

NORTH ESSEX PARKING PARTNERSHIP

(TRIPTON ROAD AND WESTFIELD, HARLOW, ESSEX)
(RESTRICTION OF WAITING) (ON STREET) ORDER 2012

NOTICE OF INTENTION

Colchester Borough Council acting on behalf of the North Essex Parking Partnership in exercise of the delegated powers of the traffic authority Essex County Council granted under an agreement dated 31 March 2011 proposes to make the above order under sections 1(1), 2 (1) to (3), 4(1), 4(2), 32, 35,45,46,49 and 53 and parts III and IV of schedule 9 of the Road Traffic Regulation Act 1984.

Essex County Council in the district of Harlow (Tipton Road and Westfield, Harlow, Essex) (Restriction Of Waiting) (On Street) Order 2012

Effect of this Order

To introduce restricted waiting to the following Roads.

Road	Description
Tipton Road and Westfield	(No waiting; Monday to Friday; 10am to 11.30am) (No waiting; Monday to Friday; 1.30pm to 3.00pm) West side of Tipton Road – From a point 33.6m north of the northern line of 1 Westfield southwards to a point 9.1m north of the northern building line of 31 Westfield. East side of Tipton Road – From a point 29m north of the northern building line of 1 Westfield southwards to a point 9.1m north of the northern building line of 31 Westfield.
Tipton Road and Westfield	(No waiting; Monday to Friday; 10am to 11.30am) (No waiting; Monday to Friday; 1.30pm to 3.00pm) Westfield – both sides of the Westfield estate road serving 9-30 Westfield, east from the eastern kerb line of Tipton Road.

A copy of the proposed Order and associated schedule and plans showing the specified lengths of road is available for inspection at the Civic Centre, Water Gardens Harlow CM20 1WG and Chelmsford Library, Market Road, Chelmsford CM1 1LH during normal officer hours. Copies can be acquired on payment at photocopying charges.

Any objections to the proposed Order should be made in writing, stating the ground on which they are made to **Notice of Intention Tipton Road/Westfield Harlow, North Essex Parking Partnership, PO Box 5575, Colchester, CO1 9LY** or by e-mail to **parking@colchester.gov.uk** by no later than 14 December 2012.

Dated: 22 November 2012

Richard Walker
Parking Partnership Group Manager
North Essex Parking Partnership
Rowan House
Sheepen Road
Colchester
Essex
CO3 3WG

NORTH ESSEX PARKING PARTNERSHIP
(TRIPTON ROAD AND WESTFIELD, HARLOW, ESSEX)
(RESTRICTION OF WAITING) (ON STREET) ORDER 2012

Colchester Borough Council acting on behalf of the North Essex Parking Partnership in exercise of the delegated powers of the traffic authority Essex County Council granted under an agreement dated 31 March 2011 proposes to make the above order under sections 1(1), 2 (1) to (3), 4(1), 4(2), 32, 35,45,46,49 and 53 and parts III and IV of schedule 9 of the Road Traffic Regulation Act 1984.

1. This Order may be cited as Essex County Council in the district of Harlow (Tipton Road and Westfield, Harlow, Essex) (Restriction of Waiting) (On Street) Order 2012 and shall come into operation on XX XXX 2012.

2. In this Order –

“hackney carriage” means a hackney carriage as defined in Section 38 of the Town Police Clauses Act 1847;

“authorised cab rank” means any area of carriageway which is comprised within and indicated by a road marking complying with diagram 1028.2 in Schedule 6 to the Traffic Signs Regulations and General Directions 1994;

“authorised parking place” means any parking place on a road authorised or designated by an order made or having effect as if made under the Act;

“disabled person’s vehicle” has the same meaning as in the Local Authorities’ Traffic Orders (Exemptions for Disabled Persons) (England and Wales) Regulations 2000;

“disabled person’s badge” has the same meaning as in the Disabled Persons (Badges for Motor Vehicles) Regulations 2000;

“parking disc” means a disc issued by a local authority, 125 millimetres square, coloured orange, and capable of showing the quarter hour period during which a period of waiting begins; and

“relevant position” means

(1) A vehicle displays a disabled person’s badge issued before 2 March 1992 in the relevant position if

(a) in the case of a vehicle fitted with a front windscreen, the badge is exhibited thereon on the near side of and

immediately behind the windscreen and with its front facing forward so as to be legible from outside the vehicle; or

- (b) in the case of a vehicle not fitted with a front windscreen, the badge is exhibited in a conspicuous position on the vehicle.
- (2) A vehicle displays a disabled person's badge issued on or after 2 March 1992 in the relevant position if –
- (a) in the case of a vehicle fitted with a dashboard or fascia panel, the badge is exhibited thereon so that Part 1 of the badge is legible from outside the vehicle; or
 - (b) in the case of a vehicle not fitted with a dashboard or fascia panel, the badge is exhibited in a conspicuous position on the vehicle so that Part 1 of the badge is legible from outside the vehicle.
- (3) 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.

"timing Point" means a recognised timing point which is the location where a public service vehicle may wait to ensure adherence to a published timetable or local service registration, and includes departures and terminal points, provided that the location has been approved in writing by the Chief Constable and the Highway Authority.

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 of a traffic warden, cause or permit any vehicle to wait in the lengths of road or on the sides of road specified, during the periods specified, in the Schedules to this Order.
4. (1) Nothing in Article 3 of this Order shall render it unlawful to cause or permit any vehicle to wait in the lengths of road or on the sides of road specified 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 sides of road; and
 - (iv) the laying, erection, alteration or repair in or on land adjacent to the said lengths or sides of road of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity or of any telegraphic line;
 - (c) the vehicle, if it cannot conveniently be used for such purposes in any other road, to be used in the service of a local authority or of a water authority in pursuance of statutory powers or duties;
 - (d) the vehicle to be used for the purposes of delivering or collecting postal packets as defined in Section 125(1) of the Postal Services Act 2000;
 - (e) the vehicle to take in petrol, oil, water or air from any garage situated on or adjacent to the said lengths or sides of road; or
 - (f) to enable the vehicle to be used for fire brigade, ambulance or police purposes.
- (2) Nothing in Article 3 of this Order shall render it unlawful to cause or permit any vehicle to wait for so long as may be necessary for the purposes of enabling goods to be loaded on or unloaded from the vehicle in any of the sides of road specified this Order.
- (3) Nothing in Article 3 of this Order shall render it unlawful to cause or permit any vehicle -
- (a) to wait upon an authorised parking place, or
 - (b) being a hackney carriage, to wait upon an authorised cab rank

- (4) Nothing in Article 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 on the lengths of road or sides of road referred to in this Order for a period not exceeding 3 hours (not being a period separated by an interval of less than 1 hour from a previous period of waiting by the same vehicle on the same length or side of road).
 - (5) Nothing in Article 3 of this Order shall render it unlawful for the driver of a public service vehicle to cause that vehicle to wait at a recognised timing point.
5. The restrictions imposed by this Order shall be in addition to and not in derogation of any restriction or requirement imposed by any regulations made or having effect as if made under the Act or by or under any other enactment.

Sealed with the Common Seal of the Colchester Borough Council this XX day of XXX, Two thousand and XX.

THE COMMON SEAL of the Colchester Borough Council
Was hereunto affixed in the presence of:-

Authorised Officer

SCHEDULE 1

(No waiting; Monday to Friday; 10am to 11.30am)

SCHEDULE 2

(No waiting; Monday to Friday; 1.30pm to 3.00pm)

STATEMENT OF REASONS

This Order is required to address vehicular parking in Tripton Road and Westfield that is causing environmental and safety problems for residents. This area also forms part of a priority bus route for the town therefore The Partnership intends to introduce restrictions of waiting.