

DRAFT ORDER (2271/1/12)

The Borough of Christchurch (Various Roads and Parking Places) (Consolidation of Orders Made for Waiting and On Street Parking Places) Order 2013 (Amendment Order No. - 201'), Various Roads, Christchurch – Prohibition and Restriction of Waiting

Dorset County Council proposes to make an Amendment Order to 'The Borough of Christchurch (Various Roads and Parking Places) (Consolidation of Orders Made for Waiting and On Street Parking Places) Order 2013' under Sections 1(1) and (2), 2(1) to (3), 3(2) and 124(1)(d) of the Road Traffic Regulation Act 1984 ('the Act of 1984') and Part 6 of the Traffic Management Act 2004 and of The Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996 and of all other enabling powers and after consultation with the Chief Officer of Police in accordance with statutory requirement and in compliance with the 1996 Regulations.

1. (1) In this Order:-

"bus" has the same meaning as in the Road Vehicles (Construction and Use) Regulations 1986 (as amended)

"bus stop" means an area on a highway which is bounded by a marking shown in diagram 1025 in Schedule 6 of the Traffic Signs Regulations and General Directions 2002

"bus timing point or layover area" means the location where a public service vehicle being used in the provisions of a local service may wait to ensure adherence to the registered particulars of the local service and may include the principal starting point and finishing point of that service

"campervan" has the same meaning as motor caravan in the Road Vehicles (Construction and Use) Regulations 1986 (as amended)

"coach" has the same meaning as in the Road Vehicles (Construction and Use) Regulations 1986 (as amended)

"day" means the period of twenty-four hours from midnight to midnight

"disabled driver" means (i) any person driving an invalid carriage or (ii) any person driving a motor vehicle displaying a badge issued in accordance with the Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000 (as amended)

"disabled person" means a disabled person of a description described by Regulation 4 of the Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000 (as amended)

"disabled persons badge" has the same meaning as in Regulation 11 of the Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000 (as amended)

“disabled persons vehicle” has the same meaning as in the Local Authorities Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000

“disabled persons parking disc” should be displayed as described in the Local Authorities Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000

“driver” in relation to a vehicle waiting in a parking place, means the person driving the vehicle at the time it was left in the parking place

“goods vehicle” means a motor vehicle constructed or adapted for use for the carriage or haulage of goods or burden of any description, with an un-laden weight exceeding 1500 kg

“hackney carriage stand” means any area of the carriageway of a specified road intended for the waiting of hackney carriages as defined in the Town Police Clauses Act 1847, which is comprised within and indicated by a road marking complying with diagram 1028.2 in the Traffic Signs Regulations and General Directions 2002

“invalid carriage” has the same meaning as stated in Section 136(5) of the Act of 1984 and Road Vehicles (Construction and Use) Regulations 1986 (as amended)

“local service” has the same meaning as defined in the Transport Act 2000

“motor car” means a three or four wheeled mechanically propelled vehicle (not being a goods vehicle of un-laden weight of more than 1500 kg or a public service vehicle) constructed or adapted for the carriage of not more than 8 passengers and excludes any vehicle adapted for sleeping purposes.

“motorcycle” has the same meaning as stated in Section 136(4) of the Act of 1984 and Road Vehicles (Construction and Use) Regulations 1986 (as amended)

“motor vehicle” has the same meaning as stated in Sections 136(1) and 140 of the Act of 1984 and Road Vehicles (Construction and Use) Regulations 1986 (as amended)

“owner” means the person by whom the vehicle is kept and used and in determining for the purposes of this Order who was the owner of the vehicle at the time it shall be presumed that the owner was the person in whose name the vehicle was at that time registered under the Vehicle Excise and Registration Act 1994 and where the vehicle is the subject of a hiring agreement or hire purchase agreement “Owner” includes the person entitled to possession of the vehicle under the agreement

“parking bay” means any area of the parking place which is provided for the leaving of a vehicle and delineated on the surface of the parking place

“parking disc” means a disc issued by a local authority, 125 millimetres square coloured blue and capable of showing the quarter hour period during which a period of waiting begins and is displayed in a relevant position on the vehicle, and the driver, or other person in charge of the vehicle, marks on the parking disc the time at which the period of waiting has begun

“parking place” means any part of a road which is authorised by this Order to be used for the parking of motor vehicles

“Post Office” any reference to the carrying out of a statutory duty of the Post Office shall be deemed to be a reference to the provision of a universal postal service

“Post Office vehicle” any reference to a Post Office vehicle shall be deemed to be a reference to a vehicle of a universal service provider

“public service vehicle” has the same meaning as in the Public Passenger Vehicles Act 1981

“relevant position” means:-

- a vehicle displaying a disabled person’s badge in the relevant position if it is displayed in the manner prescribed by Regulation 12 of the Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000 (as amended)
- a vehicle displaying a parking disc in the relevant position if
 - (a) the 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 of the vehicle:

“resident permit holders vehicles” means vehicles with a current valid residents’ parking permit issued by Dorset County Council displayed in a prominent position on the front windscreen of the vehicle. Permits shall only be valid in the zone for which they are issued and permit holders must at all times comply with the current conditions and terms of use as prescribed by Dorset County Council.

“solo motor cycle” means a mechanically propelled vehicle, not being an invalid carriage, having no more than two wheels that can only carry rider and pillion

“specified roads” means any road or length of road specified in the Schedules hereto

“taxi” means licensed taxi as described in the Town Police Clauses Act 1847 and under Local Government (Miscellaneous Provisions) Act 1976

“telegraph line” or “telegraphic line” has the same meaning as in the Telecommunications Act 1984

“trailer” has the same meaning as stated in Section 136(1) of the Act of 1984 and Road Vehicles (Construction and Use) Regulations 1986 (as amended)

- (2) For the purpose of this Order a vehicle shall be regarded as displaying:-
 - (a) a disabled person’s badge in the relevant position, when:-
 - (i) in the case of a vehicle fitted with a front windscreen, the badge is exhibited thereon with the obverse side facing forwards on the near side of and immediately behind the windscreen;
 - (ii) in the case of a vehicle not fitted with a front windscreen, the badge is exhibited in a conspicuous position on the front or near side of the vehicle; and
 - (b) a parking disc in the relevant position, when the disc is exhibited thereon with the side which shows the time facing forwards or outwards and immediately behind the windscreen or side window nearest to the kerb.
 - (3) Any reference in this Order to a numbered Article or Schedule is a reference to the Article or Schedule bearing that number in this Order.
2. The Borough of Christchurch (Various Roads and Parking Places) (Consolidation of Orders Made for Waiting and On Street Parking Places) Order 2013 is hereby revoked insofar as it relates to this Order.
3. Save as provided in Article 5 of this Order, no person shall, except upon the direction or with the permission of a police constable in uniform or civil enforcement officer in uniform cause or permit any vehicle to wait at any time in the lengths of roads specified in Schedule 1.01 to this Order.
4. Save as provided in Article 6 of this Order, no person shall, except upon the direction or with the permission of a police constable in uniform or civil enforcement officer in uniform cause or permit any vehicle to load or unload at any time in the lengths of roads specified in Schedule 6.00 to this Order.
5.
 - (1) Nothing in Article 3 of this Order shall render it unlawful to cause or permit any vehicle to wait in the lengths of roads referred to therein for so long as may be necessary to enable:
 - (a) a person to board or alight from the vehicle;
 - (b) goods to be loaded on or unloaded from the vehicle;

- (c) the vehicle, if it cannot conveniently be used for such purpose in any other road, to be used in connection with any of the following operations namely:-
 - (i) building, industrial or demolition operations;
 - (ii) the removal of any obstruction to traffic;
 - (iii) the maintenance, improvement or reconstruction of the said lengths of roads;
 - (iv) the laying, erection, alteration or repair in, or on land adjacent to the said lengths of roads of any sewer or any main, pipe, or apparatus for the supply of gas, water, or electricity or of any telecommunications apparatus as defined in Schedule 2 to the Telecommunications Act 1984 (Chapter 12).
 - (d) the vehicle, if it cannot conveniently be used for such purpose in any other road, to be used in the service of a local authority or a water authority in pursuance of statutory powers or duties;
 - (e) the vehicle to be used for the purpose of delivering or collecting postal packets as defined in Section 125 of the Postal Services Act 2000;
 - (f) the vehicle to be used for fire brigade, ambulance or police emergency purposes;
 - (g) Dorset Road Safe to carry out their duties and responsibilities;
 - (h) Civil Enforcement Officers to carry out their duties and responsibilities.
- (2) Nothing in Article 3 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 the lengths of roads referred to in that Article 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 on the same day).
- (3) Nothing in Article 3 shall render it unlawful to cause or permit a public service vehicle, whilst operating as a local service, to wait in those areas indicated as bus stops for reasons other than to enable persons to board or alight (e.g. crew relief points, bus timing or termination points).
6. (1) Nothing in Article 4 of this Order shall render it unlawful to cause or permit any vehicle to wait in the lengths of roads referred to therein for so long as may be necessary to enable:-

- (a) a person to board or alight from the vehicle;
- (b) the vehicle, if it cannot conveniently be used for such purpose in any other road, to be used in connection with any of the following operations namely:-
 - (i) building, industrial or demolition operations;
 - (ii) the removal of any obstruction to traffic;
 - (iii) the maintenance, improvement or reconstruction of the said lengths of roads;
 - (iv) the laying, erection, alteration or repair in, or on land adjacent to the said lengths of roads of any sewer or any main, pipe, or apparatus for the supply of gas, water, or electricity or of any telecommunications apparatus as defined in Schedule 2 to the Telecommunications Act 1984 (Chapter 12).
- (c) the vehicle, if it cannot conveniently be used for such purpose in any other road, to be used in the service of a local authority or a water authority in pursuance of statutory powers or duties;
- (d) the vehicle to be used for the purpose of delivering or collecting postal packets as defined in Section 125 of the Postal Services Act 2000;
- (e) the vehicle to be used for fire brigade, ambulance or police emergency purposes;
- (2) Nothing in Article 6 shall render it unlawful to cause or permit a disabled person's vehicle which displays in the relevant position a disabled person's badge to wait in the lengths of roads referred to in that Article for an unlimited period.
- (3) Nothing in Article 6 shall render it unlawful to cause or permit a public service vehicle, whilst operating as a local service, to wait in those areas indicated as bus stops for reasons other than to enable persons to board or alight (e.g. crew relief points, bus timing or termination points).

7. The prohibitions and restrictions imposed by this Order shall be in addition to and not in derogation from any restrictions or requirements imposed by any regulations made or made under the Act of 1984 or by or under any other enactment.

This Order may be cited as 'The Borough of Christchurch (Various Roads and Parking Places) (Consolidation of Orders Made for Waiting and On Street Parking Places) Order 2013 (Amendment Order No. - 201'), Various Roads, Christchurch – Prohibition and Restriction of Waiting' and shall come into operation on the day of 201'

Dated this day of 201'

Executed as a Deed and the Common Seal
of the Dorset County Council was affixed
hereunto in the presence of:-

Authorised signatory

SCHEDULE 1.01

NO WAITING AT ANY TIME

Location	Description
Christchurch, Airport Service Road	On the western side, from its junction with Parley Lane in a northerly direction for a distance of 17 metres
Christchurch, Airport Service Road	On the eastern side, from its junction with Parley Lane in a northerly direction for a distance of 20 metres
Christchurch, Hurn Court Lane	On both sides, from its junction with Parley Lane in a southerly direction for a distance of 193 metres
Christchurch, Mill Lane	On the western side, from its junction with Parley Lane in a southerly direction for a distance of 11 metres
Christchurch, Parley Lane	On the north-eastern side, from its junction with the Airport Service Road in a south-easterly direction to its junction with Pussex Lane
Christchurch, Parley Lane	On the south-western side, from its junction with Hurn Court Lane in a south-easterly direction to its junction with Mill Lane
Christchurch, Pussex Lane	On the western side, from its junction with Parley Lane in a northerly direction for a distance of 8 metres

SCHEDULE 7.01

NO LOADING OR UNLOADING AT ANY TIME

Location	Description
Christchurch, Airport Service Road	On the western side, from its junction with Parley Lane in a northerly direction for a distance of 17 metres
Christchurch, Airport Service Road	On the eastern side, from its junction with Parley Lane in a northerly direction for a distance of 20 metres
Christchurch, Hurn Court Lane	On both sides, from its junction with Parley Lane in a southerly direction for a distance of 193 metres
Christchurch, Parley Lane	On both sides, from a point 298 metres