

SURREY COUNTY COUNCIL

DATED 25 AUGUST 2010

No. IN SEALING
REGISTER

00908

ORDERED TO
BE SEALED

Tandridge Local
Committee - 21/10/
09, Item No. 16,
Min No. 48/09,

ROAD TRAFFIC REGULATION ACT 1984

SECTIONS 32 35 AND 36

AND PART IV OF SCHEDULE 9

SURREY COUNTY COUNCIL

((VARIOUS LAY-BYS IN TANDRIDGE
AND WESTWAY (D1399) CATERHAM ON
THE HILL) (FREE ON-STREET PARKING
PLACES) ORDER 2006) (AMENDMENT
NO. 2) ORDER 2010

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

THE SURREY COUNTY COUNCIL

((VARIOUS LAY-BYS IN TANDRIDGE AND WESTWAY (1399) CATERHAM
ON THE HILL) (FREE STREET PARKING PLACES) ORDER 2006)

(AMENDMENT NO. 2) ORDER 2010

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 Lay-bys in Tandridge and Westway (D1399) Caterham on the Hill) (Free On-Street Parking Places) Order 2006) (Amendment No. 2) Order 2010" and shall come into operation on 25 October 2010

Interpretation

2 (1) In this Order the expression "the Order of 2006" means The Surrey County Council (Various Lay-bys in Tandridge and Westway (D1399) Caterham on the Hill) (Free On-Street Parking Places) Order 2006

(2) In this Order the expression "enactment" means any enactment whether public general or local and includes any order bye-law rule regulation scheme or other instrument having effect by virtue of an enactment

(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) Unless the context otherwise requires any expression used in this Order which is also used in the Order of 2006 shall have the same meaning as in that Order

Amendment of the 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 Order of 2006 shall have effect as though:-

- (a) in paragraph (1) of Article 9 for the words "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" there were substituted the words "Subject to the following persons or organisations being able to exercise the function described below in this Article by virtue of legislation, a civil enforcement officer or 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 or the Tandridge District Council of The Council Offices Station Road East Oxted Surrey RH8 0BT may suspend the use of"
- (b) in paragraph (2) of Article 9 for the words "A police constable in uniform" there were substituted the words "Subject as set out in paragraph (1) of this Article a police constable in uniform or a civil enforcement officer"
- (c) in sub-paragraph (ii) of paragraph (4) of Article 9 after the words "or a police constable in uniform" there were added the words "or a civil enforcement officer acting in the exercise of lawful authority"
- (d) for Article 15 there was substituted the following Article -
 - "15 (1) When a vehicle is left in a parking place in Westway (D1399) Caterham on the Hill referred to in Article 3 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
 - (2) Where it appears to the Tandridge District Council of the Council

Offices Station Road East Oxted Surrey RH8 0BT or a police constable in uniform that a vehicle left in a parking place in Westway (D1399) Caterham on the Hill referred to in Article 3 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 that parking place:

PROVIDED THAT where the said Tandridge District Council or a police constable in uniform propose to move such a vehicle which in the opinion of the said Tandridge District Council or a police constable in uniform is in such a condition that it ought to be destroyed then they shall not less than twenty-four hours 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"

- (e) in paragraph (1) of Article 35 for the words "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" there were substituted the words "Subject to the following persons or organisations being able to exercise the function described below in this Article by virtue of legislation, a civil enforcement officer or 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 or the Tandridge District Council of The Council Offices Station Road East Oxted Surrey RH8 0BT may suspend the use of"
- (f) in paragraph (2) of Article 35 for the words "A police constable in uniform" there were substituted the words "Subject as set out in paragraph (1) of this Article a police constable in uniform or a civil enforcement officer"
- (g) in sub-paragraph (ii) of paragraph (4) of Article 35 after the words "or a police constable in uniform" there were added the words "or a civil enforcement officer"

acting in the exercise of lawful authority"

(h) for Article 38 there was substituted the following Article -

"38 (1) When a vehicle is left in a parking place described in Article 20 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

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

BUT PROVIDED ALSO THAT notwithstanding the foregoing provisions of this Article where a vehicle is waiting in a parking place described in Article 20 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 Tandridge District Council of The Council Offices Station Road East Oxted Surrey RH8 0BT or a police constable in uniform that a vehicle left in a parking place described in Article 20 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 that parking place:

PROVIDED THAT where the said Tandridge District Council or a police constable in uniform propose to move such a vehicle which in the opinion of the said Tandridge District Council or a police constable in uniform is in such a condition that it ought to be

destroyed then they shall not less than twenty-four hours 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"

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

THE SCHEDULE

(See over)

THE 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	B	02/10		
3282/TAN/2301	09/06	A	06/08				
3282/TAN/2302	09/06	A	06/08				
3282/TAN/2303	09/06	A	06/08				
3282/TAN/2304	09/06						
3282/TAN/2305	09/06						
3282/TAN/2306	09/06	A	01/08	B	06/08		
3282/TAN/2307	09/06	A	06/08				
3282/TAN/2308	09/06	A	06/08				
3282/TAN/2309	09/06	A	01/08				
3282/TAN/2310	09/06	A	01/08				
3282/TAN/2311	09/06	A	01/08	B	02/10		
3282/TAN/2312	09/06	A	01/08	B	06/08		
3282/TAN/2313	09/06	A	01/08	B	06/08	C	02/10
3282/TAN/2314	09/06	A	06/08				
3282/TAN/2315	09/06						
3282/TAN/2316	09/06	A	02/10				
3282/TAN/2317	09/06						
3282/TAN/2318	09/06	A	02/10				
3282/TAN/2319	09/06	A	01/08	B	02/10		
3282/TAN/2320	09/06						
3282/TAN/2321	09/06	A	01/08				
3282/TAN/2322	09/06	A	01/08	B	06/08		
3282/TAN/2323	09/06	A	01/08	B	06/08		
3282/TAN/2324	09/06	A	01/08	B	06/08		
3282/TAN/2325	09/06						
3282/TAN/2326	09/06	A	01/08	B	06/08	C	02/10
3282/TAN/2327	09/06	A	01/08	B	02/10		
3282/TAN/2328	09/06	A	01/08	B	06/08	C	02/10
3282/TAN/2329	09/06	A	01/08	B	06/08	C	02/10
3282/TAN/2330	09/06	A	01/08				
3282/TAN/2331	09/06	A	01/08				
3282/TAN/2332	09/06	A	01/08	B	06/08		
3282/TAN/2333	09/06	A	01/08				
3282/TAN/2334	09/06	A	01/08	B	06/08		
3282/TAN/2335	09/06	A	01/08	B	06/08		
3282/TAN/2336	09/06	A	02/10				
3282/TAN/2337	09/06	A	06/08				
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	B	06/08		

3282/TAN/2342	09/06	A	01/08	B	06/08	C	02/10
3282/TAN/2343	09/06	A	01/08	B	06/08	C	02/10
3282/TAN/2344	09/06	A	01/08				
3282/TAN/2345	09/06	A	01/08	B	06/08	C	02/10
3282/TAN/2346	09/06	A	01/08				
3282/TAN/2347	09/06	A	01/08	B	06/08		
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3282/TAN/2349	09/06	A	01/08				
3282/TAN/2350	09/06	A	06/08	B	02/10		
3282/TAN/2351	09/06	A	06/08				
3282/TAN/2352	09/06	A	01/08				
3282/TAN/2353	09/06	A	06/08				
3282/TAN/2354	09/06	A	06/08				
3282/TAN/2355	09/06	A	06/08				
3282/TAN/2356	09/06	A	01/08				
3282/TAN/2357	09/06	A	01/08	B	06/08		
3282/TAN/2358	09/06	A	06/08				
3282/TAN/2359	09/06	A	01/08	B	06/08		
3282/TAN/2360	09/06	A	01/08	B	06/08		
3282/TAN/2361	09/06	A	01/08	B	02/10		
3282/TAN/2362	09/06						
3282/TAN/2363	09/06						
3282/TAN/2364	09/06	A	06/08				
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	A	06/08				
3282/TAN/2369	06/08						
3282/TAN/2370	06/08						
3282/TAN/2371	06/08						
3282/TAN/2372	06/08						
3282/TAN/2373	06/08	A	02/10				
3282/TAN/2374	06/08						
3282/TAN/2375	06/08						
3282/TAN/2376	06/08	A	02/10				
3382/TAN/2377	06/08						
3382/TAN/2378	06/08						
3382/TAN/2379	06/08	A	02/10				
3382/TAN/2380	06/08						
3382/TAN/2381	06/08						
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3382/TAN/2383	06/08						
3382/TAN/2384	06/08						
3382/TAN/2385	06/08						
3382/TAN/2386	06/08						
3382/TAN/2387	06/08						
3382/TAN/2388	06/08						
3382/TAN/2389	06/08						
3282/TAN/2390	06/08	A	02/10				
3282/TAN/2391	02/10						

Executed as a Deed by Surrey County Council on 25 August 2010

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

A handwritten signature in black ink, appearing to be 'J. Clark', written over a horizontal line.

~~Head of Legal Services~~/Authorised Signatory

