

WILTSHIRE COUNCIL**ROAD TRAFFIC REGULATION ACT 1984**
TRAFFIC MANAGEMENT ACT 2004**THE COUNTY OF WILTSHIRE (COLD HARBOUR AND KITCHENER ROAD,
AMESBURY) (PROHIBITION OF STOPPING) ORDER 2016**

The Council of the County of Wiltshire in exercise of its powers under Sections 1, 2 and 4 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. Save as provided in Articles 2 and 3 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 to stop or remain at rest between the hours of 8.00am and 6.00pm Monday to Saturday on the lengths of roads specified in the Schedule to this Order.
2. Nothing in Article 1 of this Order shall render it unlawful to cause or permit any vehicle to stop or remain at rest on the lengths of roads specified in the Schedule to this Order for so long as may be necessary to enable:-
 - (a) 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;
 - (b) 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;
 - (c) the vehicle to be used in the service of the Police, Fire & Rescue Service or Ambulance Service;
 - (d) 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;

3. Nothing in Article 1 of this Order shall apply to any vehicle being used as part of a wedding or funeral cortege or otherwise in connection with a wedding or funeral.
4. 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 Council under the provisions of the Act of 2004 relating to the Civil Enforcement Areas and Special Enforcement Areas.
5. 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.
6. The Penalty Charge shall be paid within 28 days payable to Wiltshire Council under the terms referred to in the said Notice.
7. 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.
8. 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.
9. 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
 - “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;
 - “telecommunications apparatus” has the same meaning as in Schedule 2 of the Telecommunications Act 1984
 - “the Council” means Wiltshire Council
10. This Order shall come into operation on 29th February 2016 and may be cited as The County of Wiltshire (Cold Harbour and Kitchener Road, Amesbury) (Prohibition of Stopping) Order 2016.

SCHEDULE

No Stopping Monday to Saturday 8.00am – 6.00pm

<u>Road</u>	<u>Side</u>	<u>Description</u>
Cold Harbour	North west	From a point 86 metres north east of its junction with School Lane for a distance of 26 metres in a north easterly direction
Kitchener Road	South east	From a point 87 metres north east of its junction with A345 The Centre for a distance of 26 metres in a north easterly direction

THE COMMON SEAL of
WILTSHIRE COUNCIL
was hereunto affixed this
16th day of February 2016
in the presence of:-



82818

M. E. Vasher
Team Leader (Legal)