

WILTSHIRE COUNTY COUNCIL

ROAD TRAFFIC REGULATION ACT 1984

ROAD TRAFFIC ACT 1991

THE COUNTY OF WILTSHIRE (VARIOUS ROADS, MERE)
(PROHIBITION AND RESTRICTION OF WAITING) ORDER 2003

The Council of the County of Wiltshire in exercise of its powers under Sections 1(1), 2(1) to (3), 4 and 63A of the Road Traffic Regulation Act 1984 ("the Act") as amended and the Road Traffic Act 1991, as amended, (whether generally or in relation to the Council's area, or part thereof) (hereinafter referred to as "the Act of 1991") 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 makes the following Order: -

1. Save as provided in Articles 3, 4, 5 and 6 of this Order no person shall, except upon the direction or with the permission of a Police Constable in uniform or of a Parking Attendant, cause or permit any vehicle to wait in any of the lengths of road specified in Schedule 1 to this Order.
2. Save as provided in Articles 3, 4, 5 and 6 of this Order no person shall, except upon the direction or with the permission of a Police Constable in uniform or of a Parking Attendant, cause or permit any vehicle to wait between the hours of 9.00 am and 5.00 pm on any day other than a Sunday in any of the lengths of road specified in Schedule 2 to this Order.
3. Nothing in Articles 1 and 2 of this Order shall prevent any person from causing or permitting a vehicle to wait in any of the lengths of road referred to in those Articles for so long as may be necessary to enable: -
 - (a) a person to board or alight from a vehicle;
 - (b) goods to be loaded onto or unloaded from a vehicle;
 - (c) a vehicle, if it cannot conveniently be used for such purpose in any other road, to be used in connection with any building operation or demolition, the removal of any obstruction to traffic, the maintenance, improvement or reconstruction of any of the lengths of road so referred to or the laying, erection, alteration or repair in or near to any of 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 Schedule 2 of the Telecommunications Act 1984;

- (d) a vehicle, if it cannot conveniently be used for such purpose in any other road, to be used in the service of the local authority in pursuance of statutory powers or duties;
 - (e) a vehicle to be used in the service of the Police, Fire Brigade or Ambulance Service in a case of emergency;
 - (f) a vehicle to take in petrol, oil, water or air from any garage situated on or adjacent to the said length of road;
 - (g) a vehicle to be loaded or unloaded whilst it is in actual use in connection with the removal of furniture and effects from one office or dwellinghouse to another or to such premises from a depository or from such premises to a depository, provided notice is given twenty-four hours in advance to the Police, their consent is obtained and such reasonable conditions as they may impose are complied with.
4. Nothing in Articles 1 and 2 of this Order shall apply to any vehicle: -
- (i) being used for the purpose of delivering or collecting postal packets as defined in section 87 of the Post Office Act 1953; or
 - (ii) owned by a funeral director or owner of funeral vehicles when used as part of a funeral cortege or otherwise in connection with a funeral; or
 - (iii) being licensed as a hackney carriage whilst waiting at a duly authorised taxi rank as marked on the carriageway.
5. Nothing in Articles 1 and 2 of this Order 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 those Articles 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).
6. Nothing in Articles 1 and 2 of this Order shall prevent any person from causing or permitting any vehicle to wait in any of the lengths of road referred to in that Article provided permission has been obtained from Salisbury District Council by means of a formal document to be displayed in the front or nearside of the vehicle which includes information which enables the driver to be contacted in an emergency and providing that an obstruction is not caused by so doing and that the vehicle is moved if the driver is requested to do so by a Police Officer in uniform or Parking Attendant.

7. Where a vehicle has been left in contravention of the restrictions imposed by this Order, a Penalty Charge shall be incurred, the amount of which will be set by Wiltshire County Council under the provisions of the Act of 1991 relating to special parking areas and permitted parking areas.
8. Where a Penalty Charge is payable, a Penalty Charge Notice shall be issued by a Parking Attendant in accordance with the requirements of the Act of 1991.
9. The Penalty Charge shall be paid within 28 days payable to Salisbury District Council under the terms referred to in the said Notice.
10. The prohibition and restrictions imposed by this Order shall be in addition to and not in derogation from any restrictions or requirement imposed by any regulations made or having effect as if made under the Act as amended or by or under any other enactment.
11. In this Order, except where the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them: -

“disabled person’s vehicle” means a vehicle lawfully displaying a disabled person’s badge;

“disabled person’s badge” means a badge issued by a local authority in the form prescribed by Regulations 7 and 11 of The Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000;

“parking disc” means a device which -

- (a) is 125 millimetres square and coloured blue, if issued on or after 1st April 2000 or orange, if issued before that date;
- (b) has been issued by a local authority and has not ceased to be valid; and
- (c) is capable of showing the quarter hour period during which a period of waiting has begun;

“relevant position” means -

- (l) A vehicle displays a disabled person’s badge issued before 1st April 2000 in the relevant position if: -
 - (a) in the case of a vehicle fitted with a dashboard or facia panel, the badge is exhibited thereon so that Part 1 of the badge is legible from outside the vehicle; or
 - (b) in the case of a vehicle not fitted with a dashboard or facia panel, the badge is exhibited in a conspicuous position on the vehicle so that Part 1 of the badge is legible from outside the vehicle; or

- (2) A vehicle displays a disabled person's badge issued on or after 1st April 2000 in the relevant position if: -
- (a) the badge is exhibited on the dashboard or fascia of the vehicle; or
 - (b) 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 outside the vehicle.

- (3) A vehicle displays a parking disc in the relevant position if: -
- (a) in the case of a vehicle fitted with a dashboard or fascia panel, the disc is exhibited thereon so that the quarter-hour period during which the period of waiting began is legible from outside the vehicle; or
 - (b) in the case of a vehicle not so fitted, the disc is exhibited in a conspicuous position on the vehicle so that the quarter-hour period during which the period of waiting began is legible from outside the vehicle.

"Parking Attendant" has the meaning given by Section 63A of the Road Traffic Regulation Act 1984;

"the Council" means during any period in which there is in force an agreement under Section 101 of the Local Government Act 1972 between the Wiltshire County Council and the Salisbury District Council that the District Council shall administer the Order on the County Council's behalf, the Salisbury District Council failing which it shall mean the Wiltshire County Council;

"formal document" means a document issued by Salisbury District Council to exempt a vehicle from waiting where a restriction applies or from a time limit;

"taxi" has the same meaning given by Regulation 4 of the Traffic Signs Regulations and General Directions 1994 and "taxi rank" means any area of carriageway which is comprised within and indicated by a road marking complying with diagram 1028.2 in Schedule 6 of the Traffic Signs Regulation and General Directions 1994.

12. This Order shall come into operation on 17 March 2003 and shall be cited as The County of Wiltshire (Various Roads, Mere) (Prohibition and Restriction of Waiting) Order 2003.

SCHEDULE 1

No Waiting at Any Time

<u>Road</u>	<u>Side</u>	<u>Description</u>
Boar Street (C59)	North	From a point 13m north-west of a point in line with the western boundary of No. 2 Boar Street to a point 6m east of a point in line with the eastern boundary of No. 2 Boar Street
Boar Street (C59)	South	From a point 19m west of its junction with Barnes Place to a point 6m east of a point in line with the boundary between Nos. 5 & 7 Boar Street
Castle Street (B3095)	Both	From its junction with The Square to a point 21m north-west of a point in line with the western boundary of the property currently occupied by Lloyds/TSB Bank
Clock Tower Island (B3095/ U/C 813204)	All	The complete lengths
Manor Road (U/C 813201)	Both	From its junction with The Square to a point 5m north of the south-eastern corner of the property currently occupied by Lloyds/TSB Bank
Salisbury Street (B3095)	South	From a point 5m west of the western boundary of No. 45 Salisbury Street for a distance of 7m in a westerly and southerly direction
The Island (west of the link road between Salisbury Street and Boar Street)	All	The complete lengths
The Square (B3095)	North	From its junction with Castle Street to a point 28m east of its junction with Manor Road
The Square (U/C 813204 between B3095 and Church Street)	South	From a point 14m west of a point in line with the western boundary of No. 4 The Square for a distance of 6m in a westerly direction

No Waiting at Any Time (continued)


<u>Road</u>	<u>Side</u>	<u>Description</u>
The Square (B3095)	South- west	From its junction with Castle Street to a point adjacent to the south-eastern corner of the Talbot Hotel

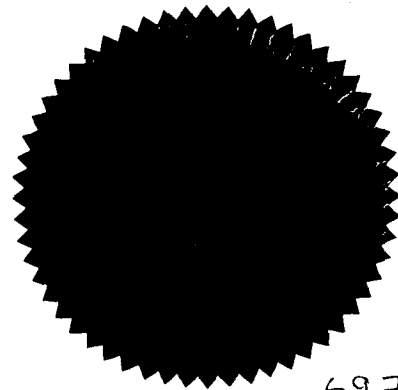
SCHEDULE 2

No Waiting Mon-Sat 9am-5pm


<u>Road</u>	<u>Side</u>	<u>Description</u>
The Square (B3095)	North	From a point 28m east of its junction with Manor Road to a point in line with the boundary between the properties known as "The Pharmacy" and "Bower House"
The Square (U/C 813204 between B3095 and Church Street)	South	From a point 2m west to a point 8m east of a point in line with the western boundary of No. 4 The Square

THE COMMON SEAL of the
WILTSHIRE COUNTY COUNCIL
was hereunto affixed this
6th day of March 2003
in the presence of: -


Acting Solicitor to the County Council



69767

Certified true copy

Acting Solicitor to the County Council