DATED 13<sup>th</sup> MARCH 2024

# THE BOROUGH COUNCIL OF CALDERDALE (ON-STREET WAITING, LOADING AND PARKING) CONSOLIDATION ORDER 2024

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# THE BOROUGH COUNCIL OF CALDERDALE (ON-STREET WAITING, LOADING AND PARKING) CONSOLIDATION ORDER 2024

The Borough Council of Calderdale in exercise of its powers under Sections 1, 2, 4, 32, 35, 37, 45, 46, 47, 49, 53 and Part IV of Schedule 9 of the Road Traffic Regulation Act 1984 (hereinafter referred to as the "1984 Act") and of all other enabling powers and after consultation with the Chief of Police in accordance with Part III of Schedule 9 to the 1984 Act hereby makes the following Order.

## **PART 1 - OPERATION**

#### <u>Article</u>

#### 1. Citation and commencement

This Order is made on the 13<sup>th</sup> day of March 2024 and shall come into operation on the 15<sup>th</sup> day of March 2024 and may be cited as "The Borough Council of Calderdale (On-Street Waiting, Loading and Parking) Consolidation Order 2024".

#### 2. Revocations

- (1) The orders listed in Schedule 1 (and for the avoidance of doubt each and every subsequently related order made in respect thereto for varying the provisions thereof) are hereby revoked in toto.
- (2) The following parts of the Borough Council of Calderdale (Hebden Bridge Central Area) (Controlled Parking Zone) (Consolidation) Order 2008 (and each and every subsequently related order made in respect thereto for varying the provisions thereof) only are hereby revoked:
  - a. Part 2: general prohibition of waiting and loading (articles 2 and 3); and
  - b. Part 3: parking places (articles 4 to 46 (inclusive)).
- (3) Only the following part of the Borough Council of Calderdale (Brow Foot Gate Lane, Halifax) (Traffic Regulation) Order 2018 is hereby revoked:
  - a. Part 2: waiting restrictions (articles 8 to 11 (inclusive)).
- Only the following articles and schedules of the Borough Council of Calderdale (Traffic Regulation, Parking Places and Bus Lane) (A629 South Halifax) Order 2019 are hereby revoked:

- a. articles 10 to 27 (inclusive) and the fifth to thirteenth schedules (inclusive).
- (5) Only the following article and schedule of the Borough Council of Calderdale (Trinity Academy) (Albert Road) Traffic Regulation Order 2022 are hereby revoked:
  - a. article 10 and schedule 2.
- (6) Only the following articles and schedule of the Borough Council of Calderdale (Savile Park Primary School) (Moorfield Street) Traffic Regulation Order 2023 are hereby revoked:
  - a. articles 12 to 14 (inclusive) and schedule 2

#### 3. Interpretation

- (1) The Interpretation Act 1978 applies to this Order as it applies to an Act of Parliament.
- (2) Where a provision of this Order is in conflict with a provision contained in a previous order, the provisions of this Order shall prevail.
- (3) Where a statute, statutory instrument, specification or regulation is referred to such reference includes an amendment to or replacement thereof.
- (4) Where a statute, statutory instrument, specification or regulation is referred to and a definition follows it in brackets, the reference in the statute, statutory instrument, specification or regulation prevails.
- (5) The restrictions imposed by this Order shall be in addition to and not in derogation of any restriction, regulation or other requirement imposed by law.
- (6) References to articles, schedules or to parts unless otherwise stated mean articles, schedules or parts of this Order respectively.

#### 4. Definitions

In this Order, the following terms have the meaning hereby respectively assigned to them:-

"actively charging" means electric charge is being transferred from the charging equipment at the <u>electric vehicle charging place</u> to the motor or battery of the <u>electric vehicle</u> or <u>hybrid vehicle</u> and the motor or battery is not yet fully charged; "active session" in respect of: -

- (a) an <u>electric vehicle</u> or <u>hybrid vehicle</u> waiting in an <u>electric vehicle</u> <u>charging place</u> means that the <u>electric vehicle</u> or <u>hybrid vehicle</u> is:-
  - (i) <u>actively charging;</u> and
  - (ii) complying with the terms of use of the <u>electric vehicle</u> charging equipment specified on <u>signage</u> in or next to the <u>electric vehicle</u> <u>charging place</u>;
- (b) a <u>vehicle</u> paying for the use of a <u>payment parking place</u> by an <u>approved</u> <u>app</u> or through the <u>telephone payment system</u>:-

means a parking session that has started and is continuing to count and allocate time or expense on an <u>approved app</u> or through the <u>telephone</u> <u>payment system</u> to the account of a pre-registered user for the purpose of paying for the use of a <u>payment parking place</u> provided:

- the user has received and can evidence <u>written confirmation</u> that an <u>active session</u> has started and is covering the period the <u>vehicle</u> is waiting;
- (ii) the correct <u>vehicle registration number</u> for the <u>vehicle</u> waiting is registered with the <u>authorised supplier</u> in relation to the <u>active</u> <u>session</u>; and
- (iii) a valid credit or debit card is registered with the <u>authorised</u> <u>supplier</u> and there are sufficient funds available via the method of payment selected to pay for the <u>maximum stay period</u> for that <u>payment parking place</u>;
- "approved app" means a computer programme or software application designed to run on a mobile device such as a smart phone, tablet or watch that has been approved by the <u>Council</u> for the purpose of monitoring parking activity and accepting payment for the use of <u>parking places</u>;
- "**authorised officer**" means an individual duly authorised by the <u>Council</u> in writing to exercise any power in this Order;
- "authorised payment method" means payment via an <u>authorised supplier</u> or at the <u>pay and display machine</u> relating to the <u>parking place</u> in which the <u>vehicle</u> is left by either:
  - (a) the insertion of coin(s) or bank note(s) of a denomination indicated on the pay and display machine; or
  - (b) a valid credit or debit card; or
  - (c) pre-paid parking card; or

- (d) payment by electronic device; or
- (e) the <u>telephone payment system;</u>
- "authorised supplier" means a provider of an <u>approved app</u> and/or operator of the <u>telephone payment system</u> authorised by the Council for the purpose of facilitating a cashless transaction to include payment for the use of <u>parking places</u>;
- "**bus**" has the same meaning as in Section 1 of the Public Passenger Vehicles Act 1981;
- "**bus parking place**" means an area on a <u>road</u> shown on the <u>Plans</u> labelled 'Buses Only' or otherwise designated for use only by <u>vehicles</u> that comply with the description of a <u>bus</u> or a particular description of a <u>bus</u>;

"carriageway" has the same meaning as in Section 329(1) of the Highways Act 1980;

"**charging hours**" means the days and hours as labelled on the <u>Plans</u> with the <u>payment parking place</u> designation and specified in the tariffs in Schedule 2, except as specified otherwise on the <u>Plans</u> and in the said tariffs;

Where no hours or days are specified the charging hours are all days and hours;

- "**civil enforcement officer**" means a person authorised by or on behalf of the <u>Council</u> in accordance with Section 76 of the Traffic Management Act 2004;
- "**coach**" means a <u>vehicle</u> constructed or adapted solely for the carriage of passengers and their effects and constructed or adapted to carry more than eight passengers excluding the <u>driver</u>;
- "coach parking place" means an area on a <u>road</u> shown on the <u>Plans</u> labelled 'Coaches Only' or otherwise designated for use only by <u>vehicles</u> that comply with the description of a <u>coach</u> or a particular description of a <u>coach</u>;
- "**Council**" means the Borough Council of Calderdale and includes any contractors or authorised agents appointed by or acting on behalf of it for the purposes of any function under the provisions of this Order;
- "**disabled person**" has the same meaning as in Regulation 2 of the Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000;
- "**disabled person's badge**" has the same meaning as in Regulation 2 of The Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000;

- "disabled person's parking place" means an area on a <u>road</u> shown on the <u>Plans</u> labelled 'Disabled Badge Holders Only' or otherwise designated for use only by <u>vehicles displaying a disabled person's badge;</u>
- "display" "displaying" or "displayed" in relation to a <u>disabled person's badge</u>, <u>permit</u> or <u>pay and display ticket</u> means displayed in the <u>relevant position</u> for the duration that the <u>vehicle</u> is waiting;
- "driver" means the person who was driving the <u>vehicle</u> at the time it was left in any road or in any <u>parking place</u> and where a separate person acts as steersman of a <u>vehicle</u>, includes that person as well as any other person engaged in driving the <u>vehicle</u>;
- "electric vehicle" means a <u>vehicle</u> including a <u>motorcycle</u> in which the electrical motive power is derived from an electrical storage battery which is not connected to any source of power when the <u>vehicle</u> is in motion;
- "electric vehicle charging place" means a length of <u>road</u> shown on the <u>Plans</u> for use only by <u>electric vehicles</u> or <u>hybrid vehicles</u> in accordance with the provisions of this Order;
- "**goods vehicle**" means a <u>vehicle</u> which is constructed or adapted for use for the carriage of goods or burden of any description and is not drawing a <u>trailer</u>;
- "hackney carriage" means a <u>vehicle</u> licensed under Section 37 of the Town Police Clauses Act 1847 (for the avoidance of doubt this does not include a private hire vehicle within the meaning of Section 80 of the Local Government (Miscellaneous Provisions) Act 1976;
- "hours of operation" means the hours during which <u>hackney carriages</u> are permitted to stand in accordance with the <u>Plans</u>;

Where the <u>Plans</u> are labelled 'at all times' or where no days or hours are labelled on the <u>Plans</u>, the 'hours of operation' means all days and all hours;

- "hybrid vehicle" means a <u>vehicle</u> including a <u>motorcycle</u> that has both an internal combustion engine and an electric storage battery that is recharged from an external source of electricity;
- "invalid carriage" means a mechanically propelled <u>vehicle</u> of which the weight unladen does not exceed 254 kilograms and which is specially designed and constructed, and not merely adapted, for the use of a person suffering from some physical default or disability and is used solely by such a person;

- "**legend**" means the legend in Schedule 3 to this Order which details the shading and label abbreviations used on the <u>Plans</u> to denote the various restrictions imposed by this Order;
- "liveried vehicle" means a <u>vehicle</u> having a distinctive design and colour scheme used to distinguish a police, fire brigade, ambulance, statutory undertaker, Royal Mail or other <u>universal service provider</u>, a <u>security company vehicle</u>, or a <u>Council</u> highway maintenance <u>vehicle</u>;
- "**load**" and "**loading**" includes 'unload' and 'unloading and in this context means to put something(s) in or take something(s) out of a <u>vehicle;</u>
- "**loading and unloading of goods**" for the purpose of being permitted to <u>load</u> in a <u>loading area</u> or <u>load</u> where otherwise it would not be permitted means the active <u>loading</u> or unloading of goods to or from a <u>vehicle</u>, the volume, weight or bulk of the goods being such that it would not be reasonable to expect the goods to be otherwise delivered or received and such <u>loading</u> or unloading is continuous;
- "**loading area**" means any length of <u>road</u> or bay labelled and/or identified on the <u>Plans</u> 'loading only' or where any activity other than the <u>loading of goods</u> is prohibited or restricted;
- "**maximum stay period**" means a maximum period for which <u>vehicles</u> may wait or <u>load</u> at a <u>parking place</u> as specified on the <u>Plans</u>;
- "**motor car**" means a mechanically propelled <u>vehicle</u>, not being a <u>motorcycle</u> or an <u>invalid carriage</u>, which is constructed itself to carry a load or passengers and of which the weight unladen—
  - (a) if it is constructed solely for the carriage of passengers and their effects, is adapted to carry not more than 7 passengers exclusive of the <u>driver</u>, and is fitted with tyres of such type as may be specified in regulations made by the Secretary of State, does not exceed 3050 kilograms;

if it is constructed or adapted for use for the conveyance of goods or burden of any description, does not exceed 3050 kilograms (or 3500 kilograms if the <u>vehicle</u> carries a container or containers for holding, for the purposes of its propulsion, any fuel which is wholly gaseous at 17.5 degrees Celsius under a pressure of 1.013 bar or plant and materials for producing such fuel); or

(c) in a case falling within neither of the foregoing paragraphs, does not exceed 2540 kilograms;

- "motorcycle" means a mechanically propelled <u>vehicle</u> (not being an <u>invalid carriage</u>) with fewer than 4 wheels, of which the weight unladen does not exceed 410 kilograms;
- "**motorcycle parking place**" means an area on a <u>road</u> shown on the <u>Plans</u> labelled 'Motorcycle Parking' or otherwise designated for use only by <u>motorcycles</u>;
- "**motor vehicle**" means a mechanically propelled <u>vehicle</u> intended or adapted for use on <u>roads;</u>
- "**no return period**" means the period that a <u>vehicle</u> after waiting or <u>loading</u> in a <u>parking</u> <u>place</u> may not return to the same <u>parking place</u> within as specified on the <u>Plans</u>;
- "operative hours" in relation to a <u>parking place</u> means the days and the hours that restrictions apply inclusive of the start and end times; such days and hours being labelled on the <u>Plans</u> next to each <u>parking place</u>;

Where the <u>parking place</u> is labelled on the <u>Plans</u> 'at all times' or where no days or hours are labelled, 'operative hours' means all days and all hours;

- "**parking charge**" means the sum(s) specified in <u>Schedule 2</u> which must be paid, subject to the provisions of this Order in respect of a <u>vehicle</u> left in a <u>payment</u> <u>parking place</u> as shown on the <u>Plans</u>;
- "**parking disc**" has the same meaning as that in Regulation 3 of the Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000;
- "parking place" means any part of a <u>road</u> designated or authorised for use as a parking place by this Order in accordance with 32, 35, 45 or 46 of the 1984 Act and the limits of such part shall be shown on each <u>road</u> by <u>signage</u> and/or markings as indicated in the Traffic Signs Regulations and General Directions 2016;
- "**passenger vehicle**" means a <u>motor vehicle</u> (other than a <u>motorcycle</u>) constructed or adapted solely for the carriage of not more than eight passengers (exclusive of the <u>driver</u>) and their effects and not drawing a <u>trailer</u>;
- "**pay and display machine**" means an apparatus for issuing a <u>pay and display ticket</u> indicating the payment of a <u>parking charge</u>, the date on which the ticket is valid and the time by which the <u>vehicle</u> is required to leave the <u>parking place</u>;
- "payment parking place" means those lengths of <u>road</u> shown on the <u>Plans</u> labelled "Payment Parking" or otherwise designated for use as a <u>parking place</u> for payment;
- "pay and display ticket" means either:

- (a) a ticket issued by a <u>pay and display machine;</u> or
- (b) a virtual ticket;
- "payment by electronic device" means use of an electronic transmission device to pay the <u>parking charge</u> through a pre-registered account accepted by the <u>Council</u> and containing the correct <u>vehicle registration number</u> of the <u>vehicle</u> used, valid credit or debit card details and such other information as the <u>Council</u> may from time to time require at the time of use of the <u>parking place</u>;
- "**permit**" means any valid permit issued by the <u>Council</u> under the provisions of this Order and includes a <u>virtual permit</u>;
- "**permit holder**" means a person to whom a <u>permit</u> has been issued under the provisions of this Order;
- "**permit holders parking place**" means those lengths of <u>road</u> shown on the <u>Plans</u> labelled 'Permit Holders' or otherwise designated for use only by persons holding a <u>permit;</u>
- "Plans" means the plans incorporated into this Order as Schedule 4 and includes the <u>legend</u> and annotations on the <u>Plans</u>;

"postal packet" has the same meaning as in the Postal Services Act 2000;

- "prohibited area" means an area labelled and/or identified on the <u>Plans</u> where stopping waiting or <u>loading</u> is prohibited (including without limitation for the avoidance of doubt restricted parking zones and controlled parking zones) and the limits of such area shall be shown on each <u>road</u> by <u>signage</u> and/or markings as indicated in the Traffic Signs Regulations and General Directions 2016;
- "**prohibited vehicle**" means a <u>vehicle</u> of the same class as specified on the <u>Plans</u> as being prohibited from stopping waiting or <u>loading</u> in that <u>parking place</u>;

"relevant position" in respect of: -

(a) a disabled person's badge and parking disc:-

has the same meaning as in Regulation 4 of the Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000;

(b) a <u>permit</u>:-

with the exception of a <u>virtual permit</u>, means exhibited on the windscreen, dashboard or fascia of the <u>vehicle</u> or, where the <u>vehicle</u> does not have a windscreen, dashboard or fascia, in a conspicuous position on the

<u>vehicle</u> so that the whole of the information on the front of the <u>permit</u> is clearly legible from outside the <u>vehicle</u>;

(c) a <u>virtual permit</u>:-

means visible to a <u>civil enforcement officer</u> checking the <u>vehicle</u> using hand-held electronic equipment or equivalent means for the purpose of checking for a valid virtual permit;

#### (d) a pay and display ticket:-

with the exception of a <u>virtual ticket</u>, means exhibited on the windscreen, dashboard or fascia of the <u>vehicle</u> or, where the <u>vehicle</u> does not have a windscreen, dashboard or fascia, in a conspicuous position on the <u>vehicle</u> so that the whole of the information on the front of the ticket is clearly legible from outside the <u>vehicle</u>;

(e) a <u>virtual ticket</u>:-

means visible to a <u>civil enforcement officer</u> checking the <u>vehicle</u> using hand-held electronic equipment or equivalent means for the purpose of checking for a valid virtual ticket;

"**restricted hours**" means the days and hours identified on the <u>Plans</u> during which stopping, waiting or <u>loading</u> is prohibited including the start and end times;

Where the <u>Plans</u> are labelled 'at all times' or where no days or hours are labelled on the <u>Plans</u>, the 'restricted hours' means all days and all hours;

- "**road**" means any length of highway or of any other road to which the public has access and includes bridges over which a road passes;
- "security company vehicle" means a <u>vehicle</u> used by a person for the primary purpose of carrying out an activity that is licenced or capable of being licensed in accordance with the Private Security Industry Act 2001;
- "**signage**" means signs and or lines to describe delineate or designate a restriction provision or requirement;
- "**specified class**" in relation to a <u>vehicle</u> means a <u>vehicle</u> of a category or specification that is distinct in description purpose user size weight height length or emissions;
- "specific user" means ambulances, armed services, cycles, doctors, fire brigade, <u>hackney carriages</u>, cave and mountain rescue, police, <u>taxi</u> or other user as labelled on the <u>Plans;</u>

- "**tariff card**" means the insert or digital display showing the <u>parking charges</u> in or on the <u>pay and display machine</u>;
- "**taxi**" means a licensed taxi as in the meaning of Section 13 of the Transport Act 1985;
- **"telephone payment system"** means an electronic system using a telephone connection set up and maintained by the <u>authorised supplier</u> whereby:
  - (a) the <u>driver</u> of a <u>vehicle</u> or some other person authorised on their behalf uses a telephone to communicate with the <u>authorised supplier</u> for the payment of a <u>parking charge</u> for the use of a <u>parking place</u> or for an <u>active session</u>;
  - (b) in respect of the payment of a <u>parking charge</u> the <u>authorised supplier</u> is provided with the relevant registration number of the <u>vehicle</u>, the location of the <u>parking place</u>, credit or debit card details or such other details as the <u>Council</u> may from time to time require which is accepted by the <u>Council</u> as a valid method of payment at the time of use of the <u>parking place</u>; and
  - (c) the <u>authorised supplier</u> on behalf of the <u>Council</u> accepts and records the said payment of the <u>parking charge</u> or the <u>active session</u>;

"traffic sign" has the same meaning as that in Section 64(1) of the1984 Act;

"trailer" means a non-mechanically propelled vehicle drawn by a motor vehicle;

"**universal service provider**" has the same meaning as that in Section 65 of the Postal Services Act 2011;

"vehicle" means motor vehicle as defined in Section 136 of the 1984 Act;

- "vehicle registration number" means the vehicle registration number as provided for in the vehicle's log book (V5C or V5CNI log book) and on the number plate(s) displayed on the <u>vehicle</u> as prescribed by Part II of the Vehicle Excise and Registration Act 1994 and regulations made thereunder;
- "virtual permit" means a <u>permit</u> issued electronically via the <u>Council</u> or an <u>authorised</u> <u>supplier</u> for the purpose of permitting a user to wait in a <u>parking place</u> in accordance with the terms and conditions for that virtual permit;
- "**virtual ticket**" means a ticket issued electronically via the <u>Council</u> or an <u>authorised</u> <u>supplier</u> for the purpose of paying the <u>parking charge</u>;
- "written confirmation" in relation to an <u>active session</u> means an email, text message or recorded communication through an <u>approved app</u> to relay confirmation;

#### 5. Contraventions

- (1) Where a contravention of this Order constitutes a parking contravention within the meaning of the Traffic Management Act 2004, the contravention shall be subject to the penalties and procedures provided for by that Act, including the imposition of a penalty charge in accordance with Schedule 7 of that Act and Regulation 5 of the Civil Enforcement of Road Traffic Contraventions (Approved Devices, Charging Guidelines and General Provisions) (England) Regulations 2022.
- (2) A contravention shall occur for each and every day during which a <u>vehicle</u> is left in contravention of any prohibition or restriction imposed by this Order.

## **PART 2 - NO STOPPING**

#### 6. No stopping (clearways and school entrance markings)

No person shall cause or permit any <u>vehicle</u> to stop or to wait during the <u>restricted</u> <u>hours</u> in a <u>prohibited area</u> where stopping is prohibited and the <u>Council</u> is satisfied that, for the purposes of facilitating safe passage of traffic on the relevant <u>roads</u>, that it is requisite that Section 3(1) of the 1984 Act shall not apply to this Part 2.

#### 7. No stopping - exemptions for emergency services

The prohibition in Article 6 shall not apply to a <u>liveried vehicle</u> being used for at least one of the following purposes in pursuance of statutory powers or duties:

- (a) a fire and rescue authority;
- (b) a <u>civil enforcement officer;</u>
- (c) ambulance;
- (d) providing a response to an emergency at the request of an NHS ambulance service;
- (e) bomb or explosive disposal;
- (f) special forces;
- (g) police; and
- (h) National Crime Agency.

#### 8. No stopping – general exemptions

The prohibition in Article 6 shall not apply in respect of -

- (a) a <u>vehicle</u> that has stopped with the permission or at the direction of:
  - (i) a police constable in uniform; or
  - (ii) a <u>civil enforcement officer;</u>

- (b) a <u>vehicle</u> which is prevented from proceeding by circumstances beyond the <u>driver</u>'s control or which has to be stopped in order to avoid injury or damage to persons or property;
- (c) a <u>liveried vehicle</u> which, whilst used by a <u>universal service provider</u> in the course of the provision of a universal postal service, is stationary only for so long as may be reasonably necessary for <u>postal packets</u> to be collected and which cannot be used for such a purpose without stopping on the marking (this exception does not apply where the <u>marking</u> complies with diagram 1027.1 in Part 4 of Schedule 7 to the Traffic Signs Regulations and General Directions 2016);
- (d) a <u>liveried vehicle</u> which is stationary in order that it may be used for one or more of the purposes specified below and which cannot be used for such a purpose without stopping on the marking:
  - any operation involving building, demolition or excavation (this exception does not apply where the marking complies with diagram 1027.1 in Part 4 of Schedule 7 to the Traffic Signs Regulations and General Directions 2016);
  - (ii) the removal of any obstruction to traffic;
  - (iii) the maintenance, improvement or reconstruction of a road;
  - (iv) constructing, improving, maintaining or cleaning any street furniture; or
  - (v) the laying, erection, alteration, repair or cleaning of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity, or of any electronic communications apparatus kept installed for the purposes of an electronic communications code network or of any other electronic communications apparatus lawfully kept installed in any position;
- (e) any <u>vehicle</u> of a <u>specific user</u> or a <u>specified class</u> of <u>vehicle</u> that is identified on the Plans as excepted from the prohibition.

## PART 3 - WAITING AND LOADING (YELLOW LINES)

#### 9. No waiting

No person shall cause or permit any <u>vehicle</u> to wait during the <u>restricted hours</u> in a <u>prohibited area</u> where waiting is prohibited;

#### 10. No loading

No person shall cause or permit any <u>vehicle</u> to <u>load</u> during the <u>restricted hours</u> in a <u>prohibited area</u> where <u>loading</u> is prohibited;

#### 11. No waiting or stopping except taxis (hackney carriages)

No person shall during the <u>hours of operation</u> cause or permit any <u>vehicle</u> to wait or stop in any part of a <u>road</u> labelled on the <u>Plans</u> as 'No Waiting Except Taxis' or 'No Stopping Except Taxis' (and/or otherwise identified as a taxi rank) unless that <u>vehicle</u> is a <u>hackney carriage</u>.

#### 12. No waiting or loading - exemption for emergency services

The prohibitions in Part 3 shall not apply to a <u>liveried vehicle</u> being used for at least one of the following purposes in pursuance of statutory powers or duties:

- (a) a fire and rescue authority;
- (b) a civil enforcement officer;
- (c) ambulance;
- (d) providing a response to an emergency at the request of an NHS ambulance service;
- (e) bomb or explosive disposal;
- (f) special forces;
- (g) police; and
- (h) National Crime Agency.

#### 13. No waiting or loading – general exemptions

The prohibition in Part 3 shall not apply in respect of -

- (a) a <u>vehicle</u> that has stopped with the permission or at the direction of:
  - (i) a police constable in uniform; or
  - (ii) a <u>civil enforcement officer;</u>
- (b) a <u>vehicle</u> which is prevented from proceeding by circumstances beyond the <u>driver</u>'s control or which has to be stopped in order to avoid injury or damage to persons or property;
- (c) a <u>liveried vehicle</u> which, whilst used by a <u>universal service provider</u> in the course of the provision of a universal postal service, is stationary only for so long as may be reasonably necessary for <u>postal packets</u> to be collected or delivered and which cannot be used for such a purpose without stopping on the marking;
- (d) any <u>vehicle</u> of a <u>specific user</u> or a <u>specified class</u> of <u>vehicle</u> that is identified on the <u>Plans</u> as excepted from the prohibition;
- (e) a <u>liveried vehicle</u> which is stationary in order that it may be used for one or more of the purposes specified below and which cannot be used for such a purpose without stopping on the marking:
  - (i) any operation involving building, demolition or excavation;
  - (ii) the removal of any obstruction to traffic;
  - (iii) the maintenance, improvement or reconstruction of a <u>road;</u>

- (iv) constructing, improving, maintaining or cleaning any street furniture;
- (v) the laying, erection, alteration, repair or cleaning of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity, or of any electronic communications apparatus kept installed for the purposes of an electronic communications code network or of any other electronic communications apparatus lawfully kept installed in any position; or
- a <u>security company vehicle</u> being used for the delivery and collection of money or securities to or from any bank of commercial premises.

#### 14. No waiting - general exemptions

Nothing in Part 3 shall prohibit any person from causing or permitting any <u>vehicle</u> to wait for so long as may be necessary to:-

- (a) enable a person to board or alight from the <u>vehicle;</u>
- (b) open or close a gate or barrier at the entrance to premises to which the <u>vehicle</u> is being driven or from which it emerged if it is not reasonably practicable to cause the <u>vehicle</u> to wait elsewhere for the purpose;
- (c) enable the <u>loading of goods</u> while the <u>vehicle</u> is in actual use in connection with the removal or delivery of furniture to or from premises adjacent to the <u>parking place</u> provided permission is sought and given 24 hours in advance by an <u>authorised officer</u> for this purpose;
- (d) enable the official wedding car(s) or an official hearse and any other car provided by the funeral director to wait at or near to any premises situated on or adjacent to any length of <u>road</u> for the purpose of a wedding or funeral.

#### 15. No waiting - exemption for disabled badge holders (blue badge holders)

The waiting restrictions in Part 3 shall not apply to a <u>vehicle</u> which <u>displays</u> in the <u>relevant position</u> a <u>disabled person's badge</u> and <u>parking disc</u>, on which the <u>driver</u> or other person in charge of the <u>vehicle</u> has marked the time at which the period of waiting began, to wait for a period not exceeding 3 hours (not being a period separated by an interval of less than one hour from a previous period of waiting by the same <u>vehicle</u> in the same <u>road</u> or part of <u>road</u> on the same day) (or such other times as may be prescribed by primary and/or secondary legislation from time to time) and provided that:

(a) the <u>vehicle</u> immediately before or after the act of waiting has been or is about to be driven or used by the person to whom the badge has been issued for the carrying of <u>disabled person(s)</u>; and (b) any <u>loading</u> restriction is not in operation for any of the time the <u>vehicle</u> is waiting.

#### 16. No waiting - exemption for loading

Nothing in Part 3 shall prohibit any person from causing or permitting any <u>vehicle</u> to wait for the purpose of the <u>loading of goods</u>:

- (a) Except where there is a <u>loading</u> restriction in operation; and
- (b) Provided the <u>vehicle</u> shall wait for no longer than 30 minutes on the same <u>road</u> (not being a period separated by an interval of less than one hour from a previous period of waiting by the same vehicle in the same <u>road</u> or part of <u>road</u> on the same day) and provided that no obstruction is caused by the said <u>vehicle</u>.

# PART 4 - PARKING PLACES AND LOADING PLACES WITHOUT PAYMENT

#### 17. Designation of parking places

The lengths of <u>road</u> identified as <u>parking places</u> on the <u>Plans</u>, with the exception of <u>payment parking places</u> during the <u>charging hours</u> and <u>permit holders parking places</u> during the <u>operative hours</u>, are hereby designated to be used as <u>parking places</u> without payment subject to the provisions of Part 4.

#### Restrictions within designated parking places

#### 18. Designated loading area

No person shall cause or permit any <u>vehicle</u> to wait or <u>load</u> in a <u>loading area</u> during the <u>operative hours</u> except for the purpose of the <u>loading and unloading of goods</u>.

#### 19. Designated disabled person's parking place

No person shall cause or permit any <u>vehicle</u> to wait or <u>load</u> in a <u>disabled person's</u> <u>parking place</u> during the <u>operative hours</u> unless there is <u>displayed</u> on that <u>vehicle</u> in the <u>relevant position</u> a valid <u>disabled person's badge</u> and

Provided that the <u>vehicle</u> immediately before or after the act of waiting or <u>loading</u> has been or is about to be driven or used by the person to whom the badge has been issued or used for the carrying of the <u>disabled person(s)</u>.

#### 20. Designated motorcycle parking

No person shall cause or permit any <u>vehicle</u> to wait or <u>load</u> in a designated <u>motorcycle</u> <u>parking place</u> during the <u>operative hours</u> unless that <u>vehicle</u> is a <u>motorcycle</u>.

#### 21. Designated bus and coach parking

No person shall cause or permit any <u>vehicle</u> to wait or <u>load</u> in a <u>bus parking place</u> or a <u>coach parking place</u> during the <u>operative hours</u> unless that <u>vehicle</u> is a <u>bus</u> or a <u>coach</u> and complies with the designation of <u>vehicle</u> specified on the <u>signage</u> next to the <u>parking place</u>.

#### 22. Designated parking for electric vehicles charging

No person shall cause or permit any <u>vehicle</u> to wait or <u>load</u> at an <u>electric vehicle</u> <u>charging place</u> during the <u>operative hours</u> unless that <u>vehicle</u> is an <u>electric vehicle</u> or <u>hybrid vehicle</u> and complies with the designation of <u>vehicle</u> specified on the <u>signage</u> next to the <u>electric vehicle charging place</u> and

Provided that the <u>vehicle</u> is connected by the charging lead and is <u>actively charging</u> from the charging apparatus provided for that <u>electric vehicle charging place</u> in which the <u>vehicle</u> is parked.

#### 23. Specified user or class of vehicle

No person shall cause or permit any <u>vehicle</u> to wait or <u>load</u> during the <u>operative hours</u> in a <u>parking place</u> designated on the <u>Plans</u> for use by a <u>specific user</u> or a <u>specified</u> <u>class</u> of <u>vehicle</u> unless that user or <u>vehicle</u> is of the specified class as labelled on the <u>Plans</u>.

#### 24. Prohibited vehicles

- (1) No person shall cause or permit any <u>vehicle</u> weighing in excess of 3.5 tonnes to wait in a <u>parking place</u> unless that <u>parking place</u> is designated on the <u>Plans</u> for <u>buses</u>, <u>coaches</u> or heavy <u>goods vehicles</u>.
- (2) No person shall cause or permit any <u>prohibited vehicle</u> to wait in a <u>parking place</u> where waiting for that class of <u>vehicle</u> is prohibited on the <u>Plans</u>.
- (3) No person shall cause or permit any <u>prohibited vehicle</u> to <u>load</u> in a <u>parking</u> <u>place</u> where <u>loading</u> for that class of <u>vehicle</u> is prohibited on the <u>Plans</u>.

#### 25. Manner of waiting

No person shall cause or permit any <u>vehicle</u> to wait or <u>load</u> in a <u>parking place</u> unless every part of the <u>vehicle</u> is wholly within the limits of the <u>parking place</u> and in the position as marked or signed on the <u>road</u>.

#### 26. **Prohibition of trade**

No person shall cause or permit any <u>vehicle</u> to be used in a <u>parking place</u> in connection with the sale or offering or exposing for sale of goods.

#### 27. Maximum stay period

No person shall cause or permit any <u>vehicle</u> to wait or <u>load</u> in any <u>parking place</u> for longer than the <u>maximum stay period</u>.

#### 28. No return period

No person shall cause or permit any <u>vehicle</u> to wait or <u>load</u> again in the same <u>parking</u> <u>place</u> during the <u>operative hours</u> in respect of that <u>parking place</u> until the <u>no return</u> <u>period</u> as specified on the <u>Plans</u> has elapsed.

#### 29. Suspension of parking places

- (1) An <u>authorised officer</u> may suspend the use of a <u>parking place</u> or any part thereof whenever they consider such suspension reasonably necessary.
- (2) Where a <u>parking place</u> or part of a <u>parking place</u> is suspended, the <u>Council</u> shall display a sign at or near to that <u>parking place</u> to convey that the <u>parking place</u> has been suspended.
- (3) No person shall cause or permit a <u>vehicle</u> to wait or <u>load</u> in any part of a <u>parking</u> <u>place</u> during such period that the <u>Council</u> has suspended that <u>parking place</u> or part thereof.
- (4) Nothing in the preceding article shall render it a contravention to cause or permit any <u>vehicle</u> to wait in a <u>parking place</u> which has been suspended provided it <u>displays</u> in the <u>relevant position</u> a valid <u>permit</u> issued by the <u>Council</u> for use in that particular <u>parking place</u> whilst suspended and the vehicle is waiting in accordance with the terms and conditions of the said <u>permit</u>.

#### 30. Parking places - exemption for emergency services

The prohibitions in Part 4 shall not apply to a <u>liveried vehicle</u> being used for at least one of the following purposes in pursuance of statutory powers or duties:

- (a) a fire and rescue authority;
- (b) a civil enforcement officer;
- (c) ambulance;
- (d) providing a response to an emergency at the request of an NHS ambulance service;
- (e) bomb or explosive disposal;

- (f) special forces;
- (g) police; and
- (h) National Crime Agency.

#### 31. Parking places – general exemptions

The prohibition in Part 4 shall not apply in respect of -

- (a) a <u>vehicle</u> that has stopped with the permission or at the direction of:
  - (i) a police constable in uniform; or
  - (ii) a <u>civil enforcement officer;</u>
- (b) a <u>vehicle</u> which is prevented from proceeding by circumstances beyond the <u>driver</u>'s control or which has to be stopped in order to avoid injury or damage to persons or property;
- (c) a <u>liveried vehicle</u> which, whilst used by a <u>universal service provider</u> in the course of the provision of a universal postal service, is stationary only for so long as may be reasonably necessary for <u>postal packets</u> to be collected or delivered and which cannot be used for such a purpose without stopping on the marking;
- (d) a <u>liveried vehicle</u> which is stationary in order that it may be used for one or more of the purposes specified below and which cannot be used for such a purpose without stopping on the marking:
  - (i) any operation involving building, demolition or excavation;
  - (ii) the removal of any obstruction to traffic;
  - (iii) the maintenance, improvement or reconstruction of a road;
  - (iv) constructing, improving, maintaining or cleaning any street furniture;
  - (v) the laying, erection, alteration, repair or cleaning of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity, or of any electronic communications apparatus kept installed for the purposes of an electronic communications code network or of any other electronic communications apparatus lawfully kept installed in any position; or
  - (vi) a <u>security company vehicle</u> being used for the delivery and collection of money or securities to or from any bank of commercial premises
- (e) a <u>vehicle</u> waiting for so long as may be necessary to:-
  - (i) enable a person to board or alight from the <u>vehicle;</u>
  - (ii) open or close a gate or barrier at the entrance to premises to which the <u>vehicle</u> is being driven or from which it emerged if it is not reasonably practicable to cause the <u>vehicle</u> to wait elsewhere for the purpose;
  - (iii) enable the <u>loading of goods</u> while the <u>vehicle</u> is in actual use in connection with the removal or delivery of furniture to or from

premises adjacent to the <u>parking place</u> provided permission is sought and given 24 hours in advance by an <u>authorised officer</u> for this purpose;

- (iv) enable the official wedding car(s) or an official hearse and any other <u>motor car</u> provided by the funeral director to wait at or near to any premises situated on or adjacent to any length of <u>road</u> for the purpose of a wedding or funeral;
- (v) in any other case to enable the delivery or <u>loading of goods</u> to or from premises adjacent to the <u>parking place</u> provided the <u>vehicle</u> does not wait for longer than 30 minutes and subject to any direction to move by a <u>civil enforcement officer</u> or police constable in uniform if reasonably necessary to remove an obstruction to traffic.

# PART 5 - PAY AND DISPLAY

### 32. Designation of parking places for payment

The lengths of <u>road</u> labelled on the <u>Plans</u> as "Payment Parking" are designated to be used as <u>parking places</u> for payment (<u>payment parking places</u>) on such days and during such hours as are specified on the <u>Plans</u> ("<u>charging hours</u>") and at all other times are designated as <u>parking places</u> without payment.

#### 33. Designated parking for electric vehicles charging

No person shall cause or permit any <u>vehicle</u> to wait or <u>load</u> at a <u>payment parking place</u> reserved for <u>electric vehicles</u> during the <u>charging hours</u> unless that <u>vehicle</u> is an <u>electric vehicle</u> or <u>hybrid vehicle</u> and complies with the designation of <u>vehicle</u> specified on the <u>signage</u> next to the <u>electric vehicle charging point</u> and

Provided that the <u>vehicle</u> is connected by the charging lead and is <u>actively charging</u> from the charging apparatus provided for that <u>electric vehicle charging point</u> in which the <u>vehicle</u> is parked.

## 34. Specified class of vehicle permitted

Subject to the provisions of this Order, <u>payment parking places</u> may be used solely for the parking of <u>passenger vehicles</u>, light <u>goods vehicles</u>, <u>motorcycles</u> and <u>motor cars</u> or such other <u>specified class of vehicle</u> as designated on the <u>Plans</u>.

## 35. Specified class of vehicle

No person shall cause or permit any <u>vehicle</u> to wait or <u>load</u> in a <u>payment parking place</u> designated on the <u>Plans</u> for use by a <u>specified class</u> of <u>vehicle</u> during the <u>charging</u> <u>hours</u> unless that <u>vehicle</u> is of the <u>specified class</u>.

#### 36. Heavy vehicles

No person shall cause or permit any <u>vehicle</u> weighing in excess of 3.5 tonnes to wait or <u>load</u> in a <u>payment parking place</u> unless that <u>parking place</u> is designated on the <u>Plans</u> for <u>buses</u>, <u>coaches</u> or heavy <u>goods vehicles</u>.

#### 37. Prohibited vehicles

- (1) No person shall cause or permit any <u>prohibited vehicle</u> to wait in a <u>payment</u> <u>parking place</u> where waiting for that class of <u>vehicle</u> is prohibited on the <u>Plans</u>.
- (2) No person shall cause or permit any <u>prohibited vehicle</u> to <u>load</u> in a <u>payment</u> <u>parking place</u> where <u>loading</u> for that class of <u>vehicle</u> is prohibited on the <u>Plans</u>.

#### 38. When a parking charge is payable

- (1) Where a <u>parking charge</u> is listed in <u>Schedule 2</u> as being payable in relation to a <u>payment parking place</u> all <u>vehicles</u> present in that <u>parking place</u> during the <u>charging hours</u> will be subject to payment of that <u>parking charge</u>.
- (2) A <u>parking charge</u> is not payable if:
  - (a) a <u>vehicle</u> is an <u>invalid carriage</u>;
  - (b) a <u>vehicle displays</u> in the <u>relevant position</u> a valid <u>disabled person's</u> <u>badge;</u>
  - (c) a <u>vehicle</u> is a <u>motor cycle</u>;
  - (d) a <u>vehicle</u> is a <u>liveried vehicle</u> whilst it is being used in pursuance of statutory powers or duties and the <u>liveried vehicle</u> cannot conveniently wait elsewhere;
  - (e) there is in place for the duration the <u>vehicle</u> is waiting, an <u>active session;</u>
  - (f) a <u>vehicle</u> is <u>displaying</u> in the <u>relevant position</u> a valid <u>permit</u> effective for that <u>parking place</u>.

#### **39.** Payment of the parking charge

When a <u>parking charge</u> is payable the person in charge of the <u>vehicle</u> shall ensure that upon arrival at the <u>payment parking place</u> the <u>parking charge</u> is paid by the purchasing of a <u>pay and display ticket</u>.

#### 40. Method of payment of the parking charge

The <u>parking charge</u> shall be paid by an <u>authorised payment method</u> or as prescribed on the <u>tariff card</u> displayed on the relevant <u>pay and display machine</u>.

#### 41. Display of pay and display ticket

- (1) When a <u>parking charge</u> is payable the person in charge of the <u>vehicle</u> shall ensure that:
  - (a) a valid <u>pay and display ticket</u> is <u>displayed</u> in the <u>relevant position</u>; and
  - (b) the <u>pay and display ticket</u> is clearly <u>displayed</u> for the duration the <u>vehicle</u> is waiting in the <u>payment parking place</u> and whilst <u>charging hours</u> are in operation.
- (2) No person shall cause or permit any <u>vehicle</u> to wait in a <u>payment parking place</u> during the <u>charging hours</u> unless there is <u>displayed</u> in the <u>relevant position</u> a valid <u>pay and display ticket</u> effective for that <u>parking place</u> for the duration that the <u>vehicle</u> is waiting in that <u>parking place</u>.
- (3) Where a free period of parking applies during the <u>charging hours</u>, a <u>pay and</u> <u>display ticket</u> must still be obtained and <u>displayed</u> in the <u>relevant position</u> for the duration the <u>vehicle</u> is waiting and whilst the <u>charging hours</u> are in operation.
- (4) If at any time while a <u>vehicle</u> is waiting in a <u>payment parking place</u> and no <u>pay</u> <u>and display ticket</u> is clearly <u>displayed</u> in the <u>relevant position</u> it shall be judged that the <u>parking charge</u> has not been paid.

#### 42. Expiry of paid for time

The expiry of the period for which the <u>parking charge</u> has been paid shall be when the time shown on the clock of the hand-held device carried by the <u>civil enforcement</u> <u>officer</u> checking the <u>vehicle</u> is later than the time exhibited on the <u>pay and display</u> <u>ticket displayed</u> on the <u>vehicle</u> unless the hand-held device is found to be faulty.

#### 43. Maximum period of parking

No person shall cause or permit any vehicle to park in a payment parking place:

- (a) beyond the time of expiry of the period for which the <u>parking charge</u> has been paid, or
- (b) for longer than the <u>maximum stay period</u>.

#### 44. No return

No person shall cause or permit any <u>vehicle</u> to return to the same <u>payment parking</u> <u>place</u> during the <u>charging hours</u> until the <u>no return period</u> as specified on the <u>Plans</u> has elapsed.

#### 45. Feeding the meter (pay and display machine)

The limit of parking time applicable to a <u>payment parking place</u> as shown on the <u>plans</u> shall take precedence over the times shown on a <u>pay and display ticket</u> in determining whether or not a contravention has occurred.

#### 46. Validity of pay and display tickets

- (1) A <u>pay and display ticket</u> is not transferable from one <u>vehicle</u> to another or from one <u>payment parking place</u> to another.
- (2) A <u>pay and display ticket</u> is only valid until the expiry of the date and time for which the <u>parking charge</u> has been paid.
- (3) A <u>pay and display ticket</u> is valid only in the <u>payment parking place</u> in respect of which it was issued unless otherwise indicated on a sign adjacent to the <u>payment parking place</u>.

#### 47. Pay and display machine out of order

If at any time when a <u>vehicle</u> is parked during the <u>charging hours</u> in a <u>payment parking</u> <u>place</u> a <u>parking charge</u> is payable and the nearest <u>pay and display machine</u> is out of order, then either a <u>pay and display ticket</u> shall be obtained from another <u>pay and</u> <u>display machine</u> nearest to that <u>payment parking place</u> or a <u>virtual ticket</u> shall be obtained by the <u>telephone payment system</u> or <u>payment by electronic device</u>;

#### 48. Manner of parking

No person shall cause or permit any <u>vehicle</u> to wait or <u>load</u> in a <u>payment parking place</u> unless every part of the <u>vehicle</u> is wholly within the limits of that <u>payment parking place</u> and in the position as marked or signed on the <u>road</u>.

#### 49. Prohibition of trade

No person shall cause or permit any <u>vehicle</u> to be used in a <u>payment parking place</u> in connection with the sale or offering or exposing for sale of goods.

#### 50. Suspension of parking places

- (1) An <u>authorised officer</u> may suspend the use of a <u>payment parking place</u> whenever they consider such suspension reasonably necessary.
- (2) Where a <u>payment parking place</u> is suspended, the <u>Council</u> shall display a suspended bay sign in or near to that <u>payment parking place</u> to convey that the <u>payment parking place</u> has been suspended.
- (3) No person shall cause or permit a <u>vehicle</u> to wait or <u>load</u> in a <u>payment parking</u> <u>place</u> during such period as the <u>Council</u> has suspended that <u>payment parking</u> <u>place</u>.
- (4) Nothing in this article shall make it a contravention to cause or permit a <u>vehicle</u> to wait or <u>load</u> in a <u>payment parking place</u> which has been suspended, which

<u>displays</u> in the <u>relevant position</u> a valid <u>permit</u> issued by the <u>Council</u> for use in that suspended <u>payment parking place</u> and the <u>vehicle</u> is parked in accordance with the terms and conditions of the said <u>permit</u>.

# 51. Pay and display exemption for disabled person's badge holders (blue badge holders)

A person <u>displaying</u> a <u>disabled person's badge</u> in the <u>relevant position</u> shall be exempt from the requirement to

- (a) pay the <u>parking charge</u>
- (b) <u>display</u> the pay and display ticket
- (c) observe the <u>maximum stay period</u>; and
- (d) observe the <u>no return period</u>

whilst their <u>vehicle</u> is waiting in a <u>payment parking place</u> provided that the <u>vehicle</u> immediately before or after the act of waiting has been or is about to be driven or used by the person to whom the badge has been issued for the carrying of <u>disabled</u> <u>person(s)</u>

#### 52. Pay and display exemption for motorcycles

A <u>motorcycle</u> parked in a <u>payment parking place</u> during the <u>charging hours</u> shall be exempt from the payment of the <u>parking charge</u> and from <u>displaying</u> a <u>pay and display</u> <u>ticket</u>.

#### 53. Pay and display exemption for permit holders

The <u>driver</u> of any <u>vehicle</u> <u>displaying</u> in the <u>relevant position</u> a <u>permit</u> valid for that <u>payment parking place</u> shall be exempt from payment of the <u>parking charge</u>, <u>display</u> of a <u>pay and display ticket</u> and any time limit provided that the <u>vehicle</u> is being used in accordance with the conditions applying to the said <u>permit</u>.

#### 54. Pay and display exemption for special permit holders

Nothing in this Order shall restrict the use of a <u>payment parking place</u> by a <u>vehicle</u> <u>displaying</u> in the <u>relevant position</u> a valid special <u>permit</u> issued by the <u>Council</u> in respect of that <u>parking place</u> provided that the <u>vehicle</u> is parked in accordance with the terms and conditions of the said <u>permit</u>.

#### 55. Pay and display exemption for emergency services

The prohibitions in Part 5 shall not apply to a <u>liveried vehicle</u> being used for at least one of the following purposes in pursuance of statutory powers of duties:

- (a) a fire and rescue authority;
- (b) a <u>civil enforcement officer;</u>

- (c) ambulance;
- (d) providing a response to an emergency at the request of an NHS ambulance service;
- (e) bomb or explosive disposal;
- (f) special forces;
- (g) police; and
- (h) National Crime Agency.

#### 56. Pay and display general exemptions

The prohibition in Part 5 shall not apply in respect of -

- (a) a <u>vehicle</u> that has stopped with the permission or at the direction of:
  - (i) a police constable in uniform; or
  - (ii) a <u>civil enforcement officer;</u>
- (b) a <u>vehicle</u> which is prevented from proceeding by circumstances beyond the <u>driver</u>'s control or which has to be stopped in order to avoid injury or damage to persons or property;
- (c) a <u>liveried vehicle</u> which, whilst used by a <u>universal service provider</u> in the course of the provision of a universal postal service, is stationary only for so long as may be reasonably necessary for <u>postal packets</u> to be collected or delivered and which cannot be used for such a purpose without stopping on the marking;
- (d) a <u>liveried vehicle</u> which is stationary in order that it may be used for one or more of the purposes specified below and which cannot be used for such a purpose without stopping on the marking:
  - (i) any operation involving building, demolition or excavation;
  - (ii) the removal of any obstruction to traffic;
  - (iii) the maintenance, improvement or reconstruction of a road;
  - (iv) constructing, improving, maintaining or cleaning any street furniture;
  - (v) the laying, erection, alteration, repair or cleaning of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity, or of any electronic communications apparatus kept installed for the purposes of an electronic communications code network or of any other electronic communications apparatus lawfully kept installed in any position; or
  - a <u>security company vehicle</u> being used for the delivery and collection of money or securities to or from any bank of commercial premises;
- (e) a <u>vehicle</u> waiting for so long as may be necessary to:-
  - (i) enable a person to board or alight from the <u>vehicle;</u>
  - (ii) open or close a gate or barrier at the entrance to premises to which the <u>vehicle</u> is being driven or from which it emerged if it is

not reasonably practicable to cause the <u>vehicle</u> to wait elsewhere for the purpose;

- (iii) enable the <u>loading of goods</u> while the <u>vehicle</u> is in actual use in connection with the removal or delivery of furniture to or from premises adjacent to the <u>parking place</u> provided permission is sought and given 24 hours in advance by an <u>authorised officer</u> for this purpose;
- (iv) enable the official wedding car(s) or an official hearse and any other <u>motor car</u> provided by the funeral director to wait at or near to any premises situated on or adjacent to any length of <u>road</u> for the purpose of a wedding or funeral.

## PART 6 - PERMIT HOLDER PARKING

#### 57. Designation of permit holders parking places

The lengths of <u>road</u> labelled on the <u>Plans</u> "Permit Holders" are designated to be used as <u>parking places</u> for the purpose of those <u>vehicles</u> <u>displaying</u> a valid <u>permit</u> issued by the <u>Council</u> for that <u>parking place</u>.

#### 58. Specified class of vehicle permitted

Subject to the provisions of this Order, <u>permit holders parking places</u> may be used solely for the parking of <u>passenger vehicles</u>, light <u>goods vehicles</u>, <u>motorcycles</u> and <u>motor cars</u> or such other <u>specified class of vehicle</u> as designated on the <u>Plans</u>.

#### 59. Heavy vehicles

No person shall cause or permit any <u>vehicle</u> weighing in excess of 3.5 tonnes to wait in a <u>permit holders parking place</u>.

#### 60. Prohibited vehicles

No person shall cause or permit any <u>prohibited vehicle</u> to wait in a <u>permit holders</u> <u>parking place</u>.

#### 61. Permit eligibility

<u>Permits</u> will only be issued to persons meeting the current eligibility criteria from time to time provided by the <u>Council</u>.

#### 62. Use of permits

No person shall use a <u>permit</u> or allow a <u>permit</u> to be used other than in accordance with the terms and conditions issued for that <u>permit</u>.

#### 63. Display of a valid permit

No person shall cause or permit any <u>vehicle</u> to wait in a <u>permit holders parking place</u> unless there is clearly <u>displayed</u> on that <u>vehicle</u> in a <u>relevant position</u> a <u>permit</u> valid for that particular <u>permit holders parking place</u>.

#### 64. Manner of parking

No person shall cause or permit any <u>vehicle</u> to wait or <u>load</u> in a <u>permit holders parking</u> <u>place</u> unless every part of the <u>vehicle</u> is wholly within the limits of <u>the permit holders</u> <u>parking place</u> and in the position as marked or signed on the <u>road</u>.

#### 65. Prohibition of trade

No person shall cause or permit any <u>vehicle</u> to be used in a <u>permit holders parking</u> <u>place</u> in connection with the sale or offering or exposing for sale of goods.

#### 66. Suspension of the permit holders parking place

- (1) An <u>authorised officer</u> may suspend a <u>permit holders parking place</u> or any part thereof whenever they consider such suspension reasonably necessary.
- (2) Where the <u>permit holders parking place</u> is suspended, the <u>Council</u> shall display a suspended bay sign in or near to the <u>permit holders parking place</u> to convey that the <u>permit holders parking place</u> has been suspended.
- (3) No person shall cause or permit a <u>vehicle</u> to wait in the <u>permit holders parking</u> <u>place</u> or any part thereof during such period as the <u>Council</u> has suspended the <u>permit holders parking place</u> or any part thereof.
- (4) Nothing in the preceding articles shall make it a contravention to cause or permit a <u>vehicle</u> to wait in the <u>permit holders parking place</u> which has been suspended, which <u>displays</u> in the <u>relevant position</u> a valid <u>permit</u> issued by the <u>Council</u> for use in that suspended <u>permit holders parking place</u> and the <u>vehicle</u> is parked in accordance with the terms and conditions of the said <u>permit</u>.

#### 67. Permit holder parking exemption for emergency services

The prohibitions in Part 6 shall not apply to a <u>liveried vehicle</u> being used for at least one of the following purposes in pursuance of statutory powers or duties:

- (a) a fire and rescue authority;
- (b) a <u>civil enforcement officer;</u>
- (c) ambulance;
- (d) providing a response to an emergency at the request of an NHS ambulance service;

- (e) bomb or explosive disposal;
- (f) special forces;
- (g) police; and
- (h) National Crime Agency.

#### 68. Permit holder parking general exemptions

The prohibition in Part 6 shall not apply in respect of –

- (a) a <u>vehicle</u> that has stopped with the permission or at the direction of:
  - (i) a police constable in uniform; or
  - (ii) a <u>civil enforcement officer;</u>
- (b) a <u>vehicle</u> which is prevented from proceeding by circumstances beyond the <u>driver</u>'s control or which has to be stopped in order to avoid injury or damage to persons or property;
- (c) a <u>liveried vehicle</u> which, whilst used by a <u>universal service provider</u> in the course of the provision of a universal postal service, is stationary only for so long as may be reasonably necessary for <u>postal packets</u> to be collected or delivered and which cannot be used for such a purpose without stopping on the marking;
- (d) a <u>liveried vehicle</u> which is stationary in order that it may be used for one or more of the purposes specified below and which cannot be used for such a purpose without stopping on the marking:
  - (i) any operation involving building, demolition or excavation;
  - (ii) the removal of any obstruction to traffic;
  - (iii) the maintenance, improvement or reconstruction of a road;
  - (iv) constructing, improving, maintaining or cleaning any street furniture;
  - (v) the laying, erection, alteration, repair or cleaning of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity, or of any electronic communications apparatus kept installed for the purposes of an electronic communications code network or of any other electronic communications apparatus lawfully kept installed in any position; or
  - (vi) a <u>security company vehicle</u> being used for the delivery and collection of money or securities to or from any bank of commercial premises
- (e) a <u>vehicle</u> waiting for so long as may be necessary to:-
  - (i) enable a person to board or alight from the <u>vehicle;</u>
  - (ii) open or close a gate or barrier at the entrance to premises to which the <u>vehicle</u> is being driven or from which it emerged if it is not reasonably practicable to cause the <u>vehicle</u> to wait elsewhere for the purpose;

- (iii) enable the <u>loading of goods</u> while the <u>vehicle</u> is in actual use in connection with the removal or delivery of furniture to or from premises adjacent to the <u>parking place</u> provided permission is sought and given 24 hours in advance by an <u>authorised officer</u> for this purpose;
- (iv) enable the official wedding car(s) or an official hearse and any other motor car provided by the funeral director to wait at or near to any prémises situated on or adjacent to any length of road for the purpose of a wedding or funeral;
- (v) in any other case to enable the delivery or <u>loading of goods</u> to or from premises adjacent to the <u>parking place</u> provided the <u>vehicle</u> does not wait for longer than 30 minutes and subject to any direction to move by a <u>civil enforcement officer</u> or police constable in uniform if reasonably necessary to remove an obstruction to traffic.

THE CORPORATE COMMON SEAL of THE BOROUGH COUNCIL OF CALDERDALE was hereunto affixed on the 13<sup>th</sup> day of March 2024 in the presence of:-

a.m.

Aneeka Sarwar Muneer

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# SCHEDULE INDEX

Schedule 1	Revocations
Schedule 2	Parking Charges
Schedule 3	Legend
Schedule 4	Plans

#### Schedule 1 - Revocation of existing orders

The Borough Council of Calderdale (Waiting and Loading and Parking a) Places) (Sowerby Bridge) (Consolidation) Order 2008 b) The Borough Council of Calderdale (Waiting and Loading and Parking Places) (Elland) (Consolidation) Order 2008 The Borough Council of Calderdale (Waiting and Loading and Parking c) Places) (Hebden Bridge) (Consolidation) Order 2008 d) The Borough Council of Calderdale (Waiting and Loading and Parking Places) (Todmorden) (Consolidation) Order 2008 e) The Borough Council of Calderdale (Waiting and Loading and Parking Places) (Brighouse) (Consolidation) Order 2008 f) The Borough Council of Calderdale (Waiting and Loading and Parking Places) (Halifax) (Consolidation) Order 2015 The Borough Council of Calderdale (Prohibition and Restriction of Waiting g) and Loading and Parking Places) (Halifax Controlled Zone 1) Order 2015 h) The Borough Council of Calderdale (School Entrance Clearway) **Consolidation Order 2020** i) The Borough Council of Calderdale (Todmorden CE, J, I and N School) (Burnley Road) Traffic Regulation Order 2022 The Borough Council of Calderdale (Commercial Street, Brighouse) j) (Waiting and Loading and Parking Places) Traffic Regulation Order 2022 k) The Borough Council of Calderdale (Shibden Hall Road, Hebden Bridge) Traffic Regulation Order 2023

## Schedule 2 - Parking Charges

Tariff Band A Max stay 1 hour, No return within 1 hour, All Days 8am to 8pm (including Bank Holidays)					
Tariff			Time		
£1.00	£1.00		30 minutes		
£2.00			1 hour		
Halifax	Alexandra Street		A		
Halifax	Commercial Street		A		
Halifax	Northgate		A		
Halifax	Old Market		A		
Halifax	Princess Street		A		
Halifax	Union Street		A		

Tariff Band B Max stay 2 hours, No return within 1 hour, All Days 8am to 8pm (including Bank Holidays)					
Tariff			Time		
£1.00			30 minutes		
£2.00			1 hour		
£3.00		1	hour 30 minutes		
£4.00			2 hours		
Town	Str	eet	Tariff Band		
Halifax	Centra	l Street	В		
Halifax	Cross	Street	В		
Halifax	Crossle	y Street	В		
Halifax	Crown Street		В		
Halifax	George	e Street	В		
Halifax	Horton	Street	В		
Halifax	Powell	Street	В		
Halifax	Rawson Street		В		
Halifax	Silver Street		В		
Halifax	Town Hall Street East		В		
Halifax	Ward's End		В		
Halifax	Waterhou	ise Street	В		

Tariff Band C Max stay 4 hours, No return within 2 hours, All Days 8am to 8pm (including Bank Holidays)					
Tariff			Time		
£0.80	£0.80		1 hour		
£1.60			2 hours		
£2.40			3 hours		
£3.20			4 hours		
Town	Str	eet	Tariff Band		
Halifax	Alfred St	reet East	С		
Halifax	Back Lo	rd Street	С		
Halifax	Berwick	< Street	С		
Halifax	Blac	kwall	С		
Halifax	Bull Clo	se Lane	С		
Halifax	Carltor	n Place	С		
Halifax	Carlton	Street	С		
Halifax	Carlton	Terrace	С		
Halifax	Clare Road		С		
Halifax	Coleridge Street		С		
Halifax	Dispensary Walk		С		
Halifax	Great Albion Street		С		
Halifax	Harrison Road		С		
Halifax	Mount Street		С		
Halifax	New	Road	С		
Halifax	North	ngate	С		
Halifax	Pine	Street	С		
Halifax	Powell Street		С		
Halifax	Prescott Street		С		
Halifax	Regent Street		С		
Halifax	St James Road		С		
Halifax	Union Street		С		
Halifax	Upper Kirkgate		С		
Halifax	Victoria Street		С		
Halifax	Wade	Street	С		

Tariff Band D Monday to Friday 8am to 6pm					
Tariff	Time				
£0.50			1 hour		
£1.00	2 hours				
£1.50		3 hours			
£2.00		4 hours			
£2.50			5 hours		
£3.00			6 hours		
£3.50			Over 7 hours		
	riff Band D Satu	ırday 8am – 6			
Tariff			Time		
£0.50			1 hour		
£1.00			2 hours		
£1.50			3 hours		
£2.00			4 hours		
£2.50	01	-	Over 5 hours	Dand	
<b>Town</b> Halifax	Stre Black			Band	
Halifax	Bull Clos				
Halifax	Chapel			<u> </u>	
Halifax	Clare F			5 D	
Halifax	Corporatio				
Halifax	Cripple		-	D	
Halifax	Dean C			<u> </u>	
Halifax	Delph S		-	2 D	
Halifax	Gibbet			 D	
Halifax	Hall St			D	
Halifax	Hanover	Street	[	D	
Halifax	High S	treet	[	D	
Halifax	Hunge		[	D	
Halifax	King Cros		[	D	
Halifax	King S		[	D	
Halifax	Lee Br		[	D	
Halifax	Lister I		[	D	
Halifax	Lord S	treet	[	D	
Halifax	Mulcture H		[	D	
Halifax	Old Lane (Bo	wling Dyke)		D	
Halifax	Oxford	Road		D	
Halifax	South P	arade		D	
Halifax	Skircoat Road		-	D	
Halifax	Halifax St Jame			D	
Halifax	St James			D	
Halifax	St James			D	
Halifax	Union Stre			D	
Halifax	Wellington S	treet South	[	D	

Tariff Band E All Days 8am to 8pm (including Bank Holidays)					
Tariff			Time		
£0.90			1 hour		
£1.80			2 hours		
£2.70			3 hours		
£3.60			4 hours		
£4.50			5 hours		
£5.40			6 hours		
£6.30			7 hours		
£7.20	£7.20		8 hours		
£8.10			9 hours		
£9.00			10 hours		
£9.90			11 hours		
£10.80			12 hours		
Town	Str	eet	Tariff Band		
Hebden Bridge	Hangingr	proyd Lane E			
Hebden Bridge	Regent	t Street	E		
Hebden Bridge	Valley	/ Road E			
Hebden Bridge	Old Gate/T	he Buttress	E		

Tariff Band F Max stay 4 hours, No return within 2 hours, Monday to Friday 8am to 7pm					
Tariff		Time			
£1.00			1 hour		
£2.00		2 hours			
£3.00		3 hours			
£4.00			4 hours		
Town	Stre	et	Tariff Band		
Halifax (Skircoat)	Godfrey	ey Road F			
Halifax (Skircoat)	Drycloug	gh Lane	F		

Tariff Band G Monday to Friday 8am to 7pm					
Tariff			Time		
£1.00			1 hour		
£2.00			2 hours		
£3.00			3 hours		
£4.00			4 hours		
£5.00		5 hours			
£6.00		6 hours			
£7.00		7 hours			
£8.00		8 hours			
£9.00		9 hours			
£10.00		10 hours			
£11.00			11 hours		
Town	Street		Tariff Band		
Halifax (Skircoat)	Dudwell Lane		G		

Tariff Band H Monday to Friday 8am to 7pm					
Tariff			Time		
£0.60			1 hour		
£1.20			2 hours		
£1.80			3 hours		
£2.40		4 hours			
£3.00		Over 5 hours			
Town	Str	eet	Tariff Band		
Halifax (Skircoat)	Dudwe	II Lane	Н		
Halifax (Skircoat)	Lawrend	ce Road	Н		
Halifax (Skircoat)	rcoat) Skircoa		Н		
Halifax (Skircoat)	Skircoat G	reen Road	Н		
Halifax (Skircoat)	Staffor	d Road	Н		

Tariff Band J Max stay 2 hours, No return within 2 hours, All Days 8am to 8pm (including Bank Holidays)			
Tariff			Time
£0.80			1 hour
£1.60			2 hours
Town	Stre	et	Tariff Band
Halifax	Akroyd	Place	J

Tariff Band K Max stay 1 hour, No return within 1 hour, Monday to Saturday 8am to 6pm (No licensed private hire)				
<b>Tariff</b> £0.20 £0.40		<b>Time</b> 30 minutes 1 hour		
Town	Street		Tariff Band	
Brighouse	Bethel Street		K	
Brighouse	Bradford Road		К	
Brighouse	Briggate		K	
Brighouse	Commercial Street		K	
Brighouse	Gooder Street		K	
Brighouse	King Street		K	
Brighouse	Market Street		K	
Brighouse	Park Street		К	

Tariff Band L Max stay 1 hour, No return within 2 hours, All Days 8am to 8pm (including Bank Holidays)			
Tariff			Time
£0.20			30 minutes
£0.40			1 hour
Town	Street		Tariff Band
Hebden Bridge	Albert Street		L
Hebden Bridge	Carlton Street		L
Hebden Bridge	Cheetham Street		L
Hebden Bridge	Crown Street		L

Tariff Band M Monday to Friday 10am to 4pm and Saturday 8.00am – 6.00pm				
Tariff			Time	
Monday - Friday	y			
£0.50			1 hour	
£1.00			2 hours	
£1.50			3 hours	
£2.00			4 hours	
£2.50			5 hours	
£3.00			6 hours	
Saturday				
£0.50			1 hour	
£1.00			2 hours	
£1.50			3 hours	
£2.00			4 hours	
£2.50			5 hours	
£3.00			6 hours	
£3.50			Over 6 hours	
Town	Str	eet	Tariff Band	
Halifax	Skircoat Roa	d (West side)	М	

Tariff Band O All Days 8am to 8pm (including Bank Holidays)			
Tariff		Time	
£0.60		1 hour	
£1.20		2 hours	
£1.80		3 hours	
£2.40		4 hours	
£3.00		5 hours	
£3.60		6 hours	
£4.20		7 hours	
£4.80		8 hours	
£5.40		9 hours	
£6.00		10 hours	
£6.60		11 hours	
£7.20		12 hours	
Town	Street	Tariff Band	
Hebden Bridge	Holme Street	0	

Tariff Band P Monday to Saturday 8am to 6pm			
Tariff		Time	
£0.50		1 hour	
£1.00		2 hours	
£1.50		3 hours	
£2.00		4 hours	
£2.50		5 hours	
£3.00		6 hours	
£3.50		Over 7 hours	
Town	Stre	eet Tariff Band	
Halifax	Cause	eway P	

Schedule 3 - Legend

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## Schedule 4 - Plans