

BASINGSTOKE AND DEANE BOROUGH COUNCIL
(PROHIBITION AND RESTRICTION OF WAITING AND LOADING
AND PARKING PLACES) (CONSOLIDATION)
ORDER 2018

**THE BASINGSTOKE AND DEANE BOROUGH COUNCIL
(PROHIBITION AND RESTRICTION OF WAITING AND LOADING AND PARKING
PLACES) (CONSOLIDATION) ORDER 2018**

The Basingstoke and Deane Borough Council pursuant to arrangements made under Section 101 of the Local Government Act 1972 with Hampshire County Council in exercise of its powers under sections 1, 2, 4, 32, 35, 45, 46, 124 and Part IV of Schedule 9 of the Road Traffic Regulation Act 1984 (the Act of 1984) as amended and Sections 63 and 64 of the Local Government (Miscellaneous Provisions) Act 1976 (the Act of 1976) as amended 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 of 1984 and in accordance with Section 63(2) of the Act of 1976, hereby makes the following Order.

SECTION 1 – PRELIMINARY

Citation and commencement

1. This Order shall come into operation on 14 April 2018 and may be cited as the Basingstoke and Deane Borough Council (Prohibition and Restriction of Waiting and Loading and Parking Places) (Consolidation) Order 2018.
2. The Basingstoke and Deane Borough Council (Prohibition and Restriction of Waiting and Loading and Parking Places) (Consolidation) Order 2018 Plans (the "Plans") are incorporated into this Order.

Interpretation

3. In this Order, except where the context otherwise requires, the following expressions have the meaning hereby respectively assigned to them:

"Council" means Hampshire County Council or, as the case may be, Basingstoke and Deane Borough Council acting as Hampshire County Council's agents;

"business" means any business which is operating from commercial premises the postal address of which is specified in Schedule 2;

"civil enforcement officer" means a person employed in accordance with Section 76 of the Traffic Management Act 2004 to carry out the functions therein or a person employed as a Parking Attendant for the purposes of Section 63A of the Road Traffic Regulation Act 1984;

"clearway" means the main carriageway of any of the sides or lengths of roads specified in the plans where stopping is prohibited during the restricted hours provided that the expression clearway shall not include any lay-by or parking place;

"controlled parking zone" means an area in which, during specified controlled times, every length of street is subject to either a restriction on waiting or is a permitted parking place and there is at each entry point to the area for vehicular traffic a sign indicating the boundary of the area and the times of control;

"disabled person's badge" has the same meaning as in the Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000;

"dispensation certificate" means a certificate issued by or on behalf of the Council for the purposes of this Order permitting a specified vehicle to wait in specified circumstances on a length or lengths of road where the waiting of that vehicle would otherwise be restricted or prohibited;

"driver" in relation to a vehicle waiting in a restricted area, means the person driving the vehicle at the time it was left in the restricted waiting area or parking place;

"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 vehicle" means a motor vehicle over 1500 kg in weight which is constructed or adapted for use for the carriage of goods or burden of any description the overall height of which exceeds 2.3 metres and the overall length of which exceeds 5.0 metres and is not drawing a trailer;

"hackney carriage" has the same meaning as in Section 37 of the Town Police Clauses Act 1847;

"key worker" means a worker in a special position as agreed from time to time by the Council who is eligible for a key worker permit;

"lay-by" in relation to a main carriageway means any area of a highway at the side of the main carriageway but not part of it and marked in accordance with the Traffic Signs and General Directions 2002 intended for the waiting of vehicles;

"loading area" means any of the sides or lengths of roads specified on the Plans where activities other than loading are prohibited;

"main carriageway" means that part of a public highway used primarily for through traffic provided that the expression main carriageway shall not include any lay-by;

"medical / health care practitioner certificate of dispensation" means a certificate issued by or on behalf of the Council in accordance with Council policy for the purposes of this Order permitting a specified vehicle to wait in specified circumstances on a length or lengths of road where the waiting of that vehicle would otherwise be restricted or prohibited;

"motor-cycle" has the same meaning as that in S136 of the Act of 1984;

"no loading hours" means in relation to any no loading road the hours during which loading and unloading is restricted on the Plans;

"no loading road" means any of the sides or lengths of roads specified on the Plans where loading is prohibited provided that the expression "no loading road" shall not include any parking place;

"no stopping hours" means in relation to any no stopping road the hours during which stopping is restricted on the Plans;

"no stopping road" means any of the sides or lengths of roads (including clearways) specified on the Plans where stopping is prohibited provided that the expression "no stopping road" shall not include any parking place;

"owner" in relation to a vehicle, means the person by whom such vehicle is kept and used. In determining who was the owner at any time it shall be presumed that the owner was the person named in the vehicle registration document as the registered keeper of the vehicle or the person who has the use of such vehicle in the course of his / her employment and who is entitled to use such vehicle as though he / she were the registered keeper thereof;

"parking disc" has the same meaning as in the Local Authorities' Traffic Orders (Exemptions for Disabled Persons)(England) Regulations 2000 which is capable of showing the quarter hour period during which a period of waiting has begun;

"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;

"Parking Ticket" means a ticket issued by an apparatus or device of a type and design approved by the Secretary of State (as set out in Article 32) following the insertion of an appropriate coin or coins, pre-payment, debit or credit card into the apparatus or device.

"passenger vehicle" means a motor vehicle (other than a motor-cycle) constructed or adapted solely for the carriage of not more than twelve passengers (exclusive of the driver) and their effects and not drawing a trailer;

"penalty charge" has the same meaning as in the Civil Enforcement of Parking Contraventions (England) General Regulations 2007 or any subsequent legislation so enabling;

"penalty charge notice" has the same meaning as in the Civil Enforcement of Parking Contraventions (England) General Regulations 2007 or any subsequent legislation so enabling;

"permit" means a permit issued by the Council under the provisions of this Order;

"permit holder" means a person to whom a permit has been issued under the provisions of this Order;

"permitted hours" means the periods specified for each parking place during which waiting by vehicles of a specific class is permitted as specified on the Plans, provided that (for the avoidance of doubt) where no days and hours are specified on the Plans the periods specified shall be taken to be all days and all times ;

"prohibited hours" means in relation to any prohibited road the hours during which waiting or loading is prohibited as specified on the Plans;

"prohibited road" means any of the sides or lengths of roads specified on the Plans where waiting is prohibited provided that the expression "prohibited road" shall not include any parking place;

"Registered Driver" means the driver of a vehicle who has, prior to leaving his or her vehicle in a parking place, registered so many of his or her personal details

with a Service Provider as that Service Provider may require to enable the Telephone Payment Parking System to be activated in favour of the said driver

"relevant position" in respect of: -

- (a) a disabled person's badge and parking disc has the same meaning as in the Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000; and
- (b) a permit means exhibited behind the windscreen, on the dashboard or fascia of the vehicle or, where the vehicle does not have a windscreen, dashboard or fascia, in a conspicuous position on the vehicle so that the whole of the information on the front of the permit is clearly legible from outside the vehicle;

"resident" means a person whose usual residence is at premises the postal address of which is in any road or part of road specified in Schedule 1;

"restricted hours" means in relation to any restricted road the hours during which waiting is restricted as specified on the Plans;

"restricted road" means any of the sides or lengths of roads specified on the Plans where waiting is restricted or specific activities are restricted during the restricted hours provided that the expression "restricted road" shall not include any parking place;

"Service Provider" means the company authorised and appointed by the Council to operate, administer and maintain the payment of parking charges using the Telephone Payment Parking System;

"Telephone Payment" means a payment made using the Telephone Payment Parking System

"Telephone Payment Parking System" means a system to facilitate and monitor the payment of parking charges using telephone communication with the Service

Provider in accordance with instructions indicated on signs located at each parking place where the system is in operation

"taxi rank" means an area of carriageway designated by this Order for the waiting of hackney carriages and which is indicated by road markings complying with the Traffic Signs Regulations and General Directions 2002 and such taxi ranks shall be Hackney Carriage Stands for the purposes of Sections 63 and 64 of the Act of 1976;

"telecommunication system" has the same meaning as in the Telecommunications Act 1984;

4. Any reference in this Order to a numbered Article shall, unless the context requires otherwise, be construed as a reference to the Article bearing that number in this Order and any reference to a Plan is a reference to a Plan incorporated into this Order.
5. Any reference in this Order to any enactment shall be construed as a reference to that enactment as amended, applied, consolidated, re-enacted by or as having effect by virtue of any subsequent enactment.
6. The Interpretation Act 1978 shall apply to the interpretation of this Order as it applies for the interpretation of an Act of Parliament and as if for the purposes of Section 21 of that Act this Order were an Act of Parliament and the Orders revoked were Acts of Parliament thereby repealed.

SECTION 2 – PROHIBITION AND RESTRICTION OF WAITING AND LOADING

Prohibition of Waiting

7. Save as provided in Articles 13 to 20 no person shall, except upon the direction or with the permission of a police officer in uniform, cause or permit any vehicle to wait at any time on any prohibited road as specified on the Plans.

Restriction of waiting

8. Save as provided in Articles 13 to 20 no person shall, except upon the direction or with the permission of a police officer in uniform, cause or permit any vehicle or a vehicle of a specific class to wait on any restricted road during the restricted hours as specified on the Plans.

Loading areas

9. Save as provided in Articles 13 to 15 and 19 no person shall, except upon the direction or with the permission of a police officer in uniform, cause or permit any vehicle to wait during the restricted hours in any loading area specified on the Plans unless it is of the specified class and except for the loading or unloading of goods in connection with nearby trade or business premises.
10. Where there is specified in the Plans a maximum period during the restricted hours for which loading or unloading is permitted, no person shall, except upon the direction or with the permission of a police officer in uniform, cause or permit any vehicle to wait on any loading area,
 - (a) for longer than is necessary for goods to be loaded onto or unloaded from the vehicle
 - (b) for a period longer than specified on the Plans, or
 - (c) if a period less than that specified on the Plans as being the period in which the vehicle shall not return has elapsed since a previous period of waiting by the same vehicle on the same side of length of road.

Restriction on loading and unloading

11. Save as provided in Articles 13 to 14 and 19 no person shall, except upon the direction or with the permission of a police officer in uniform, cause or permit any vehicle or a vehicle of a specific class to wait for the purpose of enabling goods to be loaded to or unloaded from the vehicle on any no loading road during the no loading hours as specified on the Plans.

Restriction on stopping

12. Save as provided in Articles 13 to 14 and 19 no person shall, except upon the direction or with the permission of a police officer in uniform, cause or permit any vehicle to stop on any no stopping road or clearway during the no stopping hours as specified on the Plans.

Emergency Services

13. Nothing in Articles 7 to 12 shall render it unlawful to cause or permit any vehicle to wait in any of the roads, lengths of road or on the sides of road or loading areas specified therein for so long as may be necessary to enable the vehicle to be used for fire and rescue, ambulance or police purposes:

General exemptions

14. Nothing in Articles 7 to 12 shall render it unlawful to cause or permit any vehicle to wait in any of the roads, lengths of road or on the sides of road or loading areas 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, shop fitting, industrial or demolition operations;
 - (ii) the removal of any obstruction to traffic;

- (iii) the maintenance, improvement or reconstruction of the said lengths or sides of road; and
 - (iv) the laying, erection, alteration or repair in or on land adjacent to the said lengths or sides of road of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity or of any telecommunications system,
- (b) the vehicle, not being a passenger 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 its contractors in pursuance of that authority's statutory powers or duties;
- (c) the vehicle of the Royal Mail or other universal service provider (as defined in section 4(3) and (4) of the Postal Services Act 2000) to be used for the purpose of delivering and/or collecting mail; or
- (d) in any case where the person in control of the vehicle,
- (i) is required by law to stop;
 - (ii) is obliged to stop so as to prevent an accident, or
 - (iii) is prevented from proceeding by circumstances outside his/her control.

Loading and unloading

15. Nothing in Articles 7 to 10 shall render it unlawful to cause or permit any vehicle to wait in any of the roads, lengths of road or on the sides of road or loading areas specified therein for so long as may be necessary to enable goods to be loaded to or unloaded from a vehicle (or goods or merchandise to be delivered or collected).

Board and alight from a vehicle

16. Nothing in Articles 7 to 8 shall render it unlawful to cause or permit any vehicle to wait in any of the roads, lengths of road or on the sides of road specified therein for so long as may be necessary to enable a person to board or alight from the vehicle.

Funerals and weddings

17. Nothing in Articles 7 to 8 shall render it unlawful to cause or permit any vehicle to wait, if it cannot safely and conveniently do so elsewhere, in any of the roads, lengths of road or on the sides of road specified therein if it is an official vehicle being used for funerals or weddings.

Parking places

18. Nothing in Articles 7 to 12 shall render it unlawful to cause or permit any vehicle to wait upon a designated parking place.

Waiting by vehicle displaying a dispensation certificate

19. Nothing in Articles 7 to 12 shall render it unlawful to cause or permit a vehicle to wait in any prohibited or restricted road if it is displaying in the relevant position a valid dispensation certificate issued by the Council and the vehicle is waiting in accordance with the terms and conditions of the said certificate.

Waiting by disabled persons' vehicle

20. Nothing in Articles 7 to 8 shall render it unlawful to cause or permit a 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 the vehicle has marked the time at which the period of waiting began; to wait in a prohibited road or a restricted road for a period not exceeding 3 hours (not being a period separated by an interval of less than that specified on the Plans from a previous period of waiting by the same vehicle in the same length of road or on the same side of road on the same day):

Provided that the vehicle immediately before or after the act of parking has been or is about to be driven or used by the person to whom the badge has been issued or, as the case may be, used for the carrying of disabled person(s) as passenger(s).

Taxi ranks

21. The parts of roads specified on the Plans as taxi ranks are hereby designated as "Hackney Carriage Stands" for the accommodation of the number of Hackney Carriages specified for that taxi rank in Schedule 4 subject to the following provisions of this Order.
22. Nothing in Articles 7 and 8 and 12 shall prevent any person from causing or permitting a licensed hackney carriage to wait in any duly authorised taxi rank during the period of operation specified on the Plans.
23. No person shall cause or permit any vehicle other than a hackney carriage to wait on a taxi rank during the period of operation.
24. No person shall cause or permit a hackney carriage to wait on a taxi rank during the period of operation other than for the purpose of plying for hire.
25. No person shall cause or permit any vehicle to wait on a taxi rank outside the period of operation of the taxi rank as specified on the plans.

Controlled parking zone

26. Nothing in Articles 7 to 8 shall render it unlawful to cause or permit any vehicle to park upon a designated parking place during the permitted hours in a controlled parking zone on the parts of roads specified on the Plans where waiting is generally prohibited or restricted

SECTION 3 – PARKING PLACES

Limited waiting parking places

Designation of limited waiting parking places

27. The parts of roads specified on the Plans as parking places where limited waiting is permitted are hereby designated to be used subject to the following provisions of this Order as parking places and may be used subject to the provisions of this

Order on such days and during such hours as are specified on the Plans, provided that (for the avoidance of doubt) where no days and hours are specified on the Plans the days and hours specified shall be taken to be all days and at all times.

28. No person shall cause or permit any vehicle to wait in a limited waiting parking place during the permitted hours unless it is of the specified class.

Classes of vehicles for which limited waiting parking places are designated

29. Subject to the provisions of this Order, limited waiting parking places may be used during the permitted hours for the leaving of passenger vehicles, goods vehicles, motor cycles and vehicles displaying a disabled persons' badge.

Restriction on waiting

30. No person shall, except upon the direction or with the permission of a police constable in uniform, cause or permit any vehicle to wait during the permitted hours on any limited waiting parking place specified on the Plans,
- a. for a period longer than that specified, or
 - b. if a period of less than that specified as being a period during which the vehicle must not be left again in that parking place has elapsed since the termination during the restricted hours of the last period of waiting (if any) of the vehicle, or
 - c. where charges are specified for a "Pay and Display" parking place, during the charging hours without display of such permits or payment of such charge or charges as are specified in the following provisions of this Order

Amount and method of payment for "Pay and Display" parking places

31. The charge for a vehicle left in a parking place during the charging hours shall be as specified for that parking place in Schedule 6 or as subsequently specified from time to time in public notices made by the Council pursuant to the Act of 1984

32. The charge referred to in Article 31 shall be payable either:
- a) by the insertion of an appropriate coin or coins, pre-payment, debit or credit card into the apparatus or device provided, being an apparatus or device approved in accordance with Section 35 of the Act of 1984 ("a parking apparatus"), and the provisions of Section 47 of the Act of 1984 shall apply in respect of such apparatus; or
 - b) by means of a Telephone Payment by a Registered Driver, in those parking places where a notice or notices are displayed stating that such a facility is available; or
- and in either case in accordance with the conditions and instructions displayed in the parking place
33. Where any parking apparatus is defective, it shall be the responsibility of the driver of a vehicle to obtain a Parking Ticket of the appropriate denomination or kind from an alternative parking apparatus.
34. Any Parking Ticket issued on payment of the charge referred to in Article 31 shall be displayed, within the vehicle's front windscreen or on the dashboard so as to be visible from outside the vehicle in respect of which it was issued facing forwards and in such a position that it can easily be seen and read from the front of the vehicle.

Exemptions to time limit

35. Notwithstanding for foregoing provisions of this Order, where the limited waiting parking place is designated on the Plans as exempting specified permit holders, any vehicle may be left without time limit during the permitted hours in any part of the limited waiting parking place if the vehicle is displaying in the relevant position
- (a) a permit valid for that vehicle, that time and that parking place provided that the vehicle is being used in accordance with the conditions applying to the said permit, or

- (b) a valid disabled person's badge, provided that the vehicle immediately before or after the act of parking has been or is about to be driven or used by the person to whom the badge has been issued or, as the case may be, used for the carrying of disabled person(s) as passenger(s).

Permit only parking places

Designation and use of permit holders only parking places

- 36. The parts of roads specified on the Plans as parking places for permit holders only are hereby designated to be used subject to the following provisions of this Order as parking places only for vehicles lawfully displaying a valid permit and may be used subject to the provisions of this Order on such days and during such hours as are specified on the Plans, provided that (for the avoidance of doubt) where no days and hours are specified on the Plans the days and hours specified shall be taken to be all days and at all times.
- 37. No person shall cause or permit any vehicle to wait in a parking place for permit holders only during the permitted hours unless there is on display in the relevant position on that vehicle a permit valid for that time and that parking place.

Permits to be displayed on vehicles

- 38. At all times during which a vehicle is left in a parking place for permit holders only during the permitted hours, the driver thereof shall cause to be displayed in the relevant position a valid permit issued in respect of that vehicle relating to the parking place within which that vehicle is left.
- 39. Where a permit has been displayed on a vehicle in accordance with the preceding Article, no person other than the driver of the vehicle shall remove the permit from the vehicle unless authorised to do so by the driver of the vehicle.

Special permit parking places

Designation and use of special permit parking places

40. The parts of roads identified on the Plans as medical / health care practitioner parking places or key workers parking places are hereby designated to be used subject to the provisions of this Order as parking places for vehicles displaying a valid medical/ health care practitioner or key worker permit respectively and may be used subject to the provisions of this Order on such days and during such hours as are specified on the Plans, provided that (for the avoidance of doubt) where no days and hours are specified on the Plans the days and hours specified shall be taken to be all days and at all times.
41. No person shall cause or permit any vehicle to wait in a parking place for medical / health care practitioner or key workers during the permitted hours unless it is displaying in the relevant position a medical / health care practitioner certificate of dispensation or key worker permit valid for that vehicle, that time and that parking place.
42. A medical / health care practitioner certificate of dispensation or key worker parking permit will be issued by the Council in such form and subject to such conditions as may be agreed from time to time by the Council.

Disabled persons parking places

Designation of disabled persons parking places

43. The parts of roads specified on the Plans as disabled person's parking places are hereby designated to be used subject to the following provisions of this Order as parking places for vehicles displaying a valid disabled person's badge and may be used subject to the provisions of this Order on such days and during such hours as are specified on the Plans, provided that (for the avoidance of doubt) where no days and hours are specified on the Plans the days and hours specified shall be taken to be all days and at all times.

Display of disabled person's badge

44. No person shall cause or permit any vehicle to wait in a disabled person's parking place during the permitted hours unless there is displayed on that vehicle in the relevant position a valid disabled person's badge.

Provided that the vehicle immediately before or after the act of parking has been or is about to be driven or used by the person to whom the badge has been issued or, as the case may be, used for the carrying of disabled person(s) as passenger(s).

Motor cycle parking places

Designation and use of motor cycle parking places

45. The parts of roads specified on the Plans as motor cycle parking places are hereby designated to be used subject to the following provisions of this Order as parking places for motor cycles and may be used subject to the provisions of this Order on such days and during such hours as are specified on the Plans, provided that (for the avoidance of doubt) where no days and hours are specified on the Plans the days and hours specified shall be taken to be all days and at all times.
46. No person shall cause or permit any vehicle to wait in a motor cycle parking place during the permitted hours unless it is a motor cycle.

Other parking places

Special classes of vehicles

47. The parts of roads specified as such on the Plans are hereby designated to be used subject to the provisions of this Order as parking places for specific classes of vehicles and may be used subject to the provisions of this Order on such days and during such hours as are specified on the Plans, provided that (for the avoidance of doubt) where no days and hours are specified on the Plans the days and hours specified shall be taken to be all days and at all times.

48. Where parking places are provided for the leaving of vehicles of the class specified with or without charge or time limit, no person shall cause or permit any vehicle to wait in that parking place during the periods specified in the Plans unless it is of the class specified and the vehicle is clearly displaying the livery of a vehicle permitted to wait at that parking place.

General conditions in respect of parking places

Manner of standing in a parking place

49. Every vehicle left in a limited waiting, disabled person's, motor cycle, permit, special permit, or other parking place in accordance with the foregoing provisions of this Order shall stand:
- (i) so that the distance between the edge of the carriageway and the nearest wheel of the vehicle is not more than 300mm;
 - (ii) so that every part of the vehicle is within the limits of the parking place as marked on the carriageway; and
 - (iii) so that no part of the vehicle obstructs any vehicular means of ingress to or egress from premises adjacent to the side of the road on which the vehicle is waiting.

Alteration of position of a vehicle in a parking place

50. Where any vehicle is standing in a parking place in contravention of the provisions of the preceding Article, a civil enforcement officer or police officer in uniform may alter or cause to be altered the position of the vehicle in order that its position shall comply with those provisions.

Movement of a vehicle in a parking place in an emergency

51. A police officer in uniform may move or cause to be moved or remove or cause to be removed, in case of emergency, to any place he / she thinks fit, any vehicle left in a parking place and shall provide for the safe custody of the vehicle.

Suspension of use of a parking place

52. (1) Any person duly authorised by the Council may suspend the use of a parking place or any part thereof whenever they consider such suspension reasonably necessary:

- (a) for the purpose of facilitating the movement of traffic or promoting its safety;
- (b) for the purpose of any building operation, demolition or excavation adjacent to the parking place, the maintenance, improvement or reconstruction of the highway or the cleansing of gullies in or adjacent to the parking place, the laying, erection, alteration or repair in or adjacent to the parking place or any sewer or of any main, pipe, or apparatus for the supply of gas, water or electricity or of any telecommunications system or the placing, maintenance or removal of any traffic sign;
- (c) for the convenience of occupiers of premises adjacent to the parking place on any occasion of the removal of furniture to or from one office or dwelling-house adjacent to the parking place from or to a depository, another office or dwelling-house;
- (d) on any occasion on which it is likely by reason of some special attraction that any street will be thronged or obstructed; or
- (e) for the convenience of occupiers of premises adjacent to the parking place at times of weddings or funerals, or on other special occasions.

(2) A police officer in uniform may suspend for not longer than twenty-four hours the use of a parking place or any part thereof whenever he / she considers such suspension reasonably necessary for the purpose of facilitating the movement of traffic or promoting its safety.

(3) Any person or police officer suspending the use of a parking place or any part thereof in accordance with the provisions of paragraph (1) or paragraph (2) of this Article shall thereupon place or cause to be placed in

or adjacent to that parking place or part thereof a traffic sign indicating that waiting by vehicles is prohibited.

No waiting in a suspended parking place

53. No person shall cause or permit a vehicle to wait in a parking place or any part thereof during which such period as the Council or a police officer has suspended that parking place or part thereof and exhibits notice of such suspension on or near that parking place.
54. Nothing in the preceding Article shall render it a contravention to cause or permit a vehicle to be left in a parking place which has been suspended, which displays in the relevant position a valid dispensation certificate issued by the Council, and the vehicle is waiting in accordance with the terms and conditions of the said certificate.

Restrictions on the use of vehicles in a parking place

55. During the permitted hours no person shall use any parking place or any vehicle whilst it is in a parking place in connection with the sale or offering or exposing for sale any goods to any person in or near the parking place or in connection with the selling or offering for sale of their skill in handicraft or their services in any other capacity:
- Provided that
- (a) nothing in this Article shall prevent the sale of goods from a vehicle if there is on display in the vehicle a certificate of Street Trading Consent issued by the Council and the vehicle is being operated in accordance with any conditions of the said certificate, and
 - (b) nothing in this Article shall prevent the sale of goods from a vehicle if the vehicle is a passenger vehicle, a goods vehicle or a motorcycle and the goods are immediately delivered at or taken into premises adjacent to the vehicle from which the sale is effected and the vehicle does not wait for a period exceeding 20 minutes or such longer period as a civil enforcement officer may approve.

Exemptions to restriction on waiting by a vehicle in a parking place

56. Notwithstanding for foregoing provisions of this Order any vehicle may wait during the permitted hours in any part of a parking place if the use of that part has not been suspended and if:

- (a) the vehicle is waiting for so long as may be necessary for the purpose of enabling any person to board or alight from a vehicle or load thereon or unload therefrom their personal luggage;
- (b) the vehicle is waiting owing to the driver being prevented from proceeding by circumstances beyond their control or to such waiting being necessary in order to avoid an accident;
- (c) the vehicle is being used by a medical / health care practitioner visiting premises adjacent to the parking place;
- (d) the vehicle is being used for fire and rescue, ambulance or police purposes or, not being a passenger vehicle, is being used in the service of a local authority in pursuance of statutory powers or duties provided that in all the circumstances it is reasonably necessary in the exercise of such powers or in the performance of such duties for the vehicle to wait in the place in which it is waiting;
- (e) the vehicle is waiting for so long as may be necessary to enable it to be used in connection with the removal of any obstruction to traffic;
- (f) the vehicle of the Royal Mail or other universal postal service provider (as defined in Section 4(3) and (4) of the Postal Services Act 2000) is waiting for the purpose of delivering and/or collecting mail; or
- (g) in any other case the vehicle is waiting for the purpose of delivering or collecting goods or loading or unloading the vehicle at premises adjacent to the parking place in which the vehicle is waiting and the vehicle does not wait for a period exceeding 20 minutes or for such longer period as a civil enforcement officer or police officer in uniform may approve.

Exemptions to waiting in a parking place

57. Notwithstanding for foregoing provisions of this Order any vehicle may wait during the permitted hours in any part of a limited waiting or residents permit parking place if the use of that part has not been suspended and if the vehicle is displaying in the relevant position a valid dispensation certificate provided that the vehicle is being used in accordance with the conditions applying to the said certificate.

Placing of traffic signs etc.

58. The Council shall:
- (a) place and maintain traffic signs indicating the limits of each parking place,
 - (b) place and maintain traffic signs of a design approved by the Secretary of State for the Department for Transport indicating that such parking places may be used during the permitted hours for the leaving only of the vehicles of the specified classes, and
 - (c) carry out such other work as it reasonably required for the purposes of the satisfactory operation of a parking place.

SECTION 4 - GENERAL

Dispensation certificate

59. The Council may issue a dispensation certificate on receipt of an application and may impose such terms and conditions as it deems appropriate.
60. A dispensation certificate may be cancelled at any time at the sole discretion of the Council and shall thereupon immediately cease to be valid. Notification of such cancellation shall be in writing to the holder of the certificate at any address that the Council believes to be that person's address and the certificate shall forthwith be surrendered to the Council.

SECTION 5 – PERMITS

Zones

61. For the purposes of administering permits the Council shall define by name or unique reference code such parking zones as the Council at its absolute discretion may deem necessary
62. The names, unique references codes and streets or parts of streets defining eligibility to apply for permits are detailed in Schedules 1 and 2.

Eligibility and application for residents permit

63. Any resident who is the owner of a vehicle of the class specified may apply to the Council for the issue of a residents permit in respect of that vehicle and any such application shall be made on a form issued by and obtainable from the Council and shall include the particulars and information required by such form to be supplied.

Eligibility and application for business permits

64. Any business employee who is the keeper or user of a vehicle of the specified class the use of which is necessary in the day to day process of the business, may apply to the Council for the issue of a business permit and any such application shall be made on a form issued by, or on behalf of, the Council and shall include the particulars and information required by such form to be supplied.

Eligibility and application for medical / health care practitioner and key worker permits

65. Any medical / health care practitioner or key worker may apply to the Council for the issue of a permit for the leaving of a vehicle during the permitted hours in a medical / health care practitioner or key worker parking place and any such application shall be determined according to current Council policies in respect of the application.

Maximum numbers of permits

66. The maximum number of resident permits and visitor permits per household and business permits is limited as specified in Schedules 1 and 2.

Classes of vehicles for which permits are applicable

67. Subject to the provisions of this Order, permits and visitor permits may be issued to classes of vehicles being passenger vehicles, goods vehicles and motor-cycles.

Verification

68. The Council may require an applicant for a permit or permit holder to produce such evidence in respect of the application as may reasonably be required to verify any particulars of information given to them or in respect of any residents, visitor, or business permit issued by them as may reasonably be required to verify that the details of the application are valid or that the permit is valid.

Issue of permit

69. The Council, upon being satisfied that an applicant is a resident or an approved business user and is the keeper or user of a vehicle of a class specified and on receipt of the appropriate fee as specified for that permit in Schedule 3 (or as subsequently specified from time to time in public notices or orders made by the Council pursuant to the Act of 1984), may issue to that applicant a permit, for the leaving of that vehicle at any time in a parking place to which such permit relates by the owner or by any person using such vehicle with the consent of the owner.
70. The Council, upon being satisfied that an applicant is an approved applicant for a medical / health care practitioner or key worker permit and on receipt of the appropriate fee as specified for that permit in Schedule 3 (or as subsequently specified from time to time in public notices or orders made by the Council

pursuant to the Act of 1984), may issue to that applicant a permit, for the leaving of that vehicle at any time in a parking place to which such permit relates

Validity

71. A permit shall only be valid for use in a parking place on a road within a zone identified on the permit and must be used in accordance with the conditions of issue.

Surrender of permit

72. A permit holder may surrender a permit to the Council at any time and shall surrender a permit to the Council on the occurrence of any of the events set out in Article 74. A permit holder who surrenders a permit:
- (a) before the permit becomes valid shall be entitled to a refund of the fee paid in respect thereof;
 - (b) after the permit has become valid shall be entitled to a refund of part of the fee paid in respect thereof calculated in accordance with Council policy provided that no refund is payable if the permit is surrendered as a consequence of any of the events specified in Article 74(d), (e) or (f).

Withdrawal of permit

73. The Council, may, by notice in writing served on the permit holder at the address shown by that person on the application for the permit or at any other address believed to be that person's residence, withdraw a permit if it appears to the Council that any of the events set out in Article 74 has occurred, and the permit holder shall surrender the permit to the Council within 48 hours of the receipt of the said notice.
74. The events referred to in Article 72 and 73 are:-
- (a) the permit holder ceases to be a resident;
 - (b) the permit holder ceasing to be the keeper of the vehicle in respect of which a permit was issued;

- (c) the vehicle in respect of which such permit was issued being adapted or used in such a manner that it is not a vehicle of a class specified in Article 67;
 - (d) the issue of a duplicate permit by the Council;
 - (e) the expiry of the period for which the permit was issued;
 - (f) a breach of any condition which may from time to time be determined by the Council and is specified on the permit and/or any application form.
75. A permit shall cease to be valid on the occurrence of any one of the events set out in Article 74.

Duplicate permit

76. If a permit is mutilated or defaced or the figures or particulars on it have become illegible or the colour of the permit has become altered by fading or otherwise, the permit holder shall surrender it to the Council and may then apply to the Council for the issue of a duplicate permit.
77. If a permit is lost or destroyed, the permit holder may apply to the Council for the issue of a duplicate permit.
78. The provisions of this Order shall apply to a duplicate permit and an application for such a permit as if it were a permit or, as the case may be, an application for a permit.
79. Any permit issued by virtue of the provisions of Articles 76 or 77 shall be marked as a duplicate, and upon the issue of a duplicate permit the permit which it duplicates shall become invalid.

Form of permit

80. A permit shall be in writing and include the following particulars:-
- (a) the registration mark of the vehicle in respect of which the permit has been issued;

- (b) the parking zone or parking places in respect of which the permit is valid;
- (c) the period during which, subject to the provisions of Article 74, the permit shall remain valid; and
- (d) an authentication that the permit has been issued by, or on behalf of, the Council.

Visitor permit

81. Any resident may apply to the Council for the issue of a permit for the leaving of a vehicle by any visitor to that resident, or any other person resident at the same address, during the permitted hours in a residents parking place and any such application shall be made on a form issued by, or on behalf of, the Council and shall include the particulars and information required by such form to be supplied.

Issue of visitor permit

82. The Council, upon being satisfied that an applicant is a resident and on receipt of the appropriate fee as specified for that permit in Schedule 3 (or as subsequently specified from time to time in public notices or orders made by the Council pursuant to the Act of 1984), may issue to that applicant a visitor permit of a design agreed from time to time by the Council for the leaving of a vehicle a class specified in Article 67 at any time in any residents parking place within the zone specified on the visitor permit.
83. Articles 66 to 75 (inclusive) shall have effect in respect of a permit issued in accordance with Article 82 as though Article 72 and sub-paragraph (b) of Article 74 were omitted.