

WILTSHIRE COUNTY COUNCIL

ROAD TRAFFIC REGULATION ACT 1984
ROAD TRAFFIC ACT 1991

THE COUNTY OF WILTSHIRE (CENTRAL SALISBURY)
(STREET PARKING PLACES) ORDER 2004

The Council of the County of Wiltshire in exercise of its powers under Sections 32(1) 35(1), 63A and Part IV of Schedule 9 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:-

PART I

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

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

"waiver document" means a document issued by Salisbury District 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 the waiver is issued;

"Medical Practitioner" means a fully registered medical practitioner within the meaning of the Medical Act 1983;

"Medical Practitioners' Parking Permit means a permit issued by Salisbury District Council, which is displayed in the relevant position, bearing the words "Medical Practitioner, Castle Street Surgery, 67 Castle Street, Salisbury".

"Relevant Position" means: -

- (i) in the case of a vehicle fitted with a front windscreen, the Medical Practitioners' Parking Permit is exhibited thereon with the obverse side facing forward on the nearside and immediately behind the windscreen; and
- (ii) in the case of a vehicle not fitted with a front windscreen, the Medical Practitioners' Parking Permit is exhibited in a conspicuous position on the front or nearside of the vehicle.

"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;

"motor cycle" has the same meaning as defined in Section 136(4) of the Act

"Parking Place" means the part of a road authorised by this Order to be used as a parking area;

"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
- (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:-

- (1) A vehicle displays a disabled persons' badge 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.

- (2) 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.

2. The following Orders are hereby revoked:

- (a) The County of Wiltshire (Central Salisbury) (Street Parking Places) Order 2002(a);
- (b) The County of Wiltshire (Central Salisbury) (Disabled Persons' Street Parking Places) Order 2000.

3. This Order shall come into operation on 24 May 2004 and may be cited as The County of Wiltshire (Central Salisbury) (Street Parking Places) Order 2004.

PART II

AUTHORISATION AND USE OF PARKING PLACE

4. (1) Each of the parts of a road specified in the Schedules to this Order are authorised to be used, subject to the following provisions of this Order, as a parking place for such classes of vehicle on such days and during such hours as are specified in relation to those Schedules.
- (2) Nothing in paragraph 4(1) of this Article shall restrict the power of the Council, for preventing obstruction of the streets, by resolution on the occasion of any public procession, rejoicing or illumination, or where the streets are thronged or liable to be obstructed, to close any parking place.
- (3) Nothing in paragraph 4(1) of this Article shall apply so as to prevent any person from causing any vehicle to wait in the parking place specified in that paragraph if the vehicle is being used:-
- (a) in the service of the local authority in pursuance of statutory powers or duties;
 - (b) in the service of the Police Authority, Fire Brigade or Ambulance Service in the case of emergency; or
 - (c) in connection with any building operation, or demolition, the removal of any obstruction to traffic, the maintenance, improvement or reconstruction of the road so referred to or the laying, erection, alteration or repair in or near the said 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, if it cannot conveniently be used for such purpose in any other road.
5. Where in the Schedules to this Order a parking place is described as available for vehicles of a specified class the driver of a vehicle shall not permit it to wait in that parking place:
- (a) unless it is of the specified class;
 - (b) in a position other than that specified.
6. (1) The driver of a vehicle shall not permit it to wait in a parking place for longer than the maximum period permitted for waiting specified in Schedules 1, 2 and 3 to this Order in relation to that parking place.
- (2) When a vehicle has left a parking place after waiting thereon, the driver thereof shall not within the times specified in Schedules 1, 2 and 3 to this Order after its leaving, permit it to wait again upon that parking place.
7. The driver of a vehicle displaying at its front or nearside:
- (a) a valid waiver issued by Salisbury District Council; or
 - (b) a valid 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

shall be exempt from any limitation of time in the lengths of road specified in Schedules 1 and 3 to this Order when left in a parking place.

8. A disabled driver's vehicle which displays in the relevant position a valid disabled persons' badge shall be exempt from any limitation on time in the lengths of road specified in Schedule 1 to this Order when left in a parking place.
9. (1) The driver of a vehicle shall not park in a parking place:-
 - (a) so as unreasonably to prevent access to any premises adjoining the road, or the use of the road by other persons, or so as to be a nuisance;
 - (b) when for preventing obstruction of the parking place the Council shall, by resolution made on the occasion of any public procession, rejoicing or illumination or when the parking place is thronged, or liable to be obstructed, have closed that parking place and exhibited notice of such closing on or near the parking place.
10. The driver of a motor vehicle using the parking place shall stop the engine as soon as the vehicle is in a position in the parking place and shall not start the engine except when about to change the position of the vehicle or to depart from the parking place.
11. No person shall use a vehicle while it is in the parking place, in connection with the sale of any article to persons in or near the parking place, or in connection with the selling or offering for hire of his skill or services.
12. Subject to the proviso hereto, when a vehicle is left in the parking place in contravention of any of the provisions contained in Articles 4, 5, 6 and 9 of this Order, a person authorised in that behalf by the Council may remove the vehicle or arrange for it to be removed from that parking place provided that when a vehicle is waiting in the parking place in contravention of the provisions of Article 5(b) of this Order, a person authorised in that behalf by the Council may alter or cause to be altered the position of the vehicle in order that its position shall comply with that provision.
13. Any person removing a vehicle or altering its position by virtue of the last preceding Article of this Order may do so by towing or driving the vehicle or in such other manner as he may think necessary and may take such measures in relation to the vehicle as he may think necessary to enable him to remove it or alter its position as the case may be.
14. When a person authorised by the Council removes or makes arrangements for the removal of a vehicle from a parking place by virtue of Article 12 of this Order, he shall make such arrangements as may be reasonably necessary for the safe custody of the vehicle.
15. 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.
16. Where a Penalty Charge is payable, a Penalty Charge Notice shall be issued by a Parking Attendant in accordance with the Act of 1991.
17. The Penalty Charge Notice shall be paid within 28 days payable to Salisbury District Council under the terms referred to in the said Notice.
18. 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.

SCHEDULE 1

Waiting Limited 30 mins, No Return Within 1 hour Mon-Sat 8am-6pm

<u>Road</u>	<u>Side</u>	<u>Description</u>
Brown Street	west	from a point in line with the boundary between Nos. 14 and 16 Brown Street to a point 22 metres south of a point in line with the boundary between Nos. 14 and 16 Brown Street
Rollestone Street	west	from a point 10 metres north of its junction with Winchester Street to a point 46 metres north of that junction

SCHEDULE 2

Motor Cycle Only Parking Waiting Limited 1 hour With Return Prohibited Within 2 hours Mon-Sat 8am-6pm

<u>Road</u>	<u>Side</u>	<u>Description</u>
Catherine Street	east	from a point 2 metres south of a point in line with the boundary between Nos. 55 and 57 Catherine Street to a point 6 metres south of a point in line with the boundary between Nos. 55 and 57 Catherine Street
Milford Street	south	from a point 42 metres west of a point in line with the boundary between Nos. 10 and 12 Milford Street to a point 13 metres west of the western boundary of the Red Lion Hotel

SCHEDULE 3

Disabled Parking Places Operating Every Day At All Times With Waiting Limited To 3 hours, No Return Within 3 hours Mon-Sat 8am-6pm

<u>Road</u>	<u>Side</u>	<u>Description</u>
Brown Street	west	from a point 12 metres south of the northern boundary of Nos. 7 to 11 Brown Street to a point 7 metres north of the centreline of the service access road to the Cross Keys Mall
Castle Street	east	from a point 10 metres south of its junction with Chipper Lane to a point 32 metres south of that junction
Castle Street	east	from a point in line with the southern boundary of No. 2 Castle Street to a point in line with the northern boundary of No. 4 Castle Street
Catherine Street	west	from a point 3 metres south of a point in line with the boundary between Nos. 1 and 3 Catherine Street to a point 59 metres north of the centreline of Catherine Court

SCHEDULE 3 (continued)

**Disabled Parking Places Operating Every Day At All Times
With Waiting Limited To 3 hours, No Return Within 3 hours
Mon-Sat 8am-6pm**

<u>Road</u>	<u>Side</u>	<u>Description</u>
Catherine Street	west	from a point in line with the boundary between Nos. 42 and 44 Catherine Street to a point in line with the boundary between Nos. 44 and 46 Catherine Street
Chipper Lane	north	from a point 21 metres east of its junction with Castle Street to a point 34 metres east of that junction
Endless Street	west	from a point 4 metres south of a point in line with the boundary between No. 52 Blue Boar Row and No. 1 Endless Street to a point 3 metres south of a point in line with the boundary between Nos. 1 and 3 Endless Street
Milford Street	north	from a point 42 metres west of a point in line with the boundary between Nos. 10 and 12 Milford Street to a point 10 metres west of the western boundary of the Cathedral Hotel
New Canal	north	from a point 1 metre west of a point in line with the boundary between Nos. 70 and 70a New Canal to a point 8 metres east of a point in line with the boundary between Nos. 64 and 66 New Canal
Winchester Street	north	from a point 11 metres east of its junction with Endless Street to a point 18 metres east of that junction
Winchester Street	north	from a point 9 metres east of a point in line with the boundary between Nos. 5 and 7 Winchester Street to a point 41 metres west of its junction with Rollestone Street

SCHEDULE 4

**On Street Parking for Holders of a
Medical Practitioners Parking Permit Only
Mon-Sat 8am-6pm**

<u>Road</u>	<u>Side</u>	<u>Description</u>
Castle Street	west	from a point 54 metres north of its junction with Scots Lane to a point 60 metres north of that junction

THE COMMON SEAL of THE)
WILTSHIRE COUNTY COUNCIL)
was hereunto affixed this 13th day)
of May 2004 in the presence of:)

Certified true copy
IR Gibbons 6
Assistant Solicitor
to the County Council

IR Gibbons
Assistant Solicitor
to the County Council

