

Appendix A

SUFFOLK COUNTY COUNCIL (PARISH OF CLARE) (VARIOUS ROADS) (PROHIBITION AND RESTRICTION OF WAITING, ON-STREET PARKING PLACE AND REVOCATION) ORDER 201-

Suffolk County Council ('the Council') in exercise of its powers under Sections 1(1) and (2), 2(1) to (3), 4(2) and 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:

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

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

'goods vehicle' has the same meaning as in Section 138(3) of the Act of 1984;

'light goods vehicle' means a goods vehicle with an operating weight (as defined in Section 138(2) of the Act of 1984) not exceeding 3.5 tonnes.

'driver' in relation to a vehicle waiting in a parking place means the person driving or vehicle drawing a trailer or caravan, constructed or adapted solely for the carriage of not more than 12 passengers (excluding the driver of the vehicle) and their effects.

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

'parking bay' means any area of a parking place that is provided for the leaving of a vehicle and indicated by markings on the surface of the parking place.

(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 dashboard or fascia panel the badge is exhibited thereon so that Part I of the badge is legible from outside the vehicle; and

(ii) 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 I of the badge is legible from outside the vehicle;

(b) a parking disc in the relevant position when:

(i) 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; and

(ii) 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.

(3) Except where otherwise stated, 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 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

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provisions of this Order is without prejudice to the provisions of any other enactment.

PART 2: WAITING RESTRICTIONS

3. Except as provided in Article 4 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 at any time on the sides of road specified under Type 1 in Schedule 1.
4. (1) Nothing in Article 3 shall make it unlawful to cause or permit any vehicle to wait on the sides of road 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 or unloaded from the vehicle;
 - (c) the vehicle, if it cannot conveniently be used for such a 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 sides of road; or
 - (iv) the laying, erection, alteration or repair in or on land adjacent to the said sides of road of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity or of any telecommunications system as defined in the Telecommunications Act 1984;
 - (d) 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.
- (2) Nothing in Article 3 shall make 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 sides of road 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 on the same side of road on the same day).
5. Except as provided in Article 6 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 between the hours of 8:00 a.m. and 6:00 p.m. on any day other than a Sunday on the sides of road specified under Type 28 in Schedule 1:
 - (a) for a period of longer than 1 hour; or
 - (b) if a period of less than 2 hours have elapsed since the termination during the said hours of the last period of waiting (if any) by that vehicle on the same side of road.
6. (1) Nothing in Article 5 shall make it unlawful to cause or permit any vehicle to wait on the sides of road 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 or unloaded from the vehicle;
 - (c) the vehicle, if it cannot conveniently be used for such a purpose in any other road, to be used in connection with any of the following operations, namely:

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- (i) building, industrial or demolition operations;
 - (ii) the removal of any obstruction to traffic;
 - (iii) the maintenance, improvement or reconstruction of the said sides of road;
or
 - (iv) the laying, erection, alteration or repair in or on land adjacent to the said sides of road of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity or of any telecommunications system as defined in the Telecommunications Act 1984;
- (d) 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.
- (2) Nothing in Article 5 shall make it unlawful to cause or permit a disabled person's vehicle, which displays in the relevant position a disabled person's badge, to wait at any time on the sides of road referred to therein.

PART 3: AUTHORISATION AND USE OF PARKING PLACE

7. (1) The part of road specified in Column 1 of Schedule 2 and shown hatched on the attached plan is authorised to be used, subject to the following provisions of this Order, as a parking place ('the parking place') for such classes of vehicles, in such position, on such days, during such hours and for such purposes as are specified in relation to that part of road in the said Schedule.
- (2) The use of the parking place shall be limited to those parts of the parking place marked specifically as parking bays.
- (3) Nothing in 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.
8. Where in Schedule 2 the 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:
- (a) unless it is of the specified class; or
 - (b) in a position other than that specified.
9. Except as provided in Article 10, the driver of a vehicle shall not permit it to wait in the parking place between the hours of 8.00 a.m. and 6.00 p.m. on any day other than a Sunday:
- (a) for a period of longer than 1 hour; or
 - (b) if a period of less than 2 hours has elapsed since the termination during the said hours of the last period of waiting (if any) by that vehicle in that parking place.
10. Nothing in Article 9 shall make it unlawful for a disabled persons' vehicle, which displays in the relevant position a disabled person's badge, to wait at any time in the parking place.
11. A driver of a vehicle shall not use the parking place:
- (a) 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;

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- (b) 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.
12. 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.
13. (1) No person shall use a vehicle, while it is in a 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 a parking place or any vehicle left in a parking place:
- (a) for sleeping, camping or cooking; or
- (b) 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.
14. Subject to the proviso hereto, when a vehicle is left in the parking place in contravention of any of the provisions contained in Articles 8, 9 or 11, a person authorised in that behalf by the Council may remove the vehicle or arrange for it to be removed from the parking place: provided that when a vehicle is waiting in the parking place in contravention of the provision of Article 8 (b) of this order, 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.
15. 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.
16. Any person removing a vehicle or altering its position by virtue of Article 14 or 15 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.
17. When a person authorised by the Council removes or makes arrangements for the removal of a vehicle from the parking place by virtue of Article 14 or 15 they shall make arrangements as may be reasonably necessary for the safe custody of the vehicle.

PART 4: REVOCATION AND CITATION

18. The provisions of the County of West Suffolk (Various Roads, Clare) (Prohibition of Waiting) Order 1973, insofar as they relate to waiting restrictions on the length of road specified in Schedule 3, are hereby revoked.
19. The provisions of the Suffolk County Council (Parish of Clare) (Prohibition of Waiting and Parking Places) Order 1995, insofar as they relate to the parking place specified in Schedule 4, are hereby revoked.

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20. This Order may be cited as the Suffolk County Council (Parish of Clare) (Church Street, High Street, Snow Hill and Market Hill) (Prohibition and Restriction of Waiting, On-Street Parking Place and Revocation) 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)

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SCHEDULE 1

Waiting Restrictions

Type 1 : No Waiting At Any Time

Type 28: 1-Hour Limited Waiting 8.00 a.m. - 6.00 p.m. Monday - Saturday Inclusive (No Return Within 2 Hours)

ROAD	SIDE	DESCRIPTION	TYPE
Church Street (A1092)	West	From the centre of its junction with Cavendish Road in a southerly direction to the northern junction with Market Hill, a distance of 7 metres.	1
High Street (U7243)	East	From a point 14 metres north of its junction with Well Lane in a northerly direction to the southern property boundary on No. 30 High Street, a distance of 25 metres.	1
Malting Lane (U7238)	East	From a point 2 metres south of its junction with Nethergate Street in a southerly direction for a distance of 9 metres.	28
Market Hill (A1092)	North	(a) From its junction with Church Street in a westerly direction to the eastern boundary of No. 11 Market Hill, a distance of 7 metres.	1
		(b) From a point 7 metres west of its junction with Church Street in a westerly direction to a point 4 metres east of the centre of that junction, a distance of 15 metres.	28
		(c) From a point 22 metres west of its junction with Church Street in a westerly direction to the centre of that junction, a distance of approximately 4 metres.	1
Snow Hill (B1063)	North East	From a point 148 metres north-north-west of the centre of its junction with Hermitage Meadow in a north-north-westerly direction for a distance of 13 metres.	1

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SCHEDULE 2

Parking Place

Part of road authorised to be used as parking place 1	Position in which vehicles may wait 2	Classes of vehicles 3	Days and hours of operation of parking place 4	No. of parking bays 5
Market Hill: Area shown hatched on attached plan	Within marked bays	Private cars and light goods vehicles under 3.5 tonnes	All days; 24 hours: 1-hour limited waiting 8.00 a.m. - 6.00 p.m. Monday - Saturday (no return within 2 hours)	23

SCHEDULE 3

Revocation of Waiting Restriction (from Order cited in Article 18)

Type 6: No waiting 8.00 a.m. - 6.00 p.m. Monday - Saturday

ROAD	SIDE	DESCRIPTION	TYPE
High Street (U7243)	East	From a point 14 metres north of its junction with Well Lane in a northerly direction to the southern property boundary of No. 30 High Street, a distance of 25 metres.	6

SCHEDULE 4

Revocation of Parking Place (from Order cited in Article 19)

Part of road authorised to be used as parking place 1	Position in which vehicles may wait 2	Classes of vehicles 3	Days and hours of operation of parking place 4	No. of parking bays 5
Market Hill: Area shown hatched on attached plan	Within marked bays	Private cars and light goods vehicles under 3.5 tonnes	All days 24 hours: 2-hour limited waiting 8.00 a.m. - 6.00 p.m. Monday - Saturday (no return within 2 hours)	23

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SUFFOLK COUNTY COUNCIL (PARISH OF CLARE) (VARIOUS ROADS) (PROHIBITION AND RESTRICTION OF WAITING, ON-STREET PARKING PLACE AND REVOCATION) ORDER 201-

Statement of Reasons

It is proposed to:-

- Prohibit waiting at any time on a part of Snow Hill, the junction of Church Street and Market Hill (north) and a part of the High Street, near Well Lane.
- Limit waiting to 1 hour on the northern side of Market Hill.
- Change the existing 2-hour limited waiting on Market Hill to 1 hour.
- Change the 30-minute limited waiting area at the northern end of Malting Lane to 1 hour.

All existing limited waiting areas in the High Street will remain unchanged.

These proposals follow a parking study carried out by Clare Parish Council. The parking provisions are intended to encourage a turnover of vehicles in the central area of the parish and provide consistent 1-hour limited waiting throughout the village. The proposals for prohibiting waiting on new lengths of road are intended to enhance road safety at vulnerable junctions or passing places.