

**THE BUCKINGHAMSHIRE COUNTY COUNCIL**  
**(VARIOUS ROADS, GREAT MISSENDEN)**  
**(PROHIBITION AND RESTRICTION OF WAITING AND**  
**PARKING PLACES WITH PERMITS) ORDER, 2006**

Buckinghamshire County Council (“the Council”) in exercise of its powers under Sections 1(1), 2(1) to (3), 4(1) and (2), 32, 33, 35, 45, 46, 46A, 49, 51, 53 and Part IV of Schedule 9 of the Road Traffic Regulation Act 1984, (“the Act”) and of all other enabling powers and having regard to Section 122 of the Act and after consultation with the Chief Officer of Police in accordance with Part III of Schedule 9 to the Act, hereby make the following Order:-

1. (1) In this Order

“authorised parking place” means any parking place on a road authorised or designated by an Order made or having effect as if made under the Act;

“authorised taxi rank” means any area of carriageway which is comprised within and indicated by a road marking complying with diagram 1028.2 in Schedule 6 of The Traffic Signs Regulations and General Directions, 2002;

“bus” has the same meaning given by Regulation 22(2) of the Traffic Signs Regulations and General Directions 2002;

“bus stop area” means any area of carriageway in any of the lengths of road or on the side of any of the lengths of road specified in this Order intended for the waiting of buses which is comprised within and indicated by a road marking complying with the appropriate diagram under Schedule 6 to The Traffic Signs Regulations and General Directions, 2002;

“disabled person's badge” has the same meaning as in Section 142 of the Act;

“disabled person's vehicle” has the same meaning as in Section 142 of the Act;

“hackney carriage” means a taxi as defined by Section 13(3) of the Transport Act 1985;

“motor cycle” has the same meaning given by Section 136 of the 1984 Act;

“motor vehicle” has the same meaning given by Section 136 of the 1984 Act;

“parking attendant” means a person appointed under Section 63A of the Act;

“parking disc” has the meaning given by Regulation 8(5) of the Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000;

“parking place” means any area of a highway designated as a parking place by this Order;

“parking space” means a part of the parking place, which is provided for the leaving of a vehicle;

“permitted hours” means the hours specified at the beginning of each Schedule to this Order as being the hours when the restrictions imposed by this Order are effective;

“resident” means a person whose usual place of abode is at premises the postal address of which is in any street or part of any street described in the Schedules 2 and 3 inclusive;

“resident permit” means a Permit issued under the provisions of Articles 7 to 16;

“resident permit holder” means a person to whom a resident

permit has been issued;

“undertaker” has the same meaning as in Section 48 of the New Roads and Street Works Act 1991;

(2) For the purpose of this Order a vehicle shall be regarded as displaying -

(a) a disabled person's badge issued on or after 1 April 2000 in a relevant position if -

(i) the badge is exhibited on the dashboard or fascia 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 parking disc in the relevant position if -

(i) the disc is exhibited on the dashboard or fascia of the vehicle, or

(ii) where a vehicle does not have a dashboard or fascia, the disc is exhibited in a conspicuous position on the vehicle,

so that the quarter-hour period during which the period of waiting began is clearly legible from outside the vehicle.

2. Save as provided in Articles 3 and 4 hereof, no person shall, except upon the direction or with the permission of a police constable in uniform or a parking attendant cause or permit any vehicle to wait:-

(1) between the hours of 2.00 pm and 3.00 pm on any day other than a

Saturday or Sunday in the length of road specified in Schedule 1 hereto

(2) between the hours of 8.00 am and 6.00 pm on any day other than a

Saturday or Sunday in the length of road specified in Schedule 2 hereto

(a) for a longer period than two hours; or

(b) if a period of less than two hours has elapsed since the termination during the said hours of the last period of waiting (if any) by that vehicle on the same side of road or length of road

(3) between the hours of 8.00 am and 6.00 pm on any day other than a

Saturday or Sunday in the length of road specified in Schedule 3 hereto

(a) for a longer period than one hour; or

(b) if a period of less than one hour has elapsed since the termination during the said hours of the last period of waiting (if any) by that vehicle on the same side of road or length of road

3. (1) Nothing in Article 2 hereof shall render it unlawful to cause or permit any vehicle to wait in any of the lengths of road specified therein for so long as may be necessary to enable:-

(a) a person to board or alight from the vehicle;

(b) goods to be loaded on or unloaded from the vehicle;

(c) the vehicle, if it cannot conveniently be used for such purpose in any other road, to be used in connection with any of the following operations, namely -

(i) building, industrial or demolition operations;

(ii) the removal of any obstruction to traffic;

(iii) the maintenance, improvement or reconstruction of the said lengths of road; or

(iv) the laying, erection, alteration or repair in or on

land adjacent to the said lengths of road of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity or of any telecommunication system as defined in the Telecommunications Act 1984;

(d) the vehicle, if it cannot conveniently be used for such purposes in any other road, to be used in the service of an undertaker or of a water authority in pursuance of statutory powers or duties;

(e) the vehicle to be used for the purpose of delivering or collecting postal packets as defined in Section 87 of the Post Office Act 1953;

(f) the vehicle to wait at or near to any premises situated on or adjacent to any of the said lengths of road for so long as such waiting by that vehicle is reasonably necessary in connection with any wedding or funeral; or

(g) the vehicle to be used for fire brigade, ambulance or police purposes; or

(h) the vehicle to take in petrol, oil, water or air from any garage situated on or adjacent to any of the said lengths of road;

(2) Nothing in Article 2 hereof shall render it unlawful to cause or permit any vehicle -

(a) to wait upon an authorised parking place;

(b) being a hackney carriage, to wait upon an authorised taxi rank; or

(c) being a bus to wait in a bus stop area for a period of 10 minutes with return by the same vehicle prohibited within 45

minutes.

4. Nothing in Article 2 hereof shall render it unlawful to cause or permit a disabled person's vehicle which displays in the relevant position a disabled person's badge to wait in any of the lengths of road referred to in the said Article.

5. Nothing in Articles 2(2) and 2(3) hereof shall render it unlawful to cause or permit any vehicle to wait during the prescribed hours of Monday to Friday 8.00 am to 6.00 pm in the lengths of road specified therein if the vehicle displays a valid resident permit which has been issued to a postal address specified in Schedules 2 and 3 hereto.

6. Each parking place as provided for in Schedules 2 and 3 to this Order may be used, subject to the provisions of this Order, for the parking during the permitted hours of such vehicles as display in the manner specified in Article 8 of this Order a valid permit issued by the Council in respect of that vehicle

7. (1) Any resident who is the owner of a motor vehicle, motor cycle, or disabled person's vehicle may apply to the Council for the issue of a resident's permit for the parking of that vehicle and any such application shall be made on a form issued by and obtainable from the Council and shall include the information required by such form and shall be accompanied by a remittance for such charge specified in Article 10(3) of this Order

(2) The Council may at any time require an applicant for a resident's permit to produce an officer of the Council such evidence in respect of an application for a resident's permit made to them as they may reasonably require to verify any information given to them;

(3) On receipt of an application made under the foregoing provisions of this Article, and of the fee specified in Article 10(3) of this Order, the

Council, upon being satisfied that the applicant is a resident and is the owner of a vehicle of the class specified in paragraph (1) of this Article, shall at the discretion of the Council issue to that applicant one resident's permit for the parking during the permitted hours in a parking space in any parking place of the vehicle to which such resident's permit relates by the owner of such vehicle or by any person using such vehicle with the consent of the owner other than a person to whom such vehicle has been let for hire or reward, provided always that subject to the provisions of Article 11(2) of this Order shall not issue a resident's permit to any resident which would be valid for any period during which any other resident's permit issued to that resident extends;

(4) Subject only to the provisions of Article 11 of this Order nothing herein contained shall require or impose on the Council any obligation to issue any resident's permit pursuant to the provisions of this Order to any applicant if the Council considers the issue of any such further permits would impose such a demand for parking facilities as to exceed the extent of facilities provided by the provisions of Article 7 and Schedules 2 and 3 of this Order

(5) Any person may cause or permit a motor vehicle, motor cycle or disabled person's vehicle which displays a permit in accordance with Article 8 below to wait in any length of road specified in Schedules 2 and 3 hereto during the permitted hours for the period of validity of the permit provided the vehicle waits wholly within the limits of any marked parking space

8. (1) A permit issued in accordance with this Order shall be displayed:
- (a) in the case of a vehicle fitted with a front windscreen on

the near side of and immediately behind the windscreen so as to be legible from outside the vehicle the details specified in paragraph (b)(i)(ii)(iii) and (iv) below; or

(b) in the case of a vehicle not fitted with a front windscreen the permit is exhibited in a conspicuous position so that the details in (i) (ii) (iii) and (iv) below are legible from outside the vehicle

(i) the serial number

(ii) the registration mark of the vehicle in respect of which the permit was issued

(iii) the date of expiry and

(iv) any code number or identification mark from time to time required to be included on the permit by the Council

9. (1) A permit holder may surrender a permit to the Council at any time and shall surrender a permit to the Council on the occurrence of any of the events set out in paragraph (3) of this Article;

(2) The Council may, by notice in writing served on the permit holder at the address shown by that person on the application for the period or at any other address believed to be that person's residence, revoke a permit if it appears to the Council that any one or more of the events set out in paragraphs (3)(a), (b)(c), (d), (e) or (f) of this Article has occurred and the permit holder shall surrender the permit to the Council within 48 hours of the receipt of such notice;

(3) The events referred to in the foregoing provisions of this Article are:-

(a) the permit holder ceasing to be a resident;



- (b) the permit holder ceasing to be the owner of the vehicle in respect of which the permit was issued;
  - (c) the vehicle in respect of which such period was issued being adapted or used in such a manner that it is not a vehicle of the class specified in Article 7 of this Order;
  - (d) an application under Article 7 is received by and acceptable to the Council but the issue of a permit pursuant thereto would be a contravention of that said Article unless some other permit then subsisting is first surrendered to the Council;
  - (e) the permit was obtained by fraud or misrepresentation
  - (f) the permit was issued by mistake
- (4) The Council may at any time require a permit holder to produce to an officer of the Council such evidence in respect of any permit issued by them as they may reasonably require
- (5) Where a permit is revoked an authorised person shall send written notice to the address given by the applicant for the permit and any such notice shall inform the applicant of his right to make written representations to the Council
- (6) A person aggrieved by the revocation of a permit or a refusal to issue a permit may make written representations to the Council and may apply for the restoration or issue of a permit
- (7) Any person may apply for the return to him or to a person nominated by him in writing of a proportional part of the charge paid in respect of a permit at the rate of one twelfth of the charge paid for the permit in respect of each calendar month remaining unexpired on the permit as of the date when the permit is presented for a refund

10. (1) Where a person authorised by the Council to issue permits is satisfied that an applicant is entitled to the issue to him of a permit and that the correct charge if any has been paid he may at the discretion of the Council issue a permit
- (2) Where an application is made for the issue of a permit and either the applicant is unable to provide at that time the prescribed evidence or an authorised person is not satisfied with the evidence produced to him at that time provided the charge if any for a permit has been paid he may issue a temporary permit
- (3) The administrative charge for the issue of a permit shall be £25.00 or such charge as the Council may hereafter by notice provided in accordance with paragraph 10(4) below
- (4) The Council may from time to time by notice publish any charges applicable to permits not less than one month before any such charge is to be effective
- (5) A permit is valid until midnight on the date of expiry or until revoked in accordance with the provisions of Article 9 above
11. (1) A permit may only be transferred between vehicles by a person making an application in the same manner as an application for an issue of a permit save that no charge is payable in respect of such transfer
- (2) Where a permit is lost or defaced the person to whom the permit was issued may apply to the Council for the issue without charge of a duplicate permit
12. Where any vehicle is standing in a parking place in contravention of the provisions of Article 7(5) of this Order a police constable in uniform, or a parking attendant may alter or cause to be altered the position of the vehicle in order that

its position shall comply with those provisions

13. Where a police constable in uniform, or a parking attendant is of the opinion that any of the provisions contained in Article 7(5) of this Order have been contravened or not complied with in respect of a vehicle parked in a parking place, he may remove or cause to be removed the vehicle from the parking place, and where it is so removed, shall provide for the safe custody of the vehicle

14. A police constable in uniform, or a parking attendant may in case of emergency move or cause to be moved any vehicle parked in a parking place to any place he thinks fit.

15. (1) Any person authorised by the Council may suspend the use of a parking place or any part thereof whenever he considers such suspension reasonably necessary:-

(a) for the purpose of facilitating the movement of traffic or promoting its safety;

(b) for the purpose of any building operation, demolition or excavation in or adjacent to the parking place or the maintenance, improvement or reconstruction of the parking place or the laying, erection, alteration, removal or repair in or adjacent to the parking place of any sewer or of any main, pipe or apparatus or the supply of gas, water or electricity or of any telecommunication system or traffic sign;

(c) 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;

(d) on any occasion on which it is likely by reason of some special attraction that any street will be thronged or obstructed; or

(e) for the convenience of occupiers of premises adjacent to the parking place at times of weddings or funerals, or on other special occasions

(2) A police constable in uniform may suspend for not longer than seven days the use of a parking place or any part thereof whenever he considers such suspension reasonably necessary for the purpose of facilitating the movement of traffic or promoting its safety

(3) Any person suspending the use of a parking place or any part thereof in accordance with the provisions of paragraph (1) or paragraph (2) of this Article shall thereupon place or cause to be placed in or adjacent to that parking place or the part thereof the use of which is suspended a traffic sign indicating that waiting by vehicles is prohibited

(4) No person shall cause or permit a vehicle to be parked in any parking place or part of a parking place during such period as there is in or adjacent to that parking place or part of a parking place a traffic sign placed in pursuance of paragraph (3) of this Article: provided that nothing in this paragraph shall render it unlawful to cause or permit any vehicle being used for fire brigade, ambulance or police purposes or any vehicle being used for any purpose specified in Article 3(1)(c) (ii) or (e) of this Order to be parked in the parking place or part of a parking place during any such period, or to any other vehicle so parked if that vehicle is parked with the permission (i) of the period suspending the use of the parking place or the part thereof in pursuance of paragraph (1) of this Article, (ii) of a police constable in uniform (iii) of a parking attendant

16. While any vehicle is in a parking place during the permitted hours, no person shall use the vehicle 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 sale of his skill or services.

17. The prohibitions and restrictions imposed by this Order shall be in addition to and not in derogation from 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

18. The Orders specified in Schedule 4 to this Order are amended to the extent and in the manner specified in that Schedule.

19. This Order made be cited as "The Buckinghamshire County Council (Various Roads, Great Missenden) (Prohibition and Restriction of Waiting and Parking Places with Permits) Order 2006", and shall come into operation on 1st March 2006.

#### **SCHEDULE 1**

##### **No Waiting Monday to Friday 2.00 pm - 3.00 pm**

###### **High Street - North East side**

From a point 25 metres southeast of the centre line of its junction with Rignall Road in a southeasterly direction to a point 80 metres northwest of the centre line of its junction with Elmtree Green.

#### **SCHEDULE 2**

##### **High Street Residents Permit Holders or Waiting Limited to 2 hours (No return within 2 hours) Monday to Friday 8.00 am – 6.00 pm**

###### **High Street – South West side**

From a point 80 metres northwest of the centre line of its junction with Elmtree Green in a southeasterly direction to a point 40 metres northwest of the centreline of its junction with Elmtree Green.

###### **Streets for the purpose of the issue of permits**

All residents of High Street

**SCHEDULE 3**

**High Street Residents Permit Holders or Waiting Limited to 1 hour (No return within 1 hour) Monday to Friday 8.00 am – 6.00 pm**

**High Street – North West side**

From a point 21 metres north-west of the centreline of its junction with Whitefield Lane in a north-westerly direction for a distance of 25 metres.

Streets for the purpose of the issue of Permits

All residents of High Street

**SCHEDULE 4**

**Length of road to be deleted from Schedule 4 of “The Buckinghamshire County Council (Various Roads, Great Missenden) (Prohibition and Restriction of Waiting) Order 2004”**

**High Street – North East Side**

From a point 25 metres southeast of the centre line of its junction with Rignall Road in a southeasterly direction to a point 40 metres northwest of the centreline of its junction with Elmtree Green.

**Length of road to be deleted from Schedule 3 of “The Buckinghamshire County Council (Various Roads, Great Missenden) (Prohibition and Restriction of Waiting and Parking Places with Permits) Order 2001”**

**High Street – South West side**

From a point 21 metres north-west of the centreline of its junction with Whitefield Lane in a north-westerly direction for a distance of 25 metres.

THE COMMON SEAL of BUCKINGHAMSHIRE  
COUNTY COUNCIL was hereunto affixed

this 22nd day of February 2006  
in the presence of:-

*Liz-Terry*  
Authorised Signatory

