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Proposed Revision - Wych Elm  
 Harlow  
 Essex



SCALE	1 : 1250
DATE	04/04/2012
DRAWING No.	TRO4410-015
DRAWN BY	MS





Proposed ON STREET TRO  
Wych Elm - Limited Waiting

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SCALE	1 : 1250
DATE	16/11/2011
DRAWING No.	TRO4410-010
DRAWN BY	MS



## NORTH ESSEX PARKING PARTNERSHIP

### (WYCH ELM, HARLOW, ESSEX) (REVISION TO WAITING, LOADING AND UNLOADING) (REVOKE AND REPLACE WITH LIMITED 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 (Wych Elm Harlow Essex) (Revision to waiting, loading and unloading) (revoke and replace with limited waiting) (On Street) Order 2012

#### **Effect of this Order**

To amend and introduce parking and waiting restrictions.

<b>Road</b>	<b>Description</b>
Wych Elm	South side of the exit service road for the Wych Elm estate – from a point 11.6 metres south west of the eastern building line of the Wych Elm multi-storey car park south-westwards to a point 52.4 metres south west of the eastern building line of the Wych Elm multi-storey car park - revoke the existing limited waiting bay and replace it with No Waiting 8am – 8pm Monday to Saturday restriction
Wych Elm	North side of the exit service road for Wych Elm estate – from a point 4.7 metres north east of the eastern building line of the Wych Elm multi-storey car park north-eastwards to a point 55.3 metres south west of the eastern building line of the Wych Elm multi-storey car park - introduce limited waiting between 9am and 6pm with no return within 1 hour Monday to Saturday and revoke that part of the No Waiting restriction where it overlaps with the introduced limited waiting bay.

A copy of the proposed Order and associated schedule and plans (TRO4410-005 and TRO4410-010) is available for inspection at the Civic Centre, Water Gardens College Square Harlow CM20 1WG and Chelmsford Library, Market Road, Chelmsford, CM1 1LH during normal office 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, Wych Elm Permit Holders, North Essex Parking Partnership, PO Box 5575, Colchester, CO1 9LY** or by e-mail to [parking@colchester.gov.uk](mailto:parking@colchester.gov.uk) by no later than 14 December 2012.

**NORTH ESSEX PARKING PARTNERSHIP**  
**(WYCH ELM, HARLOW, ESSEX)**  
**(REVISION TO WAITING, LOADING AND UNLOADING) (REVOKE AND**  
**REPLACE WITH LIMITED 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 (Wych Elm, Harlow) (Revision to waiting, loading and unloading) (revoke and replace with limited waiting) (On street) Order 2012 and shall come into operation on xxxxxxxxxxxx

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 6 of this Order, no person shall, except upon the direction or with the permission of a police constable in uniform, cause or permit any vehicle to wait in the lengths of road or on the sides of road as specified in Schedule 1 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, cause or permit any vehicle to wait in the lengths of road or on the sides of road as specified in Schedule 2 to this Order.
5. 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 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 Schedule 3 to this Order.

6. (1) Nothing in Articles 3 & 4 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 in Schedule 1 or Schedule 3 to 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 or 5 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 Schedule 1 or Schedule 3 to 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.
7. 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 Colchester Borough Council this xxxx day of xxxxx, Two thousand and Twelve.

THE COMMON SEAL of the                    )  
COLCHESTER BOROUGH COUNCIL was        )  
hereunto affixed in the presence of:-        )

Authorised Officer

## **NORTH ESSEX PARKING PARTNERSHIP**

**(WYCH ELM, HARLOW, ESSEX)**

**(REVISION TO WAITING, LOADING AND UNLOADING) (REVOKE AND REPLACE WITH LIMITED WAITING) (ON STREET) ORDER 2012**

### **SCHEDULE 1**

On the south side of the exit service road for the Wych Elm estate – revoke the existing limited waiting bay and replace it with No Waiting restriction (single yellow line to be painted).

### **SCHEDULE 2**

North side of the road – introduce limited waiting bay and revoke that part of the No Waiting restriction where it overlaps with the introduced limited waiting bay. (single yellow line to be removed).

### **STATEMENT OF REASONS**

This Order is required to address vehicular parking in Wych Elm which has led to safety problems on the highway therefore North Essex Parking Partnership intends to introduce this revision to waiting, loading and unloading.