

DATED 13 MARCH 2008

**ROAD TRAFFIC REGULATION ACT
1984
SECTIONS 1(1) AND 2(1)
TO (3) AND 4(2) AND 32 25 AND 36
AND PART IV OF SCHEDULE 9**

**SURREY COUNTY COUNCIL
(VARIOUS ROADS IN TANDRIDGE)
(AMENDMENT OF WAITING
LOADING
AND UNLOADING PROHIBITION
AND
RESTRICTION AND FREE ON-
STREET PARKING PLACES
ORDERS) (AMENDMENT NO. 1)
ORDER 2008**

THE SURREY COUNTY COUNCIL
(VARIOUS ROADS IN TANDRIDGE) (AMENDMENT OF WAITING LOADING AND
UNLOADING PROHIBITION AND RESTRICTION AND FREE ON-STREET PARKING
PLACES ORDERS) (AMENDMENT NO. 1) ORDER 2008

THE SURREY COUNTY COUNCIL in exercise of their powers under Sections 1 (1) and 2 (1) to (3) and 4(2) and 32 35 and 36 of and Part IV of Schedule 9 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:-

Citation and commencement

1 THIS Order may be cited as "The Surrey County Council (Various Roads in Tandridge) (Amendment of Waiting Loading and Unloading Prohibition and Restriction and Free On-Street Parking Place Orders) (Amendment No. 1) Order 2008" and shall come into operation on 31 March 2008

Interpretation

2 (1) In this Order the expression "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

(2) In this Order the expression "the No. 1 Order of 2006" means The Surrey County Council (Various Roads in Tandridge) (Consolidation of Free Street Parking Places) Order 2006

(3) In this Order the expression "the No. 2 Order of 2006" means The Surrey County Council (Various Roads in Tandridge) (Revocation and Consolidation of Waiting Loading and Unloading Prohibitions and Restrictions) Order 2006

(4) In this Order the expression "the No. 3 Order of 2006" means The Surrey County Council (Various Roads in Tandridge) (Consolidation of Free Street Parking Places) (Disabled Persons) (No. 1) Order 2006

(5) In this Order the expression "the No. 4 Order of 2006" means The Surrey County Council (Various Lay-bys in Tandridge and Westway (D1399) Caterham

on the Hill) (Free Street Parking Places) Order 2006

(6) 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

(7) Unless the context otherwise requires any expression used in this Order which is also used in the No. 1 Order of 2006 the No. 2 Order of 2006 the No. 3 Order of 2006 and the No. 4 Order of 2006 shall have the same meaning as in each of those Orders

Amendment of the No. 1 Order of 2006 the No. 2 Order of 2006 the No. 3 Order of 2006 and the No. 4 Order of 2006

3 WITHOUT prejudice to the validity of anything done or to any liability incurred in respect of any act or omission before the coming into operation of this Order the No. 1 Order of 2006 the No. 2 Order of 2006 the No. 3 Order of 2006 and the No. 4 Order of 2006 shall have effect as though:-

- (a) in paragraph (1) of Article 2 the expression "parking attendant" and the meaning assigned thereto was deleted in its entirety
- (b) in paragraph (1) of Article 2 there were added the following expressions -
 - " "penalty charge notice" has the same meaning as in the General Regulations
 - "civil enforcement officer" has the same meaning as in Section 76 of the Traffic Management Act 2004
 - "the General Regulations" means The Civil Enforcement of Parking Contraventions (England) General Regulations 2007 (S.I. 2007/3483)
 - "the 1986 Regulations" means the Removal and Disposal of Vehicles Regulations 1986 (S.I. 1986/183)"
- (c) in paragraph (1) of Article 2 for the expressions "owner" and "penalty charge" and the meanings assigned thereto there were substituted respectively the following expressions and meanings assigned thereto -
 - " "owner " has the same meaning as defined in sub-section (1) of Section 92 of the

Traffic Management Act 2004

"penalty charge" has the same meaning as defined in Section 92 of the Traffic Management Act 2004"

Amendment of the No. 1 Order of 2006

4 WITHOUT prejudice to the validity of anything done or to any liability incurred in respect of any act or omission before the coming into operation of this Order the No. 1 Order of 2006 shall have effect as though:-

- (a) in Article 8 Article 12 and Article 14 for the words "parking attendant" wherever those words occur there were substituted the words "civil enforcement officer"
- (b) in paragraphs (2) and (4) of Article 9 the words "or a parking attendant" wherever those words occur were omitted
- (c) for paragraph (1) of Article 15 there was substituted the following similarly numbered paragraph -

"(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 or a civil enforcement officer may remove the vehicle or arrange for it to be moved from that parking place

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

- (d) in Article 16 in the first line thereof after the words "or a police constable in uniform" there were added the words "or a civil enforcement officer"
- (e) in Article 23 for the words "parking attendant" there were substituted the words "Civil Enforcement Officer"
- (f) in Article 23 in the third line thereof for the words "required by the Road Traffic Act 1991" there were substituted the words "required by Section 78 of the Traffic Management Act 2004 or any Regulations made thereunder"
- (g) in Article 23 in the fourth and fifth lines thereof for the words "the Road Traffic Act

1991" there were substituted the words "Section 78 of the Traffic Management Act 2004 or any Regulations made thereunder"

- (h) for Article 24 there was substituted the following similarly numbered Article -

"Notice of penalty charge

24 IN the case of a vehicle in respect of which a penalty charge may have been incurred a civil enforcement officer may serve a penalty charge notice in accordance with the requirements of Regulation 9 or Regulation 10 of the General Regulations and which penalty charge notice shall comply respectively with the requirements of paragraph 1 or paragraph 2 of the Schedule to the General Regulations"

- (i) in Article 25 for the words "a parking attendant" there were substituted the words "a civil enforcement officer"

- (j) in paragraph (2) of Article 26 after the words "the amount of the penalty charge will be reduced by the specified proportion" there were added the words "PROVIDED THAT in this paragraph "specified proportion" means such proportion applicable to all cases as may be determined by the Local Authorities acting through the Joint Committee"

- (k) for The Schedule to that Order there was substituted The Schedule set out in The First Schedule to this Order

Amendment of the No. 2 Order of 2006

5 WITHOUT prejudice to the validity of anything done or to any liability incurred in respect of any act or omission before the coming into operation of this Order the No. 2 Order of 2006 shall have effect as though:-

- (a) in Articles 3 and 14 for the words "parking attendant" wherever those words occur there were substituted the words "Civil Enforcement Officer"
- (b) in Article 14 in the third and fourth lines thereof for the words "required by the Road Traffic Act 1991" there were substituted the words "required by Section 78 of the Traffic Management Act 2004 or any Regulations made thereunder"
- (c) in Article 14 in the fifth line thereof for the words "the Road Traffic Act 1991" there were substituted the words "Section 78 of the Traffic Management Act 2004 or any

Regulations made thereunder"

- (d) for Article 15 there was substituted the following similarly numbered Article -

"Notice of penalty charge

15 IN the case of a vehicle in respect of which a penalty charge may have been incurred a civil enforcement officer may serve a penalty charge notice in accordance with the requirements of Regulation 9 or Regulation 10 of the General Regulations and which penalty charge notice shall comply respectively with the requirements of paragraph 1 or paragraph 2 of the Schedule to the General Regulations"

- (e) in Article 16 for the words "a parking attendant" there were substituted the words "a civil enforcement officer"

- (f) in paragraph (2) of Article 17 after the words "the amount of the penalty charge will be reduced by the specified proportion" there were added the words "PROVIDED THAT in this paragraph "specified proportion" means such proportion applicable to all cases as may be determined by the Local Authorities acting through the Joint Committee"

- (g) for The Second Schedule to that Order there was substituted The Second Schedule set out in The Second Schedule to this Order

Amendment of the No. 3 Order of 2006

6 WITHOUT prejudice to the validity of anything done or to any liability incurred in respect of any act or omission before the coming into operation of this Order the No. 3 Order of 2006 shall have effect as though:-

- (a) in Article 8 Article 12 and Article 14 for the words "parking attendant" wherever those words occur there were substituted the words "civil enforcement officer"
- (b) in paragraphs (2) and (4) of Article 9 the words "or a parking attendant" wherever those words occur were omitted
- (c) for paragraph (1) of Article 15 there was substituted the following similarly numbered paragraph -

"(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 or a civil enforcement officer may remove the vehicle or arrange for it to be moved from that parking place

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

- (d) in Article 16 in the first line thereof after the words "or a police constable in uniform" there were added the words "or a civil enforcement officer"
- (e) in Article 23 for the words "parking attendant" there were substituted the words "Civil Enforcement Officer"
- (f) in Article 23 in the third line thereof for the words "required by the Road Traffic Act 1991" there were substituted the words "required by Section 78 of the Traffic Management Act 2004 or any Regulations made thereunder"
- (g) in Article 23 in the fourth and fifth lines thereof for the words "the Road Traffic Act 1991" there were substituted the words "Section 78 of the Traffic Management Act 2004 or any Regulations made thereunder"
- (h) for Article 24 there was substituted the following similarly numbered Article -
"Notice of penalty charge
24 IN the case of a vehicle in respect of which a penalty charge may have been incurred a civil enforcement officer may serve a penalty charge notice in accordance with the requirements of Regulation 9 or Regulation 10 of the General Regulations and which penalty charge notice shall comply respectively with the requirements of paragraph 1 or paragraph 2 of the Schedule to the General Regulations"
- (i) in Article 25 for the words "a parking attendant" there were substituted the words "a civil enforcement officer"
- (j) in paragraph (2) of Article 26 after the words "the amount of the penalty charge will be reduced by the specified proportion" there were added the words "PROVIDED THAT in this paragraph "specified proportion" means such proportion applicable to all cases as may be determined by the Local Authorities acting through the Joint

Committee"

- (k) for The Second Schedule to that Order there was substituted The Second Schedule set out in The Second Schedule to this Order

Amendment of the No. 4 Order of 2006

7 WITHOUT prejudice to the validity of anything done or to any liability incurred in respect of any act or omission before the coming into operation of this Order the No. 4 Order of 2006 shall have effect as though:-

- (a) in Article 8 Article 12 Article 14 Article 36 and Article 37 for the words "parking attendant" wherever those words occur there were substituted the words "civil enforcement officer"
- (b) in paragraph (2) of Article 9 in sub-paragraph (ii) of paragraph (4) of Article 9 in paragraph (2) of Article 35 and in sub-paragraph (ii) of paragraph (4) of Article 35 the words "or a parking attendant" (wherever those words occur) were omitted
- (c) for paragraph (1) of Article 15 there was substituted the following similarly numbered paragraph -

"(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 or a civil enforcement officer may remove the vehicle or arrange for it to be moved from that parking place

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

- (d) in Article 16 in the first line thereof after the words "or a police constable in uniform" there were added the words "or a civil enforcement officer"
- (e) for paragraph (1) of Article 38 there was substituted the following similarly numbered paragraph -

"(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 or a civil enforcement officer 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 or a civil enforcement officer may alter or cause to be altered the position of the vehicle in order that its position shall comply with that provision

BUT PROVIDED ALSO THAT civil enforcement officers shall not exercise the powers in this Article other than in accordance with the 1986 Regulations"

- (f) in Article 40 in the first line thereof after the words "or a police constable in uniform" there were added the words "or a civil enforcement officer"
- (g) in Article 48 for the words "parking attendant" there were substituted the words "Civil Enforcement Officer"
- (h) in Article 48 in the third line thereof for the words "required by the Road Traffic Act 1991" there were substituted the words "required by Section 78 of the Traffic Management Act 2004 or any Regulations made thereunder"
- (i) in Article 48 in the fourth and fifth lines thereof for the words "the Road Traffic Act 1991" there were substituted the words "Section 78 of the Traffic Management Act 2004 or any Regulations made thereunder"
- (j) for Article 49 there was substituted the following similarly numbered Article -
"Notice of penalty charge

49 IN the case of a vehicle in respect of which a penalty charge may have been incurred a civil enforcement officer may serve a penalty charge notice in accordance with the requirements of Regulation 9 or Regulation 10 of the General Regulations and which penalty charge notice shall comply respectively with the requirements of paragraph 1 or paragraph 2 of the Schedule to the General Regulations"

- (k) in Article 50 for the words "a parking attendant" there were substituted the words "a civil enforcement officer"
- (l) in paragraph (2) of Article 51 after the words "the amount of the penalty charge will be reduced by the specified proportion" there were added the words "PROVIDED THAT in this paragraph "specified proportion" means such proportion applicable to all cases as may be determined by the Local Authorities acting through the Joint Committee"
- (m) for The Schedule to that Order there was substituted The Schedule set out in The First Schedule to this Order

THE FIRST SCHEDULE

THE SCHEDULE

LIST OF PLANS

Drawing No	Date Drawn	Rev'n	Date Revised	Rev'n	Date Revised	Rev'n	Date Revised
3282/TAN/2300	09/06	A	01/08				
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	A	01/08				
3282/TAN/2307	09/06						
3282/TAN/2308	09/06						
3282/TAN/2309	09/06	A	01/08				
3282/TAN/2310	09/06	A	01/08				
3282/TAN/2311	09/06	A	01/08				
3282/TAN/2312	09/06	A	01/08				
3282/TAN/2313	09/06	A	01/08				
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	A	01/08				
3282/TAN/2320	09/06						
3282/TAN/2321	09/06	A	01/08				
3282/TAN/2322	09/06	A	01/08				

3282/TAN/2323	09/06	A	01/08				
3282/TAN/2324	09/06	A	01/08				
3282/TAN/2325	09/06						
3282/TAN/2326	09/06	A	01/08				
3282/TAN/2327	09/06	A	01/08				
3282/TAN/2328	09/06	A	01/08				
3282/TAN/2329	09/06	A	01/08				
3282/TAN/2330	09/06	A	01/08				
3282/TAN/2331	09/06	A	01/08				
3282/TAN/2332	09/06	A	01/08				
3282/TAN/2333	09/06	A	01/08				
3282/TAN/2334	09/06	A	01/08				
3282/TAN/2335	09/06	A	01/08				
3282/TAN/2336	09/06						
3282/TAN/2337	09/06						
3282/TAN/2338	09/06	A	01/08				
3282/TAN/2339	09/06	A	01/08				
3282/TAN/2340	09/06	A	01/08				
3282/TAN/2341	09/06	A	01/08				
3282/TAN/2342	09/06	A	01/08				
3282/TAN/2343	09/06	A	01/08				
3282/TAN/2344	09/06	A	01/08				
3282/TAN/2345	09/06	A	01/08				
3282/TAN/2346	09/06	A	01/08				
3282/TAN/2347	09/06	A	01/08				
3282/TAN/2348	09/06	A	01/08				
3282/TAN/2349	09/06	A	01/08				
3282/TAN/2350	09/06						
3282/TAN/2351	09/06						
3282/TAN/2352	09/06	A	01/08				
3282/TAN/2353	09/06						
3282/TAN/2354	09/06						
3282/TAN/2355	09/06						
3282/TAN/2356	09/06	A	01/08				
3282/TAN/2357	09/06	A	01/08				
3282/TAN/2358	09/06						
3282/TAN/2359	09/06	A	01/08				
3282/TAN/2360	09/06	A	01/08				
3282/TAN/2361	09/06	A	01/08				
3282/TAN/2362	09/06						
3282/TAN/2363	09/06						
3282/TAN/2364	09/06						
3282/TAN/2365	09/06						
3282/TAN/2366	09/06	A	01/08				
3282/TAN/2367	09/06	A	01/08				
3282/TAN/2368	09/06						

THE SECOND SCHEDULE

SECOND SCHEDULE

LIST OF PLANS

Drawing No	Date Drawn	Rev'n	Date Revised	Rev'n	Date Revised	Rev'n	Date Revised
3282/TAN/2300	09/06	A	01/08				
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	A	01/08				
3282/TAN/2307	09/06						
3282/TAN/2308	09/06						
3282/TAN/2309	09/06	A	01/08				
3282/TAN/2310	09/06	A	01/08				
3282/TAN/2311	09/06	A	01/08				
3282/TAN/2312	09/06	A	01/08				
3282/TAN/2313	09/06	A	01/08				
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	A	01/08				
3282/TAN/2320	09/06						
3282/TAN/2321	09/06	A	01/08				
3282/TAN/2322	09/06	A	01/08				
3282/TAN/2323	09/06	A	01/08				
3282/TAN/2324	09/06	A	01/08				
3282/TAN/2325	09/06						
3282/TAN/2326	09/06	A	01/08				
3282/TAN/2327	09/06	A	01/08				
3282/TAN/2328	09/06	A	01/08				
3282/TAN/2329	09/06	A	01/08				
3282/TAN/2330	09/06	A	01/08				
3282/TAN/2331	09/06	A	01/08				
3282/TAN/2332	09/06	A	01/08				
3282/TAN/2333	09/06	A	01/08				
3282/TAN/2334	09/06	A	01/08				
3282/TAN/2335	09/06	A	01/08				
3282/TAN/2336	09/06						
3282/TAN/2337	09/06						
3282/TAN/2338	09/06	A	01/08				
3282/TAN/2339	09/06	A	01/08				
3282/TAN/2340	09/06	A	01/08				
3282/TAN/2341	09/06	A	01/08				

3282/TAN/2342	09/06	A	01/08				
3282/TAN/2343	09/06	A	01/08				
3282/TAN/2344	09/06	A	01/08				
3282/TAN/2345	09/06	A	01/08				
3282/TAN/2346	09/06	A	01/08				
3282/TAN/2347	09/06	A	01/08				
3282/TAN/2348	09/06	A	01/08				
3282/TAN/2349	09/06	A	01/08				
3282/TAN/2350	09/06						
3282/TAN/2351	09/06						
3282/TAN/2352	09/06	A	01/08				
3282/TAN/2353	09/06						
3282/TAN/2354	09/06						
3282/TAN/2355	09/06						
3282/TAN/2356	09/06	A	01/08				
3282/TAN/2357	09/06	A	01/08				
3282/TAN/2358	09/06						
3282/TAN/2359	09/06	A	01/08				
3282/TAN/2360	09/06	A	01/08				
3282/TAN/2361	09/06	A	01/08				
3282/TAN/2362	09/06						
3282/TAN/2363	09/06						
3282/TAN/2364	09/06						
3282/TAN/2365	09/06						
3282/TAN/2366	09/06	A	01/08				
3282/TAN/2367	09/06	A	01/08				
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

SURREY COUNTY COUNCIL

No. IN SEALING REGISTER 96600

ORDERED TO Excavation - 18/12/07, Item No. 9,
BE SEALED Pin No. 138/07.

DATED 13 MARCH 2008

ROAD TRAFFIC REGULATION ACT
1984

SECTIONS 1(1) AND 2(1)
TO (3) AND 4(2) AND 32 25 AND 36
AND PART IV OF SCHEDULE 9

SURREY COUNTY COUNCIL
(VARIOUS ROADS IN TANDRIDGE)
(AMENDMENT OF WAITING
LOADING
AND UNLOADING PROHIBITION AND
RESTRICTION AND FREE ON-
STREET PARKING PLACES
ORDERS) (AMENDMENT NO. 1)
ORDER 2008