

NORTH ESSEX PARKING PARTNERSHIP

(WATER LANE HARLOW, ESSEX) **(INTRODUCTION OF WAITING RESTRICTION) (ON STREET) ORDER 2018**

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 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 (“the Act”) 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. This Order may be cited as Essex County Council in the Harlow District of (Water Lane Harlow, Essex) (Introduction of Waiting restriction) (On Street) Order 2018 and shall come into operation on XXXX XX XXXX in the year Two Thousand and Eighteen.
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 2016;
 - “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 and capable of showing the quarter hour period during which a period of waiting begins; and
 - “relevant position” means
 - (1) (1) 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 facia 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 facia 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.

- (2) A vehicle displays a parking disc in the relevant position if –
- (a) in the case of a vehicle fitted with a dashboard or facia 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 4 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 wait in the lengths of road or on the sides of road specified, during the periods specified, in Schedule A to this Order.
4. (1) Nothing in Articles 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 -
 - (a) to wait upon an authorised parking place, or
 - (b) being a hackney carriage, to wait upon an authorised cab rank
- (3) 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 Colchester Borough Council this XXXX XXXX XXXX

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

Authorised Officer

NORTH ESSEX PARKING PARTNERSHIP

(WATER LANE HARLOW, ESSEX)

(INTRODUCTION OF WAITING RESTRICTION) (ON STREET) ORDER 2018

SCHEDULE	Order Drawing reference used in consultation	Parkmap Tile Number (s)	STATEMENT OF REASONS
A. North side Layby. Approximately 93 metres north-easterly from an intersection point of Water Lane and Parndon Brook for a distance of 115 metres in north-easterly direction.	TRO5420-035	TL425077	a) The proposals are required to reduce the probability of road traffic incidents. b) Enhance the lines of sight in the local street scene for vulnerable road users, children, pedestrians and drivers alike. c) In the interest of public safety to ensure that emergency services have unimpeded access to residential areas. d) To effectively manage the classes of vehicles parked in certain areas.