
STATUTORY INSTRUMENTS

1994 No. 1489

ROAD TRAFFIC

**The Road Traffic (Special Parking Area)
(London Borough of Ealing) 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 Ealing 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 section 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 Ealing) 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 Ealing 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 Ealing 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 Ealing) 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 Ealing 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

6th June 1994

Steven Norris
Parliamentary Under Secretary of State,
Department of Transport

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THE SCHEDULE

Article 3(1)

ROADS IN THE LONDON BOROUGH OF EALING EXCLUDED FROM THE SPECIAL PARKING AREA

1. A40 between the borough boundary with the London borough of Hammersmith and Fulham and the borough boundary with the London borough of Hillingdon.
2. A406 between the borough boundary with the London borough of Brent and the borough boundary with the London borough of Hounslow.

Roads adjacent to A40

3. Allan Way between its junction with Western Avenue (A40) and a point opposite the north eastern boundary wall of 59 Allan Way.
4. Alperton Lane between its junction with Western Avenue (A40) and a point opposite the common boundary wall of 1 and 3 Alperton Lane.
5. Carlisle Avenue between its junction with Western Avenue (A40) and a point 7m north east of the southern front wall of 116 Western Avenue.
6. Court Way between its junction with Western Avenue (A40) and a point 5m south of the northern front wall of 231 Western Avenue.
7. Foster Road between its junction with Western Avenue (A40) and a point 5m south of the northern front wall of 75 Western Avenue.
8. Friary Road between its junction with Western Avenue (A40) and a point opposite the common boundary wall of 36 and 38 Friary Road.
9. Gibbon Road between its junction with Western Avenue (A40) and a point 6m south west of the northern boundary wall of 113 Western Avenue.
10. Glendun Road between its junction with Western Avenue (A40) and a point 2m south of the northern boundary wall of 14 Glendun Road.
11. Hanger Green—
 - (a) (north east arm) between its junction with Western Avenue (A40) and a point opposite the common boundary wall of 1 and 2 Hanger Green;
 - (b) (north west arm) between its junction with Western Avenue (A40) and point 10m from the south western kerbline of Western Avenue (measured along the north eastern kerbline of Hanger Green).
12. Horn Lane between its junction with Western Avenue (A40) and a point opposite the common boundary wall of 336 and 338 Horn Lane.
13. Kathleen Avenue between its junction with Western Avenue (A40) and a point 7m south west of the north eastern front wall of 279 Western Avenue.
14. Kingsdown Avenue between its junction with Western Avenue (A40) and a point 11m north of the southern boundary wall of 68 Western Avenue.
15. Leamington Park between its junction with Western Avenue (A40) and its junction with York Road.
16. Leaver Gardens between a point opposite the western party wall of 1 and 2 Blenheim Close and its junction with the westbound slip road linking the westbound carriageway of Western Avenue (A40) to Greenford Road.

17. Long Drive between its junction with Western Avenue (A40) and a point 67m north of the southernmost flank wall of B&Q super store.

18. Lynwood Road between its junction with Western Avenue (A40) and a point opposite the northern boundary wall of 1a Lynwood Road.

19. Oldfield Lane North between a point opposite the north eastern wall of 1 Karoline Gardens and its junction with the eastbound slip road linking the eastbound carriageway of Western Avenue to Greenford Road.

20. Oldfield Lane South between a point opposite the north eastern wall of 202 Oldfield Lane South and its junction with the westbound slip road (A40) linking Greenford to the westbound carriageway of Western Avenue.

21. Old Oak Common Lane—

(a) (north arm) between its junction with Western Avenue (A40) and a point opposite the common boundary wall of 59 and 61 Old Oak Common Lane;

(b) (south arm)

(i) (west side) between its junction with Western Avenue (A40) and its junction with the northern arm of East Acton Lane;

(ii) (east side) between its junction with Western Avenue (A40) and a point opposite the southern flank wall of 1 Old Oak Common Lane.

22. Park View between its junction with Western Avenue (A40) and a point 7m south of the northern front wall of 213 Western Avenue.

23. Perryn Road—

(a) (north west side) between its junction with Western Avenue (A40) and a point opposite the common boundary wall of 149 and 151 Perryn Road;

(b) (south east side) between its junction with Western Avenue (A40) and a point 2.2m north of the common boundary wall of 96—98 and 100—102 Perryn Road.

24. Rosebank Way—

(a) (north west side) between its junction with Western Avenue (A40) and a point 9.3m north east of the northern corner of Edinburg House;

(b) (north east side) between its junction with Western Avenue (A40) and a point 5.3m north east of the north eastern boundary wall of 1—4 Rosebank Way.

25. St. Andrew's Road between its junction with Western Avenue (A40) and a point 3.6m south of the southern wall of 2 St. Andrew's Road.

26. St. Dunstan's Avenue between its junction with Western Avenue (A40) and a point opposite the common boundary wall of 166 and 164 St. Dunstan's Avenue.

27. Sunningdale Avenue between its junction with Western Avenue (A40) and a point 20m north of the southern boundary wall of 18 Western Avenue.

28. The Approach between its junction with Western Avenue (A40) and a point 4m north of the common boundary wall of 18 and 20 The Approach.

29. Unnamed road between the eastbound slip road linking Greenford Road to the eastbound carriageway of Western Avenue (A40) and its junction with Middleton Avenue.

30. Unnamed service road (adjacent to the westbound carriageway of Western Avenue (A40)) between its junction with Mansfield Road and its junction with Alliance Road.

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31. Unnamed slip road (eastbound) between its junction with Bideford Avenue and its junction with the eastbound carriageway of Western Avenue (A40).

32. Victoria Road—

- (a) (north west side) between its junction with Western Avenue (A40) and a point 10m north of the north western boundary wall of 256 Western Avenue;
- (b) (south east side) between its junction with Western Avenue (A40) and a point 70m north east of that junction.

33. Wales Farm Road between its junction with Western Avenue (A40) and its junction with Jenner Avenue.

Roads adjacent to A406

34. Abbey Parade—

- (a) (north east side) between its junction with North Circular Road (A406) and a point opposite the common boundary wall of 1 and 2 Abbey Parade;
- (b) (south west side) between its junction with North Circular Road (A406) and a point opposite the common boundary wall of 4 and 5 Abbey Parade.

35. Ashbourne Road between its junction with Hanger Lane (A406) and a point 7.9m west of the eastern boundary wall of West Africa House.

36. Audley Road between its junction with Hanger Lane (A406) and a point opposite the western boundary wall of 1 Audley Road.

37. Baronsmede (north east side) between its junction with Gunnersbury Avenue (A406) and a point 52.5m north west of the common boundary wall of 65 and 67 Baronsmede.

38. Beaufort Road between its junction with Hanger Lane (A406) and a point opposite the western boundary wall of 2 Beaufort Road.

39. Brunswick Road between its junction with Hanger Lane (A406) and a point 10.9m west of the eastern boundary flank wall of 100 Hanger Lane.

40. Chatsworth Road—

- (a) (north arm) between its junction with Hanger Lane (A406) and a point 35.9m west of the western boundary wall of 55 Chatsworth Road;
- (b) (south arm)
 - (i) (north side) between its junction with Hanger Lane (A406) and a point 42m west of the south western flank wall of 9 Chatsworth Road;
 - (ii) (south side) between its junction with Hanger Lane (A406) and a point 16.4m west of the south western flank wall of 2 Chatsworth Road.

41. Corringway between its junction with Hanger Lane (A406) and a point opposite the western boundary wall of 1 Corringway.

42. Crosslands Avenue between its junction with Gunnersbury Avenue (A406) and a point 10m west of the rear boundary wall of 8 Gunnersbury Avenue.

43. Evelyn Grove between its junction with Gunnersbury Avenue (A406) and a point opposite the western boundary wall of 18 Gunnersbury Avenue.

44. Ealing Village between its junction with Hanger Lane (A406) and a point 15m east of the eastern flank wall of 131 and 132 Ealing Village.

45. Freeland Road between its junction with Hanger Lane (A406) and a point opposite the western flank wall of 14 Hanger Lane.
46. Greystoke Gardens between its junction with Hanger Lane (A406) and a point 8m east of the eastern flank wall of 19 and 28 Greystoke Gardens.
47. Hamilton Road between its junction with Hanger Lane (A406) and a point 36.2m east of the common boundary wall of 49 to 51 Hamilton Road.
48. Hillcrest Road between its junction with Hanger Lane (A406) and a point opposite the eastern flank wall of Minster Court.
49. Inglis Road between its junction with Hanger Lane (A406) and a point 50m west of the western flank wall of 1 Inglis Road.
50. Kingsbridge Avenue between its junction with Gunnersbury Avenue (A406) and a point 40m west of the western boundary wall of 2 Kingsbridge Avenue.
51. Leopold Road between its junction with Gunnersbury Avenue (A406) and a point 11.2m west of the party wall of 1 and 3 Leopold Road.
52. Madeley Road between its junction with Hanger Lane (A406) and a point opposite the common boundary wall of 81 and 83 Madeley Road.
53. Queens Drive—
 - (a) (north side) between its junction with Hanger Lane (A406) and its junction with Station Road;
 - (b) (south side) between its junction with Hanger Lane (A406) and a point opposite the party wall of 13 and 14 Queens Drive.
54. Station Road (north west side) between its junction with Queens Drive and a point 12m west of the eastern flank wall of Edencourt.
55. The Ridings between its junction with Hanger Lane (A406) and a point opposite the western boundary wall of 1—6 The Ridings.
56. Tudor Way between its junction with Gunnersbury Avenue (A406) and a point 60m west of the western boundary wall of 1 Tudor Way.
57. Twyford Abbey Road between its junction with Hanger Lane (A406) and a point 3.5m west of the common boundary wall of 1 and 3 Twyford Abbey Road.
58. Unnamed diagonal slip road (between Gunnersbury Avenue and Uxbridge Road) between its junction with Gunnersbury Avenue (A406) and a point 10m north east of the eastern kerbline of Gunnersbury Avenue.
59. Uxbridge Road—
 - (a) (north west arm) between its junction with Gunnersbury Avenue (A406) and a point 95m west of the western kerbline of Gunnersbury Avenue;
 - (b) (south east arm)
 - (i) (north side) between its junction with Hanger Lane (A406) and a point 63m east of the eastern kerbline of Hanger Lane;
 - (ii) (south side) between its junction with Gunnersbury Avenue (A406) and a point 73m east of the eastern kerbline of Gunnersbury Avenue.
60. Waldegrave Road between its junction with Hanger Lane (A406) and a point opposite the western flank wall of 29 Hanger Lane.

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61. Woodville Gardens between its junction with Hanger Lane (A406) and a point opposite the western flank wall of 57 Woodville Gardens.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order designates the whole of the London borough of Ealing (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.