

**ROAD TRAFFIC REGULATIONS  
ACT 1984**

**WADEBRIDGE (OFF STREET  
PARKING PLACES) ORDER 2009**

## **WADEBRIDGE (OFF STREET PARKING PLACES) ORDER 2009**

The WADEBRIDGE TOWN COUNCIL (hereinafter referred to as 'the Council' in exercise of their powers under sections 35, 37 and 59 of (and part IV of Schedule 9 to) The Road Traffic Regulations Act 1984 (hereinafter referred to as 'The Act 1984') and of all other enabling powers and after consultation with the Chief Officer of Police in accordance with Part III of Schedule 9 of the Act of 1984 and with the consent of the Cornwall County Council given under Section 59 of the Act 1984, hereby make the following Order:-

### **Part 1 – GENERAL**

1. (1) This Order shall come into force on 1 June 2009 and may be cited as 'The Wadebridge (Off Street Parking Places) Order 2009'
- (2) The Wadebridge (Off Street Parking Places) Order 2008 is hereby revoked
2. (1) In this Order, except where the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them:-
  - '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:-
  - 'enactment' means any enactment whether public, general or local and includes any order, bylaw, rule, regulation, scheme or other instrument having effect by virtue of an enactment:-
  - 'owner' has the same meaning as in Section 111 and 142 of the Act 1984;
  - 'parking attendant' means a person authorised by or on behalf of the Council to supervise any parking place
  - 'parking place' means any area of land specified by name in Column 1 of the Schedule to this Order provided by the Council under Section 57 of the Act of 1984 for use as a parking place;
  - 'parking bay' means a space in a parking place which is provided for the leaving of a vehicle;
- (2) Any reference in this Order to any enactment shall be construed as a reference to that enactment as amended, applied, consolidated or re-enacted by or as having effect by virtue of, any subsequent enactment

## Part 11 – AUTHORISATION AND USE OF PARKING PLACES

3. Each area of land specified by name in column 1 of the Schedule to this Order may be used, subject to the following provisions of this Order, as a parking place for such classes of vehicles, in such position and on such days and during such hours and on payment of such charges as are specified in relation to that area in the schedule.
4. Where in the Schedule of this Order 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:-
  - (a) Unless it is of the specified class or
  - (b) in a position other than that specified
  - (c) in a bay set aside for disabled drivers unless in this class
5.
  - (1) The driver of a vehicle shall not permit it to wait in a parking place for longer than the maximum period permitted for waiting specified in the Schedule to this Order in relation to that parking place
  - (2) When a vehicle has left a parking place after waiting therein, the driver thereof shall not within 1 hour after its leaving permit it to wait again in that parking place
6.
  - (1) The driver of a vehicle using a parking place shall either on entering the parking place or on leaving a vehicle in the parking place, pay the appropriate charge in accordance with the Scale of Charges specified in Column 7 of the Schedule to this order
  - (2) The charge referred to in the last preceding paragraph shall be payable of leaving the vehicle in the parking place by the insertion of an appropriate coin or coins into the apparatus or device there provided or device having been specifically or generally approved by the Secretary of State for Transport for such purpose
  - (3) The driver of a vehicle shall attach any ticket issued on payment of the charge referred to in sub paragraph (2) of this Article in a conspicuous position on the vehicle in respect of which it was issued and shall cause the said ticket to be exhibited in that position at all times while the vehicle is parked in a parking place.
7. 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 the parking place.
8. No person shall without the prior written consent of the Council 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.
9. Subject to the proviso hereto, when a vehicle is left in a parking place in contravention of any of the provisions of Article 4, Article 5, Article 6 or Article 10 of this Order, 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 a parking place in contravention of the provision of Article 4(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.

10. The driver of a vehicle shall not permit that vehicle to wait in a parking place unless the vehicle is licensed in accordance with the provisions of Section 1 of the Vehicle (Excise) Act 1971 and unless there is in relation to the use of the vehicle by the driver such a policy of insurance as complies with the requirement of part VI of the Road Traffic Act 1972.
11. The driver of a motor vehicle using a parking place shall not sound any horn or other similar instrument except when about to change the position of the vehicle in or to depart from the parking place.
12. No person shall, except with the permission of any person duly authorised by the Council, drive any vehicle in a parking place other than for the purpose of leaving that vehicle in the parking place in accordance with the provisions of this Order or for the purpose of departing from the parking place.
13. No person shall in a parking place wantonly shout or otherwise make any loud noise to the disturbance or annoyance of users of the parking place or residents of premises in the neighbourhood.
14. No person shall in a parking place use any threatening, abusive or insulting language, gesture or conduct with the intent to put any person in fear or so as to occasion a breach of the peace or whereby a breach of the peace is likely to be occasioned.
15. No person shall, except with the consent of the Council, use any part of a parking place or any vehicle left in a parking place:-
  - (a) for sleeping or camping purposes
  - (b) for cooking purposes
  - (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; or
  - (d) parking of caravans or lorries
16. No person shall use a parking place as a means of passage proceeding from one road to another
17. Where in a parking place signs are erected or surface markings are laid for the purpose of:
  - (a) indicating the entrance to or exit from the parking place; or

- (b) indicating that a vehicle using the parking place shall proceed in a specified direction within the parking place

no person shall drive or cause or permit to be driven any vehicle:-

- (i) so that it enters the parking place otherwise than by an entrance or leaves the parking place otherwise than by an exit, so indicated, or
- (ii) in a direction other than specified, as the case may be.

18. In a parking place no person shall:

- (a) erect of cause or permit to be erected any tent, booth, stand, building or other structure, without the written consent of the Council;
- (c) light or cause or permit to be lit any fire

19. (1) Where the driver of a vehicle is alleged to have contravened any of the provisions of this Order the owner of the vehicle shall give any such information as to the identity of the driver as he may be required to give by or on behalf of the Council and;

- (2) any other person shall if required as aforesaid give any information it is in is power to give which may lead to the identification of the driver

20. Any person removing or altering the position of a vehicle by virtue of Article 9 of this Order may do so by towing or driving the vehicle or in such other manner as he may think necessary and may take such measures in relation to the vehicle as he may think necessary to enable him to remove it or alter its position, as the case may be.

21. When a person authorised by the Council removes or makes arrangements for the removal of a vehicle from a parking place by virtue of Article 9 of this Order, he shall make such arrangements as may be reasonably necessary for the safe custody of the vehicle.

**GIVEN** under the Seal of the Council this                      day of                      2009

**THE SEAL** of the  
Wadebridge Town Council  
was hereunto affixed in the  
presence of: