

THE BOROUGH OF READING

(GOSBROOK ROAD)

ORDER 2020

The Reading Borough Council (hereinafter referred to as “the Council”) in exercise of the powers conferred by Sections 1, 2, 4, 45, 46, 51 and 53 and Part IV of Schedule 9 to the Road Traffic Regulation Act 1984 (“the Act of 1984”), as amended and of all other powers thereunto enabling and after consultation with the Chief Officer of Police in accordance with Part III of Schedule 9 to the Act of 1984 and Part 6 of the Traffic Management Act 2004 (“the Act of 2004”), hereby make the following Order:-

PART I
CITATION AND INTERPRETATION

1. This Order may be cited as The Borough of Reading (Gosbrook Road) Order 2020 and shall come into operation on the === 2020.
2. In this Order, except where the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them:-

“ambulance” has the same meaning as in the Vehicle Excise and Registration Act 1994;

“authorised agent” means the parking services contractor appointed by and acting on behalf of the Council for the purposes of the supervision and enforcement of this Order;

“authorised cab rank” means an area of carriageway which is comprised within and indicated by road markings complying with diagram 1028.2 in Schedule 6 to the 2002 Regulations;

“authorised parking place” means any parking place on a road, authorised or designated by this Order;

“bus” has the same meaning as in Regulation 22 of the 2002 Regulations;

“carriageway” means a way constituting or comprised in a highway being a way (other than a cycle track) over which the public have a right of way for the passage of vehicles;

“civil enforcement officer” has the same meaning as in section 76 of the Act of 2004;

“disabled person's badge”, “disabled person's vehicle” and “parking disc” have the same meanings as in the Local Authorities Traffic Orders (Exemption for Disabled Persons) (England) Regulations 2000;

“doctor” means a ‘fully registered person’ as defined in section 55 of the Medical Act 1983;

“driver”, in relation to a vehicle waiting in a parking place or on a road or length of road, means the person driving the vehicle at the time it was left in that parking place

or road or length of road;

"goods" means goods or burden of any description and includes postal packets of any description;

"goods vehicle" means a motor vehicle which is constructed or adapted for use for the carriage of goods or burden of any description and which does not exceed 5.30 metres in length or 2.25 metres in height;

"hackney carriage" means a vehicle licensed under Section 37 of the Town Police Causes Act 1847, Section 6 of the Metropolitan Carriages Act 1869, or any similar enactment;

"loading" means the loading or unloading of goods to or from a vehicle;

"motorcycle" and "invalid carriage" have the same meanings as in Section 136 of the Road Traffic Act of 1984;

"owner", in relation to a vehicle, has the same meaning as in Section 92(1) of the Act of 2004 or the person who has the use of such a vehicle in the course of his/her employment and is entitled to use such a vehicle as though he/she were the registered keeper thereof;

"parking place" has the same meaning given by section 79(7) of the Act of 2004;

"passenger vehicle" means a motor vehicle (other than a motor cycle or invalid carriage) not exceeding 5.30 metres in length and 2.25 metres in height and constructed or adapted for the carriage of passengers and their effects;

"penalty charge" has the same meaning as in section 92(1) of the Act of 2004;

"penalty charge notice" has the same meaning as in section 8(1) of The Civil Enforcement of Parking Contraventions (England) General Regulations 2007;

"permit" means a permit issued under the provisions of PART V of this Order;

"permit holder" means a person to whom a permit has been issued;

"permitted hours" means 24 hours Monday to Sunday unless otherwise stated in Article 5 and Schedule 600 to this Order;

"relevant position" in respect of: -

- (a) a parking permit, means
 - (i) in the case of a vehicle fitted with a front windscreen, that the badge or permit is exhibited thereon with the front facing forward on the nearside of and immediately behind the windscreen; or
 - (ii) the case of a vehicle not fitted with a front windscreen, that the badge or permit is exhibited on the front or nearside of the vehicle;

- (b) a disabled person's badge, in accordance with Section 12 of The disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000;

"resident" means a person whose usual place of abode is at premises the postal address of which is in a road or part of a road specified in Schedule 3;

"specified position" a vehicle left in a parking place during the permitted hours in accordance with the foregoing provisions of this Order shall cause it so to stand so that every part of a vehicle is within the limits of a parking place.

"specified hours" means the hours shown at the commencement of a Schedule containing parking or unloading places;

"The 2002 Regulations" means the Traffic Signs Regulations and General Directions 2002.

- 3. The prohibitions imposed by this Order shall be in addition to and not in derogation of any restriction, prohibition or requirement imposed by any Regulations or Orders made or having effect as if made under the Act of 1984, or by or under any other enactment.
- 4. Save where the contrary is indicated, any reference in this Order to:-
 - (a) a numbered Article or Schedule is a reference to the Article or Schedule bearing that number in this Order;
 - (b) this Order or another Order shall be construed as such a reference to this Order or, as the case may be, such other Order, as the same may have been or may from time to time be amended, varied or supplemented;
 - (c) a Statute or Regulation shall be construed as reference to such Statute or Regulations as the same may have been, or may from time to time be amended or re-enacted.
 - (d) The requirements of any Article making reference to a numbered Schedule to this Order shall only have effect when a Schedule similarly numbered is appended to this Order.

PART II

WAITING AND LOADING OF VEHICLES

- 5. Save as provided in Articles 6 and 7 no person shall, except upon the direction or with the permission of a Police Constable in uniform or a civil enforcement officer, cause or permit any vehicle during each separately dated day to;
 - a) wait at any time on Mondays to Sundays inclusive in the lengths of roads specified in Schedule 1;
 - b) wait between the hours of 8.00 a.m. to 6.30 p.m. Monday to Saturday inclusive in the lengths of roads specified in Schedule 2 for a longer period than 2 hours or if a period of less than 2 hours has elapsed of waiting by the same vehicle in the same length of road;

6. Nothing in Article 5 shall apply to any vehicle waiting in the lengths of roads referred to therein for so long as it 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 roads;
 - (iv) the laying, erection, alteration or repair in or in land adjacent to the said lengths of roads of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity or of any telecommunications system;
 - (v) the service of a Local Authority or a Water Authority in pursuance of statutory powers or duties;
- (c) the vehicle to be used for the purpose of providing a postal service as defined in section 27 Postal Services Act 2011;
- (d) the vehicle to take in petrol, oil, water or air from any garage situated on or adjacent to the said lengths of roads;
- (e) the vehicle to wait at or near to any premises situated on or adjacent to the said lengths of roads for so long as such waiting by that vehicle is reasonably necessary in connection with any wedding or funeral;
- (f) the vehicle being used for fire brigade, ambulance or police purposes.

7. (1) Nothing in Article 5 shall apply:-

- (a) to any vehicle waiting for so long as may be necessary for the purpose of enabling goods to be loaded on or unloaded from the vehicle;
- (b) to a Disabled Person's Vehicle, displaying a Disabled Person's Badge in accordance with Section 12 of The Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000;

provided that such exemptions do not apply during the hours when loading restrictions are imposed by that Article.

(2) Nothing in Article 5 shall apply to any vehicle:-

- (a) waiting upon an authorised parking place; or

- (b) being a Hackney Carriage, waiting upon an authorised cab rank; or
- (c) waiting for so long as may be necessary to enable the vehicle to be used in the provision of a local service within the meaning of the Transport Act 1985.

**PART III
REVOCATIONS**

8. The following items contained within orders detailed below shall be revoked:

Borough of Reading (Civil Enforcement Area) (Waiting Restrictions Review A 2016) Order 2017

Schedule 1: Gosbrook Road South Side

Schedule 5: Gosbrook Road South Side

Schedule 8: Gosbrook Road South Side

THE COMMON SEAL of the READING)
BOROUGH COUNCIL was hereunto)
affixed this day of)
in the presence of:-)

Minute	Min TMS
Originator	CMS
Seal No.	/20
Checked	

Authorised Signatory

LIST OF SCHEDULES

Schedule 1: No Waiting At Any Time

Schedule 2: Waiting Limited to 2 hours, returns within 2 hours Mon - Sat 8.00 a.m. - 6.30 p.m.

Schedule 3: Address for the issue of resident permits

**SCHEDULE 1
NO WAITING/NO LOADING AT ANY TIME**

1. Gosbrook Road, South side

From a point 54m east of its junction with Patrick Road to a point 75m east of that junction.

2. Gosbrook Road, South side

From a point 40m east of its junction with Patrick Road to a point 45m east of that junction.

**SCHEDULE 2
WAITING LIMITED TO 2 HOURS, RETURN PROHIBITED WITHIN 2 HOURS MON-SAT 8AM-
6.30PM**

Gosbrook Road, South side

From a point 75m east of its junction with Patrick Road to a point 90m east of that junction.

**SCHEDULE 3
RESIDENTS' PERMIT HOLDERS ONLY - MONDAY TO SUNDAY - 24 HOURS**

Gosbrook Road, South side

From a point 15m east of its junction with Patrick Road to a point 34m east of that junction.

ROAD TRAFFIC REGULATION ACT 1984

BOROUGH OF READING

(GOSBROOK ROAD)

ORDER 2020

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Assistant Director of Legal and Democratic Services
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