
STATUTORY INSTRUMENTS

1994 No. 1501

ROAD TRAFFIC

The Road Traffic (Special Parking Area) (London Borough of Waltham Forest) Order 1994

<i>Made</i>	- - - -	<i>6th June 1994</i>
<i>Laid before Parliament</i>		<i>13th June 1994</i>
<i>Coming into force</i>	- -	<i>4th July 1994</i>

Whereas the council of the London borough of Waltham Forest has applied to the Secretary of State for an order to be made under section 76 of the Road Traffic Act 1991⁽¹⁾ and the Secretary of State has consulted the Commissioner of Police of the Metropolis in accordance with section 76(2) of that Act:

NOW, the Secretary of State for Transport, in exercise of the powers conferred by section 76(1) and 77(6) of the Road Traffic Act 1991 and of all other powers enabling him in that behalf, hereby makes the following Order:—

Citation and commencement

1. This Order may be cited as the Road Traffic (Special Parking Area) (London Borough of Waltham Forest) Order 1994 and shall come into force on 4th July 1994.

Interpretation

2. In this Order—

“the 1984 Act” means the Road Traffic Regulation Act 1984⁽²⁾;

“the 1991 Act” means the Road Traffic Act 1991;

a reference in the Schedule to a number followed by the letter “m” is a reference to that number of metres; and

where a road referred to in the Schedule to this Order (“the main road”) is joined by another road (“the side road”), whether or not that other road is referred to in the Schedule, and the footway to the main road runs on either side of the mouth of the side road, the junction between

(1) 1991 c. 40.

(2) 1984 c. 27; section 55 is amended by paragraph 5 of Schedule 7 to the Road Traffic Act 1991. Section 101 is amended by section 67 and section 102 by section 68 of that Act. Both sections are affected by transitional provisions in the Road Traffic Act 1991 (Commencement No. 6 and Transitional Provisions) Order 1993 (S.I. 1993/1461, amended by S.I. 1993/2229) and in the Road Traffic Act 1991 (Commencement No. 11 and Transitional Provisions) Order 1994 (S.I. 1994/1482).

the two roads shall be taken to be an imaginary line drawn across the mouth of the side road between the respective ends of the back line of the footway to the main road on each side.

Designation of special parking area

3.—(1) The Secretary of State hereby designates the London borough of Waltham Forest except the roads named or described in the Schedule to this Order as a special parking area.

(2) A reference in the following provisions of this Order to the special parking area is a reference to the area designated by this article.

Modification of the Road Traffic Regulation Act 1984

4.—(1) Section 55 of the 1984 Act (financial provisions relating to designation orders) shall have effect in relation to the London borough of Waltham Forest as if—

(a) at the end of subsection (1) there were inserted the words “and of the income from additional parking charges (within the meaning of section 74(8) of the Road Traffic Act 1991) received by them in respect of vehicles found within the special parking area and the expenditure incurred by them in the discharge of functions exercisable by them in relation to the special parking area by virtue of Part II of the Road Traffic Act 1991”; and

(b) after subsection (1) there were inserted the following subsection:—

“(1A) In subsection (1) above, references to “the special parking area” are to the area designated as a special parking area by the Road Traffic (Special Parking Area) (London Borough of Waltham Forest) Order 1994.”

(2) Section 102(2) of the 1984 Act (charges for removal, storage and disposal of vehicles) shall have effect in relation to a vehicle found in the special parking area as if, in paragraph (d), for the words “a parking place” to the end there were substituted—

“(i) a parking place designated under section 6, 9 or 45 of this Act or otherwise provided or controlled by that authority, or

(ii) a place where the vehicle was stationary in circumstances in which an offence would have been committed in respect of the vehicle but for section 76(3) of the Road Traffic Act 1991,

as they may require.”

Modification of the Road Traffic Act 1991

5.—(1) Section 70 of the 1991 Act (exemptions from provisions relating to the immobilisation of vehicles in parking places) shall have effect in relation to a vehicle found in the special parking area as if, in subsections (1) and (2), after the words “section 69(1)” there were inserted the words “or section 77(4)”.

(2) Section 71 of the 1991 Act (representations in relation to removal or immobilisation of vehicles) shall have effect in relation to a vehicle found in the special parking area as if, for subsection (4), there were substituted the following subsection:—

“(4) The grounds are—

(a) that there were no reasonable grounds for the parking attendant concerned to believe that either—

(i) the vehicle had been permitted to remain at rest in the parking place in circumstances specified in section 66(2)(a), (b) or (c) of this Act, or

(ii) the vehicle had been permitted to remain at rest in a special parking area (other than in a designated parking place) in circumstances in which

an offence would have been committed in respect of the vehicle but for section 76(3) of this Act;

- (b) that the vehicle had been permitted to remain at rest in the place in question by a person who was in control of the vehicle without the consent of the owner;
- (c) that the place at which the vehicle was at rest was neither a designated parking place nor in a special parking area;
- (d) in a case within subsection (1)(d) above, that, by virtue of an exemption given by section 70 of this Act, neither section 69 nor 77(4) of this Act applied to the vehicle at the time in question; or
- (e) that the penalty or other charge in question exceeded the amount applicable in the circumstances of the case.”

(3) Section 74(8) of the 1991 Act (fixing of certain parking and other charges for London) shall have effect in relation to the London borough of Waltham Forest as if, after the words “section 69”, there were inserted the words “or section 77(4)”.

(4) Section 79(2) of the 1991 Act (application to Crown and visiting forces) shall have effect in relation to a vehicle found in the special parking area as if, for “66 and 69 to 71”, there were substituted “66, 69 to 71, 76 and 77”.

(5) Schedule 6 to the 1991 Act (parking penalties) shall have effect in relation to a vehicle found in the special parking area as if—

- (a) in sub-paragraph (c) of paragraph 2(4), for the words “the parking place” there were substituted the words “the place in question”, and
- (b) in sub-paragraph (d) of paragraph 2(4), the word “designation” were omitted.

Signed by authority of the Secretary of State for Transport.

Steven Norris
Parliamentary Under Secretary of State,
Department of Transport

1994

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THE SCHEDULE

Article 3(1)

ROADS IN THE LONDON BOROUGH OF WALTHAM
FOREST EXCLUDED FROM THE SPECIAL PARKING AREA

1. All between the borough boundary with the London borough of Redbridge and the borough boundary with the London borough of Newham.
2. A106 between its junction with High Road, Leytonstone (A11) and the borough boundary with the London borough of Hackney.
3. A406 between the borough boundary with the London borough of Enfield and the borough boundary with the London borough of Redbridge.

Roads adjacent to A11

4. Aylmer Road between its junction with High Road, Leytonstone (A11) and a point 18 m north west of the north western boundary of 1 Aylmer Road.
5. Barclay Road between its junction with High Road, Leytonstone (A11) and a point 18 m north west of the north western boundary of 1a Barclay Road.
6. Beachcroft Road between its junction with High Road, Leytonstone (A11) and a point 45 m north west of the north western flank wall of 2 Cobden Road.
7. Belton Road between its junction with High Road, Leytonstone (A11) and the north eastern boundary of 202 High Road, Leytonstone.
8. Borthwick Road between its junction with High Road, Leytonstone (A11) and the party wall between 1 and 3 Borthwick Road.
9. Brockway Close between its junction with High Road, Leytonstone (A11) and the eastern flank wall of 1-12 Norman Court.
10. Browning Road between its junction with High Road, Leytonstone (A11) and a point 28 m north west of the north western boundary of 8 Browning Road.
11. Burghley Road between its junction with High Road, Leytonstone (A11) and a point 8 m south east of the south eastern boundary of 2 Burghley Road.
12. Bush Road between the south eastern kerbline of High Road, Leytonstone (A11) and a point 15 m south east.
13. Cann Hall Road between its junction with High Road, Leytonstone (A11) and the party wall between 11 and 13 Cann Hall Road.
14. Cathall Road (B161) between its junction with High Road, Leytonstone (A11) and a point 11 m south east of the south eastern boundary of 1 Cathall Road.
15. Crownfield Road—
 - (a) (north west side) between its junction with High Road, Leytonstone (A11) and the south western boundary of 245 High Road, Leytonstone;
 - (b) (south east side) between its junction with High Road, Leytonstone (A11) and a point opposite 3 m south west of the party wall between 2 and 3 Crownfield Road.
16. Davies Lane between its junction with High Road, Leytonstone (A11) and a point 25 m south west of the south western flank wall of 2 Davies Lane.
17. Denmark Street between its junction with High Road, Leytonstone (A11) and a point 2 m north west of the front wall of 419 High Road, Leytonstone.

18. Eve Road between its junction with High Road, Leytonstone (A11) and the south western boundary of 4 Eve Road.
19. Ferndale Road between its junction with High Road, Leytonstone (A11) and a point 25 m west of the western flank wall of 2 Ferndale Road.
20. Harold Road between its junction with High Road, Leytonstone (A11) and a point 7 m east of the eastern boundary of 1 Harold Road.
21. Harrington Road between its junction with High Road, Leytonstone (A11) and a point 9 m south east of the south eastern boundary of 2 Harrington Road.
22. Harrow Green (B161)—
 - (a) (north east side);
 - (b) (south west side) between its junction with High Road, Leytonstone (A11) and the party wall between 23 and 25 Harrow Green.
23. Harvey Road between its junction with High Road, Leytonstone (A11) and a point 3 m north west of the north western boundary of 2 Harvey Road.
24. Kirkdale Road between its junction with High Road, Leytonstone (A11) and a point 5 m south east of the south eastern boundary of 17 Kirkdale Road.
25. Lancaster Road between its junction with High Road, Leytonstone (A11) and a point 8 m south west of the party wall between 2 and 4 Lancaster Road.
26. Lister Road between its junction with High Road, Leytonstone (A11) and the common boundary between 2 Lister Road and Lister Hall.
27. Lynn Road between its junction with High Road, Leytonstone (A11) and the south eastern boundary of Mayville Junior School.
28. Mayville Road between its junction with High Road, Leytonstone (A11) and a point 17 m north west of the front wall of 505 High Road, Leytonstone.
29. Michael Road between its junction with High Road, Leytonstone (A11) and the north western boundary of 2 Michael Road.
30. Mornington Road between its junction with High Road, Leytonstone (A11) and a point 17 m north west of the north western boundary of 1 Mornington Road.
31. Ranelagh Road between its junction with High Road, Leytonstone (A11) and the north western boundary of 1 Ranelagh Road.
32. Selby Road between its junction with High Road, Leytonstone (A11) and a point 2 m north west of the north western boundary of 2 Selby Road.
33. Steele Road between its junction with High Road, Leytonstone (A11) and a point 3 m north west of the south eastern boundary of 12 Steele Road.
34. Thorne Close between its junction with High Road, Leytonstone (A11) and the south eastern boundary of 1 Thorne Close.
35. Trinity Close between its junction with High Road, Leytonstone (A11) and a point 7 m north west of the north western flank wall of 633 High Road, Leytonstone.
36. Victoria Road between its junction with High Road, Leytonstone (A11) and a point 5 m west of the front boundary of 283 High Road, Leytonstone.
37. West Street between its junction with High Road, Leytonstone (A11) and the north western flank wall of 485 High Road, Leytonstone. Roads adjacent to A106

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38. Ashville Road between its junction with Grove Green Road (A106) and the party wall between 181 and 183 Ashville Road.
39. Cathall Road between its junction with Grove Green Road (A106) and an imaginary straight line drawn between a point 27 m south east of the front wall of 159 Grove Green Road and a point opposite.
40. Central Avenue between its junction with Grove Green Road (A106) and a point 5 m north west of the front wall of 178 Grove Green Road.
41. Claremont Road—
 - (a) (south arm) between its junction with Grove Green Road (A106) and a point 2 m south east of the north western boundary of 2 Claremont Road.
42. Colville Road between its junction with Grove Green Road (A106) and the front wall of 81 Grove Green Road.
43. Connaught Road between its junction with Grove Green Road (A106) and an imaginary straight line drawn between the north western boundary of 1a Connaught Road and a point opposite.
44. Drayton Road between its junction with Grove Green Road (A106) and the party wall between 26 and 28 Drayton Road.
45. Dyers Hall Road between its junction with Church Lane (A106) and a point 10 m north west of the north western flank wall of 1 Dyers Hall Road.
46. Dyers Hall Road between its junction with Grove Green Road (A106) and the front wall of 323 Grove Green Road.
47. Elm Road between its junction with Grove Green Road (A106) and a point 13 m south east of the south eastern boundary of 2 Elm Road.
48. Francis Road between its junction with Grove Green Road (A106) and the party wall between 16 and 18 Francis Road.
49. Hampton Road between its junction with Grove Green Road (A106) and an imaginary straight line drawn between a point 5 m north east of the north eastern boundary of 1 Hampton Road and a point opposite.
50. Harrington Road between its junction with Church Lane (A106) and the north western flank wall of 52 Harrington Road.
51. High Road Leyton between the north west boundary of 238 High Road, Leyton and the south east boundary of 194 High Road, Leyton.
52. Kirkdale Road between its junction with Church Lane (A106) and the party wall between 24 and 25 Kirkdale Road.
53. Langthorne Road between its junction with Grove Green Road (A106) and a point 6.5 m north west of the front boundary of 26 Grove Green Road.
54. Langthorne Road—
 - (a) (north west side) between its junction with Warren Road (A106) and a point 6.5 m south east of the front boundary of 28 Warren Road;
 - (b) (south east side) between its junction with Warren Road (A106) and a point 6.5 m south east of the front wall of 31 Grove Green Road.
55. Madeira Road between its junction with Grove Green Road (A106) and the front wall of 361 Grove Green Road.

56. Oliver Road between its junction with Ruckholt Road and the front boundary of 79 Adelaide Road.

57. Rhodesia Road between its junction with Grove Green Road (A106) and the north eastern boundary of 1 Rhodesia Road.

58. Richmond Road between its junction with Grove Green Road (A106) and a point 5 m south west of the south western boundary of 8 Richmond Road.

59. Scarborough Road between its junction with Grove Green Road (A106) and a point 3 m north west of the south eastern boundary of 2 Scarborough Road.

60. Sherrin Road between its junction with Ruckholt Road and a point 10 m north west of the south eastern boundary of Spitalfields Market.

61. Southwest Road between its junction with Grove Green Road (A106) and the south eastern boundary of 37 Southwest Road.

62. Warren Avenue between its junction with Warren Road (A106) and a point 8 m south east of the front boundary of 84 Warren Road.

63. Warren Avenue between its junction with Grove Green Road (A106) and a point 8 m north west of the front boundary of 74 Grove Green Road.

Roads adjacent to A406

64. Hall Lane—

- (a) (north west side) between its junction with North Circular Road (A406) and a point 63 m south west of the south western boundary of Unit 1, Cork Tree Way;
- (b) (south east side) between its junction with North Circular Road (A406) and the common boundary between 327 and 329 Hall Lane.

65. Unnamed Slip Road between its junction with North Circular Road (A406) and a point 65 m south east of its junction with Hale End Road.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order designates the whole of the London borough of Waltham Forest (excluding the roads referred to in the Schedule) as a special parking area for the purposes of Part II of the Road Traffic Act 1991 with effect from 4th July 1994. The Order also makes consequential modifications to the Road Traffic Regulation Act 1984 and to Part II of the 1991 Act.