

**SURREY COUNTY COUNCIL
(VARIOUS ROADS IN SPELTHORNE)
(REVOCAION AND CONSOLIDATION OF WAITING,
LOADING AND UNLOADING PROHIBITION AND RESTRICTION)
ORDER 2024**

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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 Spelthorne) (Revocation and Consolidation of Waiting, Loading and Unloading Prohibition and Restriction) Order 2024” and shall come into force on 20 May 2024

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.

”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 (SI. 2000 NO 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.

”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.

”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.

”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.

“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 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 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 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 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 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 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.

PART III SUPPLEMENTARY PROVISIONS

Saving in 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 in 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 in 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 (SI. 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 REVOCATION

Revocation

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	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						
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3282 SPEL 0118	03/24						
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3282 SPEL 0129	03/24						
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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 Spelthorne) (Revocation and Consolidation of Waiting Loading and Unloading Prohibition and Restriction) Order 2005 (Amendment No. 16) Order 2023
2. The Surrey County Council (Various Roads in Spelthorne) (Revocation and Consolidation of Waiting Loading and Unloading Prohibition and Restriction) Order 2005 (Amendment No. 15) Order 2022
3. The Surrey County Council (Various Roads in Spelthorne) (Revocation and Consolidation of Waiting Loading and Unloading Prohibition and Restriction) Order 2005 (Amendment No.14) Order 2020
4. The Surrey County Council ((Various Roads in Spelthorne) (Revocation and Consolidation of Waiting Loading and Unloading Prohibition and Restriction) Order 2005) (Amendment No.13) Order 2019
5. The Surrey County Council ((Various Roads in Spelthorne) (Revocation and Consolidation of Waiting Loading and Unloading Prohibition and Restriction) Order 2005) (Amendment No.12) Order 2018
6. The Surrey County Council ((Various Roads in Spelthorne) (Revocation and Consolidation of Waiting Loading and Unloading Prohibition and Restriction) Order 2005) (Amendment No.11) Order 2017
7. The Surrey County Council ((Various Roads in Spelthorne) (Revocation and Consolidation of Waiting, Loading and Unloading Prohibition and Restriction) Order 2005) (Amendment No.10) Order 2016
8. The Surrey County Council ((Various Roads in Spelthorne) (Revocation and Consolidation of Waiting, Loading and Unloading Prohibition and Restriction) Order 2005) (Amendment No.9) Order 2015
9. The Surrey County Council ((Various Roads in Spelthorne) (Revocation and Consolidation of Waiting Loading and Unloading Prohibition and Restriction) Order 2005) (Amendment No.8) Order 2014
10. The Surrey County Council ((Various Roads in Spelthorne) (Revocation and Consolidation of Waiting Loading and Unloading Prohibition and Restriction) Order 2005) (Amendment No.7) Order 2013
11. The Surrey County Council ((Various Roads in Spelthorne) (Revocation and Consolidation of Waiting Loading and Unloading Prohibition and Restriction) Order 2005) (Amendment No.6) Order 2013
12. The Surrey County Council ((Various Roads in Spelthorne) (Revocation and Consolidation of Waiting Loading and Unloading Prohibition and Restriction) Order 2005) (Amendment No.5) Order 2012

13. The Surrey County Council ((Various Roads in Spelthorne) (Revocation and Consolidation of Waiting Loading and Unloading Prohibition and Restriction) Order 2005) (Amendment No.4) Order 2010
14. The Surrey County Council (Various Roads in Spelthorne) (Amendment of Waiting Loading and Unloading Prohibitions and Restrictions and Free Street Parking Places Orders) (Amendment No.3) Order 2008
15. The Surrey County Council ((Various Roads in Spelthorne) (Revocation and Consolidation of Waiting, Loading and Unloading Prohibition and Restriction) Order 2005 (Amendment No.2) (Replacement) Order 2007
16. Surrey County Council ((Various Roads in Spelthorne) (Revocation and Consolidation of Waiting, Loading and Unloading Prohibition and Restriction) Order 2005) (Amendment No.1) Order 2006
17. The Surrey County Council (Various Roads in Spelthorne) (Revocation and Consolidation of Waiting, Loading and Unloading Prohibition and Restriction) Order 2005

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 16:56 GMT+1)

Acting Principal Solicitor

Authorised Signatory

SURREY COUNTY COUNCIL

DATE: 14 MAY 2024

SURREY COUNTY COUNCIL

No. IN SEALING

REGISTER 1058

ORDERED TO

BE SEALED

**Parking Traffic & Enforcement
Manager 16 April 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 SPELTHORNE)
(REVOCATION AND CONSOLIDATION
OF WAITING,
LOADING AND UNLOADING
PROHIBITION AND RESTRICTION)
ORDER 2024**




Spelthorne Waiting Order 2024

Final Audit Report

2024-05-14

Created:	2024-05-14
By:	Maliha Ahmed (maliha.ahmad@surreycc.gov.uk)
Status:	Signed
Transaction ID:	CBJCHBCAABAAMxo4n2OECyrm6vn-z6HabhkcCYS0gnQC

"Spelthorne Waiting Order 2024" History

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-  Agreement completed.
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