

**WILTSHIRE COUNTY COUNCIL****ROAD TRAFFIC REGULATION ACT 1984**  
**ROAD TRAFFIC ACT 1991****THE COUNTY OF WILTSHIRE (SALISBURY – ZONE I – DE VAUX PLACE)**  
**(RESIDENTS' PARKING PLACES) (CONTROLLED PARKING ZONE) ORDER 2003(a)**

The Council of the County of Wiltshire in exercise of its powers under Sections 1, 2, 4, 45, 46, 49, 51, 53 and 63A of the Road Traffic Regulation Act 1984 ("the Act") as amended, 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:-

**Revocations**

1. The County of Wiltshire (Salisbury – Zone I – De Vaux Place) (Residents' Parking Places) (Controlled Parking Zone) Order 2003 is hereby revoked.

**Commencement and Citation**

2. This Order shall come into operation on 2 May 2003 and may be cited as The County of Wiltshire (Salisbury – Zone I – De Vaux Place) (Residents' Parking Places) (Controlled Parking Zone) Order 2003(a).

**Interpretation**

3. In this Order except where the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them:-

"access way" means a space in a parking place which is provided to enable a vehicle to have access to and egress from the premises adjacent to the parking place

"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.

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

"driver" in relation to a vehicle waiting in a parking place, means the person driving the vehicle at the time it was left in the parking place.

"formal document" means a document issued by Salisbury District Council to either a resident, business or visitor and includes a permit, waiver or other document issued by that Council to exempt a vehicle from waiting where a restriction applies or from a time limit under the terms and charges applicable at the time

"delivering" and "collecting" in relation to any goods include checking the goods for the purpose of their delivery or collection

“goods” means articles or collection of articles which cannot be conveniently carried over a distance of more than 30 metres

“passenger vehicle” means a motor vehicle (other than a motor cycle or invalid carriage) not more than six metres in length constructed solely for the carriage of passengers and their effects and adapted to carry not more than twelve passengers exclusive of the driver and not drawing a trailer

“dual purpose vehicle” has the same meaning as in Regulation 3 of the Road Vehicles (Construction and Use) Regulations 1986;

“light goods vehicle” means a motor vehicle which is constructed or adapted for use for the carriage of goods or burden of any description and which has a gross vehicle weight not exceeding 2 tonnes and not more than 6 metres in length and is not drawing a trailer;

“motorcycle” and “invalid carriage” have the same meaning as in Sections 136(4) and 136(5) respectively of the Act.

“owner” in relation to a vehicle means the person by whom such vehicle is kept and used.

“parking place” means that part of the road authorised by Article 5 of this Order to be used for parking

“resident” means a person whose residence is at premises the postal address of which is in any street or part of a street described in Schedule 2 to this order.

“telecommunications apparatus” has the same meaning as in Schedule 2 of the Telecommunications Act 1984

“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.

4. Any reference in this Order to any enactment shall be construed as a reference to that enactment as amended by any subsequent enactment.

#### **Designation of The Parking Place**

5. The area of highway which is described as a designated parking place in Schedule 1 to this Order is designated as a parking place.

#### **Use of The Parking Place**

6. Save as provided in Articles 7 and 18 of this Order, no person shall except upon the direction or with the permission of a Parking Attendant, cause or permit any vehicle to wait at any time in the length of road specified in Schedule 1 to this Order.
7. Nothing in Article 6 of this Order shall prevent any person from causing or permitting any vehicle to wait at any time in the parking place if the vehicle is displaying at its front or nearside:
  - (a) a formal document issued by Salisbury District Council
  - (b) a British Medical Association badge or other evidence of a medical visit by the local Health Authority personnel, approved by the Salisbury District Council and the visit is for treatment of a patient living nearby.

## Application For and Issue of Permits

### 8. (1) Residents' Permit

Any domestic resident whose postal address is in a street or part of a street described in Schedule 2 to this Order and who is the owner of a passenger vehicle, a dual purpose vehicle, light goods vehicle or a motor cycle may apply to the Council for the issue of a permit for the leaving of that vehicle in the designated parking place. Such application shall be made on a form issued by and obtainable from the Council and shall include the information required by such form.

### (2) Daily Visitors' Parking Cards

Any domestic resident whose postal address is in a street or part of a street described in Schedule 2 to this Order may apply for daily visitors' parking cards for use on any passenger vehicle, dual purpose vehicle, light goods vehicle or motor cycle belonging to any visitor to that address, for the leaving of that vehicle in the designated parking place. Such application shall be made on a form issued by and obtainable from the Council and shall include the information required by such form.

### (3) Annual Visitors' Permit

Any domestic resident over sixty years of age whose postal address is in a street or part of a street described in Schedule 2 to this Order to which no permit has been issued, may apply to the Council for a visitors' permit for use on any passenger vehicle, dual purpose vehicle, light goods vehicle or motor cycle belonging to any visitor to that address, for the leaving of that vehicle in the designated parking place. Such application shall be made on a form issued by and obtainable from the Council and shall include the information required by such form. Such permits shall be valid for a period of one year.

## Display of "Formal Documents"

9. At all times during which a vehicle is left in the parking place under Article 6 there shall be displayed on the front or near-side of the vehicle a formal document issued in respect of that vehicle by Salisbury District Council so that all the particulars referred to in Article 8 of this Order are clearly visible from the front or near-side of the vehicle.

## Restriction on the Removal of Formal Documents

10. Where a formal document has been displayed on a vehicle in accordance with the provisions of Article 9 of this Order, no person, not being the driver of the vehicle, shall remove the formal document from the vehicle unless authorised to do so by the driver of the vehicle.

## Placing of Traffic Signs

11. The Council shall:-
- (a) place and maintain on or in the vicinity of the parking place appropriate traffic signs for indicating that such parking place may be used at all times for the leaving only of the vehicles specified in Article 7 of this Order; and
  - (b) carry out such work as is reasonably required for the purposes of the satisfactory operation of the parking place.

reasonably necessary for the purpose of facilitating the movement of traffic or promoting its safety.

- (3) Any person suspending the use of the parking place or any part thereof in accordance with the provisions of paragraph (1) or paragraph (2) of this Article shall thereupon place or cause to be placed in or adjacent to that parking place or the part thereof the use of which is suspended a traffic sign indicating that waiting by vehicles is prohibited.
- (4) No person shall cause or permit a vehicle to be left in the parking place or part of the parking place during such period as there is in or adjacent to that parking place or part of the parking place a traffic sign placed in pursuance of paragraph (3) of this Article:-

Provided that nothing in this paragraph shall render it unlawful to cause or permit a vehicle to be left in the car parking place if it is being used:

- (a) for fire brigade, ambulance or police purposes, or by a local authority or its agents in pursuance of its statutory powers and duties to maintain the highway;
- (b) in connection with the removal of any obstruction to traffic;
- (c) for the purpose of delivering or collecting postal packets as defined in Section 87 of the Post Office Act 1953; or
- (d) in connection with the servicing of telephone kiosks or other street furniture adjacent to the parking place;
- (e) or if the vehicle is left with the permission of the person suspending the use of the parking place, a Police officer in uniform or a Parking Attendant.

#### **Restriction of Use of Vehicles in the Parking Place**

17. While any vehicle is in the parking place, no person shall use the vehicle in connection with the sale of any article to any person in or near the parking place or in connection with the selling or offering for sale of his skill or services provided that nothing in this Article shall prevent the sale of goods from a vehicle if the vehicle is a passenger vehicle, a dual purpose vehicle, a goods vehicle or a motor cycle (or an invalid carriage) and the goods are immediately delivered at or taken into premises adjacent to the vehicle from which the sale is effected.

#### **Restriction of Waiting of Vehicles in the Parking Place**

18. (1) Notwithstanding the foregoing provisions of this Order, any vehicle may wait at any time anywhere on the carriageway in the parking place (other than a parking place or part of a parking place, the use of which has been suspended, under Article 16 of this Order) for so long as may be necessary if:-
  - (a) the vehicle is a vehicle used for Police, Fire Brigade or Ambulance purposes, or a vehicle (other than a passenger vehicle) in the service of a local authority or its agent which is being used in pursuance of statutory powers or duties to maintain the highway;
  - (b) the vehicle is waiting to enable it to be used in connection with the removal of any obstruction to traffic;

- (c) the vehicle (not being a passenger vehicle) is waiting to enable it to be used for any purpose specified in Article 16(1)(b) of this Order;
  - (d) the vehicle (not being a passenger vehicle) is in actual use in connection with the removal of furniture from one business or dwelling house to another or the removal of furniture from such premises to a depository or to such premises from a depository;
  - (e) the vehicle is waiting otherwise than in a parking space if goods are being sold or offered for sale from the vehicle by a person who is licensed by the Council to sell goods from a stationary pitch situated in the parking place.
- (2) 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.

**Contravention of Restriction**

- 19. 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.
- 20. 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.

**Manner of Payment of Penalty Charge Notice**

- 21. The Penalty Charge shall be paid within 28 days payable to Salisbury District Council under the terms referred to in the said Notice.

**Restriction on Removal of Penalty Charge Notice**

- 22. Where a notice has been attached to a vehicle in accordance with the provisions of the Act of 1991, no person, not being the driver of the vehicle or duly authorised representative of the Council, shall remove the notice from the vehicle unless authorised to do so by the driver.

**Schedule 1**

**Area of Highway Designated As A Parking Place  
At All Times For Permit Holders Only**

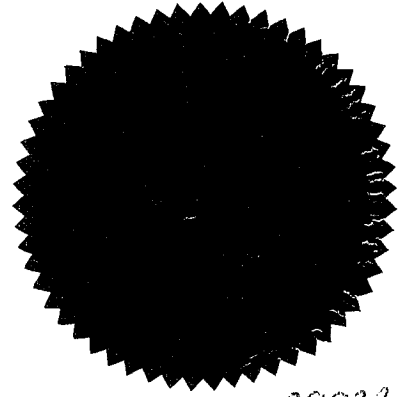
<b><u>Road</u></b>	<b><u>Side</u></b>	<b><u>Description</u></b>
De Vaux Place	All	The complete length
St. Nicholas' Road	West	The two parking spaces adjacent to the eastern boundary wall of De Vaux House.

Schedule 2

Streets or Parts of Streets in the City of Salisbury  
For the Purpose of the Issue of Permits

De Vaux Place (including De Vaux House)  
& Nos. 2 & 4 St. Nicholas' Road

THE COMMON SEAL of the )  
WILTSHIRE COUNTY COUNCIL )  
was hereunto affixed the 24<sup>th</sup> day )  
of April 2003 in the presence of:- )



*[Handwritten Signature]*  
Solicitor to the County Council

29922

Certified true copy

*[Handwritten Signature]*  
Solicitor to the County Council