

**WARWICKSHIRE COUNTY COUNCIL**

**ROAD TRAFFIC REGULATION ACT 1984**

**THE WARWICKSHIRE COUNTY COUNCIL (HOLLY LANE, ABELES WAY & BRINDLEY  
CLOSE, ATHERSTONE)  
(PROHIBITION AND RESTRICTION OF WAITING) ORDER 2015**

The Warwickshire County Council in exercise of its powers under section 1(1) and (2), 2(1) to (3) and 4(2) of, and Part IV of Schedule 9 to, the Road Traffic Regulation Act 1984, (hereinafter referred to as "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:-

1. (1) In this Order:-

‘authorised cab rank’ means any area of carriageway which is comprised within and indicated by a road marking complying with diagram 1028.2 in Schedule 6 to The Traffic Signs Regulations and General Directions 2002;

‘authorised parking place’ means any parking place on a road authorised or designated by an Order made or having effect as if made under the Act;

‘buses’ has the same meaning as in Regulation 22 of The Traffic Signs Regulations and General Directions 2002;

‘bus stop area’ means any area of carriageway in any of the lengths of road specified in the Schedule in this Order intended for the waiting of buses which is comprised within and indicated by a road marking complying with either diagram 1025.1 or diagram 1025.3 in Schedule 6 to The Traffic Signs Regulations and General Directions 2002;

‘disabled person’s vehicle’ has the same meaning as in The Motor Vehicles (Approval) (Amendment) Regulations 2004;

‘enactment’ means any enactment, whether public general or local, and includes an order, byelaw, rule, regulation, scheme or other instrument having effect by virtue of an enactment;

‘parking disc’ means a disc, issued by a local authority, 125 millimetres square coloured blue, and capable of showing the quarter hour period during which a period of waiting begins;

‘relevant position’ has the same meaning as in The Local Authorities’ Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000;

- (2) The provisions of this Order shall not apply to an authorised cab rank or to an authorised parking place.
- (3) Except where otherwise stated, any references in this Order to be numbered Article or Schedule is a reference to the Article or Schedule bearing that number in this Order.

- (4) Any reference in this Order to any enactment shall be construed as a reference to that enactment as amended by any subsequent enactment.
2. Save as provided in Article 3 no person shall, except upon the direction or with the permission of a police constable in uniform or of a traffic warden, cause or permit any vehicle to wait in the lengths of road specified in the Schedule.
3. (1) Nothing in Article 2 shall render it unlawful to cause or permit a vehicle to wait in the lengths of road referred to therein for so long as may be necessary to enable:-
  - (i) a person to board or alight from the vehicle;
  - (ii) goods to be loaded on to or unloaded from the vehicle;
  - (iii) 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 operation, namely:
    - (a) building, industrial or demolition operations;
    - (b) the removal of any obstruction to traffic;
    - (c) the maintenance, improvement or reconstruction of the said lengths of road of
    - (d) the laying, erection, alteration or repair in, or in land adjacent to the said lengths of road of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity or of any telecommunications apparatus as defined in the Telecommunications Act ,1984;
  - (iv) the vehicle, if it cannot be conveniently be used for such purpose in any other road, to be used in the service of a local authority or a water undertaker or a sewerage undertaker of the Environment Agency in pursuance of statutory powers or duties;
  - (v) the vehicle of a universal service provider (as defined in Section 4(3) and (4) of the Postal Services Act 2000) to be used for the purposes of delivering and/or collecting mail;
  - (vi) the vehicle to take in petrol, oil, water or air from any garage situated on or adjacent to the said lengths of road;
  - (vii) the vehicle to wait at or near to any premises situated on or adjacent to the said lengths of road for so long as such waiting by that vehicle is reasonably necessary in connection with any wedding or funeral; or
  - (viii) the vehicle to be used for fire brigade, ambulance or police purposes.

- (2) Nothing in Article 2 shall render it unlawful to cause or permit a disabled person's vehicle which displays in the relevant position 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 in any of the lengths of road referred to in that Article 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 in the same length of road upon the same day).
4. In so far as any provision of this Order conflicts with a provision which is contained in an Order made or having effect as if made under the Act, and existing at the time when this Order comes into operation, and which imposes a restriction or prohibition on waiting by vehicles other than buses in a bus stop area or grants an exemption from such restriction or prohibition, that provision of the Order shall prevail.
5. The prohibitions and restrictions imposed by this Order shall be in addition to and not in derogation from any prohibition, restriction or requirement imposed by any regulations made or having effect as if made under the Act or by under any other enactment.
6. This Order shall come into operation on the 7th day of May Two thousand and fifteen and may be cited as "THE WARWICKSHIRE COUNTY COUNCIL (HOLLY LANE, ABELES WAY & BRINDLEY CLOSE, ATHERSTONE) (PROHIBITION AND RESTRICTION OF WAITING) ORDER 2015".

#### **SCHEDULE NO WAITING AT ANY TIME**

##### **1. Holly Lane – South-East Side**

From its junction with Abeles Way extending in a north-easterly direction for 15 metres

##### **2. Holly Lane – South-East Side**

From its junction with Abeles Way extending in a south-westerly direction for 15 metres

##### **3. Abeles Way – South-West Side**

From its junction with Holly Lane for its entire length

##### **4. Abeles Way – North-East Side**

From its junction with Holly Lane for its entire length

##### **5. Brindley Close – South-East Side**

From its junction with Abeles Close for its entire length

##### **6. Brindley Close – North-West Side**

From its junction with Abeles Close for its entire length

GIVEN under the Seal of the Warwickshire County Council the 22nd April 2015

489-15

The COMMON SEAL of the  
Warwickshire County Council  
was hereunto affixed in the  
presence of:

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)  
)  
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*Michael F. Aul*

Designated Officer

**DATED** 22 APRIL 2015

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**WAITING) ORDER 2015**

