

WILTSHIRE COUNCIL

ROAD TRAFFIC REGULATION ACT 1984
TRAFFIC MANAGEMENT ACT 2004

THE COUNTY OF WILTSHIRE (VARIOUS ROADS, MERE)
(PROHIBITION AND RESTRICTION OF WAITING) ORDER 2016

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 Orders are hereby revoked:

The County of Wiltshire (Various Roads, Mere) (Prohibition and Restriction of Waiting) Order 2003;

The County of Wiltshire (Various Roads, Mere) (Prohibition and Restriction of Waiting) Order 2003 (Amendment No.1) Order 2004;

The County of Wiltshire (Various Roads, Mere) (Prohibition and Restriction of Waiting) Order 2003 (Amendment No.2) Order 2009

2. Save as provided in Articles 4, 5, 6 and 7 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 4, 5, 6 and 7 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 the hours of 9am and 6pm on any day other than a Sunday in any of the lengths of road specified in Schedule 2 to this Order.
4. Nothing in Articles 2 and 3 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) a vehicle to take in petrol, oil, water or air from any garage situated on or adjacent to the said length of road
 - (h) 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;
 - (i) 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.
 - (j) a vehicle to be loaded or unloaded whilst it is in actual use in connection with the removal of furniture and effects from one office or dwellinghouse to another or to such premises from a depository or from such premises to a depository, provided notice is given twenty-four hours in advance to the Police, their consent is obtained and such reasonable conditions as they may impose are complied with.
5. Nothing in Articles 2 and 3 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.

6. Nothing in Articles 2 and 3 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.
7. Nothing in Articles 2 and 3 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.
8. 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.
9. 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.
10. The Penalty Charge shall be paid within 28 days payable to Wiltshire Council under the terms referred to in the said Notice.
11. 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.
12. 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.
13. 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.

14. This Order shall come into operation on the xxxxxxxxxxxxxxxx 2016 and shall be cited as The County of Wiltshire (Various Roads, Mere) (Prohibition and Restriction of Waiting) Order 2016.

SCHEDULE 1

No Waiting At Any Time

<u>Road</u>	<u>Side</u>	<u>Description</u>
Boar Street (C59)	North	From a point 13 metres north west of a point in line with the western boundary of property No.2 Boar Street to a point 6 metres east of a point in line with the eastern boundary of property No.2 Boar Street
Boar Street (C59)	South	From a point 19 metres west of its junction with Barnes place to a point 6 metres east of a point in line with the boundary between property Nos. 5 and 7 Boar Street
Castle Street (B3095)	Both	From its junction with The Square to a point 21 metres north west of a point in line with the western boundary of the property currently occupied by Lloyds/TSB Bank
Castle Street (B3095)	North west	From its junction with Castle Hill Lane to a point 10 metres south west of the boundary between the properties known as ‘Bristow House’ and ‘Glendene’
Castle Street (B3095)	North west	From a point 20 metres north east of the boundary between the properties known as ‘Bristow House’ and ‘Glendene’ to a point 33 metres north east of that point

SCHEDULE 1 (continued)

No Waiting At Any Time

Castle Street (B3095)	North west	From a point in line with the boundary between the properties known as 'The Cottage' and 'Butcombe' to a point 30 metres north east of that point
Castle Street (B3095)	South east	From the north eastern boundary of the property known as 'Glendon' to a point 50 metres west of its junction with Barton Lane
Church Street	South	From a point 5 metres east of the junction with Angel Lane to a point 5 metres west of that junction
Clock Tower Island (B3095/UC 813204)	All	The complete lengths
Ivy Mead	Both	From its junction with Water Street for a distance of 10 metres in an easterly direction
Manor Road (UC 813201)	Both	From its junction with The Square to a point 5 metres north of the south eastern corner of the property currently occupied by Lloyds/TSB Bank
Salisbury Street (B3095)	South	From a point 5 metres west of the western boundary of property No.45 Salisbury Street for a distance of 7 metres in a westerly and southerly direction
Salisbury Street	North	From the boundary of properties known as 'Vogue Cottage' and 'Indigo Blue', Salisbury Street to a point opposite its junction with the access road to the car park
Salisbury Street	South	From its junction with the access road to the car park to a point 48 metres west of that junction
The Island (west of the link road between Salisbury Street and Boar Street)	All	The complete lengths

SCHEDULE 1 (continued)

No Waiting At Any Time

The Square (B3095)	North	From its junction with Castle Street to a point 28 metres east of its junction with Manor Road
The Square (UC 813204 between B3095 and Church Street)	South	From a point 14 metres west of a point in line with the western boundary of property No.4 The Square for a distance of 6 metres in a westerly direction
The Square (B3095)	South west	From its junction with Castle Street to a point adjacent the south eastern corner of the property known as Talbot Hotel
Water Street	Both	From a point 5 metres south of its junction with Ivy Mead for a distance of 66 metres in a northerly direction
Water Street	South west	From a point 66 metres north of its junction with Ivy Mead to a point 8 metres east of the boundary of properties known as 'Knoll View' and 'Stone Cottage', Salisbury Street

SCHEDULE 2

No Waiting Monday to Saturday 9am - 6pm

<u>Road</u>	<u>Side</u>	<u>Description</u>
The Square UC 813204 between B3095 and Church Street)	South	From a point 2 metres west to a point 8 metres east of a point in line with the western boundary of property No.4 The Square

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