

THE BOROUGH OF READING

(CIVIL ENFORCEMENT AREA)

(WAITING RESTRICTIONS REVIEW 2021A) ORDER 2021

The Reading Borough Council (hereinafter referred to as “the Council”) in exercise of the powers conferred by Sections 1(1), 2(1) to (3), 4(2), 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 (Civil Enforcement Area) (Waiting Restrictions Review 2021A) Order 2021 and shall come into operation on the *****.
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;

“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;

"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 Articles 17 to 25;

“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 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 the Schedule;

“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.

"telecommunication system" has the same meaning as in the Telecommunications Act 1984;

"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 wait at any time on Mondays to Sundays inclusive in the lengths of roads specified in Schedule 1; and
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;
 - (c) to a Disabled Person's Vehicle, displaying a Disabled Person's Badge in the relevant position, waiting on the lengths of roads specified in Schedules 2 and 3 during the specified limited waiting hours;
- 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

AUTHORISATION AND USE OF PARKING PLACES

8. (1) (1) The lengths of roads specified in Schedule 3 are authorised to be used:
- (a) as parking places for the parking during the permitted hours as are specified in the said Schedule, of a vehicle displaying in the relevant

position a valid Residents Parking Permit issued by the Council AND

- (b) for vehicles to wait between 9.00am and 5.30pm on Mondays to Sundays inclusive for a period of 2 hours excepting if a period of less than 2 hours has elapsed since the previous period of waiting by the same vehicle in the same length of road.

- (2) The lengths of roads specified in Schedule 2 are authorised to be used as parking places for the parking during the permitted hours and in such positions as are specified in the said Schedules, of a vehicle displaying in the relevant position a valid Residents Parking Permit issued by the Council.

- 9. Where in the Schedules a parking place is described as available for vehicles of a specific class or in a specified position, the driver of a vehicle shall not permit it to wait in the parking place unless it:-
 - (a) is of the specified class; or as the case may be -
 - (b) is in the specified position;
 - (c) displays a valid parking permit issued by the Council.
- 10. A driver of a vehicle shall not use a parking place:-
 - (a) so as to unreasonably prevent access to any premises adjoining the road, or the use of the road by any other person, or so as to be a nuisance;
 - (b) when a Police Constable in uniform, Civil Enforcement Officer or a or a person authorised by the Council has closed the parking place.
- 11. The driver of a motor vehicle using a 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, that parking place.
- 12. No person shall use a vehicle whilst 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.
- 13. When a vehicle is left in a parking place in contravention of the provisions of Articles 9(b), a Police Constable in uniform, Civil Enforcement Officer or a parking attendant or a person authorised by the Council to do so may alter or cause to be altered the position of the vehicle so that its position shall comply with that provision.
- 14. Any person altering the position of a vehicle by virtue of Article 15 may do so in such manner as he thinks necessary.
- 15. A Police Constable in uniform, Civil Enforcement Officer or a person authorised by the Council

to do so may, in case of emergency, or in contravention of Article 10, remove or cause to be removed to any place he thinks fit any vehicle left in a parking place.

16. Any person removing or causing to be removed a vehicle from a parking place in accordance with Article 15 shall provide for the safe custody of the vehicle.

PART IV
PERMITS

17. (1) Any resident or doctor, who is the owner of a vehicle of the following class, that is to say a passenger vehicle, a goods vehicle, a invalid carriage or a motorcycle may apply to the Council or an authorised agent for a permit for the parking of that vehicle in a parking place specified in paragraph (5) of this Article and any such application shall be made on a form issued by and obtainable from the Council or authorised agent and shall include the particulars and information required by such form to be supplied.
- (2) The Council or authorised agent may at any time require an applicant for a permit or a permit holder to produce to an officer of the Council or authorised agent such evidence in respect of an application for a permit as they may reasonably require to verify the particulars or information given to them or to verify that the permit is valid.
- (3) The Council or authorised agent upon being satisfied that the applicant is a resident who is the owner of a vehicle of the class specified in paragraph (1) of this Article, shall issue to the applicant a Residents Parking Permit for the leaving during the permitted hours in a parking place of the vehicle to which such permit relates, by the owner or by any person using such vehicle with the consent of the owner (other than a person to whom such vehicle has been let for hire and reward);
- (4) A resident shall not be entitled to be in possession of more than one permit at any one occasion.
- (5) A Residents Parking Permit shall only be a valid for use in a parking place specified in Schedules 2 and 3;
18. Notwithstanding the provisions contained in Article 17 the Council may also grant permits to such other persons as they may think fit.
19. (1) A permit holder, may surrender such permit to the Council or authorised agent at any time and shall surrender such permit to the Council or authorised agent on the occurrence of any one of the events set out in paragraph (3) of this Article.
- (2) The Council or authorised agent may, by notice in writing served on the permit holder at the address shown by that person on the application for the permit or at any other address believed to be that person's residence, withdraw a permit if it appears to the Council or authorised agent that any one of the events set out in paragraph (3) of this Article has occurred and the permit holder shall surrender the permit to the Council or authorised agent within 48 hours of the receipt of the aforementioned notice.

- (3) The events referred to in the foregoing provisions of this Article are:-
- (a) the permit holder ceasing to be a resident;
 - (b) the permit holder ceasing to be the owner of the vehicle in respect of which the permit was issued;
 - (c) the vehicle in respect of which such permit was issued being adapted or used in such a manner that it is not a vehicle of the class specified in Article 17(1);
 - (d) the issue of a duplicate permit by the Council under the provisions of Article 22;
 - (e) the expiry of the period for which the permit was issued;
 - (f) where a permit is issued to any person upon receipt of a cheque and the cheque is subsequently dishonoured, the permit shall cease to be of any effect;
20. Without prejudice to the provisions of Article 19, a permit shall cease to be valid at the expiration of the period specified thereon:-
- (a) which period, in the case of a Residents Permit, shall not exceed a period of twenty-three months from the end of the month during which it first became valid;
 - (b) or on the occurrence of any one of the events set out in paragraph (3) of Article 19, whichever is the earlier.
21. (1) If a permit is accidentally mutilated or defaced or the figures or particulars thereon have become illegible or the colour of the permit has become altered by fading or otherwise, the permit holder shall surrender it to the Council or authorised agent and apply to the Council or authorised agent for the issue to him of a duplicate permit, whereupon Council or authorised agent, shall issue a duplicate permit so marked and upon such issue the original permit shall become invalid.
- (2) If a permit is lost or destroyed, the permit holder may apply to the Council or authorised agent for the issue to him of a duplicate permit and the Council or authorised agent upon being satisfied as to such loss or destruction, shall issue a duplicate permit so marked and upon such issue the permit shall become invalid.
- (3) All the provisions of this Order shall apply to a duplicate permit to the same extent as they applied to the original permit.
22. A permit shall be in writing and shall include the following particulars:-
- (a) the registration mark of the vehicle in respect of which the permit has been issued;
 - (b) the period during which, subject to the provisions of Article 19, the permit shall remain valid;
 - (c) an authentication that the permit has been issued by the Council;

(d) a code indicating the parking area for which the permit is valid.

- 23. At all times during which a vehicle is left in a parking place specified in Schedules 2 or 3 during the permitted hours, there shall be displayed in the relevant position a permit issued in respect of that vehicle valid for parking place.
- 24. When a permit has been displayed in accordance with the provisions of Article 23, or where a penalty charge notice has been attached to the vehicle, no person other than a Police Constable in uniform, Civil Enforcement Officer or a parking attendant shall remove such permit or notice from the vehicle unless authorised to do so by the driver of that vehicle.
- 25. Notwithstanding the foregoing provisions of this Order, the Council may at its discretion issue a discretionary Notice allowing a specific vehicle to wait in a road or a parking place during the hours of operation of any restriction or prohibition to the contrary.

PART V
REVOCATIONS

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

BOROUGH OF READING (SOUTH WEST ZONE) (SPECIAL PARKING AREA)
(WAITING RESTRICTIONS AND PARKING PLACES) CONSOLIDATION ORDER 2007
SCHEDULE 99:

Item 43 Castle Hill, north side: From a point 10m west of its junction with Jesse Terrace to a point 30m west of that junction.

BOROUGH OF READING (HEMDEAN ZONE B) (SPECIAL PARKING AREA)
(WAITING RESTRICTIONS AND PARKING PLACES) CONSOLIDATION ORDER 2006
SCHEDULE 49:

Item 139 Cromwell Road, west side

BOROUGH OF READING (Civil Enforcement Area 12)
(WAITING RESTRICTIONS AND PARKING PLACES) ORDER 2014

Schedule 4:

Item 6 Star Road, east side

Item 7 Douglas Road

Item 46 Conwy Close

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

Minute	
Originator	PT

Seal No.	/21
Checked	

Authorised Signatory

LIST OF SCHEDULES

1. No Waiting At Any Time
2. Permit holders only - Monday to Sunday 24 hours
3. Shared Use Monday to Friday 9am - 5.30pm Permit holders Only or 2hrs No Return Within 2hrs;
at all other times Permit holders Only

Schedule 1: NO WAITING AT ANY TIME

Bevan Close (east-west section), north side

From its junction with Conwy Close to a point 5 metres east of its junction.

Bevan Close, (east-west section) south side

From its junction with Conwy Close to a point 39 metres east of that junction.

Bevan Close (north-south section) both sides

For its entire length

Castle hill, north side

From a point 10m west of its junction with Jesse Terrace to a point 15 metres west of that junction.

Chatham Place (service road) both sides

For its entire length

Conwy Close, both sides

For its entire length

Edenham Crescent, east side

From the boundary of no.37-39 to the boundary of no.56-58.

Ella Garrett Close, both sides

From its junction with Northumberland Avenue to a point 10 metres west of that junction.

Northumberland Ave, west side

From a point 10 metres north of its junction with Ella Garrett Close to a point 10 metres south of that junction.

Kingsbridge Road, north east side

From a point 19 metres north west of its junction with Chudleigh Gardens to a point 15 metres south east of that junction.

Kingsbridge Road, south west side

From a point 15 metres west of its junction with Chudleigh Gardens to a point 14 metres south east of that junction.

Chudleigh Gardens, both sides

From its junction with Kingsbridge Road to a point 10 metres north east of that junction.

Pierces Hill, southwest side

From a point 10 metres north west of its junction with Fern Glen to a point 10 metres south east of that junction

Fern Glen, both sides

From its junction with Pierces Hill to a point 10m south west of that junction.

Romany Close, southeast side

From a point 26 metres south of its junction with Romany Lane to a 39 metres south east of that junction.

Southcote Lane, southeast side

From its junction with Monks Way to a point 15 metres northeast of its junction.

Star Road, east side

From a point 20 metres north of its junction with Douglas Road to a point 20 metres south of that junction.

Douglas Road both sides

From its junction with Star Road to a point 10 metres east of that junction.

St Ronans Road, southwest side

From a point 10 metres northwest of its junction with Longridge Close to a point 10 metres southeast of that junction.

Longridge Close, both sides

From its junction with St Ronans Road to a point 10 metres southwest of that junction

Sun Street, south east side

From a point 32 metres south west of its junction with Cumberland Road to a point 36 metres south west of that junction.

Schedule 2: PERMIT HOLDERS ONLY - MONDAY TO SUNDAY 24 HOURS

Castle hill, north side

From a point 15 metres west of its junction with Jesse Terrace to a point 30 metres west of that junction.

Schedule 3: SHARED USE MONDAY TO FRIDAY 9AM - 5.30PM PERMIT HOLDERS ONLY OR 2HRS NO RETURN WITHIN 2HRS; AT ALL OTHER TIMES PERMIT HOLDERS ONLY

Cromwell Road, west side

From a point 11m south of its junction with Henley Road to a point 25 metres south of that junction.

Cromwell Road, west side

From a point 30 metres south of its junction with Henley Road to a point 6 metres north of its junction with Falkland Road

ROAD TRAFFIC REGULATION ACT 1984

BOROUGH OF READING

(CIVIL ENFORCEMENT AREA)

(WAITING RESTRICTIONS REVIEW A 2021A) ORDER 2021

M. Graham
Assistant Director of Legal and Democratic Services
Civic Offices
Bridge Street
Reading
RG1 2LU

Legal Ref: PT/017326