

THE SURREY COUNTY COUNCIL
(VARIOUS ROADS IN EPSOM AND EWELL)
(REVOCAION AND CONSOLIDATION OF WAITING,
LOADING AND UNLOADING PROHIBITION AND
RESTRICTION)
ORDER 2018

THE SURREY COUNTY COUNCIL
(VARIOUS ROADS IN EPSOM AND EWELL)
(REVOCATION AND CONSOLIDATION OF WAITING, LOADING AND UNLOADING
PROHIBITION AND RESTRICTION) ORDER 2018

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ARRANGEMENT OF SCHEDULES

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SURREY COUNTY COUNCIL in exercise of their powers under Sections 1(1) and 2(1) to (3) and 4(2) 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:-

PART I

GENERAL

Citation and commencement

- 1 THIS Order may be cited as “The Surrey County Council (Various Roads in Epsom and Ewell) (Revocation and Consolidation of Waiting, Loading and Unloading Prohibition and Restriction) Order 2018” and shall come into force on 1 March 2018

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 prohibition and restriction on the waiting by vehicles and/or any parking place
- “Borough Council” means the Epsom and Ewell Borough Council
- “civil enforcement officer” has the same meaning as in Section 76 of the Traffic Management Act 2004
- “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 N0 683)
- “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
- “plans” means the drawings listed in the First Schedule 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

“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

"Waiver Certificate" means a certificate issued on behalf of the Council for the purposes of Article 4(h) permitting a specified vehicle to wait in special circumstances on a length or lengths of a road or roads where the waiting of that vehicle would otherwise be restricted or prohibited

- (2) 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 thereon 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 vehicleso 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 vehicleso 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 Part or Article or Schedule shall unless the context otherwise requires be construed as a reference to the Part or Article or Schedule bearing that number in this Order

PART II

WAITING AND 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 and 8 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 the plans in the roads and lengths of roads identified on the Plans (excluding the areas marked by a black broken line and labelled as Controlled Parking Zone - A)

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 of roads 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
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 his 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 (excluding the areas marked by a black broken line and labelled as Controlled Parking Zone - A) 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 (excluding the areas marked by a black broken line and labelled as Controlled Parking Zone - A)

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 (excluding the areas marked by a black broken line and labelled as Controlled Parking Zone - A) 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

PART III

SUPPLEMENTARY PROVISIONS

Saving with respect of pedestrian crossings

- 9 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 with respect of hackney carriages

- 10 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
- PROVIDED THAT the said hackney carriages are waiting wholly within the limits of any said stand for hackney carriages

Saving with respect of bus stop clearways

- 11 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 (S.I. 2016 No. 362) then the provision contained in the said paragraphs of the said Regulations shall prevail

Saving with respect to other enactments

- 12 SUBJECT to the provisions contained in Article 9 or 10 or 11 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
REVOCATIONS

13 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

FIRST SCHEDULE
LIST OF PLANS

Drawing No	Date Drawn	Rev	Date Rev	Rev	Date Rev	Rev	Date Rev	Rev	Date Rev
3282/E&E/KEY	12/17								
3282/E&E/0301	12/17								
3282/E&E/0302	12/17								
3282/E&E/0303	12/17								
3282/E&E/0304	12/17								
3282/E&E/0305	12/17								
3282/E&E/0306	12/17								
3282/E&E/0307	12/17								
3282/E&E/0308	12/17								
3282/E&E/0309	12/17								
3282/E&E/0310	12/17								
3282/E&E/0311	12/17								
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3282/E&E/0321	12/17								
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3282/E&E/0326	12/17								
3282/E&E/0327	12/17								
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3282/E&E/03110	12/17								
3282/E&E/03111	12/17								
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3282/E&E/03118	12/17								
3282/E&E/03119	12/17								
3282/E&E/03120	12/17								
3282/E&E/03121	12/17								
3282/E&E/03122	12/17								
3282/E&E/03123	12/17								
3282/E&E/03124	12/17								

SECOND SCHEDULE
LIST OF REVOCATIONS

1. The Surrey County Council (Various Roads in Epsom and Ewell) (Revocation and Consolidation of Waiting Loading and Unloading Prohibition and Restriction) Order 2005
2. The Surrey County Council ((Various Roads in Epsom and Ewell) (Revocation and Consolidation of Waiting Loading and Unloading Prohibition and Restriction) Order 2005)(Amendment No.1) Order 2005
3. The Surrey County Council ((Various Roads in Epsom and Ewell) (Revocation and Consolidation of Waiting Loading and Unloading Prohibition and Restriction) Order 2005) (Amendment No.2) Order 2006
4. The Surrey County Council ((Various Roads in Epsom and Ewell) (Revocation and Consolidation of Waiting Loading and Unloading Prohibition and Restriction) Order 2005)(Amendment No.3) Order 2007

5. The Surrey County Council ((Various Roads in Epsom and Ewell) (Revocation and Consolidation of Waiting Loading and Unloading Prohibition and Restriction) Order 2005)(Amendment No.4) Order 2009
6. The Surrey County Council ((Various Roads in Epsom and Ewell) (Revocation and Consolidation of Waiting Loading and Unloading Prohibition and Restriction) Order 2005)(Amendment No.5) Order 2009
7. The Surrey County Council ((Various Roads in Epsom and Ewell) (Revocation and Consolidation of Waiting Loading and Unloading Prohibition and Restriction) Order 2005)(Amendment No.6) Order 2010
8. The Surrey County Council ((Various Roads in Epsom and Ewell) (Revocation and Consolidation of Waiting Loading and Unloading Prohibition and Restriction) Order 2005)(Amendment No.7) Order 2011
9. The Surrey County Council ((Various Roads in Epsom and Ewell) (Revocation and Consolidation of Waiting Loading and Unloading Prohibition and Restriction) Order 2005)(Amendment No.9) Order 2012
10. The Surrey County Council ((Various Roads in Epsom and Ewell) (Revocation and Consolidation of Waiting Loading and Unloading Prohibition and Restriction) Order 2005)(Amendment No.10) Order 2013
11. The Surrey County Council ((Various Roads in Epsom and Ewell) (Revocation and Consolidation of Waiting Loading and Unloading Prohibition and Restriction) Order 2005)(Amendment No.11) Order 2014
12. The Surrey County Council ((Various Roads in Epsom and Ewell) (Revocation and Consolidation of Waiting Loading and Unloading Prohibition and Restriction) Order 2005)(Amendment No.12) Order 2014
13. The Surrey County Council ((Various Roads in Epsom and Ewell) (Revocation and Consolidation of Waiting Loading and Unloading Prohibition and Restriction) Order 2005)(Amendment No.13) Order 2015
14. The Surrey County Council ((Various Roads in Epsom and Ewell) (Revocation and Consolidation of Waiting Loading and Unloading Prohibition and Restriction) Order 2005)(Amendment No.14) Order 2016
15. The Surrey County Council ((Various Roads in Epsom and Ewell) (Revocation and Consolidation of Waiting Loading and Unloading Prohibition and Restriction) Order 2005)(Amendment No.15) Order 2017

Executed as a Deed by Surrey County Council on 14 February 2018

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



Wanda D. Shelton
Authorised Signatory

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SURREY COUNTY COUNCIL

DATE: 14 FEBRUARY 2018

No. IN SEALING
REGISTER21128.....

ORDERED TO
BE SEALED
EPSOM AND EWELL LOCAL
COMMITTEE
ITEM 9 – 6 March 2017
ITEM 11 – 19 June 2017
CABINET MEMBER FOR HIGHWAYS
7 June 2017

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

THE SURREY COUNTY COUNCIL
(VARIOUS ROADS IN EPSOM AND
EWELL)
(REVOCAION AND CONSOLIDATION OF
WAITING, LOADING AND UNLOADING
PROHIBITION AND RESTRICTION) ORDER
2018