

**THE SURREY COUNTY COUNCIL
(VARIOUS ROADS IN TANDRIDGE)
(REVOCATION AND CONSOLIDATION OF WAITING LOADING AND
UNLOADING PROHIBITIONS AND RESTRICTIONS)
ORDER 2024**

SURREY COUNTY COUNCIL
(VARIOUS ROADS IN TANDRIDGE)
(REVOCAION AND CONSOLIDATION OF WAITING
LOADING AND UNLOADING PROHIBITIONS AND RESTRICTIONS)
ORDER 2024

ARRANGEMENT OF ARTICLES

Article(s)

PART I

GENERAL

Citation and commencement	1
Interpretation	2

PART II

PROHIBITION OF WAITING LOADING AND UNLOADING
PROHIBITIONS AND RESTRICTIONS

Prohibition and Restriction on waiting loading and unloading by vehicles	3
Exceptions and Exemptions from the Prohibition and Restriction on waiting loading and unloading by vehicles	4 and 5
Exceptions and Exemptions from the Prohibition on waiting by vehicles	6 and 7
Furniture Removals	8
Bus Lay-over areas	9

PART III

SUPPLEMENTARY PROVISIONS

Saving in respect of pedestrian crossings	10
Savings in respect of Hackney Carriages	11
Saving in respect of bus stop clearways	12
Saving with respect to other enactments	13

PART IV

REVOCAION

Revocation	14
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ARRANGEMENT OF THE SCHEDULES

FIRST SCHEDULE	List of Plans
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SURREY COUNTY COUNCIL in exercise of their powers under Sections 1 (1) and 2 to 3 and 4(2) of and Part IV of Schedule 9 of the Road Traffic Regulation Act 1984 (hereinafter called "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 Roads in Tandridge) (Revocation and Consolidation of Waiting Loading and Unloading Prohibitions and Restrictions) Order 2024" and shall come into operation on 22 August 2024

Interpretation

- 2 (1) In this Order except where 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 prohibition and restriction on the waiting by vehicles and/or 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)
 - "Bye-laws" means the Bye-laws With Respect to Hackney Carriages 1979 to which was affixed The Common Seal of the Tandridge District Council on the twenty-fifth day of January 1979 and which were confirmed by the Secretary of State for the Home Department on the first day of March 1979
 - "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
 - "community bus" means a vehicle being used to provide a "community bus service" as defined in Section 22(1) of the Transport Act 1985 ("the 1985 Act") to which a "community bus permit" has been granted by virtue of Section 22 of the 1985 Act
 - "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 Section 151 of the Communications Act 2003

"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

"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

"hackney carriage" means a hackney carriage in respect of which there is in force a licence granted under Section 37 of The Town Police Clauses Act 1847 and Part II of the Local Government (Miscellaneous Provisions) Act 1976

"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

"local bus" means a "public service vehicle" as defined in Section 1 of the Public Passenger Vehicles Act 1981 being used in the provision of a "local service" as defined in Section 2 of the 1985 Act

"local service taxi" means a "licensed taxi" as defined in Section 13(3) of the 1985 Act which is licensed under Section 37 of the Town Police Clauses Act 1847 being used to provide a local service as defined in Section 2 of the 1985 Act under a restrictive PSV operator's licence granted by virtue of Section 12 of the 1985 Act

"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

"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 disc" 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)

"plans" means the drawings listed in the Second Schedule to this Order created and retained by the Council for the purpose of this Order 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

"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

"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 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 in the prescribed manner when -
 - (i) the badge is exhibited on the dashboard or fascia of the vehicle or
 - (ii) where the vehicle is not fitted with a dashboard or fascia the badge is exhibited in a conspicuous position on the vehicle so that the front of the badge is clearly legible from the outside of the vehicle
 - (b) a parking disc in the relevant position if -
 - (i) the disc is exhibited on the dashboard or fascia of the vehicle or
 - (ii) where the vehicle does not have a dashboard or fascia the disc is exhibited in a conspicuous position on the vehicle so that when

marked to show the quarter-hour period during which a period of waiting began that period is clearly legible from the 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 road or a length of a road shall unless otherwise specified be construed as a reference to the whole width of that road or length of road
- (5) Any reference in this Order to a numbered Article Part Schedule or Section shall unless the context otherwise requires be construed as a reference to the Article Part Schedule or Section bearing that number in this Order

PART II

WAITING LOADING AND UNLOADING PROHIBITIONS AND RESTRICTIONS

Prohibition and Restriction on waiting loading and unloading by vehicles

- 3 SAVE as provided in Articles 4 5 6 7 8 and 9 of this Order no person shall except upon the direction or with the permission of a police constable in uniform or a civil enforcement officer cause or permit any vehicle to wait and/or to wait for the purpose of delivering or collecting goods or loading on or unloading from any vehicle at the times indicated on the plans in the roads and lengths of roads identified on the plans

Exceptions and exemptions from the Prohibition and Restriction on waiting loading and unloading by vehicles

- 4 Nothing in Article 3 of this Order shall render it unlawful to cause or permit any vehicle to wait in any of the lengths specified therein for so long as may be necessary to enable -
- (a) a person to board or alight from the vehicle
 - (b) the vehicle if it cannot conveniently be used for such purpose in any other road to be used in connection with any of the following operations namely –
 - (i) building industrial or demolition operations
 - (ii) the removal of any obstruction to traffic
 - (iii) the maintenance improvement or reconstruction of the said lengths of roads or
 - (iv) the laying erection alteration or repair in or in land adjacent to the said lengths of roads of any sewer or of any main pipe or apparatus for the

supply of gas water or electricity or of any apparatus provided under the Telecommunications Act 1984

- (c) the vehicle if it cannot conveniently be used for such purposes in any other road to be used in the service of a local authority or of a water authority in pursuance of statutory powers or duties
- (d) the vehicle to be used for the purpose of delivering or collecting postal packets
- (e) the vehicle to take in petrol oil water or air from any garage situated in or adjacent to the said lengths of roads
- (f) the vehicle to wait at or near to any premises situated on or adjacent to the said lengths of roads for so long as such waiting by that vehicle is reasonably necessary in connection with any wedding or funeral
- (g) the vehicle to be used for fire brigade ambulance or police purposes
- (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 to wait in accordance with the terms and conditions prescribed by the said certificate OR as have been recorded by the hand held device as having a valid virtual waiver certificate in which case no waiver certificate needs to be displayed on the vehicle

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

- 5 NOTHING in Article 3 of this Order shall render it unlawful to cause or permit a vehicle to wait in any case where the person in control of it –
- (a) is required by law to stop
 - (b) is obliged to stop in order to prevent an accident or
 - (c) is prevented from proceeding by circumstances outside their control

Exceptions and exemptions from the Prohibition on waiting by vehicles

- 6 NOTHING in Article 3 of this Order shall render it unlawful to cause or permit a disabled person's vehicle which displays in the relevant position or in the prescribed manner a disabled person's badge and a parking disc (on which the driver or other person in charge of the vehicle has marked the time at which the period of waiting

began) to wait on each separate length of road specified on the plans for a period not exceeding three hours (not being a period separated by an interval of less than one hour from a previous period of waiting by the same vehicle on the same length of road)

PROVIDED THAT where the period of prohibition is less than three hours such exemption shall be for the whole of that period

AND PROVIDED THAT nothing in this Article shall apply in relation to any road or length of road during the time or times where there is a restriction on the loading of and unloading from vehicles which is indicated on the plans in the aforesaid road or length of road

- 7 NOTHING in Article 3 of this Order shall render it unlawful to cause or permit any vehicle to wait in any of the lengths of roads specified and described therein for so long as may be necessary to enable goods to be loaded on or unloaded from that vehicle

PROVIDED THAT nothing in this Article shall apply in relation to any road or length of road during the time or times where there is a restriction on the loading of and unloading from vehicles which is indicated on the plans in the aforesaid road or lengths of road which is identified on the plans

Furniture removals

- 8 NOTHING in Article 3 of this Order shall apply so as to restrict or prohibit the waiting loading and/or unloading of any vehicle while the vehicle is in actual use in any length of road identified on the plans in connection with the removal of furniture from one office or dwelling house to another or the removal of furniture from any such premises to a depository or to any such premises from a depository

PROVIDED THAT this Article shall not apply to a vehicle waiting loading and/or unloading in any part of any length of road identified on the plans unless notice is given twenty-four hours in advance to the Council and a valid waiver certificate is obtained

Bus Lay-over areas

- 9 THE prohibitions and restrictions imposed by Article 3 of this Order shall not apply to a community bus a local bus or a local service taxi whilst waiting at an authorised crew relief point bus timing point bus stand bus turning point or bus termination point situated in or adjacent to -

- (a) any length of Croydon Road Caterham and/or of Mount Pleasant Road Caterham
 - (b) that length of Westway Caterham which extends from a point on a line being the prolongation across Westway at right angles to the centre line of the carriageway from a point being the intersection of the prolongations of the northern kerb-line of Westway and the north-western kerb-line of Avenue Road eastwards to the prolongation onto and across Westway of the eastern property boundary line of the premises currently occupied by Caterham on the Hill Library Westway Caterham Surrey CR3 5TP
 - (c) any length of Gresham Road Oxted and/or of Station Road East Oxted
 - (d) any length of Westmore Green Tatsfield
 - (e) any length of Limpsfield Road (B269) Warlingham and Hamsey Green
 - (f) any length of Godstone Road Whyteleafe
- which is identified on the plans as being subject to any prohibition and/or restriction on the waiting loading and/or unloading by vehicles

PART III

SUPPLEMENTARY PROVISION

Saving in respect of pedestrian crossings

- 10 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 Hackney Carriages

- 11 NOTHING in Article 3 of this Order shall render it unlawful to cause or permit hackney carriages to wait upon any stand for hackney carriages duly authorised under Section 63 of the Local Government (Miscellaneous Provisions) Act 1976 and/or the Bye-laws

Saving in respect of bus stop clearways

- 12 INSOFAR as any provision contained in PART II of this Order conflicts with a provision which is contained in paragraph 1 of Part 6 and item 9 of Part 4 to Schedule 7 to the Traffic Signs Regulations and General Directions 2016 (SI. 2016 No. 362) then the provision contained in the said paragraphs of the said Regulations shall prevail

Saving with respect to other enactments

- 13 SUBJECT to the provisions contained in Article 10 Article 11 and Article 12 of this Order 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

- 14 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

SECOND SCHEDULE

List of Revocations

- 1 "The Surrey County Council (Various Roads in Tandridge) (Revocation and Consolidation of Waiting Loading and Unloading Prohibitions and Restrictions) Order 2006"
- 2 "The Surrey County Council ((Various Roads in Tandridge) (Revocation and Consolidation of Waiting Loading and Unloading Prohibitions and Restrictions) Order 2006) (Amendment No. 1) Order 2008"
- 3 "The Surrey County Council ((Various Roads in Tandridge) (Revocation and Consolidation of Waiting Loading and Unloading Prohibitions and Restrictions) Order 2006) (Amendment No. 2) Order 2010"
- 4 "The Surrey County Council ((Various Roads in Tandridge) (Revocation and Consolidation of Waiting Loading and Unloading Prohibitions and Restrictions) Order 2006) (Amendment No. 3) Order 2011"
- 5 "The Surrey County Council ((Various Roads in Tandridge) (Revocation and Consolidation of Waiting Loading and Unloading Prohibitions and Restrictions) Order 2006) (Amendment No. 4) Order 2013"
- 6 "The Surrey County Council ((Various Roads in Tandridge) (Revocation and Consolidation of Waiting Loading and Unloading Prohibitions and Restrictions) Order 2006) (Amendment No. 5) Order 2014"
- 7 "The Surrey County Council ((Various Roads in Tandridge) (Revocation and Consolidation of Waiting Loading and Unloading Prohibitions and Restrictions) Order 2006) (Amendment No. 6) Order 2016"
- 8 "The Surrey County Council ((Various Roads in Tandridge) (Revocation and Consolidation of Waiting Loading and Unloading Prohibitions and Restrictions) Order 2006) (Amendment No. 7) Order 2017"
- 9 "The Surrey County Council ((Various Roads in Tandridge) (Revocation and Consolidation of Waiting Loading and Unloading Prohibitions and Restrictions) Order 2006) (Amendment No. 8) Order 2019"
- 10 "The Surrey County Council ((Various Roads in Tandridge) (Revocation and Consolidation of Waiting Loading and Unloading Prohibitions and Restrictions) Order 2006) (Amendment No. 9) Order 2019"
- 11 "The Surrey County Council ((Various Roads in Tandridge) (Revocation and Consolidation of Waiting Loading and Unloading Prohibitions and Restrictions) Order 2006) (Amendment No.10) Order 2020"

- 12 "The Surrey County Council ((Various Roads in Tandridge) (Revocation and Consolidation of Waiting Loading and Unloading Prohibitions and Restrictions) Order 2006) (Amendment No.11) Order 2021"
- 13 "The Surrey County Council ((Various Roads in Tandridge) (Revocation and Consolidation of Waiting Loading and Unloading Prohibitions and Restrictions) Order 2006) (Amendment No.13) Order 2022"
- 14 "The Surrey County Council ((Various Roads in Tandridge) (Revocation and Consolidation of Waiting Loading and Unloading Prohibitions and Restrictions) Order 2006) (Amendment No.14) Order 2024"
- 15 "The Surrey County Council ((Various Roads in Tandridge) (Revocation and Consolidation of Waiting Loading and Unloading Prohibitions and Restrictions) Order 2006) (Amendment No.15) 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 15:00 GMT+1)
 Assistant Director - Children's Safeguarding

Authorised Signatory

SURREY COUNTY COUNCIL

No. IN SEALING

REGISTER¹²⁵⁴.....

ORDERED TO

BE SEALED

Parking Traffic & Enforcement Manager

07 August 2024

ROAD TRAFFIC REGULATION ACT 1984

SECTIONS 1(1) 2(1) TO (3) AND 4

AND PART IV OF SCHEDULE 9

**THE SURREY COUNTY COUNCIL
(VARIOUS ROADS IN TANDRIDGE)
(REVOCATION AND CONSOLIDATION**

OF WAITING,

**LOADING AND UNLOADING
PROHIBITION AND RESTRICTION)**

ORDER 2024








Tandridge Waiting Loading 2024

Final Audit Report

2024-08-13

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"Tandridge Waiting Loading 2024" History

-  Document created by Bradley Bushell (brad.bushell@surreycc.gov.uk)
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