

WILTSHIRE COUNCIL

ROAD TRAFFIC REGULATION ACT 1984
TRAFFIC MANAGEMENT ACT 2004

THE COUNTY OF WILTSHIRE (SALISBURY – ZONE H)
(PROHIBITION AND RESTRICTION OF WAITING) ORDER 2009

The Council of the County of Wiltshire in exercise of its powers under Sections 1, 2, 4 and Part IV of Schedule 9 of the Road Traffic Regulation Act 1984 (hereinafter referred to as “the Act of 1984”) as amended and The Traffic Management Act 2004 (hereinafter referred to as “the Act of 2004”) as amended 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 following Order is hereby revoked:

The County of Wiltshire (Salisbury – Zone H) (Waiting Restrictions and Residents’ Parking Places) Order 2003

2. Save as provided in Articles 5, 6, 7 and 8 of this Order no person shall, except upon the direction or with the permission of a Police Constable in uniform or of a Civil Enforcement Officer cause or permit any vehicle (and/or drawn trailer) to wait in any of the lengths of road specified in Schedule 1 to this Order.
3. Save as provided in Articles 5, 6, 7 and 8 of this Order no person shall, except upon the direction or with the permission of a Police Constable in uniform or of a Civil Enforcement Officer cause or permit any vehicle (and/or drawn trailer) to wait between 8.00 am and 6.00 pm Monday to Saturday in any of the lengths of road specified in Schedule 2 to this Order.
4. Save as provided in Articles 5, 6, 7 and 8 of this Order no person shall, except upon the direction or with the permission of a Police Constable in uniform or of a Civil Enforcement Officer cause or permit any vehicle (and/or drawn trailer) to wait between 10.00 am and 11.00 am Monday to Friday in any of the lengths of road specified in Schedule 3 to this Order.
5. Nothing in Articles 2, 3 and 4 of this Order shall render it unlawful to cause or permit any 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) the vehicle, if it cannot conveniently be used for such purpose in any other road, to be used for the purpose of any building operation, demolition or excavation, or the maintenance, improvement or reconstruction of the said lengths or sides of road or any works connected with any sewer, main,

pipe or apparatus for the supply of gas, water or electricity or of any telecommunications apparatus;

- (d) the 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) 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 purpose of delivering and/or collecting mail;
 - (f) the vehicle to be used in the service of the Police, Fire & Rescue Service or Ambulance Service;
 - (g) the vehicle to be used in any case where the person in control of the vehicle:
 - (i) is required by law to stop or wait or is permitted to stop or wait by a Police Constable in uniform;
 - (ii) is obliged to stop so as to prevent an accident, or
 - (iii) is prevented from proceeding by circumstances outside his control;
 - (h) a security vehicle to be used in the course of delivering or collecting cash to/from properties in any of the lengths of road referred to in the Schedules to this Order and being a vehicle specifically designed for that purpose.
6. Nothing in Articles 2, 3 and 4 of this Order shall apply to any vehicle:-
- (i) being used as part of a wedding or funeral cortege or otherwise in connection with a wedding or funeral; or
 - (ii) being licensed as a hackney carriage whilst waiting at a duly authorised taxi rank as marked on the carriageway.
7. Nothing in Articles 2, 3 and 4 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) providing no obstruction is caused.
8. Nothing in Articles 2, 3 and 4 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 those Articles 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 to enable 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 Civil Enforcement Officer.

9. 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 2004 relating to the Civil Enforcement Areas and Special Enforcement Areas.
10. Where a Penalty Charge is payable, a Penalty Charge Notice shall be issued by a Civil Enforcement Officer in accordance with the Act of 2004.
11. The Penalty Charge shall be paid within 28 days payable to Salisbury District Council under the terms referred to in the said Notice.
12. Where a notice has been attached to a vehicle in accordance with the provisions of the Act of 2004, 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.
13. The prohibitions imposed by this Order shall be in addition to and not in derogation of any restriction, prohibition or requirement imposed by any Regulations or Orders made or having effect as if made under the Act of 1984, or by or under any other enactment.
14. In this Order, except where the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them:-

“Civil Enforcement Officer” has the meaning defined in Article 76(1) of the Act of 2004

“delivering” and “collecting” in relation to any goods includes checking the goods for the purpose of their delivery or collection

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

“disabled persons 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

“driver” in relation to a vehicle waiting on a road or length of road means the person driving the vehicle at the time it was left in that road or length of road;

“goods” includes postal packets of any description;

“hackney carriage” means a vehicle licensed under Section 37 of the Town Police Clauses Act 1847, or Section 6 of the Metropolitan Public Carriage Act 1869(b) or under any similar enactment;

“parking disc” has the same meaning as provided in the Local Authorities’ Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000;

“relevant position” means:

- (1) A vehicle displays a disabled persons badge in the relevant position if:
 - (a) the badge is exhibited on the front windscreen, 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) the parking disc is exhibited on the dashboard or fascia of the vehicle; or
 - (b) where the vehicle does not have a dashboard or fascia, the disc is exhibited in a conspicuous position on the vehicle

so that, when marked, to show the quarter-hour period during which a period of waiting began, that period is clearly legible from the outside the vehicle.

“taxi” has the same meaning given by Regulation 4 of the Traffic Signs Regulations and General Directions 2002 and “taxi rank” means an area of carriageway reserved for use by taxis waiting to pick up passengers

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

“waiver” means a document issued by Salisbury District Council to exempt a vehicle from a restriction under the terms and charges applicable at the time of issue.

15. This Order shall come into operation on the 7th September 2009 and shall be cited as The County of Wiltshire (Salisbury – Zone H) (Prohibition and Restriction of Waiting) Order 2009.

SCHEDULE 1

No Waiting At Any Time

<u>Road</u>	<u>Side</u>	<u>Description</u>
Bishopdown Road	Both	From its junction with St. Mark's Avenue to a point 10 metres north of that junction
Butts Road	North	From its junction with Hulse Road to a point in line with boundary between Nos. 22 and 20 Butts Road
Butts Road	North	From its junction with Castle Road to a point 30 metres west of that junction
Butts Road	South	The complete length
Campbell Road	All sides	From a point in line with the boundary between Nos. 6 and 8 Campbell Road up to and including its south-western end
Campbell Road	North-East	From its junction with St. Mark's Avenue to a point in line with the south-eastern boundary wall of No. 80 Campbell Road
Campbell Road	North-East	From a point in line with the boundary between Nos. 66 and 68 Campbell Road to a point in line with the boundary between Nos. 58 and 60 Campbell Road
Campbell Road	South-West	From its junction with St. Mark's Avenue to a point 15 metres south-east of the boundary between Nos. 82 and 84 Campbell Road
Campbell Road	South-West	From a point 2 metres south-east of the boundary between Nos. 82 and 84 Campbell Road to a point 8 metres north-west of that boundary
Campbell Road	South-West	From a point in line with the boundary between Nos. 70 and 72 Campbell Road to a point 2 metres south-east of the boundary between Nos. 66 and 68 Campbell Road
Campbell Road	South-West	From a point 21 metres north-west of the boundary between Nos. 48 and 50 Campbell Road to a point 32 metres north-west of that boundary

SCHEDULE 1 (continued)

Campbell Road	South-West	From a point 3 metres south-east of the boundary between Nos. 16 and 18 Campbell Road to a point 6 metres north-west of that boundary
Donaldson Road	East & North	From a point 162 metres south-east of its junction with Moberly Road to its north-eastern end, including the turning head
Donaldson Road	East	From its junction with Moberly Road to a point 9.5 metres south-east of that junction
Donaldson Road	East	From a point 65 metres south-east of its junction with Moberly Road to its junction with Ridgeway Road
Donaldson Road	East	From its junction with Ridgeway Road to a point 98 metres south-east of its junction with Moberly Road
Donaldson Road	South	From a point 258 metres south-east of its junction with Moberly Road to a point 281.5 metres south-east of that junction
Donaldson Road	West	From its junction with Moberly Road to a point 10 metres south-east of that junction
Douglas Haig Road	South-East	From its junction with Hulse Road (North-Western) to a point 18 metres north-east of that junction
Hulse Road	Both	From a point in line with the boundary between Nos. 72 and 74 Hulse Road to a point in line with the boundary between Nos. 68a and 68 Hulse Road
Hulse Road (north western)	North-East	From a point 34 metres north-west of its junction with Douglas Haig Road to its north-western end
Hulse Road (north western)	North-East	From a point 32 metres north-west of its junction with Butts Road to its junction with Douglas Haig Road
Hulse Road (north western)	South-West	From a point 70 metres north-west of its junction with Ashley Road to its north-western end

SCHEDULE 1 (continued)

Hulse Road (south eastern)	Both	From its south-eastern end to a point 13 metres north-west of that end
Moberly Road	South	From its junction with Victoria Road to a point 17 metres north-east of that junction
Moberly Road	South	From a point 70 metres north-east of its junction with Victoria Road to its junction with Donaldson Road
Moberly Road	South	From its junction with Donaldson Road to a point 102.5 metres north-east of its junction with Victoria Road
Ridgeway Road	North	From its junction with Donaldson Road to a point 16.5 metres north-east of that junction
Ridgeway Road	South	From its junction with Donaldson Road to a point 12 metres north-east of that junction
Somerset Road	Both	From its junction with St. Mark's Avenue to a point 30 metres east of the boundary between Nos. 1 and 3 Somerset Road
St. Mark's Avenue	Both	From its junction with St. Mark's Roundabout to a point in line with the boundary between Nos. 15 and 17 St. Mark's Avenue
St. Mark's Avenue	East	From a point 14 metres south of its junction with St. Mark's House to a point 14 metres north of that junction
St. Mark's Avenue	East	From a point 13 metres south of its junction with Bower Hill Road to a point 11 metres north of that junction
St. Mark's Avenue	East	From a point 13 metres south of its junction with Grange Gardens to a point 14 metres north of that junction
St. Mark's Avenue	East	From a point 15 metres south of the boundary between Nos. 83 and 85 St. Mark's Avenue to a point 7 metres north of that boundary
St. Mark's Avenue	East	From a point 30 metres north of the boundary between Nos. 83 and 85 St. Mark's Avenue to a point 10 metres north of the boundary between Nos. 72 and 78 St. Mark's Avenue

SCHEDULE 1 (continued)

St. Mark's Avenue	East	From the boundary between Nos. 84 and 86 St. Mark's Avenue to its junction with Bishopdown Road
St. Mark's Avenue	West	From a point in line with the boundary between No. 19 St. Mark's Avenue and No.84 Campbell Road to a point 18 metres north of its junction with Campbell Road
St. Mark's Avenue	West	From a point 38 metres north of its junction with Campbell Road to a point 7 metres north of its junction with St. Mark's House
St. Mark's Avenue	West	From a point 14 metres south of its junction with The Ventry to a point 14 metres north of its junction with Tower Mews
St. Mark's Avenue	West	From a point 44 metres north of its junction with Tower Mews to a point 64 metres north of its junction with Tower Mews
St. Mark's Avenue	West	From a point 30 metres south of its junction with Netheravon Road to a point 30 metres north of that junction
St. Mark's Avenue	West	From the boundary between No. 103 St. Mark's Avenue and No. 1 Somerset Road to its junction with Bishopdown Road
The Ventry	Both	From its junction with St. Mark's Avenue to a point 15 metres south-west of that junction
Tower Mews	Both	From its junction with St. Mark's Avenue to a point 7 metres west of that junction
Victoria Road	East	From a point 148 metres south-east of its junction with Moberly Road to its south-eastern end, including the turning head
Victoria Road	East	From its junction with Moberly Road to a point 13 metres south-east of that junction
Victoria Road	North	From its junction with Castle Road to a point 30 metres east of that junction
Victoria Road	South	From its junction with Castle Road to a point 35.5 metres east of that junction

SCHEDULE 2

No Waiting Monday – Saturday 8.00 am – 6.00 pm

<u>Road</u>	<u>Side</u>	<u>Description</u>
Campbell Road	North-East	From a point in line with the north-western boundary wall of No. 48 Campbell Road to a point in line with the south-eastern boundary wall of No. 32 Campbell Road
St. Mark's Avenue	East	From a point 14 metres north of its junction with St. Mark's House to a point 13 metres south of its junction with Bower Hill Road
St. Mark's Avenue	East	From a point 11 metres north of its junction with Bower Hill Road to a point 13 metres south of its junction with Grange Gardens
St. Mark's Avenue	West	From a point 64 metres north of its junction with Tower Mews to a point 30 metres south of its junction with Netheravon Road

SCHEDULE 3

No Waiting Monday – Friday 10.00 am – 11.00 am

<u>Road</u>	<u>Side</u>	<u>Description</u>
St. Mark's Avenue	East	From a point 40 metres north of the boundary between Nos. 72 and 78 St. Mark's Avenue to the boundary between Nos. 84 and 86 St. Mark's Avenue
St. Mark's Avenue	West	From a point 64 metres north of its junction with Netheravon Road to a point 10 metres north of the boundary between Nos. 87 and 89 St. Mark's Avenue

SCHEDULE 3 (continued)

St. Mark's Avenue West

From a point 27 metres north of the boundary between Nos. 87 and 89 St. Mark's Avenue to the boundary between No. 103 St. Mark's Avenue and No. 1 Somerset Road

THE COMMON SEAL of
WILTSHIRE COUNCIL
was hereunto affixed this
25th day of August 2009
in the presence of:-



Janet Lee
Principal Solicitor

72125

Certified true copy
Janet Lee
Principal Solicitor