

**Bedfordshire County Council**

**Traffic Regulation Order**

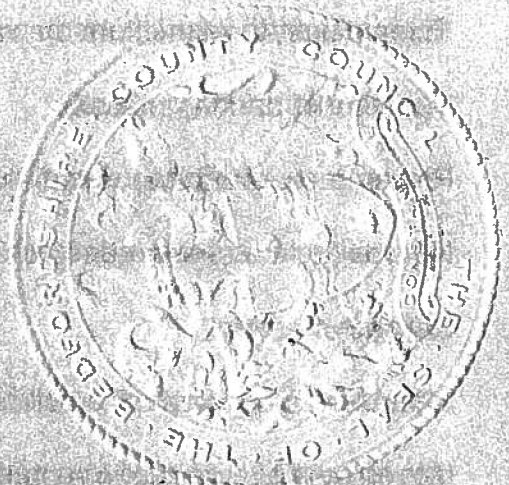
**Bedfordshire County Council (Kempston)  
(Prohibition and Restriction of Waiting and Loading  
and Parking Places) (Consolidation) Order 2008**

The Common Seal of the  
Bedfordshire County Council  
was hereunto affixed this  
18th day of July 2008  
in the presence of

*Nigel M. Burt*

**MANAGING SOLICITOR**

141399



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Bedfordshire County Council, pursuant to arrangements made under Section 101 of the Local Government Act 1972 with Bedfordshire County Council, in exercise of the powers conferred under Sections 1(1) and (2), 2 (1) to 2(3), 4 (2), 9 (iv) 32, 35, 36, 53, 99 and 101 and Part IV of Schedule 9 of the Road Traffic Regulation Act 1984 (as amended) (the 1984 Act), and The Road Traffic (Permitted Parking Area and Special Parking Area)(County of Bedfordshire)(Borough of Bedford) Order 2000, in accordance with Part 6 of the Traffic Management Act 2004, and after consultation with the Chief Officer of Bedfordshire Police, hereby make the following Order.

## **SECTION 1 - PRELIMINARY**

### **Citation and Commencement**

- 1 This Order shall come into operation of the 28th day of July 2008 and may be cited as the "Bedfordshire County Council (Kempston) (Prohibition and Restriction of Waiting and Loading and Parking Places) (Consolidation) Order 2008".
- 2 The Bedfordshire County Council (Kempston) (Prohibition and Restriction of Waiting and Loading and Parking Places) (Consolidation) Order 2008 Plans including the Key (the "Plans") are incorporated into this Order.

### **Interpretation**

- 3 (1) In this Order, except where the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them: -

"1984 Act" means the Road Traffic Regulation Act 1984 (as amended);

"approved method of payment" means payment by cash, cheque credit, debit, pre-paid or any other electronic card or payment by phone through a scheme organised through the Council;

"authorised agent" means any parking services contractor appointed by and acting on behalf of the Council for the purposes of the management, supervision or enforcement of the provisions of this Order;

"bus" means any motor vehicle which is constructed or adapted to carry twelve or more passengers in addition to the driver;



“civil enforcement officer” means a person employed in accordance with section 63A of the 1984 Act to carry out the functions therein;

“council” means Bedfordshire County Council, as Highway Authority, and, except where the context otherwise demands, shall also mean the Bedford Borough Council acting on behalf of the Highway Authority under arrangements made under Section 101 of the Local Government Act 1972 and their successors;

“disabled person” and “disabled person’s badge” has the same meaning as in The Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000;

“disabled person’s vehicle” means a vehicle lawfully displaying a disabled person’s badge and which is a vehicle which, immediately before or after any period of waiting allowed by virtue of a provision pursuant to The Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000, has been or is to be driven by a disabled person or, as the case may be, has been or is to be used for carrying a disabled person as a passenger;

“dispensation permit” means a permit issued on or behalf of the Council under the provisions of this Order permitting a specified vehicle to wait in specified circumstances in a parking place, where the waiting of that vehicle would otherwise be restricted or prohibited;

“doctor” means a fully registered person (or fully qualified medical practitioner) as defined in Section 55 of the Medical Act 1983;

“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, prohibited or restricted road;

“goods” means goods of any kind whether animate or inanimate 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 of at least 7.5 tonnes gross weight and which is constructed or adapted for use for the carriage of goods or burden of any description and includes a trailer which is constructed or adapted for use for the carriage of goods or burden of any description whether connected to any motor vehicle or not;

**"hackney carriage" has the same meaning as in Section 37 of the Town Police Clauses Act 1847 and the Local Government (Miscellaneous Provisions) Act 1976;**

**"invalid carriage" has the same meaning as that in S136 of the 1984 Act;**

**"key" means the key attached to the Plans to be read in conjunction with the Plans;**

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

**"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 road 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 in the Plans where stopping is prohibited provided that the expression "No stopping road" shall not include any parking place;**

**"obstruction" in relation to the parking of a vehicle, means a parking position that prevents free flow of traffic along the carriageway, footway or cycleway, access to the carriageway or egress from the carriageway;**

**"one-way street" means a highway in which the driving of all vehicles otherwise than in one direction is prohibited;**

**"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 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 highway designated by this Order for the waiting of vehicles of specified classes;

**“passenger vehicle”** means a motor vehicle (other than a motor cycle or invalid carriage) constructed or adapted solely for the carriage of not more than eleven passengers (exclusive of the driver) and their effects and not drawing a trailer;

**“penalty charge”** means a charge imposed by legislation in respect of parking contraventions that are subject to civil enforcement;

**“penalty charge notice”** means a notice issued by or served pursuant to the provisions of the Traffic Management Act 2004 or any subsequent legislation so enabling;

**“permit”** means a permit issued by the Council under the provisions of this order;

**“permitted hours”** means the periods specified for each parking place during which waiting by vehicles of a specified class is permitted as specified on the Plans;

**“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 road specified on the Plans where waiting is prohibited provided that the expression “prohibited road” shall not include any parking place;

**“public service vehicle”** has the same meaning as in the Public Passenger Vehicles Act 1981;

"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;
- (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;

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

"telecommunications system" has the same meaning as in the Telecommunications act 1984;

"waiver permit" means a permit issued by or on behalf of the Council permitting a specified vehicle to wait, load or unload in specified circumstances on a length or lengths of road where the waiting of that vehicle would otherwise be restricted or prohibited;

- 4 Any reference in this Order to a numbered Article shall, unless the context otherwise requires, 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 for the interpretation of this Order.



## **SECTION 2 - PROHIBITION AND RESTRICTION OF WAITING AND LOADING**

### **Restrictions within the Kempston area.**

#### **Prohibition of waiting**

- 7 Save as provided for under Articles 11 and 12 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 11 and 12 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.

#### **Restriction of loading**

- 9 Save as provided in Articles 11 and 12 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 onto or unloaded from such a vehicle on any no loading road during the no loading hours as specified in the Plans.

#### **Restriction on stopping**

- 10 Save as provided in paragraph (1) and (2) of Article 11 and Article 12 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 section of road during the no stopping hours as specified on the Plans unless the vehicle is of the specified class.

### **General exemption from prohibitions and restrictions**

- 11 (1) Notwithstanding the foregoing provisions and the provisions of this Order, any vehicle may wait if: -
- (a) 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 or being unable to proceed by direction of a police officer in uniform;
  - (b) the vehicle is being used for fire brigade, ambulance or

- police purposes or, not being a passenger vehicle, is being used in the service of a local authority or statutory undertaker 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;
- (c) the vehicle is waiting only for so long as may be necessary to enable it to be used in connection with the removal of any obstruction to traffic;
  - (d) the vehicle is waiting in a location and for a purpose authorised and described on a waiver certificate issued by the Council in accordance with the provisions of this Order provided such permit is clearly displayed;
  - (e) 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;
  - (f) the vehicle is waiting only for so long as necessary while a gate or barrier is opened or closed to allow access or departure to or from adjacent premises.
- (2) Notwithstanding the foregoing provisions of this Order, any public service vehicle may wait within a marked bus stop within a restricted road for as long as may be reasonably necessary.
  - (3) Save as provided in Articles 9 and 10 and notwithstanding the foregoing provisions of this Order, any goods carrying vehicle may wait at any point within a prohibited or restricted road for the purpose of delivering or collecting goods or loading or unloading the vehicle at premises in the vicinity of the vehicle and the vehicle does not wait for a period exceeding fifteen minutes or for such longer period as a civil enforcement officer may approve.
  - (4) Save as provided in Articles 9 and 10 and notwithstanding the foregoing provisions of this Order, any vehicle may wait at any point within a prohibited or restricted road only as long as may be necessary to enable a person to board or alight from the vehicle or to load or unload personal luggage.
  - (5) Save as provided in Articles 9 and 10 nothing in the foregoing provisions of this Order shall render it unlawful to cause of permit a disabled person's vehicles 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 restricted

road for a period not exceeding three hours not being a period separated by an interval of less than one hour, 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).

- (6) Nothing in Articles 7, 8 and 13 shall render it unlawful to cause or permit any vehicle, if it cannot safely and conveniently be used for such purpose elsewhere, to wait in any of the roads, lengths of road or on the sides of road specified therein if it is being used for any funeral or wedding.
- (7) Nothing in Articles 7 to 10 shall render it unlawful to cause or permit any vehicle of a specified class to wait upon an authorised parking place.

#### **Waiting, loading or unloading by a vehicle displaying a waiver permit**

- 12 Nothing in Articles 7 to 10 shall prevent any person from causing or permitting a vehicle to wait, load or unload in any prohibited or restricted road if it is displaying in the relevant position a valid waiver permit issued by the Council and the vehicle is waiting in accordance with the terms and conditions of the said permit.

### **SECTION 3 - PARKING PLACES**

#### **Designation of limited waiting parking places**

- 13 The parts of roads identified as such on the Plans are hereby designated to be used subject to the following provisions of this Order as limited waiting 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.
- 14 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**

- 15 (1) 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 the overall height of which does not exceed 2.8 metres and the overall length of which does not exceed 5.3 metres, motor cycles, disabled persons' vehicles and invalid carriages.

- (2) Notwithstanding the provisions of paragraphs (1) of this Article, the overall height and length of a goods carrying vehicle may be exceeded in exceptional or special circumstances at the absolute discretion of the Council.
- (3) Subject to the provisions of this Order each parking place specified in the Plans may be used during all times other than the restricted hours for the leaving of such vehicles as are of the class specified in paragraph (1).

#### **Restriction on waiting**

- 16 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 restricted hours on any lengths of road 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.

#### **Designation of doctor permit holder parking places**

- 17 The parts of roads identified as such on the Plans are hereby designated to be used subject to the following provisions of this Order as doctor permit holder parking places and may be used subject to the provisions of this Order.
- 18 No person shall cause or permit any vehicle to wait in a doctor permit holders parking place unless it is of the specified class and the vehicle is displaying in the relevant position a doctor's permit valid for that time and that parking place.

#### **Use of a parking place**

- 19 (1) a driver of a vehicle shall not use a parking place: -
  - (a) So as unreasonably to prevent access to any premises adjoining a road or the use of a road by other persons or so as to be a nuisance;
  - (b) When such parking place has been suspended in accordance with the provisions of this order.



- (2) No person shall carry out upon any vehicle while it is in a parking place any work of construction or repair except such as may be necessary to enable the vehicle to be moved from the parking place.
- (3) No person shall: -
  - (a) Sell, offer or exhibit for sale or hire any vehicle while it is in a parking place; or
  - (b) use a vehicle, while it is in a parking place, in connection with the selling, display or offering for sale of any article to persons in or near the parking place or in connection with the selling or offering for hire of their skills in handicraft or services in any capacity.
- (4) Provided that this Article shall not be deemed to prohibit persons employed in connection with a licensed public service vehicle or a licensed driver of a hackney carriage from plying for hire or accepting passengers for hire in accordance with any regulation or condition under which the service is required by law to operate.
- (5) Provided that this Article shall not prevent the sale of goods from a vehicle if the goods are immediately delivered at or taken into premises adjacent to the vehicle from which the sale is affected.

#### **Manner of waiting in a parking place**

- 20 Every vehicle left in a parking place in accordance with the provisions of this Order shall so stand: -
- (a) so that every part of the vehicle is within the limits of the parking place; and
  - (b) if the parking place is on a one-way street so that the vehicle is facing according to the direction of the traffic flow and adjacent to the edge of the carriage way; and
  - (c) if the parking place is not a one way street so that the left or near side of the vehicle is adjacent to the left-hand edge of the carriageway; and
  - (d) so that the longitudinal axis of the vehicle, not being a motorcycle, is parallel to the edge of the carriageway nearest to the vehicle unless signs indicate otherwise; and
  - (e) so that the distance between the edge of the carriageway and the nearest wheel of the vehicle is not more than 300mm; and
  - (f) so that no part of the vehicle obstructs any vehicular means

of ingress to or egress from the premises adjacent to the side of the road on which the vehicle is waiting.

### **Exemptions to restrictions on waiting by a vehicle in a parking place**

- 21 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 there from 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 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 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;
  - (d) 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;
  - (e) the vehicle is waiting for the purpose of delivering and/or collecting mail if the vehicle is a Royal Mail or other universal service provider (as defined in section 4(3) and (4) of the Postal Services Act 2000).
- 22 Nothing shall render it unlawful to cause or permit a disabled person's vehicle which displays in the relevant position a disabled persons badge to wait in a designated parking place provided 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).
- 23 Any vehicle displaying a valid dispensation permit may be left in a parking place and shall be exempt from any time limit (if any) provided that the vehicle is being left in accordance with the conditions applying to the said permit.
- 24 Any vehicle displaying a valid doctor's permit may be left in a doctors parking place and shall be exempt from any time limit provided that the vehicle is being left in accordance with the conditions applying to the said permit.

### **Variation of parking places**

- 25 The Council may by notice vary, temporarily or permanently, the arrangement of parking within any parking place or any part thereof if it is satisfied that use of the parking place should be varied by reason that works are being or are proposed to be executed on or near the road which involves the construction or modification of a new access onto the highway.

### **Power to suspend the use of a parking place**

- 26 (1) The Council may, by notice or by Order, suspend the use of any parking place or any part thereof whenever they consider such suspension reasonably necessary: -
- (a) if it is satisfied that use of the parking place should be restricted or prohibited by reason that any building operation demolition or excavation adjacent to the parking place, the maintenance, improvement or reconstruction of the highway or the cleaning 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 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; or
  - (b) if it is satisfied that use of the parking place should be restricted or prohibited by reason of the likelihood of danger to the public or of serious damage to the highway; or
  - (c) for the purpose of facilitating the movement of traffic or promoting its safety; or
  - (d) for preventing obstruction of the streets on the occasion of any public procession or rejoicing or when the streets are thronged or liable to be obstructed; or
  - (e) for the convenience of occupiers of premises adjacent to the parking place on any occasion of the removal of furniture from one office or dwelling-house to another or the removal of furniture from such premises to a depository or to such premises from a depository; or
  - (f) for the convenience of access to premises being used for a wedding or a funeral, or other special occasions

Subject to such conditions or exceptions as the Council consider necessary.

- (2) A police officer in uniform may suspend for no longer than seven days the use of a parking place or any part thereof whenever he/she considers such suspension reasonably necessary: -
- (a) for the purpose of facilitating the movement of traffic or promoting its safety; or
  - (b) on any occasion on which it is likely by reason of some special attraction that any street will be thronged or obstructed.

Provided always that the Council or police officer in uniform in suspending the use of a parking place in accordance with the provisions of this Article shall place or cause to be placed in or adjacent to the parking place or the part thereof the use of which is suspended such traffic signs as are necessary to indicate that waiting by vehicles is prohibited.

#### **No waiting in a suspended parking space**

- 27 No person shall cause or permit a vehicle to be waiting in a parking place or any part thereof during which such a 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.
- 28 Nothing in the preceding Article shall render is a contravention to cause or permit a vehicle to be left in a parking place which has been suspended, which 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.

#### **Service of notice**

- 29 Any notice in pursuance of Articles 25 and 26 shall be advertised at the parking administration offices of the Council and at the parking place to which such notice relates, for a period of not less than one working day before such notice takes effect.

#### **Alteration of position of a vehicle in a parking place**

- 30 Where any vehicle is standing in a parking place in contravention of the provisions of this Order 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 the provisions of this Order.



### **Movement of a vehicle in a parking place in an emergency**

- 31 A police officer in uniform or a civil enforcement officer 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.

### **Movement of a vehicle in a parking place causing an obstruction**

- 32 In case of obstruction, a police officer in uniform or a civil enforcement officer may move or cause to be moved any vehicle left in a parking place to a convenient parking place nearest to where the vehicle was originally parked.

### **Removal of a vehicle from a parking place**

- 33 Where a vehicle has been served two penalty charge notices by a civil enforcement officer in accordance with the provisions of this Order; a civil enforcement officer may authorise the removal of the vehicle and, where it is so removed, shall provide for the safe custody of the vehicle.

### **Removal of a vehicle other than in a parking place**

- 34 Where a vehicle: -
- (a) is parked other than in a parking place; and
  - (b) has been served two penalty charge notices by a civil enforcement officer in accordance with the provisions of this Order;

A civil enforcement officer may authorise the removal of the vehicle and, where it is so removed, shall provide for the safe custody of the vehicle.

## **SECTION 4 - CONTRAVENTION**

- 35 If a vehicle is left in a prohibited or restricted road or parking place without complying with the requirements of this Order, a contravention shall have occurred and a penalty charge shall be payable. A penalty charge notice conforming to the relevant statutory requirements may then be served and or the vehicle may be removed from the location.

### **Penalty charge notice**

- 36 A penalty charge notice affixed to a vehicle in accordance with the previous Article shall not be removed or interfered with except by or under the authority of: -
- (a) the owner, or person in charge, of the vehicle; or
  - (b) the Council or authorised agent.

### **Indicators as evidence**

- 37 The particulars given in the penalty charge notice served in accordance with the forgoing provisions of this Order shall be treated as evidence in any proceedings relating to failure to pay such penalty charge.

### **Period for which vehicle may be left after penalty charge notice served to a vehicle**

- 38 The period for which a vehicle may be left after the penalty charge notice has been served in accordance with the provisions of this Order shall not exceed: -
- (a) where the vehicle is left other than in a parking place, thirty minutes.

### **Removal of vehicle**

- 39 Where a civil enforcement officer has removed or caused to be removed a vehicle in accordance with the foregoing provisions of this Order,
- (a) he/she shall provide for the safe custody of the vehicle;
  - (b) the Council shall be entitled to recover from the person responsible such charges in respect of the removal, storage and disposal of the vehicle as it might be prescribed from time to time.
  - (c) the provisions to the 1984 Act as amended shall apply to the disposal of such vehicles removed by or on behalf of the Council pursuant to this Article.
- 40 Nothing in the foregoing provisions of this Order in respect of removal of a vehicle shall apply in respect of vehicle displaying a relevant position a valid disabled person's badge.

### **Charges payable when a vehicle is removed**

- 41 (1) Where a vehicle is removed, the owner of the vehicle shall produce such documentary evidence as is necessary for the Council or authorised agent to reasonably determine that the person purporting to be the owner is authorised to take charge of the vehicle.
- (2) Before a vehicle is returned to the owner, all outstanding penalty charges must be paid together with the charges for removal and storage of such vehicle.
- (3) Where a vehicle has been removed from the street and remains uncollected the Council shall be permitted to sell or dispose of such vehicle, in accordance with Section 101 of the 1984 Act.

### **SECTION 5 – WAIVERS AND DISPENSATION PERMITS**

#### **Waiver permit**

- 42 The Council may issue a waiver permit on receipt of a written application and payment of the appropriate charge, and may impose terms and conditions as appropriate.
- 43 A waiver permit 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 permit at any address that the Council believes to be that person's address and the permit shall forthwith be surrendered to the Council.

#### **Dispensation permit**

- 44 The Council may issue a dispensation permit on receipt of a written application and payment of the appropriate charge and may impose terms and conditions as appropriate.
- 45 A dispensation permit 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 permit at any address that the Council believes to be that person's address and the permit shall forthwith be surrendered to the Council.

### **Pedestrian crossings**

- 46 Nothing in the provisions of this Order shall be taken as authorising anything which would be a contravention of any regulations made or having effect as if made under section 25 of the 1984 Act.

## **SECTION 5 – DOCTORS PERMITS**

### **Doctors parking permit**

- 47 Doctors parking permits are available from the Council at the appropriate fee, for a vehicle of a specific class and for a specific parking place or parking places subject to conditions determined by the Council.
- 48 The driver shall abide by the terms stipulated by the Council for the use of the doctors parking permit.
- 49 A doctors parking permit is only valid in the parking place or parking places in respect of which it was issued and up to the date of expiry shown on the parking permit.
- 50 A doctors parking permit remains the property of the Council and must be surrendered on request. In such instances where a refund fee is appropriate this will be provided in accordance with the Council's policies.
- 51 the Council or authorised agent, at its total discretion, reserves the right to either issue a doctors permit, refuse to issue a doctors permit or to withdraw such a permit if it appears appropriate to them at the time.

### **Display of doctors parking permit**

- 52 The driver of the vehicle shall display the doctors parking permit in the relevant position on the vehicle in respect of which it was issued at all times during which the vehicle is left in the doctors parking place.

### **Replacement doctors parking permit**

- 53 Damaged or lost doctors parking permits will be replaced on application to the Council and on payment of an administration fee. The damaged or lost doctors parking permit will then become immediately invalid.



### **Surrender, withdrawal and validity of doctors parking permit**

- 54 The permit must be surrendered if: -
- (a) the employee to which the permit was issued leaves the organisation; or
  - (b) the vehicle to which the permit was issued changes ownership.
- 55 The Council or authorised agent may, revoke the permit if they have reason to believe that the permit is not being used in accordance with the foregoing provisions of this Order, The Council or authorised agent reserves the right to ask for further proof to establish the way in which a permit is being used; this may include checking with the Area Health Authority or other official body.
- 56 Where a doctors permit is issued to any person upon receipt of a cheque or credit card and the payment is subsequently dishonoured, the doctors permit shall cease to be of any effect and the Council or authorised agent shall, by notice, require that person to surrender the doctors permit to the Council or authorised agent within seventy-two hours of the delivery of the aforementioned notice

### **Lost or destroyed doctors permit**

- 57 If a permit is lost or destroyed the permit holder may apply to the Council or authorised agent for the issue of a duplicate and the Council, on being satisfied as to the loss or destruction shall upon receipt of an administrative charge as may be prescribed from time to time by the Council, issue a duplicate permit so marked and upon such issue the permit which it duplicated shall become invalid.

### **Mutilated or defaced doctors permit**

- 58 If a permit is mutilated, defaced or otherwise becomes illegible the permit holder shall surrender the permit to the Council or authorised agent for the issue of a duplicate and the Council shall upon being satisfied as to the veracity of the permit and upon receipt of an administrative charge as may be prescribed from time to time by the Council, issue a duplicate permit so marked and upon such issue the permit which it duplicated shall become invalid.

### **Change of vehicle by a doctors permit holder**

- 59 In the event of the permit holder disposing of the vehicle in respect of which the permit has been issued and acquiring another vehicle, the Council or authorised agent shall on surrender of the permit by the permit holder and upon receipt of such administrative charge as may be prescribed from time to time by the Council, issue a replacement permit having the same expiry date and validity as the original permit (proof of employment is not required for a change of vehicle).

### **Restriction on removal of a doctors permit**

- 60 When a doctors parking permit has been exhibited on a vehicle in the relevant position no person shall remove the doctors parking permit from the vehicle until the vehicle is removed from the parking place.

### **General**

- 61 The restrictions imposed by this Order shall be in addition to and not in derogation from any restriction or requirements imposed by any regulations made or having effect as if made under the act or by or under any other enactment.

## **SECTION 7 - REVOCATION**

### **Existing restrictions within Kempston to be revoked**

- 62 The following Orders are hereby revoked in their entirety: -
- The County of Bedfordshire (Meadowview Road, Kempston) (Prohibition of Waiting) Order 2008.
  - Bedfordshire County Council, The County of Bedfordshire (Austin Cannons Area, Kempston) (Prohibition of Waiting, Loading and Unloading) Order 2008.
  - Bedford Borough Council (College Street, Kempston) (Prohibition of Waiting) Order 1995
  - The County of Bedfordshire (Various Roads, Kempston) (Prohibition of Waiting) Order 1976
  - The Bedfordshire County Council (Various Roads Kempston) (Prohibition and Restriction of Waiting) Order 1973 as amended.