

**SURREY COUNTY COUNCIL
(VARIOUS ROADS IN SPELTHORNE)
(CONSOLIDATION AND REVOCATION OF PROHIBITION
OF WAITING OF HEAVY COMMERCIAL VEHICLES)
ORDER 2024**

ARRANGEMENT OF ARTICLES

**PART I
GENERAL**

	Article(s)
Citation and commencement	1
Interpretation	2

**PART II
PROHIBITION OF WAITING**

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 heavy commercial vehicles	4, 5 and 6
Furniture Removals	7

**PART III
SUPPLEMENTARY PROVISIONS**

Saving with respect to other enactments	8
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**PART IV
REVOCATIONS**

Revocations	9
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ARRANGEMENT OF SCHEDULES

FIRST SCHEDULE	-	List of Plans
SECOND SCHEDULE	-	List of Revocations

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 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 Spelthorne) (Consolidation and Revocation of Prohibition of Waiting of Heavy Commercial Vehicles) Order 2024” and shall come into force on 20 May 2024

Interpretation

2. (1) In this Order unless the context otherwise requires –

“agents” means any person or persons authorised by or on behalf of the Council to supervise and/or enforce and prohibition and restriction on the waiting by vehicles and/or any parking place.

“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 (SI. 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).

“driver” means the person appearing to the civil enforcement officer to be in charge of a heavy commercial vehicle the maximum gross weight of which exceeds 5 tonnes.

“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.

“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.

“heavy commercial vehicle” has the same meaning as in Section 138 of the Act.

“maximum gross weight” has the same meaning as in Regulation 4 of the Traffic Signs Regulations and General Directions 2016 (SI. 2016 No. 362).

“owner” means the person by whom the vehicle is kept and in determining who was the owner of the 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 (SI. 2000 No. 683).

“plans” means the drawings listed in the First 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.

“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 permitting a specified vehicle to wait in special circumstances on a length or lengths of roads or in any parking place 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 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 vehicle so that the front of the badge 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) For the purposes of this Order a vehicle and any trailer drawn thereby shall be deemed to be a single vehicle.

PART II PROHIBITION OF WAITING

Prohibition on waiting by heavy commercial vehicles the maximum gross weight of which exceeds 5 tonnes

3. SAVE as provided in Article 4 Article 5 Article 6 and Article 7 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 heavy commercial vehicle the maximum gross weight of which exceeds 5 tonnes to wait at the times indicated on the plans in the roads and lengths of roads identified on the plans.

Exceptions and exemptions from the Prohibition on waiting by heavy commercial

vehicles

4. NOTHING in Article 3 of this Order shall render it unlawful to cause or permit any heavy commercial vehicle the maximum gross weight of which exceeds 5 tonnes to wait for so long as may be necessary to enable -

- (a) a person to board or alight from the vehicle
- (b) goods to be loaded on or unloaded from the vehicle
- (c) 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 sides of roads
 - (iv) the laying erection alteration or repair in or on land or on premises adjacent to the said lengths of sides of roads of any sewer or of any main pipe or apparatus for the supply of gas water or electricity or of any electronic communications apparatus as defined in Section 151 of the Communications Act 2003.
 - (v) the cleansing or lighting of the said lengths of sides of roads
 - (vi) the placing maintenance or removal of any traffic sign situate in on or adjacent to the said lengths of sides of roads or any road or length of road accessible only there from.
- (d) 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
- (e) the vehicle to take in petrol oil water or air from any garage situate in or adjacent to the said lengths of sides of roads
- (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 persons address and the certificate shall forthwith be surrendered to the Council.

5. NOTHING in Article 3 shall render it unlawful to cause or permit a heavy commercial vehicle the maximum gross weight of which exceeds 5 tonnes 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

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

Furniture Removals

7. NOTHING in Article 3 of this Order shall apply so as to restrict or prohibit the waiting of any heavy commercial vehicle the maximum gross weight of which 5 tonnes while that vehicle is in actual use in any side of 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 heavy commercial vehicle the maximum gross weight of which exceeds 5 tonnes waiting in any part of any side of length of road identified on the plans unless notice is given twenty-four hours in advance to the Council their consent is obtained and a valid waiver certificate is obtained.

PART III SUPPLEMENTARY PROVISION

Saving with respect to other enactments

8. 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

Revocation

9. 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	Revision	Date Revised	Revision	Date Revised	Revision	Date Revised
3282/SPEL 0100	03/24						
3282/SPEL 0101	03/24						
3282/SPEL 0102	03/24						
3282/SPEL 0103	03/24						
3282/SPEL 0104	03/24						
3282/SPEL 0105	03/24						
3282/SPEL 0106	03/24						
3282/SPEL 0107	03/24						
3282/SPEL 0108	03/24						
3282/SPEL 0109	03/24						
3282/SPEL 0110	03/24						
3282 SPEL 0111	03/24						
3282/SPEL 0112	03/24						
3282/SPEL 0113	03/24						
3282/SPEL 0114	03/24						
3282/SPEL 0115	03/24						
3282/SPEL 0116	03/24						
3282/SPEL 0117	03/24						
3282 SPEL 0118	03/24						
3282/SPEL 0119	03/24						
3282/SPEL 0120	03/24						
3282/SPEL 0121	03/24						
3282 SPEL 0122	03/24						
3282/SPEL 0123	03/24						
3282/SPEL 0124	03/24						
3282/SPEL 0125	03/24						
3282/SPEL 0126	03/24						
3282/SPEL 0127	03/24						
3282/SPEL 0128	03/24						
3282 SPEL 0129	03/24						
3282/SPEL 0130	03/24						
3282/SPEL 0131	03/24						
3282 SPEL 0132	03/24						
3282/SPEL 0133	03/24						
3282/SPEL 0134	03/24						
3282/SPEL 0135	03/24						
3282/SPEL 0136	03/24						
3282/SPEL 0137	03/24						
3282/SPEL 0138	03/24						
3282 SPEL 0139	03/24						

3282/SPEL 0140	03/24						
3282/SPEL 0141	03/24						
3282 SPEL 0142	03/24						
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3282/SPEL 0146	03/24						
3282/SPEL 0147	03/24						
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3282 SPEL 0172	03/24						
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3282/SPEL 01102	03/24						
3282/SPEL 01103	03/24						
3282/SPEL 01104	03/24						
3282/SPEL 01105	03/24						
3282/SPEL 01106	03/24						
3282/SPEL 01107	03/24						
3282/SPEL 01108	03/24						
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3282/SPEL 01110	03/24						
3282/SPEL 01111	03/24						
3282/SPEL 01112	03/24						
3282/SPEL 01113	03/24						
3282/SPEL 01114	03/24						
3282/SPEL 01115	03/24						
3282/SPEL 01116	03/24						
3282/SPEL 01117	03/24						
3282/SPEL 01118	03/24						
3282/SPEL 01119	03/24						
3282/SPEL 01120	03/24						
3282/SPEL 01121	03/24						
3282/SPEL 01122	03/24						
3282/SPEL 01123	03/24						
3282/SPEL 01124	03/24						
3282/SPEL 01125	03/24						
3282/SPEL 01126	03/24						
3282/SPEL 01127	03/24						
3282/SPEL 01128	03/24						
3282/SPEL 01129	03/24						
3282/SPEL 01130	03/24						
3282/SPEL 01131	03/24						
3282/SPEL 01132	03/24						
3282/SPEL 01133	03/24						

3282/SPEL 01134	03/24						
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**SECOND SCHEDULE
LIST OF REVOCATIONS**

1. The Surrey County Council (Various Roads in Staines and Upper Halliford) (Prohibition of Waiting of Heavy Commercial Vehicles) Order 2006 (Amendment No. 15) Order 2023
2. The Surrey County Council (Various Roads in Staines and Upper Halliford) (Prohibition of Waiting of Heavy Commercial Vehicles) Order 2006 (Amendment No. 14) Order 2022
3. The Surrey County Council (Various Roads in Staines and Upper Halliford) (Prohibition of Waiting of Heavy Commercial Vehicles) Order 2006 (Amendment No. 13) Order 2020
4. The Surrey County Council ((Various Roads in Staines and Upper Halliford) (Prohibition of Waiting of Heavy Commercial Vehicles) Order 2006) (Amendment No.12) Order 2019
5. The Surrey County Council ((Various Roads in Staines and Upper Halliford) (Prohibition of Waiting of Heavy Commercial Vehicles) Order 2006) (Amendment No.11) Order 2018
6. The Surrey County Council ((Various Roads in Staines and Upper Halliford) (Prohibition of Waiting of Heavy Commercial Vehicles) Order 2006) (Amendment No.10) Order 2017
7. The Surrey County Council ((Various Roads in Staines and Upper Halliford) (Prohibition of Waiting of Heavy Commercial Vehicles) Order 2006) (Amendment No.9) Order 2016
8. The Surrey County Council ((Various Roads in Staines and Upper Halliford) (Prohibition of Waiting of Heavy Commercial Vehicles) Order 2006) (Amendment No.8) Order 2015
9. The Surrey County Council ((Various Roads in Staines and Upper Halliford) (Prohibition of Waiting of Heavy Commercial Vehicles) Order 2006) (Amendment No.7) Order 2014
10. The Surrey County Council ((Various Roads in Staines and Upper Halliford) (Prohibition of Waiting of Heavy Commercial Vehicles) Order 2006) (Amendment No.6) Order 2013
11. The Surrey County Council ((Various Roads in Staines and Upper Halliford) (Prohibition of Waiting of Heavy Commercial Vehicles) Order 2006) (Amendment No.5) Order 2013
12. The Surrey County Council ((Various Roads in Staines and Upper Halliford) (Prohibition of Waiting of Heavy Commercial Vehicles) Order 2006) (Amendment No.4) Order 2012

13. The Surrey County Council ((Various Roads in Staines and Upper Halliford) (Prohibition of Waiting of Heavy Commercial Vehicles) Order 2006) (Amendment No.3) Order 2010
14. The Surrey County Council ((Various Roads in Staines and Upper Halliford) (Prohibition of Waiting of Heavy Commercial Vehicles) Order 2006) (Amendment No.1) (Replacement) Order 2007
15. Surrey County Council (Various Roads in Staines and Upper Halliford) (Prohibition of Waiting of Heavy Commercial Vehicles) Order 2006

Executed as a Deed by Surrey County Council on 14 May 2024

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

Greta O'Shea
Greta O'Shea (May 14, 2024 17:01 GMT+1)
Acting Principal Solicitor



Authorised Signatory

SURREY COUNTY COUNCIL

DATE: 14 MAY 2024

SURREY COUNTY COUNCIL

No. IN SEALING 1050
REGISTER

**ORDERED TO
BE SEALED
Parking Traffic & Enforcement
Manager 16 April 2024**

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

**THE SURREY COUNTY COUNCIL
(VARIOUS ROADS IN SPELTHORNE)
(CONSOLIDATION AND
REVOCATION OF PROHIBITION
OF WAITING OF
HEAVY COMMERCIAL VEHICLES)
ORDER 2024**




Spelthorne HGV Waiting Order 2024

Final Audit Report

2024-05-14

Created:	2024-05-14
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Status:	Signed
Transaction ID:	CBJCHBCAABAAoEx9G0Gd-AC4NfAo6f7bf_TFL3bfvm8

"Spelthorne HGV Waiting Order 2024" History

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