

Appendix C Draft order

BRIGHTON & HOVE CITY COUNCIL ROAD TRAFFIC REGULATION ACT 1984

BRIGHTON & HOVE (VARIOUS ROADS) (PROHIBITION OF STOPPING AND WAITING ON VERGES AND FOOTWAYS) ORDER 20**

Brighton & Hove City Council in exercise of its powers under Sections 1, 2, 3 and 4 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 after consultation with the Chief Officer of Police in accordance with Part III of Schedule 9 to the 1984 Act hereby makes the following Order.

Citation and Commencement

1. This Order shall come into operation on the day of 2013 and may be cited as the "Brighton & Hove (Various Roads) (Prohibition of Stopping and Waiting On Verges and Footways) Order 20**".

Interpretation

2. In this Order, except where the context otherwise requires, the following expressions have the meanings assigned to them:-

"carriageway" and "footway" have the same meaning as in section 329 of the Highways Act 1980;

"road" means the full width (including any footway or verge) of any length of highway or of any other road to which the public has access;

"undertaker" has the same meaning as in Section 48 (4) of the New Roads and Street Works Act 1991;

"verge" means any land forming part of a road that is not a carriageway or a footway.

Prohibition of Verge Parking

3. Save as provided in Article 4 of this Order, no person shall cause or permit any vehicle to stop or wait at any time with one or more wheels on any part of the verge or footway in those lengths of road specified in Schedule 1 to this Order.

General Exemptions from Prohibition

4. Article 3 of this Order shall not prevent any person from using causing or permitting a vehicle to park, stop or wait on a footway or verge in a road:
 - (a) to enable the vehicle (if it cannot reasonably be used for the same purpose in any other road) to be used in connection with any of the following operations in an emergency; building works, the removal of any obstruction to traffic, the maintenance, improvement or reconstruction of that road, or the laying, erection, alteration or repair in or adjacent to that road by an Undertaker of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity or any telecommunications apparatus.
 - (b) if the vehicle is being used in the course of an emergency for fire service, ambulance or police purposes or it is a vehicle in the service of a local authority being used in pursuance of its statutory powers or duties and that vehicle cannot reasonably be used for the same purpose in any other road.
 - (c) if the vehicle is waiting owing to the driver being prevented from proceeding by circumstances beyond his control or if he is required by law to stop or if such waiting is necessary in order to avoid an accident.
 - (d) if the vehicle is in the service of or employed by a provider of a postal service licensed by the Postal Services Commission pursuant to the provisions of the Postal Services Act 2000 and is waiting while Postal Packets addressed to premises adjacent to that road are being unloaded from the vehicle or having unloaded there from are being delivered or while postal packets are being collected from premises or posting boxes adjacent to that road or is in use in conjunction with the cleaning of telephone kiosks adjacent to that road provided that the vehicle cannot reasonably be used for such purpose in any other road and for as long as may be necessary in conjunction with these purposes.
 - (e) to enable the vehicle to take in petrol oil water or air from any garage situated on or adjacent to the road.
 - (f) if the vehicle is being used in connection with the posting or removing of advertising material in the form of posters on or from, or the cleaning of windows or chimneys in, premises adjacent to that road and cannot reasonably be used for such purposes in any other road.

SCHEDULE 1

Prohibition of Parking on Verge and Footway

Item	Road Name	Description
1	Chalky Road	From its junction with Mile Oak Road to its junction with Thornhill Rise.
2	Braybon Avenue	From its junction with Surrenden Road to its junction with Carden Avenue.
3	Drove Crescent	From its junction with Valley Road to its junction with Stonery Close.
4	Graham Avenue	From its junction with Chalky Road north-westwards to its junction with Graham Crescent.
5	Mile Oak Road	From its junction with Chalky Road to its junction with Stonery Road.
6	Surrenden Crescent	From its junction with London Road to its junction Surrenden Road.
7	Surrenden Road	From its junction with Preston Drove to its junction with Ditchling Road.
8	Valley Road	From its junction with Chalky Road to its junction with Drove Crescent (northern junction).
9	Varndean Road	From its junction with Surrenden Road to its junction with London Road.
10	Wickhurst Rise	From its junction with Chalky Road to its junction with Hillbank Close.
11	Wickhurst Road	From its junction with Valley Road southwards for 55 metres.

**MADE UNDER THE COMMON SEAL OF
BRIGHTON & HOVE CITY COUNCIL**

this day of 20

THE COMMON SEAL OF BRIGHTON & HOVE CITY
COUNCIL was affixed to this Order in the presence of

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Authorised Officer

