



## **The Essex County Council (Castle Point Borough) (Prohibition of Waiting, Loading and Stopping) and (On-Street Parking Places) (Civil Enforcement Area) Consolidation Order 2019**

The Chelmsford City Council acting on behalf of the South Essex Parking Partnership in exercise of the delegated powers of the traffic authority Essex County Council granted under an agreement dated 31 March 2011 (and subsequently varied by Deed of Variation on 15 June 2011 and 27 July 2012) and after consultation with the Chief Officer of Police in accordance with Part III of Schedule 9 of the Road Traffic Regulation Act 1984 ("the Act") HEREBY make the following ORDER under the powers conferred by sections 1, 2, 4, 32, 35, 45, 46, 49 and 53 and Part IV of Schedule 9 of the Act as amended and The Traffic Management Act 2004, Part 6, as amended and in accordance with The Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996; and of all other enabling powers.

### **PART 1**

#### **Commencement, Citation Revocations and Interpretation**

##### **Commencement date**

1. This Order shall come into operation for all purposes on 12 November 2019 and may be cited as The Essex County Council (Castle Point Borough) (Prohibition of Waiting, Loading and Stopping) and (On-Street Parking Places) (Civil Enforcement Area) Consolidation Order 2019.

##### **Revocation of existing Orders**

2. With effect from the date set out in Article 1 above, those Orders set out in Schedule 1 to this Order are hereby revoked.

##### **Interpretation**

3. In this Order, except where the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them:  
"the Council" means Castle Point Borough Council or the South Essex Parking Partnership or any other appointed agent acting on behalf of Essex County Council;  
"the Act of 2004" means the Traffic Management Act 2004, as amended;  
"the 2007 Regulations" means the Civil Enforcement of Parking Contraventions (England) General Regulations 2007;  
"the 2016 Regulations" means the Traffic Signs Regulations and General Directions 2016, as amended;  
"ambulance" has the same meaning as in Schedule 2 of the vehicle Excise and Registration Act (VERA) 1994;

"authorised parking place or area" means any place or area authorised or designated by an Order made or having effect as if made under the Act where parking, waiting, or loading is allowed, subject to any restrictions set out in the provisions of this Order;

"bona fide visitor" means a person calling at the address of a Qualifying Resident for social or business purposes only and not purely for the purpose of parking a vehicle within the residents' parking place or area;

"bus" and "local bus" has the same meaning as in the 2016 Regulations;

"bus stop" and "bus stand" means any area of carriageway, intended for the stopping or waiting by buses, which is comprised within and indicated by road markings complying with diagram 1025.1 in Schedule 7 Part 4 to the 2016 Regulations and incorporating the words "Bus Stop" or "Bus Stand";

"business permit" means a type of parking ticket issued in accordance with the provisions of this Order;

"carer" means any person undertaking a welfare role for a local resident on a regular or temporary basis, evidence of which must be by means of production to the Council of satisfactory verification from a general practitioner, hospital authority, social services or other body acceptable to the Council that such a service is necessary. A carer permit is only valid when the holder is engaged in caring or providing welfare for the person or persons for whom the permit was issued;

"carer permit" means a parking permit issued in accordance with the provisions of this Order;

"carriageway" means a way constituting or comprised in a highway being a way (other than a cycle track) over which the public have a right of way for the passage of vehicles;

"civil enforcement officer" has the same meaning as in Section 76 of the Act of 2004;

"contravention" means a failure to comply with the provisions of this Order, or of the relevant provisions of the Act of 2004;

"delivering" and "collecting" in relation to any goods includes checking the goods for the purpose of their delivery or collection;

"digital parking ticket" means an electronic record of a parking ticket issued and confirmed by the Council or other authorising agent to exempt a vehicle from a restriction in the provisions of this Order;

"disabled person's badge", "disabled person's vehicle" and "disabled persons parking disc" have the same meanings as in the Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000;

"dispensation permit" means a formal document issued by the Council to exempt a vehicle from a restriction under the terms and charges applicable at the time of issue;

"driver" in relation to a vehicle waiting in a parking place or area or on a road or length of road specified in the map schedule attached to this Order, means the person driving the vehicle at the time it was left in that parking place, or area, or road or length of road;

"dual purpose vehicle" has the same meaning as in the Road Vehicles (Construction and Use) Regulations 1986;

"electric vehicle" means a Motor Vehicle which is propelled by electric energy (battery-only powered vehicle) from rechargeable batteries. The batteries provide the power to propel the vehicle and to power the lights and all accessories within the vehicle. Hybrid vehicles which require charging are included in this category;

"electric vehicle charging place" means a parking place designated for the sole use by an electric vehicle for a maximum of 3 hours continuous charging time;

"electric vehicle charging point" means a purpose-built unit designed specifically for an electric vehicle;

"enactment" means any enactment, whether public general or local, and includes any order, byelaw, rule, regulation, scheme or other instrument having effect by virtue of an enactment and 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;

"footway" means a way comprised in a highway which also comprises a carriageway, being a way over which the public have a right of way on foot only;

"goods" means goods or burdens of any description and includes postal packets of any description;

"goods vehicle" means a motor vehicle which is constructed or adapted for use for the carriage of goods or burdens of any description which does not exceed a plated weight of 3.5 tonnes, but shall not include a trailer so constructed or adapted;

"layby" means an area of carriageway intended for the waiting of vehicles and bounded partly by a traffic sign of the type shown in diagram 1010 of Schedule 11, Part 4 of the 2016 Regulations, and partly by the outer edge of that carriageway on the same side of the road as that on which the sign is placed;

"loading" means the loading or unloading of goods to or from a vehicle and includes the checking of those goods;

"loading place" or "loading bay" means any area on a highway designated by this Order as a place where vehicles may wait for the purposes of loading;

"main carriageway" means any carriageway used primarily by through traffic and includes any carriageway of a slip road but excludes any layby;

"manner of standing" means the position a vehicle shall stand when left in a parking place during the permitted hours in accordance with the foregoing provisions of this Order and is:

- (a) in the case of an authorised parking area for which special provisions as to the positioning of a vehicle in that place are indicated by traffic signing, so that the manner of standing shall be in accordance with such signing;
- (b) so that every part of a vehicle is within the limits of an authorised parking area;
- (c) so that the vehicle is not parked in contravention of Section 85 or Section 86 of the Act of 2004;

“map schedule” means the map tiles attached to this Order and listed in Schedule 2, which depict the stopping, waiting and loading prohibitions and restrictions and parking places, loading places and parking areas designated by this Order, and in conjunction with the map tile label and/or map schedule legend, identifies the type of each particular type of prohibition, restriction, parking place, loading place or parking area and certain of its governing provisions;

Provided that the Council does not accept responsibility for inaccuracies contained in the Ordnance Survey data relied upon to create the map schedule and where a prohibition, restriction, parking place, loading place or parking area is depicted on the map schedule, that provision continues to apply irrespective of any subsequent changes that have been made to the underlying Ordnance Survey data;

“map schedule legend” means the map schedule legend to this Order which, when used in conjunction with a map tile as listed in Schedule 2, identifies the specific types of prohibitions and restrictions of stopping, waiting, loading and the parking places, loading places or parking areas designated by this Order and, where appropriate, certain of their governing provisions;

“map tile” means an individual map with a specific tile reference, being part of the map schedule as listed in Schedule 2 to this Order;

“map tile label”, where shown on a map tile forming part of the map schedule in relation to a prohibition or restriction of stopping, waiting or loading, or a designated parking place, loading place or parking area, means a label which indicates the type of provision and, if appropriate, certain of its governing conditions;

"motor car" means a mechanically propelled vehicle not being a motor cycle or a disabled persons' vehicle which is constructed itself to carry a load or passengers and the weight of which unladen does not exceed two tons;

"motorcycle" has the same meaning as in Section 136 (2) (a) of the Act;

"owner", in relation to a vehicle means a resident who is named in the vehicle registration document as the registered keeper, or in a hire document as the user of the hire vehicle or who has the use of such a vehicle in the course of their employment and who is entitled to use such a vehicle as though they were the registered keeper thereof;

“parking place” or “parking area” means a road or any length of road or an area designated as a parking place or parking area by this Order and identified as such in the map tiles attached to this Order, which is provided by the Council for the leaving of a vehicle or vehicles under the provisions of this Order, and is indicated, where applicable, by the appropriate traffic signs;

“parking ticket” means any authorised parking permit, payment parking ticket or dispensation issued by the Council under the provisions of this Order;

“parking ticket charge” means the amount payable on application to the Council for a parking ticket, or payable at a parking ticket machine to obtain a parking ticket, as specified in Schedule 4 and Schedule 7 to this Order;

“parking ticket machine” is a machine provided to enable a driver to pay a parking charge and receive a payment parking ticket showing the date and the expiry time of the parking period purchased;

“passenger vehicle” means a motor car (other than a motorcycle) constructed solely for the carriage of passengers and their effects and adapted to carry not more than eight passengers exclusive of the driver, and not drawing a trailer;

"payment parking ticket" means a ticket dispensed by a parking ticket machine after payment of the parking charge which shows the date and time of expiry of the parking period purchased;

"penalty charge" has the same meaning given by Section 92 of the Act of 2004;

"penalty charge notice" has the same meaning given by Regulation 8(1) of the 2007 Regulations;

"permit" means a device issued by The Council under the provisions of this Order to allow the authorised use of a parking place or area;

"permit holder" means a person being a qualifying resident or qualifying individual to whom the Council has issued a parking ticket, or has an electronic record of a digital parking ticket;

"permit identifier" is an alpha and or alpha/numeric identifier specified in column 1 of Schedule 3 applicable to the permit parking places specified in column 2 and named in column 3 of that Schedule and used on permits and/or tickets to identify the permit parking places for which they are valid and on signs at relevant parking places and in the map tile labels and/or map schedule legend in the map based schedule to this Order to indicate the permits or tickets valid at those relevant parking places;

"permit parking area" has the same meaning as in the 2016 Regulations;

"permit parking place" means a road or any length of road identified in the map tiles attached to this Order, which is provided by the Council for the leaving of a vehicle under the provisions of this Order, and is indicated by the prescribed traffic signs;

"permitted hours" being the hours during which a vehicle may wait in a parking place, parking area or load or unload a vehicle in a loading place whilst complying with the relevant provisions of this Order means, in relation to a parking place, parking area or loading place, the hours shown by or on a traffic sign in the vicinity of that parking place, parking area or loading place and as identified in the map tile label and/or map schedule legend in the map schedule to this Order;

"prescribed hours", in relation to:

- (a) any restricted street, pedestrian zone or restricted zone, being the hours during which a vehicle may not wait whilst complying with the relevant provisions of this Order, means the time indicated by means of a map tile label and/or map schedule legend in the map schedule to this Order;
- (b) a school keep clear entrance marking, means the time indicated by or on a traffic sign placed on or near that school keep clear entrance marking and indicated by means of the map tile label and/or map schedule legend in the map based schedule to this Order in relation to that school keep clear entrance marking;
- (c) a taxi rank, ambulance bay or police vehicle bay means the time indicated by or on a traffic sign placed on or near that taxi rank, ambulance bay or police vehicle bay and indicated by means of the map tile label and/or map schedule legend in the map based schedule to this Order in relation to that taxi rank, ambulance bay or police vehicle bay;

"public service vehicle" has the meaning given in Section 1 of the Passenger Vehicles Act 1981;

"qualifying individual" is any person who qualifies to hold a specific type of parking ticket as provided for under the provisions of this Order;

"qualifying resident" means a person whose usual place of abode is at premises the postal address of which is in any street, or part of a street, included in column 2 of Schedule 5, subject to the qualifications set out in column 3 of that Schedule;

"relevant parking place" means any parking place which requires the owner of a vehicle to either display a valid parking permit or to whom a valid digital permit has been granted for such vehicle;

"relevant position" in respect of:

(a) a disabled persons badge, means:

- (i) the badge is exhibited on the dashboard or fascia of the vehicle so that the front of the badge is clearly legible from the outside of the vehicle; or
- (ii) where the vehicle is not fitted with a dashboard or fascia, the badge is exhibited in a conspicuous position on the vehicle, so that the front of the badge is clearly legible from the outside of the vehicle.

(b) a disabled person's parking disc, means:

- (i) the disc is exhibited on the dashboard or fascia of the vehicle; or
- (ii) where the vehicle does not have a dashboard or fascia, the disc is exhibited in a conspicuous position on the vehicle,  
so that, when marked to show the quarter-hour period during which a period of waiting began, that period is clearly legible from the outside of the vehicle.

"resident permit" means a type of parking ticket issued in accordance with the provisions of this Order;

"restricted hours" in relation to any restricted street, being the hours during which a vehicle may not wait for the purpose of loading or unloading that vehicle whilst complying with the relevant provisions of this Order, means the time indicated on a traffic sign placed on that restricted street or by means of a map tile label and/or map schedule legend in the map based schedule to this Order in respect of that restricted street;

"restricted street" means any street within the Borough identified by way of a map tile label and/or map schedule legend in the map based schedule to this Order that a prohibition or restriction of waiting applies and the prescribed hours of that waiting prohibition or restriction and, where applicable, a prohibition or restriction of loading also applies and the restricted hours of that prohibition or restriction of loading;

"school keep clear entrance marking" means a marking outside a school entrance where vehicles must not stop, which is marked on the carriageway as prescribed by diagram 1027.1 in the 2016 Regulations;

"service provider" means the contractor authorised by the Council to accept payment of the parking charge on its behalf and to keep a record of that parking charge and the vehicle, parking place and parking period in respect of which payment has been made using the telephone or electronic payment system;

"taxi" means a hackney carriage as defined under section 38 of the Town Police Clauses Act 1847 which is -

- (a) licensed by Castle Point Borough Council; and
- (b) attended by the driver and available for hire.

"taxi stand" or "authorised taxi rank" means an area of carriageway reserved for use by taxis waiting to pick up passengers;

"telegraphic line" has the same meaning as in the Telecommunications Act 1984;

"telephone or electronic payment system" means an electronic system, using a telephone connection or electronic application set up and maintained by the service provide whereby;

- (a) the driver of a vehicle, or some other person authorised by that driver on their behalf, uses a telephone or electronic device to communicate with the service provider and make payment of the parking charge in respect of a specified vehicle and parking place in which the vehicle is left and for a specified parking period by use of a credit or debit card; and
- (b) the service provider, on behalf of the Council, accepts payment of the parking charge by the method referred to in paragraph (a) of this definition and records such payment together with the parking period for which payment has been made, the parking place in which the vehicle is left and the registration mark of the vehicle in respect of which payment has been made;

"traffic sign" has the same meaning as in Section 64 of the Act;

"universal service provider" has the same meaning as in Section 4(3) and (4) of the Postal Services Act 2000;

"valid period" means the period during permitted hours when a valid parking permit or ticket may be used to permit a vehicle to wait in a permit parking place or area;

"valid permit" means any permit or ticket issued under the provisions of this Order and identified as such under column 2 of Schedule 6 to this Order that is required to be displayed in a vehicle left in any parking place or parking area identified under column 1 of that Schedule where that permit complies with the provisions of this Order and the conditions stated in column 3 of that Schedule;

"vehicle" means a motor vehicle and a trailer as defined in Section 136(1) of the Act;

"verge" means any part of a road which is not a carriageway;

"visitor ticket" or "visitor permit" means a type of parking ticket for the benefit of bona fide visitors to qualifying residents issued in accordance with the provisions of this Order;

"zone" means the streets and parts of streets containing permit parking places so indicated in the map schedule, where the zone identifier indicated for such parking places indicates the zone to which those parking places belong, and the relevant details and conditions, as set out in Schedule 3, and the eligibility of residents to obtain parking tickets for use in that zone and no other as set out in Schedule 5; and

"zone identifier" means any symbol, logo, letter, numeral or name (or any combination of such), which indicates or identifies an area or location in which restrictions on the parking of vehicles apply by reference to that area or location.

4. Except where otherwise stated, any reference in this Order to:
- (a) a numbered Article or Schedule is a reference to the Article or Schedule bearing that number in this Order;
  - (b) this Order or another Order shall be construed as such a reference to this Order, or to such other Order, as the same may have been, or may from time to time be, amended, varied or supplemented; and
  - (c) a Statute or Regulation shall be construed as reference to such Statute or Regulations as the same may have been, or may from time to time be, amended or re-enacted.
5. The prohibitions imposed by this Order shall be in addition to and not in derogation of any restriction, prohibition or requirement imposed by any Regulations or Orders made or having effect as if made under the Act, or by or under any other enactment.

## PART II

### Prohibition or Restriction of Waiting, Loading and Stopping

6. Save as provided in the following Articles of this Order, no person shall, except upon the direction or with the permission of a Police Constable in uniform or of a Civil Enforcement Officer, cause or permit any vehicle to wait or to be loaded or unloaded or to stop on the roads or parts of road at the times and/or on the days identified in the map schedule attached to this Order, when those prohibitions and restrictions are in effect.

#### Prohibition of Waiting

7. Nothing in Article 6 of this Order shall render it unlawful to cause or permit any vehicle to wait during the prescribed hours on any of the lengths of restricted street identified in the map schedule attached to this Order, provided –
- (a) the vehicle is a vehicle being used for police, fire brigade or ambulance purposes;
  - (b) the vehicle is waiting to enable a person to board or alight from the vehicle;
  - (c) the vehicle is waiting while any gate or other barrier at the entrance to premises to which the vehicle requires access or from which it has emerged is opened or closed, if it is not reasonably practicable for the vehicle to wait otherwise;
  - (d) the vehicle belonging to a universal service provider is being used for the purpose of delivering and /or collecting mail;
  - (e) the vehicle is waiting to enable goods to be loaded or unloaded from the vehicle. Loading generally refers to commercial vehicles or to objects that are to heavy or bulky to be carried far by hand, but does not include time for purchasing the goods;
  - (f) the vehicle, if it cannot be conveniently be used for such purposes in any other road, and for so long as may be necessary, to enable that vehicle to be used in connection with –
    - (i) building, excavating or demolition work whilst lawfully and actively engaged on those duties;
    - (ii) the removal of any obstruction to traffic;

- (iii) the maintenance, improvement or reconstruction of the road comprising the carriageway, verge or footway;
  - (iv) the laying, erection, inspection, maintenance, alteration, repair or cleaning of any sewer, main pipe, conduit, wire, cable or other apparatus for the supply of gas, water, electricity or of any telecommunications apparatus as defined in Schedule 2 to the Telecommunications Act 1991, or subsequent legislation;
  - (v) a service provided by the local authority or of a water authority in pursuance of statutory duties or powers.
- (g) the vehicle displays in the relevant position a disabled persons badge and a disabled person's parking disc, on which the driver or the person in charge of the vehicle has marked the time at which the period of waiting began, for a period not exceeding three hours (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 road) but only if that vehicle 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) (provided the prohibition of waiting does not relate to 'no waiting except taxis, ambulances or police vehicles');
- (h) the vehicle has obtained permission from the Council by means of a dispensation to be displayed in the front or nearside of the vehicle and which includes information to enable the driver to be contacted in an emergency and providing the vehicle is not causing an obstruction by doing so, and that the vehicle can be moved if the driver is requested to do so by a police constable in uniform;
- (i) the vehicle is being used in connection with essential work at adjacent premises for the purpose of undertaking emergency glazing repair to the said premises;
- (j) the vehicle, if it is not practicable to be used for such for purpose in any other road, to be loaded or unloaded while it is in actual use in connection with 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;
- (k) in the case where the person in control of the vehicle –
- (i) is required to stop by law;
  - (ii) is waiting owing to the driver being obliged to stop so as to prevent an accident;
  - (iii) is waiting owing to the driver being prevented from proceeding by circumstances beyond his control;
  - (iv) is directed or given the permission of a police constable in uniform.

#### Prohibition of Loading

8. Nothing in Article 6 of this Order shall render it unlawful to cause or permit any vehicle to wait on any of the lengths of road identified in the map schedule attached to this Order, when those prohibitions on loading or unloading are in effect, provided the vehicle is being used for any of the purposes specified in Article 7 (a), (b), (c), (d), (f), (h), (i) or (k).

### Prohibition of Stopping

9. Nothing in Article 6 of this Order shall render it unlawful to cause or permit any vehicle to stop on any of the roads or lengths of road, on the carriageway and/or on the verge identified in the map tiles attached to this Order that indicate prohibitions on stopping are in effect, provided the vehicle is being used for any of the purposes specified in Article 7 (a), (c), (f), (h) or (k).
10. Nothing in Article 6 of this Order shall render it unlawful to cause or permit any vehicle to stop on any of the roads or lengths of road, on the school keep clear entrance marking identified in the map schedule attached to this Order, when those prohibitions of stopping are in effect, provided the vehicle is being used for any of the purposes specified in Article 7 (a), (c), (f), (h) or (k).

### Other Prohibitions of Waiting or Stopping

11. Nothing in Article 6 of this Order shall render it unlawful to cause or permit –
  - (a) a taxi licensed by Castle Point Borough Council to wait or to stop in any duly authorised Taxi Rank identified in the map schedule attached to this Order, whilst attended and available for hire during the time the restrictions are in effect; or
  - (b) an ambulance to wait or stop in an Ambulance Bay as identified in the map schedule attached to this Order; or
  - (c) a police vehicle to wait or stop in a Police Vehicle Bay as identified in the map schedule attached to this Order; or
  - (d) any vehicle to wait or stop provided it is being used for any of the purposes specified in Article 7 (a), (c), (f), (h) or (k).

### General Provisions and Dispensations

12. Upon written application on a form issued by and obtainable from the Council any person duly authorised by the Council may on payment of the charge indicated in Schedule 7 of this Order issue a dispensation to exempt that vehicle from the prohibition of waiting.
13. At all times during which a vehicle has obtained a dispensation to park during the prohibition of waiting there shall be continuously displayed in the front or nearside of the windscreen of the vehicle a valid dispensation notice issued in respect of that vehicle so that all particulars are clearly visible and can be easily seen and read from the front or nearside of the vehicle, and which includes information to enable the driver to be contacted in an emergency and that the vehicle is moved if the driver is requested to do so by a police constable in uniform or civil enforcement officer.
14. The Council shall cause the limits of the prohibition or restriction of waiting, loading or stopping to be indicated on the carriageway, verge or footway by placing and maintaining thereof traffic signs of any size, colour or type prescribed or authorised under the 2016 Regulations, or subsequent amendments.
15. The Council is satisfied that, for facilitating the passage of vehicular traffic in the prohibited area, it is requisite that Section 3 (2) of the Road Traffic Regulation Act 1984 should not apply in relation to this Order.

### PART III

#### On-Street Parking Places Or Areas

##### Designation of Parking Places and Parking Areas

16. Save as provided in this Order no person shall cause or permit any vehicle, other than one displaying a valid parking ticket issued by the Council, or who has purchased a digital parking ticket granted by the service provider, which exempts them from displaying a parking ticket, in respect of that vehicle, to wait in a permit parking place or area during the permitted hours as identified in the map schedule attached to this Order.
- (a) Each area on a highway identified on the map based schedule as a parking place and, if appropriate, by way of the map tile table and/or map schedule legend, as an area marked out and signed for the use therein of specified classes of vehicles following the conditions specified in this Order in relation to that parking place, is a designated parking place.
  - (b) Each area on a highway identified on the map based schedule as a parking area and, if appropriate, by way of the map tile table and/or map schedule legend, as an area signed for the use therein of specified classes of vehicles following the conditions specified in this Order in relation to that parking place, is a designated parking area.
  - (c) Unless otherwise so identified, a parking place shall be bounded on one side of its length by the edge of the carriageway and be an area marked out to a road marking and depicted by a traffic sign, either in accordance with the 2016 Regulations or, if applicable, by virtue of any special authorisation given by the Department of Transport.
  - (d) Unless otherwise so identified, a parking area shall be bounded on one side of its length by the edge of the carriageway and be an area depicted by a traffic sign, either in accordance with the 2016 Regulations or, if applicable, by virtue of any special authorisation given by the Department of Transport.

##### Vehicles for which parking places and parking areas are designated

17. Subject to the provisions of this Order, each type of parking place or parking area identified as such in the map tile relating to that type of parking place or parking area, by reference to the map tile label and/or legend in the map based schedule to this Order, may be used for the leaving during the permitted hours as follows:
- (a) Permit parking place or permit parking area for the leaving during the permitted hours of such vehicles as are described in Column 5 of Schedule 4 which display in the manner specified in Article 35 a valid parking permit or in respect of which there has been granted a valid digital permit as specified in Article 18; or
  - (b) Resident parking place or resident parking area for the leaving during the permitted hours of such vehicles as are described in Column 5 of Schedule 4 which display in the manner specified in Article 35 a valid permit or in respect of which there has been granted a valid digital permit as specified in Article 18;
  - (c) Shared-use (permit and free limited waiting) parking place may be used for the leaving during the permitted hours of:
    - (i) such vehicles as display in the manner specified in Article 35 a valid permit or in respect of which there has been granted a valid digital permit; or

- (ii) a passenger vehicle, dual purposed vehicle, goods carrying vehicle, motorcycle or invalid carriage, every part of which can fit within the limits of the parking place;
- (d) Free limited waiting parking place may be used, subject to Articles 60 and 61, for the leaving during the permitted hours of a passenger vehicle, dual purposed vehicle, goods carrying vehicle, motorcycle or invalid carriage, every part of which can fit within the limits of the parking place;
- (e) Disabled persons' parking place may be used, subject to Article 62, for the leaving during the permitted hours of such vehicles as display in the relevant position a disabled persons' blue badge;
- (f) Motorcycle parking place may be used, subject to Article 64, for the leaving during the permitted hours of such vehicles as are motorcycles;
- (g) Payment parking place or shared-use payment parking place in which a parking payment applies identified as such in the map tile relating to that parking place, by reference to the map schedule tile and/or legend in the map based schedule to this Order may be used, subject to the provisions of this Order, for the leaving during the permitted hours of any vehicle which displays in the manner specified in Article 53 a valid payment parking ticket issued by a ticket machine or where the driver has purchased a valid digital parking ticket which exempts them from displaying a payment parking ticket;
- (h) Parking places for loading or unloading by goods vehicles may be used, subject to Article 63, for the leaving during the permitted hours of such vehicles as are goods carrying vehicles for the purpose of continuous loading or unloading;
- (i) Electric vehicle charging bay may be used, subject to Article 65, for the leaving during the permitted hours of such vehicles as are electric vehicles for the purpose of charging in an electric vehicle charging point.
- (j) Nothing in this Order shall render it unlawful to cause or permit a disabled person's vehicle, which displays in the relevant positions a valid and legible disabled person's badge and a parking disc to park in a parking place or parking area.

#### Types of Parking Permit and Who Can Apply

18. The Council may issue specific parking permits or visitor tickets, to qualifying residents or qualifying individuals following an application for a permit in accordance with Articles 19 to 33 for the leaving of a vehicle during the permitted hours in a relevant parking place or parking area to which that permit relates, as follows:
  - (a) Resident permit: A qualifying resident who is the owner of a passenger vehicle, dual purpose vehicle or a goods vehicle not exceeding any weight, length or height limit as classified in Column 5 of Schedule 4, or a motorcycle, may apply to the Council for a resident permit or service provider for the granting of a digital residents' permit in respect of that vehicle, for the leaving of said vehicle during the permitted hours in a relevant parking place or parking area to which that permit relates.
  - (b) Visitor ticket: A qualifying resident may apply to the Council for the issue of visitor tickets or service provider for the granting of visitor tickets on the basis, terms, conditions and costs as set out in Schedule 4.

- (c) Business permit: Any firm or company meeting such criteria as shall from time to time be advised by the Council, may apply to the Council for the issue of a business permit or service provider for the granting of a digital business permit for the leaving during the permitted hours of a vehicle in a particular parking place or area and no other.
- (d) Carer permit: A qualifying resident who requires regular visits from a carer or health worker, whilst undertaking a caring or welfare role, may apply to the Council for a carer permit or service provider for the granting of a digital carer permit.

#### Application for a Parking Permit

- 19. Provided that the council shall at its absolute discretion decide which permits or visitor tickets are available to apply for at any particular time as permits and visitor tickets or digital permits and visitor tickets.
- 20. Any qualified resident or individual may apply to the Council for the issue of a permit or ticket, subject to the "Conditions of Use" set out in Schedule 4, Column 5 for each permit type in Column 1 of that Schedule, in respect of a vehicle for the use of any relevant parking place which is valid as indicated in Column 1 of Schedule 6 to this Order where the permit or ticket is included under Column 2 and subject to the conditions stated under Column 3 of that Schedule, subject to the provisions of this Order. All parking permit applications are to be made on the form issued by and obtainable from the Council.
- 21. All permit applications in respect of a digital permit are to be made using the telephone or electronic payment system.
- 22. On making any such application the applicant will -
  - (a) produce such evidence to the Council as it may reasonably require to substantiate that the information and particulars given in the application are correct; and
  - (b) pay the Council the appropriate fee as specified in Schedule 4 of this Order.
- 23. On receiving an application and the applicant complying with Article 20 and 22 the Council shall if it is satisfied that the information is correct issue a parking permit of the type specified in Article 18, for the leaving during the permitted hours in a relevant parking place or parking area to which such permit relates, up to the maximum permissible number.
- 24. On receiving an application and the applicant complying with Article 21 and 22 the service provider shall if it is satisfied that the information is correct, grant a digital parking permit to the applicant of the type specified in Article 18, for the leaving during the permitted hours in a parking place or parking area to which such permit relates, up to the maximum permissible number.
- 25. A separate application with remittance of the fee specified in Schedule 4 Column 3 of this Order must be made by a qualifying individual or a qualifying resident whose property is within one of the zones specified in Schedule 3 to this Order, but the number of permits that shall be issued to any one eligible postal address as set out in Schedule 5 to this Order, will be as stated in Column 5 of Schedule 4.
- 26. The resident of a property in a road or section of road included in Schedule 5 to this Order shall not be automatically eligible to apply for a parking permit if excluded for any reason stated in the Notes to Schedule 5 or the property has been converted to multiple occupancy, save that the Council may at its absolute discretion allow for the issue of one or more permits

where it is satisfied that there is sufficient parking capacity within the relevant zone to accommodate the additional vehicle(s).

27. If a parking permit is mutilated or accidentally defaced or the particulars therein have become faded or altered the permit holder shall apply to The Council for a duplicate, such application to be made on the current standard form issued by and obtainable from The Council.
28. On making such application as mentioned in Article 27 the Permit Holder will be required to surrender the original Parking Permit to The Council and until such surrender no duplicate shall be issued.
29. If a Permit (other than a Visitors ticket) is lost or destroyed the Permit Holder shall apply to The Council for a replacement, such application to be made on the current standard form issued by and obtainable from The Council.
30. On making such application as mentioned in Article 29 the Permit Holder shall pay to The Council the Permit fee and The Council shall be satisfied of the circumstances referred to in the application before the duplicate is issued.
31. Upon receipt of the application, where applicable the Permit fee and, other than where the original permit has been stolen, the original permit, The Council shall issue to the permit holder a replacement permit and upon such issue the original permit shall become invalid.
32. The provisions of this Order shall apply to a replacement permit and an application therefore as if it were a permit or as the case may be an application therefore.
33. Any qualifying resident 65 years of age or more may apply to the Council for the issue of one resident permit or one visitor permit free of charge.

#### Form and Display of a Parking Permit

34. A parking permit may be obtained by any of the methods provided from time to time by the Council and to be valid must be registered on an account in an electronic database approved by the Council with an indication that payment has been made.
35. At all times during which a vehicle is left in a permit parking place or area during the permitted hours the parking permit or visitor ticket must be continuously displayed so that all details are clearly visible and can be easily seen and read from the outside of the vehicle, unless the parking permit holder or visitor ticket holder has obtained a digital parking permit or visitor ticket which exempts them from displaying a parking permit or visitor ticket.
36. In respect of a digital parking permit or digital visitor ticket an indication that payment has been made and the parking period for which payment has been made shall either;
  - (a) appear on a hand-held device; or
  - (b) be obtained by a Civil Enforcement Officer contacting the service provider.
37. A parking permit (other than a visitor ticket) shall be produced by the Council, or Service Provider as a record which can be accessed either by a hand held device or in writing on the face of the permit, and shall contain the following details:
  - (a) the registration number of the vehicle, the serial number by which a person or company to whom the permit has been issued may be identified, or the name and address of the person to whom the permit has been issued ;
  - (b) the expiry date of the permit; and

- (c) the Zone or parking place indicator to which the permit relates, if any.
  - (d) the days and times when the permit is valid if applicable;
  - (e) an authentication that it has been issued by the Council.
38. A parking permit (other than a visitor ticket) shall not be altered or defaced by the qualifying individual or any other person.
39. A visitor ticket shall be produced by the Council only and shall make provision for the following details, which shall be entered by the qualifying resident or the driver of the vehicle, as follows:
- (a) the registration number of the vehicle;
  - (b) the date and time at which the vehicle was left in the permit parking place;
  - (c) where the visitor ticket is a further visitor ticket the date and time at which the further visitor ticket is displayed; and
  - (d) an authentication that it has been issued by the Council and relates to the zone for which it is issued and no other.
40. It shall be the responsibility of the qualifying resident or driver of the vehicle to ensure all details on the visitor ticket are correct and clearly marked and the visitor ticket shall not be valid without such details.
41. Where a parking permit or ticket has been displayed on a vehicle in accordance with the provision of this Order, no person, not being the driver of the vehicle, shall remove the parking permit or ticket from the vehicle unless authorised to do so by the driver of the vehicle.

#### Validity, Withdrawal and Surrender of Parking Permits

42. A parking permit or ticket displayed on a vehicle (or a digital parking permit or ticket) in a permit parking place shall cease to be valid on the occurrence of any of the events set out below-
- (a) the permit holder or ticket holder ceasing to be a qualifying resident or qualifying individual;
  - (b) the resident permit holder ceasing to be the owner of the vehicle in respect of which the resident permit or ticket was issued;
  - (c) the vehicle in respect of which such resident permit was issued being adapted or used in such a manner that it is not a vehicle of the class specified in Article 18 (a) of this Order;
  - (d) the parking permit or visitor ticket is not displayed in accordance with Article 35 of this Order unless exempt from being displayed;
  - (e) the parking permit or ticket displayed on the vehicle in a permit parking place was not issued for the zone in which the vehicle displaying it is parked;
  - (f) the parking permit or ticket holder failing to satisfy the Council upon demand as to his or her continued eligibility to be a parking permit or ticket holder;
  - (g) immediately after the vehicle is left in a permit parking place or area the bona-fide visitor did not visit the usual place of abode of the qualifying resident to whom the visitor permit, or ticket, was issued by the Council;

- (h) the visitor ticket has previously been displayed on another vehicle; and
- (i) the parking permit or ticket has expired.

43. At the expiry of the specified hours a further visitor ticket may be displayed on a vehicle in a permit parking place or area provided a bona fide visitor conveyed by the vehicle is visiting the usual place of abode of the qualifying resident to whom that further visitor ticket was issued by the Council.
44. An applicant may be required by the Council at any time to produce such evidence as may be reasonably required to verify any particulars or information given to the Council in order to ascertain the parking permit is valid.
45. A parking permit shall remain the property of the Council at all times and may be withdrawn by the Council in accordance with the provisions of this Order. The selling of any parking permit is not allowed nor are any parking permits transferable to another person.
46. If a parking permit is issued or a record of a digital parking permit created by the Council or its agent on receipt of a cheque and that cheque is subsequently dishonoured the parking permit shall cease to be valid and the permit parking holder shall be required to surrender the same to the Council within 48 hours of the receipt of written notice from the Council.
47. A parking permit holder may surrender a parking permit to the Council at any time under the conditions of surrender set out in Schedule 4 notes and any administration charges specified in Schedule 4.
48. The Council reserves the right to revoke any existing parking permit to those who abuse the parking scheme, either by fraudulent use of a parking permit, or by allowing persons other than bona fide visitors, to use visitor tickets, or by any other means infringing any of the Articles in this Order.
49. With the exception of a business permit parking place, any permit parking place may be used without any limit on time, subject to the provision of this Order, for the leaving during the permitted hours of a vehicle which displays in the relevant position a disabled persons badge, but only if that vehicle 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 carrying of disabled person(s) as passenger(s).
50. The Council may determine from time to time to exempt any category of person or class of vehicle from any or all of the provisions of this Order in relation to the use of a permit parking place.

#### Payment Parking Places

51. Save as provided in this Order, no person shall cause or permit any vehicle other than one displaying a valid payment parking ticket obtained from a ticket machine or having a record of a parking payment transaction on the telephone parking payment system, to wait in a payment parking place during the permitted hours as identified in the map schedule attached to this Order.
52. A payment parking ticket shall be issued by a ticket machine or a record of a payment parking period shall be recorded on the telephone payment parking system on payment of the charge specified in Schedule 7 of this Order and any administrative charge payable to the service provided for use of the telephone parking payment system. The charge shall be paid by using the appropriate banknotes, coins, electronic card or by phone.

53. Upon payment of the charge specified in Schedule 7 of this Order or, where there is no charge for an initial period of time for a vehicle as indicated in Schedule 7 and on the ticket machine in the vicinity of the parking place, the driver shall continuously display on the vehicle a payment parking ticket issued by a ticket machine relating to the parking place in which the vehicle is left, valid for that day and that time, and such ticket be continuously displayed throughout the stay of the vehicle unless there has been recorded on the telephone parking payment system a valid record of the parking period for that vehicle.
54. The payment parking ticket shall be continuously displayed on the vehicle on the front windscreen, side window, dashboard or fascia so that all details including the expiry time shown on the front of the ticket are clearly visible and can be easily seen and read from the outside of the vehicle at all times.
55. Any reference to displaying a payment parking ticket in Articles 51, 52, 53 and 54 does not apply if the driver has purchased a digital parking ticket which exempts them from displaying a payment parking ticket.
56. Save as provided in Article 58, no person shall cause or permit any vehicle to remain in a payment parking place during the permitted hours for longer than the maximum stay period as indicated in relation to that parking place on the map schedule attached to this Order.
57. No vehicle which has been taken away from a payment parking place after the initial period of parking has expired shall return within a period separated by an interval of not less than the time period indicated on the map tile label and/or the map schedule legend for that parking place as a period of no return.
58. The payment parking place may be used without any limit on time, subject to the provision of this Order, for the leaving during the permitted hours of a vehicle which displays in the relevant position a disabled persons badge, but only if that vehicle 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 carrying of disabled person(s) as passenger(s).
59. If at any time when a vehicle is left during the permitted hours in a payment parking place there is on the nearest ticket machine a notice placed by any person duly authorised by the Council indicating that the ticket machine is out of order, then a ticket shall be obtained where possible from another ticket machine. However, if the other ticket machines are out of order the vehicle shall be exempt from the charge provided that it is removed within the maximum stay period within the permitted hours.

#### Limited Waiting Parking Places

60. Each area on a highway designated as a limited waiting parking place and is indicated as such in the map schedule attached to this Order, may be used by vehicles to wait for a limited period, not exceeding the maximum period specified or returning within the prohibited period specified in the map schedule attached to this Order in respect of that parking place from a previous period of waiting by the same vehicle in the same length of road on the same day.
61. The limited waiting parking place may be used without any limit on time, subject to the provision of this Order, for the leaving during the permitted hours of a vehicle which displays in the relevant position a disabled persons badge, but only if that vehicle 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 carrying of disabled person(s) as passenger(s).

### Disabled Badge Holders Only Parking Places

62. Each area on a highway designated as a parking place for disabled badge holders only and is indicated on the map tiles attached to this Order, may be used by vehicles to wait without any limitation on time, except where signs indicate otherwise, provided the disabled person's badge is displayed at all times during which the vehicle is left in the parking place and –
- (a) it is exhibited on the dashboard or fascia of the vehicle so that the front of the badge is clearly legible from the outside; or
  - (b) in the case of a vehicle not fitted with a dashboard or fascia the badge is exhibited in a conspicuous position, so that the front of the badge is clearly legible from the outside of the vehicle; and
  - (c) where there is a limit on time the disabled person's parking disc must also be displayed and set at the time of arrival.

### Parking Places for Loading or Unloading by Goods Vehicles

63. Each area on a highway designated as a parking place for the loading or unloading by goods vehicles which is indicated as such in the map schedule attached to this Order, may be used by vehicles to enable goods to be loaded or unloaded from the vehicle in connection with adjoining trade or business premises during the permitted hours subject to any limitation on class of vehicle or maximum period of waiting. Loading or unloading has to be continuous while the vehicle is parked and includes taking goods into premises, waiting for them to be checked and documents signed. Once the delivery process has been completed the vehicle must be moved.

### Parking Places for Motor Cycles

64. Each area on a highway designated as a parking place for Motor Cycles only and is indicated as such in the map schedule attached to this Order, may be used by vehicles to wait without any limitation on time provided the vehicle is a motor cycle.

### Electric Vehicle Charging Bays

65. Each area on a highway designated as an electric vehicle charging bay and is indicated as such in the map schedule attached to this Order, may be used by electric vehicles to wait within the permitted hours provided the vehicle is an electric vehicle parked for the purpose of charging an electric vehicle in an electric vehicle charging point and that charging does not exceed the maximum of 3 hours continuous charging time;

### Exceptions

66. Notwithstanding the provisions of this Order any vehicle may wait during the permitted hours in any parking place (other than a parking place the use of which has been suspended) for so long as may be reasonably necessary if -
- (a) directed to do so with the permission of a police constable in uniform;
  - (b) the vehicle is waiting to enable a person to board or alight from the vehicle;
  - (c) the vehicle is waiting to enable goods to be loaded or unloaded from the vehicle;
  - (d) the vehicle is waiting owing to the driver being prevented from proceeding by circumstances beyond his control or in order to avoid an accident;

- (e) the vehicle is being used for police, fire brigade or ambulance purposes, or a vehicle (other than a passenger vehicle) in the service of a local authority or a statutory undertaker, if it cannot conveniently be used for such purposes in any other road and is being used in pursuance of statutory powers or duties;
- (f) the vehicle is in the service of or employed by a postal or parcel delivery business and is being used in conjunction with the delivery of goods; and
- (g) the vehicle is a recovery vehicle and is waiting to enable it to be used in connection with the removal of a traffic obstruction or a vehicle which has broken down.

#### Part IV

### General Provisions, Suspensions and Dispensations relating to Parking Places

#### Power to suspend the use of a Parking Place or Area

67. Any person authorised by The Council may suspend on payment of the charge specified in Schedule 7 of this Order (in addition to any fee for a temporary traffic regulation order that may be required) the use of a parking place or parking area or any part thereof if the suspension is reasonably necessary:
- (a) for the purpose of facilitating the movement of traffic or promoting its safety;
  - (b) for the purpose of any building operation, demolition or excavation in or adjacent to the permit parking place or in the maintenance, improvement or reconstruction of the permit parking place or laying, erection, alteration, removal or repair in or adjacent to the permit parking place any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity or of any telegraphic line or traffic sign;
  - (c) on any occasion on which it is likely by reason of some special attraction that any street will be thronged or obstructed; or
  - (d) in such circumstances or on such other special occasions as may from time to time be considered necessary.
68. A police constable in uniform may suspend the use of a parking place or area for a period not exceeding 24 hours if he or she considers it reasonably necessary.
69. Any person may apply to the Council to have the use of a parking place or area or a section thereof suspended on payment of the charge specified in Schedule 7 of this Order (in addition to any temporary Traffic Regulation Order charge that may be required) and such application to be made on the current standard form issued by and obtainable from the Council.
70. Any person suspending the use of a parking place or area in accordance with the provisions of this Order shall place or caused to be placed at the suspended part of the parking place or area a sign indicating that waiting by vehicles is prohibited.
71. No person shall cause or permit a vehicle to be left in a parking place or area or part of a parking place or area during such period as there is in or adjacent to that parking place or area or part thereof a sign placed in pursuance of Article 70 of this Order.

### Dispensation of Parking Place

72. Any person authorised by the Council may on payment of the charge specified in Schedule 7 of this Order issue a dispensation notice in respect of the use of a parking place or area or any part thereof if it is considered such dispensation is reasonably necessary-
- (a) for the purpose of any building operation, demolition, internal or external repair or decoration of a property adjacent to the Parking Place;
  - (b) 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;
  - (c) for the convenience of occupiers of premises adjacent to the parking place at times of weddings, funerals or on other occasions;
  - (d) in such circumstances or on such occasions as may from time to time be considered by the Council necessary.
73. At all times during which a vehicle is left in a parking place or area during the permitted hours there shall be continuously displayed in the front or nearside of the windscreen of the vehicle a valid dispensation notice issued in respect of that vehicle so that all particulars are clearly visible and can be easily seen and read from the front or nearside of the vehicle, and which includes information to enable the driver to be contacted in an emergency and that the vehicle is moved if the driver is requested to do so by a police constable in uniform or civil enforcement officer.

### General Provisions

74. No person shall use a vehicle in a parking place in connection with the sale of any article to any person in or near the parking place or in connection with the selling or offering for hire of his or her skill or services.
75. The driver of a vehicle using a parking place shall stop the engine as soon as the vehicle is in position in the parking place; and shall not start the engine except when about to change the position of the vehicle in or to depart from the parking place.
76. No person shall without the consent of the Council cause or permit a trailer to wait in a parking place during the permitted hours.
77. No person shall use any part of a parking place for sleeping, camping or cooking.
78. No person shall use any part of a parking place for the purpose of servicing any vehicle or any part thereof other than is reasonably necessary to enable that vehicle to depart from the parking place.
79. No person shall use a parking place so as to prevent access to any premises adjoining the road, or the use of a parking place so as to be a nuisance.
80. No person shall place, erect or cause to be erected, any skip, tent, booth, stand, building or other structure or store any materials in a parking place without the written consent of the Council.

81. No person shall use a parking place or any part thereof if the highway authority has restricted or prohibited its use temporarily under Section 14 of the Road Traffic Regulation Act 1984 or the Road Traffic Regulation (Special Events) Act 1984; and exhibited notice of such closing on or near the parking place.
82. The Council shall:
- (a) cause the limits of a parking place to be indicated on the carriageway by placing and maintaining thereon traffic signs of any size, colour and type prescribed or authorised under the 2016 Regulations, or subsequent amendments;
  - (b) place and maintain on or in the vicinity of the parking place traffic signs of any size, colour and type prescribed or authorised under the 2016 Regulations, or subsequent amendments indicating that such parking place may be used during the permitted hours and days identified on the plans attached to this Order for the leaving only of the class of vehicle indicated therein; and
  - (c) carry out such other work as is reasonably required for the purposes of the satisfactory operation of the parking place.

#### Manner of standing and removal

83. A vehicle left in a parking place or parking area in accordance with the foregoing provisions of this Order shall be positioned so that every part of the vehicle is within the limits of a parking place.
84. If a vehicle is left in a parking place in a position other than in accordance with the provisions of this Order a person authorised by the Council or Essex County Council may alter or cause to be altered the position of the vehicle so that its position is in accordance with the said provisions.
85. If a vehicle (or any other thing) is left in a parking place or parking area in contravention of this Order a person authorised by the Council or Essex County Council may remove the vehicle from the parking place or parking area or arrange for the removal of a vehicle from a parking place or parking area.
86. For the purpose of meeting the requirements of an emergency a person authorised by the Council or Essex County Council or a police constable in uniform may alter or cause to be altered the position of a vehicle in a parking place or remove or arrange for the removal of a vehicle from a parking place.
87. Any person altering or causing the alteration of the position of the vehicle under the provisions of this Order or removing or causing the removal of a vehicle under the provisions of this Order may do so by towing or driving the vehicle or in such other manner as is reasonably necessary to enable the position of the vehicle to be altered or for the vehicle to be removed.
88. Any person removing or arranging for the removal of a vehicle under the provisions of this Order shall make such arrangements as are reasonably necessary for the safety of the vehicle in the place to which it is removed and shall use all reasonable means to notify the owner of the place to which it has been removed.

89. Where a vehicle (or any other thing) has been removed from a parking place or parking area in accordance with this Order, the driver, or owner of the vehicle (or any other thing) or person authorised by the owner in writing in that behalf shall be required to pay the Council up to the maximum sum set out in the relevant legislation applicable at that time and furnish satisfactory proof of identity.
90. Following payment of the sum mentioned in Article 89 and production of satisfactory proof of identity the Council shall issue a receipt, together with details of the place where the vehicle (or any other thing) has been impounded.
91. Upon production of the receipt given in accordance with Article 90 to an authorised person at the place of impound the vehicle (or other thing) shall be released to the person producing the receipt.
92. Any vehicle (or any other thing) removed from the parking place in accordance with this Order, which appears to the Council to be abandoned shall be disposed of in accordance with the provisions of the Refuse Disposal (Amenity) Act 1978 and its related Regulations.

## PART V

### Contravention of Order

93. If a vehicle is left without complying with any of the requirements of this Order, then a Contravention will have occurred and a Penalty Charge shall be payable for each period identified in the plans attached to this Order which the said vehicle is so parked.
94. If a Contravention has occurred, a Penalty Charge showing the information required by the Act of 2004 may then be issued by a Civil Enforcement Officer.
95. The notification of a Penalty Charge to be given is respect of a stationary vehicle-
  - (a) by a penalty charge notice affixed to the vehicle; or
  - (b) by a penalty charge notice given to the person appearing to be in charge of the vehicle; or
  - (c) where a Civil Enforcement Officer attempted to serve a penalty charge notice but was prevented from doing so by some person then the Council shall serve the penalty charge notice by post in accordance with the Act of 2004; or
  - (d) where a Civil Enforcement Officer has begun to prepare a penalty charge notice for service, but the vehicle concerned was driven away from the place it was stationary before the civil enforcement officer has finished preparing the penalty charge notice then the Council shall serve the penalty charge notice by post in accordance with the Act of 2004.

**PART V**

**Resolution of Conflicts and Seal**

96. Save as provided in Article 2 of this Order the restrictions imposed by this Order shall be in addition to and not in derogation of any restriction or requirement imposed by any regulations made or having effect as if made under the Act or by or under any other enactment, but in so far as any provision of this Order conflicts with any provision of any other Order relating to the waiting of vehicles, the provision of this Order shall prevail.

THE COMMON SEAL of THE  
CHELMSFORD CITY COUNCIL

was hereunto affixed

this *11th* day of *November* 2019

in the presence of:



Mayor

*[Signature]*  
\_\_\_\_\_  
Authorised Officer

*[Signature]*  
\_\_\_\_\_

SEALING REGISTER  
REFERENCE  
*170/19*

## **SCHEDULE 1**

### **Revocation of Orders**

1. The Essex County Council (Castle Point Borough) (Permitted Parking Area and Special Parking Area) (Consolidation) Order 2008 and all amending Orders;

The restrictions contained within these Orders will remain in force by virtue of this new Order.

## SCHEDULE 2

The list of map tiles that, together with the map schedule legend, comprise the map schedule to this Order:

Map Tile Ref	Revision
TQ775 907	0
TQ780 907	0
TQ775 905	0
TQ780 905	0
TQ785 905	0
TQ785 902	0
TQ790 902	0
TQ790 900	0
TQ790 897	0
TQ795 897	0
TQ770 895	0
TQ795 895	0
TQ800 895	0
TQ765 892	0
TQ770 892	0
TQ775 892	0
TQ790 892	0
TQ795 892	0
TQ800 892	0
TQ805 892	0
TQ765 890	0
TQ770 890	0
TQ775 890	0
TQ790 890	0
TQ795 890	0

Map Tile Ref	Revision
TQ765 887	0
TQ770 887	0
TQ775 887	0
TQ780 887	0
TQ785 887	0
TQ790 887	0
TQ795 887	0
TQ800 887	0
TQ805 887	0
TQ810 887	0
TQ760 885	0
TQ765 885	0
TQ770 885	0
TQ775 885	0
TQ780 885	0
TQ785 885	0
TQ790 885	0
TQ795 885	0
TQ800 885	0
TQ810 885	0
TQ760 882	0
TQ765 882	0
TQ770 882	0
TQ775 882	0
TQ780 882	0

Map Tile Ref	Revision
TQ785 882	0
TQ800 882	0
TQ810 882	0
TQ760 880	0
TQ765 880	0
TQ770 880	0
TQ775 880	0
TQ780 880	0
TQ785 880	0
TQ790 880	0
TQ800 880	0
TQ810 880	0
TQ760 877	0
TQ765 877	0
TQ775 877	0
TQ785 877	0
TQ790 877	0
TQ795 877	0
TQ800 877	0
TQ810 877	0
TQ760 875	0
TQ765 875	0
TQ770 875	0
TQ775 875	0
TQ790 875	0

Map Tile Ref	Revision
TQ795 875	0
TQ800 875	0
TQ805 875	0
TQ810 875	0
TQ760 872	0
TQ765 872	0
TQ775 872	0
TQ795 872	0
TQ800 872	0
TQ805 872	0
TQ810 872	0
TQ760 870	0
TQ765 870	0
TQ770 870	0
TQ775 870	0
TQ780 870	0
TQ795 870	0
TQ800 870	0
TQ805 870	0
TQ810 870	0
TQ815 870	0
TQ760 867	0
TQ770 867	0
TQ775 867	0
TQ790 867	0

**SCHEDULE 2 (Cont.)**

The list of map tiles that, together with the map schedule legend, comprise the map schedule to this Order:

Map Tile Ref	Revision
TQ795 867	0
TQ800 867	0
TQ805 867	0
TQ810 867	0
TQ815 867	0
TQ760 865	0
TQ770 865	0
TQ775 865	0
TQ780 865	0
TQ785 865	0
TQ790 865	0
TQ805 865	0
TQ810 865	0
TQ815 865	0
TQ820 865	0
TQ760 862	0
TQ770 862	0
TQ775 862	0
TQ780 862	0
TQ785 862	0
TQ805 862	0
TQ760 860	0
TQ765 860	0
TQ775 860	0
TQ780 860	0

Map Tile Ref	Revision
TQ785 860	0
TQ765 857	0
TQ775 857	0
TQ780 857	0
TQ765 855	0
TQ770 855	0
TQ775 855	0
TQ780 855	0
TQ770 852	0
TQ775 852	0
TQ775 850	0
TQ780 850	0
TQ785 845	0
TQ790 845	0
TQ785 842	0
TQ790 842	0
TQ795 842	0
TQ785 840	0
TQ795 840	0
TQ800 840	0
TQ775 837	0
TQ780 837	0
TQ785 837	0
TQ795 837	0
TQ800 837	0

Map Tile Ref	Revision
TQ805 837	0
TQ765 835	0
TQ770 835	0
TQ775 835	0
TQ780 835	0
TQ790 835	0
TQ795 835	0
TQ800 835	0
TQ805 835	0
TQ765 832	0
TQ770 832	0
TQ775 832	0
TQ780 832	0
TQ785 832	0
TQ790 832	0
TQ795 832	0
TQ800 832	0
TQ805 832	0
TQ810 832	0
TQ815 832	0
TQ820 832	0
TQ765 830	0
TQ770 830	0
TQ775 830	0
TQ780 830	0

Map Tile Ref	Revision
TQ785 830	0
TQ790 830	0
TQ795 830	0
TQ800 830	0
TQ805 830	0
TQ810 830	0
TQ815 830	0
TQ765 827	0
TQ770 827	0
TQ775 827	0
TQ780 827	0
TQ785 827	0
TQ790 827	0
TQ795 827	0
TQ800 827	0
TQ810 827	0
TQ790 825	0
TQ795 825	0
TQ800 825	0
TQ805 825	0
TQ810 825	0
TQ795 822	0
TQ800 822	0
TQ805 822	0

**SCHEDULE 3**

**Permit Parking**

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>	<b>Column 5</b>
<b>Permit Identifier</b>	<b>Type of Parking Control</b>	<b>Area Name</b>	<b>Days of Operation</b>	<b>Hours of Operation (Permitted Hours)</b>
A	Permit Parking or Permit Parking Area	Zone A	As stated in the map schedule to this Order or on sign plates in the vicinity of parking places or at the entrance and within parking areas.	As stated in the map schedule to this Order or on sign plates in the vicinity of parking places or at the entrance and within parking areas.
B	Permit Parking or Permit Parking Area	Zone B	As Zone A	As Zone A
C	Permit Parking or Permit Parking Area	Zone C	As Zone A	As Zone A
D	Permit Parking or Permit Parking Area	Zone D	As Zone A	As Zone A
G	Permit Parking or Permit Parking Area	Zone G	As Zone A	As Zone A
H	Permit Parking or Permit Parking Area	Zone H	As Zone A	As Zone A
J	Permit Parking or Permit Parking Area	Zone J	As Zone A	As Zone A
K	Permit Parking or Permit Parking Area	Zone K	As Zone A	As Zone A

## SCHEDULE 4

### Permit and Ticket Parking Charges

Column 1	Column 2	Column 3	Column 4	Column 5
Permit or Ticket Type	Charge Period	Permit or Ticket Charge	Period of Validity	Conditions of Use (1)
Resident Permit	All day for one vehicle	£52.00 for one year	12 months, from date first valid when issued.	<p>Maximum of four permits per individual property.</p> <ul style="list-style-type: none"> <li>•The Council may grant additional Resident Permits to an eligible property at its unfettered discretion dependant on circumstances</li> <li>• One free permit for residents over 65</li> <li>• Blue Badge Holders are exempt</li> <li>• See Schedule 4 Notes 1, 2, 3, 4, 5, 6, 7 and 10</li> </ul>
Carer Permit	All day	Free	12 months, from date first valid when issued.	<ul style="list-style-type: none"> <li>• Valid in all designated resident permit zones for the purpose of attending to a patient at their own property, any abuse of this privilege may result in the withdrawal of the permit</li> <li>• Any loss of permit or changes must be immediately reported to the partnership so a replacement can be issued.</li> <li>• See Schedule 4 Notes 1, 5, 6 and 10</li> </ul>

## SCHEDULE 4 (Cont.)

### Permit and Ticket Parking Charges

Column 1	Column 2	Column 3	Column 4	Column 5
Permit or Ticket Type	Charge Period	Permit or Ticket Charge	Period of Validity	Conditions of Use (1)
Business Permit	All day for one vehicle or motorcycle	£250 for one year	12 months, from date first valid when issued.	<ul style="list-style-type: none"> <li>• Valid in all designated zones displayed on the permit</li> <li>• Any loss of permit or changes must be immediately reported to the partnership so a replacement can be issued.</li> <li>• See Schedule 4 Notes 1, 2, 5, 6 and 10</li> </ul>
Visitor Tickets	One vehicle Up to 2 hours	£5 for 10 Tickets (50p per ticket)	From time activated until expiry of time period of ticket.	<p>No maximum applies to Visitor Tickets</p> <ul style="list-style-type: none"> <li>• Additional Visitor tickets can be activated to extend a parking period</li> <li>• See Schedule 4 Notes 1, 2, 6, 8, 9 and 10</li> </ul>

### **Schedule 4 Notes**

- (1) Subject to the provisions of this Order
- (2) No refund shall be given upon surrender of a parking permit to the Council.
- (3) The vehicle that the permit has been allocated to must be classed as a passenger vehicle, dual purpose vehicle, goods vehicle or a motorcycle which does not exceed 2 tonnes in Unladen Weight (ULW).
- (4) Vehicle must be owned or hired by the resident
- (5) Connected to a specific vehicle
- (6) Only valid if conditions of use adhered to
- (7) Valid in the Zone to which issued only
- (8) Activated Visitor Tickets must be displayed or recorded on a parking payment system when parked within Permitted Hours
- (9) Valid for any vehicle belonging to a person that is visiting the address that they are registered to.
- (10) Valid in any parking place as set out in Schedule 6 Column 1 where the permit is listed as valid in Schedule 6 Column 2

## SCHEDULE 5

**Residential property addresses that are eligible to apply for Resident Permits and Visitor Tickets:**

Column 1	Column 2	Column 3		Column 4
Permit Zones	Roads	Properties Eligible		Resident Qualification
<b>Zone A</b>	Bradley Avenue, Benfleet, Castle Point	All Odd	All Even	See Schedule 5 notes below
	Bradley Close, Benfleet, Castle Point	All Odd	All Even	
	Dubarry Close, Benfleet, Castle Point	All Odd	All Even	
<b>Zone B</b>	Constitution Hill, Benfleet, Castle Point	15, 23-25, 29, 33-41 Odd	20-22, 26-40 Even	See Schedule 5 notes below
<b>Zone C</b>	Hall Farm Close, Benfleet, Castle Point	1-21 Odd		See Schedule 5 notes below
	Hall Farm Road, Benfleet, Castle Point	3-29, 81-103 Odd (Including 29A, 29B, 29C & 101A)	6-34, 72-78 Even (Including 12A, 72A & 72B)	
<b>Zone D</b>	High Street, Benfleet, Castle Point	43, 45, 47, 51 Odd		See Schedule 5 notes below
<b>Zone G</b>	Croft Close, Benfleet, Castle Point	All Odd	All Even	See Schedule 5 notes below
	Croft Road, Benfleet, Castle Point	17, 19, 45, 47 Odd		
	Lynn View Close, Benfleet, Castle Point	All Odd	All Even	
<b>Zone H</b>	Beresford Close, Hadleigh, Castle Point	1-19 Odd		See Schedule 5 notes below
<b>Zone J</b>	Alderwood Way, Hadleigh, Castle Point	All Odd	All Even	See Schedule 5 notes below
	Summerwood Close, Hadleigh, Castle Point	All Odd	All Even	

### SCHEDULE 5 (Cont.)

**Residential property addresses that are eligible to apply for Resident Permits and Visitor Tickets:**

Column 1	Column 2	Column 3		Column 4
Permit Zones	Roads	Properties Eligible		Resident Qualification
<b>Zone K</b>	Blackwater, Thundersley, Castle Point	All Odd	All Even	<b>See Schedule 5 notes below</b>
	Konny Brook, Thundersley, Castle Point	All Odd	All Even	

**Schedule 5 Notes:**

- 1 (a) The Qualifying Residents will not be eligible to apply for a Resident Parking Permit if the property was built after 1st November 2019;
- (b) A Qualifying Resident will be eligible to apply for a maximum of four Resident Parking Permits; and
- (c) Notwithstanding being a Qualifying Resident subject to Schedule 5, the Council may, at its absolute discretion, issue a Resident Parking Permit to any given resident.
- 2 The maximum number of permits issued is at the discretion of the Council
- 3 Please be aware that not all roads in the list will have permit parking areas.

**SCHEDULE 6**

**Parking Place / Area Permit Validity**

Column 1	Column 2	Column 3
<b>Parking places / restriction</b>	<b>Valid permits</b>	<b>Conditions for use in parking places or on restricted streets (1)</b>
Resident permit parking places only and shared use parking places with resident permit holder parking	Resident permits, Business permits, Carer permits, Dispensation permits and Visitor Tickets	Where permit parking is restricted to permits with a Zone identifier, where the Zone identifier on the permit corresponds to the Zone identifier on the signs in the vicinity of the parking place and as shown for that parking place in the Map Tile label and/or Map Schedule Legend in the Map Schedule, subject to the conditions stated in schedule 4.
Permit parking places only and shared use parking places with permit holder parking	Resident permits, Business permits, Carer permits, Dispensation permits and Visitor Tickets	Where permit parking is restricted to permits with a Zone identifier, where the Zone identifier on the permit corresponds to the Zone identifier on the signs in the vicinity of the parking place and as shown for that parking place in the Map Tile label and/or Map Schedule Legend in the Map Schedule, subject to the conditions stated in schedule 4.
Permit parking areas	Resident permits, Business permits, Carer permits, Dispensation permits and Visitor Tickets	Where permit parking is restricted to permits with a Zone identifier, where the Zone identifier on the permit corresponds to the Zone identifier on the signs in the vicinity of the parking place and as shown for that parking place in the Map Tile label and/or Map Schedule Legend in the Map Schedule, subject to the conditions stated in schedule 4.

**Schedule 6 Note (1): Subject to the provisions of this Order**

## SCHEDULE 7

### On-Street Payment Parking Charges

<b>Parking Places with Ticket Machine (Payment parking)</b>		
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
Not in use	Not in use	Not in use
<b>Dispensation Permit</b>		
Daily per vehicle for restrictions of 3 hours and over	Daily	£6.00
Weekly per vehicle for restrictions of up to 3 hours	Weekly	£5.00
<b>Suspension of Parking Place</b>		
Daily per 5 metre length	Daily	Free
Weekly per 5 metre length	Weekly	Free