

WILTSHIRE COUNTY COUNCIL

ROAD TRAFFIC REGULATION ACT 1984
ROAD TRAFFIC ACT 1991

THE COUNTY OF WILTSHIRE (LOWER ROAD, QUIDHAMPTON)
(PROHIBITION OF WAITING) ORDER 2005

The Council of the County of Wiltshire in exercise of its powers under Sections 1, 2, 4, 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: -

1. The County of Wiltshire (Lower Road, Quidhampton) (Prohibition of Waiting) Order 1991 is hereby revoked.
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 in any of the lengths of road specified in the Schedule to this Order.
3. Nothing in Article 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 that Article 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) in the service of the Police, Fire Brigade or Ambulance Service in a case of emergency;
4. Nothing in Article 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;

- (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 Article 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 Article 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 waiver 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;
 - (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;

“driver” in relation to a vehicle waiting on-street, means the person driving the vehicle at the time it was left in that position;

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

“waiver” 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 of issue;

“taxi rank” means an area of carriageway reserved for use by taxis waiting to pick up passengers.

12. This Order shall come into operation on 12 December 2005 and shall be cited as The County of Wiltshire (Lower Road, Quidhampton) (Prohibition of Waiting) Order 2005.

SCHEDULE

No Waiting at Any Time

<u>Road</u>	<u>Side</u>	<u>Description</u>
Lower Road	North	From the boundary between No. 1 Edgam Place and the property called Donorene, Lower Road to a point 22m east of that boundary
	North	From the boundary between Nos. 16/17 Coronation Square to the boundary between Nos. 3/4 Edgam Place


No Waiting at Any Time (continued)

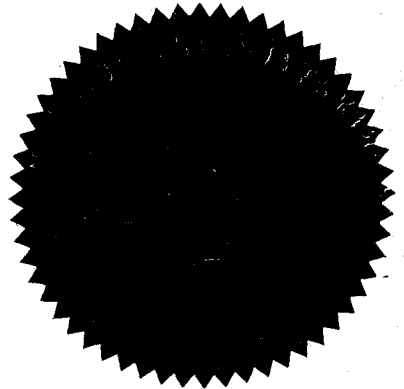
Lower Road

South

From a point 10m west of its junction with
Nadder Lane to a point in line with the eastern
boundary of the property called Haswell Cottage,
Lower Road

THE COMMON SEAL of the
WILTSHIRE COUNTY COUNCIL
was hereunto affixed this
1st day of December 2005
in the presence of: -


Head of Legal &
Democratic Services



711267

Solicitor to the County Council

Certified true copy

Head of Legal &
Democratic Services

