b) the vehicle is waiting owing to the driver being prevented from proceeding by circumstances beyond his control or to such waiting being necessary in order to avoid an accident
- (c) 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 powers 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 for the vehicle to wait in the place in which it is waiting
- (d) 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
- (e) the vehicle is waiting:
 - (i) while postal packets addressed to premises adjacent to the parking place 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 parking place in which

the vehicle is waiting or having been so collected are being loaded thereon

- (f) the vehicle is waiting only for so long as may be reasonably necessary to enable it to be used for any purpose specified in Article 35 (1)(b)
- (g) in any other case the vehicle is waiting for the purpose of delivering or collecting goods or loading or unloading the vehicle at premises adjacent to the parking place in which the vehicle is waiting and the vehicle does not wait for such purpose for more than twenty minutes or for such longer period as a police constable in uniform or a parking attendant may approve or
- (h) 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 or the Tandridge District Council of the Council Offices Station Road East Oxted Surrey RH8 0BT 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 or the said Tandridge District 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 or the said Tandridge District Council believes to be that person's address and the certificate shall forthwith be surrendered to the Council or the said Tandridge District Council

- (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 a parking place referred to in Part III during the permitted hours

Movement of a vehicle in a parking place in an emergency

37 ANY person duly authorised by the Council its Agents a police constable in uniform or a parking attendant may move or cause to be moved in case of emergency to any place he thinks fit any vehicle left unattended in a parking place

Removal of a vehicle from a parking place

38 (1) When a vehicle is left in a parking place in contravention of any of the provisions contained in Articles 20 21 22 24 25 26 31 and 31(a) a person authorised in that behalf by the Council or its Agents or a police constable in uniform may remove the vehicle or arrange for it to be moved from that parking place

PROVIDED THAT where a vehicle is waiting in a parking place in contravention of the provision of Article 29(b) a person authorised in that behalf by the Council or its Agents or a police constable in uniform may alter or cause to be altered the position of the vehicle in order that its position shall comply with that provision

(2) Where it appears to the Council or a police constable in uniform that a vehicle left in a parking place has been abandoned a person authorised in that behalf by the Council 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 that parking place:

PROVIDED THAT where the Council or a police constable in uniform propose to move such a vehicle which in the opinion of the Council or the Chief Constable is in such a condition that it ought to be destroyed then they shall not less than seven days before removing it cause to be affixed to the vehicle a notice stating that they propose to remove it for destruction at the end of that period

39 ANY person removing a vehicle by authority of Article 38 may do so by towing or driving the vehicle or in other such manner as he may think necessary to enable him to remove it as aforesaid

40 WHEN a person authorised by the Council or a police constable in uniform removes or makes arrangements for the removal of a vehicle from a parking place by authority of Article 38 he shall except in the case of a vehicle which in the opinion of the Council or the Chief Constable 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 a vehicle from a parking place

41 WHERE a vehicle is removed by the Council or a police constable in uniform from a parking place in pursuance of Article 38 there shall be payable to the Council or the Chief Constable pursuant to Section 102 of the Act and the Removal, Storage and Disposal of Vehicles (Prescribed Sums and Charges etc.) Regulations 1989 charges for the removal storing and disposal of the said vehicle in accordance with the provisions of the said Regulations

Placing of traffic signs etc

42 THE Council shall -

- (a) place and maintain a traffic sign or traffic signs indicating the limits of each parking place and each parking space and
- (b) carry out such other work as is reasonably required for the purposes of the satisfactory operation of a parking place

Responsibility of driver for Offences

43 WHEN a vehicle is left in a parking place in contravention of or in non-compliance with any of the provisions contained in Articles 20 21 22 23 24 25 26 27 28 29 31 and 34(4) the driver shall be deemed the person responsible for the contravention of or non-compliance with the said Articles

PART IV

SUPPLEMENTARY PROVISIONS

Saving in respect of pedestrian crossings

44 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

45 INSOFAR as any provision contained in PART II and PART III conflicts with a

provision which is contained in paragraphs 2 3 or 4 of Schedule 19 to the Traffic Signs Regulations and General Directions 2003 (S.I. 2002 No. 3113) then the provision contained in the said paragraphs of the said Regulations shall prevail

Saving with respect to parking places

46 INsofar as any provision contained in PART II and/or PART III conflicts with a provision which is contained in The Surrey County Council (Various Roads in Tandridge) (Revocation and Consolidation of Waiting Loading and Unloading Prohibitions and Restrictions) Order 2006 or in 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

or grants an exemption from any such restriction or prohibition then the provisions contained in PART II and/or PART III shall prevail

Saving with respect to other enactments

47 SUBJECT to the provisions contained in Articles 44 45 and 46 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 V

ENFORCEMENT

Contraventions

48 IF a vehicle is left without complying with any of the requirements of this Order then a contravention will have occurred and a penalty charge shall be payable. A Penalty Charge Notice showing the information required by the Road Traffic Act 1991 may then be issued by a Parking Attendant in accordance with the requirements of the Road Traffic Act 1991

Notice of penalty charge

49 IN the case of a vehicle in respect of which the penalty charge may have been incurred it shall be the duty of a Parking Attendant to attach to the vehicle in a conspicuous position or give to a person appearing to be in charge of the vehicle a Notice which shall include the following particulars:

- (a) the grounds on which the Parking Attendant believes that a penalty charge is payable with respect to the vehicle and
- (b) the amount of the penalty charge which is payable and
- (c) that the penalty charge must be paid before the end of the period of twenty-eight days beginning with the date of the Notice and
- (d) that if the penalty charge is paid before the end of the period of fourteen days beginning with the date of the Notice the amount of the penalty charge will be reduced by the specified proportion and
- (e) that if the penalty charge is not paid before the end of the twenty-eight day period a Notice to the owner may be served by the Council on the person appearing to them to be the owner of the vehicle and
- (f) the address to which payment of the penalty charge must be sent

PROVIDED THAT in paragraph (d) above "specified proportion" means such proportion applicable to all cases as may be determined by the Local Authorities acting through the Joint Committee

Restriction on removal of Penalty Charge Notices

50 WHERE a Penalty Charge Notice has been attached to a vehicle in accordance with the provisions of this Order no person not being the driver of the vehicle a police constable in uniform or a parking attendant shall remove that Notice from the vehicle unless authorised to do so by the driver

Manner of payment of penalty charge

- 51 (1) The owner of a vehicle in respect of which the penalty charge has been incurred shall pay the penalty charge to the Council EITHER by cheque or

postal order which shall be delivered or sent by post so as to reach the Cash Office of the Tandridge District Council situated at the Council Offices Station Road East Oxted Surrey RH8 0BT or the office of any agents thereof not later than as aforesaid OR by credit card or debit card

- (2) If the penalty charge is paid before the end of the period of fourteen days beginning with the date of the Notice the amount of the penalty charge will be reduced by the specified proportion
- (3) If the owner fails to pay the penalty charge by the end of the twenty-eight day period a Notice to Owner may be served and if the charge is then not paid within a further period of twenty-eight days it may be increased by fifty per cent

If the fourteen or twenty-eight day periods referred to above fall on a day when the said Council Offices are closed the period within which payment shall be made shall be extended until 4.30 p.m. on the next full day on which the said Council Offices are open

THE SCHEDULE

List of Plans

Drawing No	Date Drawn	Rev'n	Date Revised	Rev'n	Date Revised	Rev'n	Date Revised
3282/TAN/MAP	09/06						
3282/TAN/2300	09/06						
3282/TAN/2301	09/06						
3282/TAN/2302	09/06						
3282/TAN/2303	09/06						
3282/TAN/2304	09/06						
3282/TAN/2305	09/06						
3282/TAN/2306	09/06						
3282/TAN/2307	09/06						
3282/TAN/2308	09/06						
3282/TAN/2309	09/06						
3282/TAN/2310	09/06						
3282/TAN/2311	09/06						
3282/TAN/2312	09/06						
3282/TAN/2313	09/06						
3282/TAN/2314	09/06						

3282/TAN/2315	09/06						
3282/TAN/2316	09/06						
3282/TAN/2317	09/06						
3282/TAN/2318	09/06						
3282/TAN/2319	09/06						
3282/TAN/2320	09/06						
3282/TAN/2321	09/06						
3282/TAN/2322	09/06						
3282/TAN/2323	09/06						
3282/TAN/2324	09/06						
3282/TAN/2325	09/06						
3282/TAN/2326	09/06						
3282/TAN/2327	09/06						
3282/TAN/2328	09/06						
3282/TAN/2329	09/06						
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3282/TAN/2341	09/06						
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3282/TAN/2366	09/06						
3282/TAN/2367	09/06						
3282/TAN/2368	09/06						

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



Head of Legal Services/Authorised Signatory

