



Suffolk County Council

Appendix A

Memorandum

**Scrutiny and Monitoring
- Legal Services**

Your reference:: ETC-03218-E71
Our reference: 27912/ST/JC
Please ask for: Sheina Thurston
E-mail: sheina.thurston@suffolk.gov.uk
Ext: 4189
Date: 15 March 2011
From: Sheina Thurston

To: KAREN SMITH – Economy, Skills & Environment

SUFFOLK COUNTY COUNCIL (PARISH OF IXWORTH) (HIGH STREET) (ON-STREET PARKING PLACE) ORDER 201-

I attach for your information a copy of the above draft order and the statement of reasons for making the order, along with copies of the notice of intention that will shortly be published in the local press.

Please arrange for copies of the notice to be displayed at the ends of the length(s) of road in question and at intermediate points if appropriate. They should be posted by 25 March 2011 and remain in position until 15 April 2011.

S. Thurston

**SUFFOLK COUNTY COUNCIL (PARISH OF IXWORTH) (C642 HIGH STREET)
(ON-STREET PARKING PLACE) ORDER 201-**

Suffolk County Council in exercise of its powers under Section 35 of the Road Traffic Regulation Act 1984, as amended, (which said Act of 1984 is hereinafter referred to as 'the Act of 1984') and of all other enabling powers, after consultation with the Chief Officer of Police in accordance with Part III of Schedule 9 to the Act of 1984, hereby makes the following Order:

PART 1: INTERPRETATION

1. (1) In this Order:

'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;

'parking place' means any part of a road authorised by this Order to be used as a parking place;

'disabled person's vehicle' has the same meaning as in Section 142 of the Act of 1984;

'disabled person's badge' has the same meaning as in Regulation 2(1) of the Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000; and

'parking disc' means a device that:

- (a) is 125 millimetres square and coloured blue;
- (b) has been issued by a local authority and has not ceased to be valid;
- (c) is capable of showing the quarter-hour period during which a period of waiting has begun.

(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) the badge is exhibited on the dashboard or fascia of the vehicle; or
 - (ii) 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 the outside of the vehicle;
- (b) a parking disc in the relevant position when:
 - (i) the disc is exhibited on the dashboard or fascia of the vehicle; or
 - (ii) where the vehicle is not fitted with 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.

2. Except where otherwise stated, any reference in this Order to a numbered Article or to the Schedule is a reference to the Article bearing that number or to the Schedule in this Order.
3. The restrictions, prohibitions and requirements imposed by this Order are in addition to and not in derogation of any restriction, prohibition or requirement imposed by any other enactment and any exception or exemption to the provisions of this Order is without prejudice to the provisions of any other enactment.

PART 2: AUTHORISATION AND USE OF PARKING PLACE

4. (1) The part of road specified in Column 1 of Schedule 2 is authorised to be used, subject to the following provisions of this Order, as a parking place ('the parking place') for such class of vehicles, in such positions and on such days and during such hours as are specified in relation to that part of road in the said Schedule.
 - (2) Nothing in sub-paragraph (1) of this Article shall restrict the power of the Council, for preventing obstruction of the streets, by order on the occasion of any public processions, rejoicing or illuminations, or where the streets are thronged or liable to be obstructed, to close the parking place.
5. Where in the Schedule a parking place is described as available for vehicles of a specified class or in a specified position, the driver of a vehicle shall not permit it to wait in that parking place unless it is of the class and in the position so specified.
6. (1) The driver of a vehicle shall not permit it to wait in the parking place for longer than 3 hours between the hours of 8.00 a.m. and 6.00 p.m. on any day other than a Sunday; and
 - (2) When a vehicle has left the parking place after waiting thereon the driver thereof shall not within 3 hours after its leaving permit it to wait upon the parking place, if the original period of waiting was between the hours of 8.00 a.m. and 6.00 p.m. on any day other than a Sunday .
7. (1) No person shall use a vehicle, while it is in the parking place, in connection with the sale of any article to persons in or near the parking place or in connection with the selling or offering for hire of his skill or services.
 - (2) No person shall use any part of the parking place or any vehicle left in the parking place:
 - (a) for overnight sleeping;
 - (b) for camping or cooking; or
 - (c) for the purpose of servicing or washing any vehicle or part thereof other than is reasonably necessary to enable that vehicle to depart from the parking place.
8. A driver of a vehicle shall not use the parking place:
 - (1) so as unreasonably to prevent access to any premises adjoining the road, or the use of the road by other persons, or so as to be a nuisance; or
 - (2) when for preventing obstruction of the streets the Council shall by order made on the occasion of any public procession, rejoicing or illumination or when the

streets are thronged or liable to be obstructed have closed the parking place and exhibited a notice of such closing on or near the parking place.

9. The driver of a motor vehicle using the parking place shall stop the engine as soon as the vehicle is in position in the parking place, and shall not start the engine except when about to change the position of the vehicle in or to depart from the parking place.
10. When a vehicle is left in a parking place in contravention of the provision of Article 5, a person authorised in that behalf by the Council may alter or cause to be altered the position of the vehicle in order that its position shall comply with that provision.
11. When a vehicle is left in the parking place in contravention of the provision of Article 6, a person authorised in that behalf by the Council may remove the vehicle or arrange for it to be removed from the parking place.
12. For the purpose of meeting the requirements of an emergency, a person authorised in that behalf by the Council or a police constable in uniform may alter or cause to be altered the position of a vehicle in the parking place or remove or arrange for the removal of a vehicle from the parking place.
13. Any person removing a vehicle or altering its position by virtue of Articles 10, 11 or 12 may do so by towing or driving the vehicle or in such other manner as they may think necessary and may take such measures in relation to the vehicle as they may think necessary to enable them to remove it or alter its position, as the case may be.
14. When a person authorised by the Council removes or makes arrangements for the removal of a vehicle from a parking place by virtue of Articles 10, 11 or 12 they shall make arrangements as may be reasonably necessary for the safe custody of the vehicle.

PART 3: CITATION

15. This Order may be cited as the Suffolk County Council (Parish of Ixworth) (C642 High Street) (Disabled Persons' Parking Place) Order 201- and shall come into operation on.

Date:

The COMMON SEAL of SUFFOLK)
COUNTY COUNCIL was affixed)
in the presence of:)

(An authorised Officer of the Council

SCHEDULE

Disabled Persons' Parking Place

Part of road authorised to be used as parking place 1	Position in which vehicles may wait 2	Classes of vehicle 3	Days of operation of parking place 4	Hours of operation of parking place
<p>High Street (C642): North West Side</p> <p>From a point 20 metres south of the centre of its junction with Commister Lane in a southerly direction for a distance of 6 metres; being a width of 2.4 metres measured from the north western kerb.</p>	<p>Parallel to the kerb</p>	<p>All vehicles: blue badge-holders only 8.00 a.m. - 6.00 p.m. Monday - Saturday</p>	<p>All days</p>	<p>24 hours: waiting limited to 3 hours for blue badge-holders only 8.00 a.m. - 6.00 p.m. Monday - Saturday (no return within 3 hours)</p>

**SUFFOLK COUNTY COUNCIL (PARISH OF IXWORTH) (HIGH STREET)
(DISABLED PERSONS' PARKING PLACE) ORDER 201-**

Statement of Reasons

Disabled drivers are currently parking on the existing yellow lines outside the Post Office in High Street, which is obscuring visibility for drivers emerging from Commister Lane. To improve safety at the junction it is proposed to provide a disabled persons' parking place during opening hours, close to the Post office but away from the road junction.

**SUFFOLK COUNTY COUNCIL (PARISH OF IXWORTH) (HIGH STREET)
(ON-STREET PARKING PLACE) ORDER 201-**

Suffolk County Council proposes to make the above order under Section 35 of the Road Traffic Regulation Act 1984, as amended, which will provide a parking place in High Street, Ixworth, opposite No. 36. This will operate as 3-hour limited waiting for blue-badge holders only 8.00 a.m. - 6.00 p.m. Monday - Saturday (no return within 3 hours) and will otherwise be available for all vehicles.

A copy of the order, a map showing the location of the parking place and the Council's reasons for the proposal, may be inspected at my office at the address below, 9:00 a.m. - 5:00 p.m. Monday - Friday; also at Ixworth Library, Ixworth Village Hall, High Street, 10:30 a.m. - 12:30 p.m. and 2:00 p.m. - 4:00 p.m. Tuesday; 5:30 p.m. - 7:30 p.m. Wednesday; 10:30 a.m. - 12:30 p.m. and 2:00 p.m. - 5:30 p.m. Thursday; 10:30 a.m. - 12:30 p.m. and 1:30 p.m. - 5:30 p.m. Friday; 10:30 a.m. - 1:00 p.m. Saturday; and 11:00 a.m. - 4:00 p.m. Sunday.

Objections to the proposals and any other representations, specifying the grounds on which they are made, must reach Heather Miller (Legal Services) at the address below not later than 15 April 2011. Please bear in mind that any such correspondence cannot be regarded as confidential and may be inspected by any interested party.

Date: 25 March 2011

DAVID WHITE
Head of Legal Services

Suffolk County Council
Endeavour House
8 Russell Road
Ipswich IP1 2BX