

**THE BOROUGH OF SOUTHEND-ON-SEA
(LONDON ROAD, SOUTHEND-ON-SEA)
(RESTRICTED PARKING ZONE) EXPERIMENTAL ORDER 2019**

ROAD TRAFFIC REGULATION ACT 1984

The Southend-on-Sea Borough Council, in exercise of its powers under Section 9 of the Road Traffic Regulation Act 1984 (“the 1984 Act”), as amended and Part 6 of the Traffic Management Act 2004 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 The Borough of Southend-on-Sea (London Road Southend-on-Sea) (Restricted Parking Zone) Experimental Order 2019.
2. In this Order, except where the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them:-

“civil enforcement officer” has the same meaning as in Section 76 of the Traffic Management Act 2004

“Council” means The Southend-on-Sea Borough Council;

“disabled person’s badge” has the same meaning as in the Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000

“disabled person’s vehicle” means a vehicle displaying a disabled person’s badge in accordance with Regulations 12, 14 and 16 of the Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000 S I 682;

“parking place” means an area of a highway designated by this Order for the waiting of vehicles of specific classes and indicated on a carriageway by markings in accordance with the Traffic Signs Regulations and General Directions 2002;

“driver”, in relation to a vehicle waiting in a parking bay or restricted parking zone, means the person driving the vehicle at the time it was left in the parking bay or restricted parking zone;

“goods” means goods of any kind whether animate or inanimate and includes postal packets of any description; and “delivering” and “collecting” in relation to any goods includes checking the goods for the purpose of their delivery or collection;

“Goods carrying vehicle” means a motor vehicle which is constructed or adapted for use for the carriage of goods or burden of any description and is not drawing a trailer;

“loading bay” means an area contained within the restricted parking zone indicated by contrasting surfacing or bay markings to show the position in which a goods vehicle may be parked for the purpose of loading and unloading goods, as shown on “restricted parking zone plans” and identified in the key to those plans.

“Motor-cycle” has the same meaning as that in the Road Vehicles (Construction and Use) Regulations 1986;

“Owner”, in relation to a vehicle, means the person by whom such vehicle is kept and used;

“parking disc” means a disc, issued by a local authority, complying with the requirements of the British Standard Specifications for Parking Discs (BS No. 4631:1970), coloured blue, and capable of showing the quarter hour period during which a period of waiting begins;

“parking bay” means an area contained within the restricted parking zone indicated by contrasting road surfacing or bay markings to show the position in which a vehicle or vehicle of a particular class may be parked as set out and shown in “restricted parking zone plan – Map Tile T17” and identified in the key to those plans.

“penalty charge” and “penalty charge notice” have the same meanings as in The Civil Enforcement of Parking Contraventions (England) General Regulations 2007

“restricted hours” means in relation to any restricted road the hours during which waiting is restricted as specified in the Schedule

“Restricted Parking Zone” or “RPZ” is an area as shown in “the restricted parking zone plans” and indicated in the key to those plans as area’s which all the streets are subject to waiting restrictions other than lengths of road where parking bays are designated, whether these parking bays bear road markings or not;

“Restricted Parking Zone Plans” are shown on Map Tile No. T17 inclusive of their Key’s, which are incorporated into this Order and as listed in Schedule 1.

3. No person shall cause any vehicle, except on the direction of or with the permission of, a civil enforcement officer or a Police Constable in uniform, to wait in the sections of the restricted parking zone where waiting is not allowed as identified and shown on and defined in the key to the "restricted parking zone plan and as described in the Schedule to this Order.
4. Nothing in Article 2 of this Order, shall render it unlawful to cause or permit any vehicle to wait in any of the lengths of road or on the sides of road specified therein for so long as may be necessary to enable:-
 - (a) 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 road, or
 - (iv) the laying, erection, alteration or repair in or on land adjacent to the said lengths 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;
 - (b) 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, or
 - (c) the vehicle to be used by a Universal Service Provider for the purposes of delivering or collecting postal packets as defined in the Postal Services Act 2000;
 - (d) 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 that vehicle, has marked the time at which the period began, to wait in the said lengths of road or side of road referred to in the said Articles 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 that same vehicle in the same length of road): or
 - (e) to enable the vehicle to be used for fire brigade, ambulance, police or coastguard/RNLI purposes.
5. The Experimental Order came into operation on .27th February 2019 and shall remain in operation unless extended until..19th July 2020

6. If a vehicle is left in any road or length of road in contravention of any provision of this Order, a penalty charge shall be payable
7. In accordance with Section 10(2) of the 1984 Act, and after consultation with the Chief Officer of Police, the Council's Deputy Chief Executive (Place) and/or Head of Planning and Transport shall be authorised to modify/suspend the operation of the Experimental Order or any provision of it.
8. The prohibitions imposed by this Order shall be in addition to and not in derogation from any restriction or requirement imposed by any regulations made or having effect as if made under the 1984 Act or by any other enactment.
9. The Interpretation Act 1978 shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.
10. Those items listed in Schedule 2 of this Order shall be temporarily suspended for the duration of the Experimental Order.

THE COMMON SEAL of the **SOUTHEND-ON-SEA**

BOROUGH COUNCIL was pursuant to a resolution

of the Council hereunto affixed this day

of February Two Thousand and Nineteen

in the presence of:-

Proper Officer of the Council

DRAFT

SCHEDULE 1 – Restricted Parking Zone

Name of Road	Plan	Description	Side of Road	Hours of Restriction
London Road	T17	All areas not marked out as parking bays or signed accordingly on site. From its junction with Queensway Roundabout to its easternmost point and from its junction with College Way southwards for 15m and including the dead-end section of Boston Avenue	Both	24 hours daily

SCHEDULE 2 – TEMPORARY REVOCATIONS

THE SOUTHEND-ON-SEA BOROUGH COUNCIL (VARIOUS ROADS) (STOPPING, WAITING, LOADING AND UNLOADING PROHIBITIONS AND RESTRICTIONS, PARKING PLACES AND PERMIT PARKING ZONES) (CONSOLIDATION) ORDER 2016

No Waiting at Any Time No Waiting at Any Time Item Nos. 108029, 107967,108008,107965,107984, 107986, 108025, 108134, 108132, 108023, 107990, 107988, 107989, 107982, & 107981