

**THE BUCKINGHAMSHIRE COUNTY COUNCIL**

**(CHILTERN DISTRICT)**

**(CONSOLIDATION) ORDER 2010**

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The Buckinghamshire County Council in exercise of its powers under sections 1, 2, 4, 32, 35, 37, 45, 46, 49, 53, 63A, 65, 68, 69, 71, 92, 101, 102, 116, 124 and Part IV of Schedule 9 and having regard to Section 122 of the Road Traffic Regulation Act 1984 (the Act of 1984) as amended and of all other enabling powers, and after consultation with the Chief Officer of Police in accordance with Part III of Schedule 9 to the Act of 1984, hereby makes the following Order.

**SECTION 1 – PRELIMINARY**

Citation and commencement

1. This Order shall come into operation on 5th November 2010 and may be cited as The Buckinghamshire County Council (Chiltern District) (Consolidation) Order 2010.
2. The Buckinghamshire County Council (Chiltern District) (Consolidation) Order 2010 Plans including the key (the "Plans") are incorporated into this Order.

Interpretation

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

"Council" means the Buckinghamshire County Council and includes any parking services contractors or authorised agent appointed by or acting on behalf of the Council for the purposes of any function under 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 passage of vehicles;

“civil enforcement officer” means a person employed in accordance with Section 76 of the Traffic Management Act 2004 to carry out the functions therein;

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

“daily charge” means the charge imposed by the Council for parking in a parking place on any one day and for a specified period of time as is identified in the scale of charges specified by notice at or close to each parking place;

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

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

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

“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;

“footway” has the meaning given by Section 329 of the Highways Act 1980;

"goods" means goods of any kind whether animate or inanimate and includes post~~al~~ packets of any;

"goods vehicle" means a motor vehicle constructed or adapted for use for the carriage of goods or burden of any description;

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

"household" means a house or flat which has its own postal address. In the case of sub-divided properties the establishment of an individual address is subject to any appropriate planning consent having been obtained for the sub-division of the property and the paying of separate Council Tax;

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

"light goods vehicle" means a motor vehicle under 3000 kg in weight which is constructed or adapted for use for the carriage of goods or burden of any description the overall height of which does not exceed 2.3 metres and the overall length of which does not exceed 5.25 metres and is not drawing a trailer;

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

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

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

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

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

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

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

"operational user" means a person who in the course of carrying out day to day responsibilities has a need to park in a residents parking zone;

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

"park" and "parked" refer to the stopping of a vehicle and it waiting or remaining at rest for some time whether or not the driver is still in the vehicle and a vehicle shall be deemed to be parked for any period in the same parking place or parking bay (as the case may be) if any part of it is below the vehicle or the vehicle's load (if any) whether or not the vehicle is moved during that period;

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

“parking place” means an area of a highway designated by this Order for the parking of vehicles of specific classes and forming part of a general scheme of traffic control;

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

“pay and display ticket machine” means an apparatus of a type approved by the Secretary of State for issuing a ticket indicating the payment of a charge, the date on which the ticket is valid and the time by which the vehicle is required to leave the parking place;

“pay and display ticket” means a ticket issued by a pay and display ticket machine relevant to the parking place in which a vehicle has been parked;

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

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

“permit” means any permit being a residents permit, operational permit, residents carer permit, residents visitor permit or school permit issued under the provisions of this Order by the Council under the provisions of this Order;

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

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

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

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

“relevant position” in respect of: -

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

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

“residents visitor permit” means a permit issued by the Council for the parking of ( vehicle belonging to a visitor to a resident in a parking place designated for vehicles displaying a valid resident permit or visitor permit;

“restricted hours” means in relation to any restricted road the hours during which waiting is restricted or specific activities are restricted as specified on the Plans;

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

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

“visitor voucher” means a voucher issued by the Council under the provisions of this Order on application to a resident to enable bona fide visitors to park in a residents permit parking place;

“wait” and “waiting” refer to the stopping of a vehicle and it remaining at rest for some time whether or not the driver is still in the vehicle;

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

“verge” means any part of a road which is not a carriageway and includes a footway;

“zone” means an area comprising the respective roads specified in the Schedule.



4. Any reference in this Order to a numbered Article shall, unless the context requires otherwise, be construed as a reference to the Article bearing that number in this Order and any reference to the Plans is a reference to the Plans incorporated into this Order.
5. Any reference in this Order to any enactment shall be construed as a reference to that enactment as amended, applied, consolidated, re-enacted by or as having effect by virtue of any subsequent enactment.
6. The Interpretation Act 1978 shall apply to the interpretation of this Order as it applies for the interpretation of an Act of Parliament and as if for the purposes of Section 21 of that Act this Order were an Act of Parliament and the Orders revoked by this Order were Acts of Parliament thereby repealed.
7. The restrictions imposed by this Order shall be in addition to and not in derogation from any restriction or requirements imposed by any regulations made or having effect as if made under the Act of 1984 or by or under any other enactment.

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

### Prohibition of Waiting

8. Save as provided in Articles 14 to 22 no person shall, except upon the direction or with the permission of a police officer in uniform, cause or permit any vehicle to wait at any time on any prohibited road as specified on the Plans.

### **Restriction of waiting**

9. Save as provided in Articles 14 to 22 no person shall, except upon the direction or with the permission of a police officer in uniform, cause or permit any vehicle or a vehicle of a specific class to wait on any restricted road during the restricted hours as specified on the Plans.

### Loading areas

10. Save as provided in Articles 14,15,16 and 20 no person shall, except upon the direction or with the permission of a police officer in uniform, cause or permit any

vehicle to wait during the restricted hours in any loading area specified on the Plans unless it is of the specified class and except for the loading or unloading of goods in connection with nearby trade or business premises.

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

#### Restriction on loading and unloading

12. Save as provided in Articles 14, 15, 16 and 20 no person shall, except upon the direction or with the permission of a police officer in uniform, cause or permit any vehicle or a vehicle of a specific class to wait for the purpose of enabling goods to be loaded to or unloaded from the vehicle on any no loading road during the no loading hours as specified on the Plans.

#### Restriction on stopping

13. Save as provided in Articles 14, 15 (with the exception of Article 15(c)) and 20, no person shall, except upon the direction or with the permission of a police officer in uniform, cause or permit any vehicle to stop on any no stopping road or clearway during the no stopping hours as specified on the Plans.

## Emergencies

14. Nothing in Articles 8 to 13 shall render it unlawful to cause or permit any vehicle to wait in any of the roads, lengths of road or on the sides of road or loading areas specified therein for so long as may be necessary to enable the vehicle to be used in an emergency for fire and rescue, ambulance or police purposes:

## General exemptions

15. Nothing in Articles 8 to 13 shall render it unlawful to cause or permit any vehicle to wait in any of the roads, lengths of road or on the sides of road or loading areas specified therein for so long as may be necessary to enable:
- (a) the vehicle, if it cannot conveniently be used for such purpose in any other road, to be used in connection with any of the following operations, namely:-
    - (i) building, shop fitting, industrial or demolition operations;
    - (ii) the removal of any obstruction to traffic;
    - (iii) the maintenance, improvement or reconstruction of the said lengths or sides of road; and
    - (iv) the laying, erection, alteration or repair in or on land adjacent to the said lengths or sides of road of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity or of any telecommunications system,
  - (b) the vehicle, not being a passenger vehicle, if it cannot conveniently be used for such purposes in any other road, to be used in the service of a local authority or its contractors in pursuance of that authority's statutory powers or duties;
  - (c) the vehicle of the Royal Mail or other universal service provider (as defined in section 4(3) and (4) of the Postal Services Act 2000) to be used for the purpose of delivering and/or collecting mail;
  - (d) in any case where the person in control of the vehicle,
    - (i) is required by law to stop;

- (ii) is obliged to stop so as to prevent an accident, or
- (iii) is prevented from proceeding by circumstances outside his/her control.

#### Loading and unloading

16. Nothing in Articles 8 to 12 shall render it unlawful to cause or permit any vehicle to wait in any of the roads, lengths of road or on the sides of road or loading areas specified therein for so long as may be necessary to enable goods to be loaded to or unloaded from a vehicle (or goods or merchandise to be delivered or collected).

#### Board and alight from a vehicle

17. Nothing in Articles 8 and 9 shall render it unlawful to cause or permit any vehicle to wait in any of the roads, lengths of road or on the sides of road specified therein for so long as may be necessary to enable a person to board or alight from the vehicle.

#### Funerals and weddings

18. Nothing in Articles 8 and 9 shall render it unlawful to cause or permit any vehicle to wait, if it cannot safely and conveniently do so elsewhere, in any of the roads, lengths of road or on the sides of road specified therein if it is an official vehicle being used for funerals or weddings.

#### Parking places

19. Nothing in Articles 8 to 12 and 22 shall render it unlawful to cause or permit any vehicle to park upon a designated parking place.

#### Waiting by vehicle displaying a waiver certificate

20. Nothing in Articles 8 to 13 shall prevent any person from causing or permitting a vehicle to wait in any prohibited or restricted road if it is displaying in the relevant

position a valid waiver certificate issued by the Council and the vehicle is waiting in accordance with the terms and conditions of the said certificate.

#### Waiting by vehicle displaying a disabled persons' badge

21. Nothing in Articles 8 and 9 shall render it unlawful to cause or permit a vehicle which displays in the relevant position a disabled person's badge and a parking disc, on which the driver or other person in charge of the vehicle has marked the time at which the period of parking began, to park in a prohibited road or a restricted road for a period not exceeding 3 hours (not being a period separated by an interval of less than that specified on the Plans from a previous period of parking by the same vehicle in the same length of road or on the same side of road on the same day):  
Provided that the vehicle immediately before or after the act of parking has been or is about to be driven or used by the person to whom the badge has been issued or, as the case may be, used for the carrying of disabled person(s) as passenger(s).

#### Taxi ranks

22. Nothing in Articles 8, 9 and 19 shall prevent any person from causing or permitting a licensed hackney carriage to wait in any duly authorised taxi rank during the period of operation specified on the Plans.
23. No person shall cause or permit any vehicle other than a hackney carriage in pursuit of trade to stop on a taxi rank during the period of operation of the taxi rank.

#### Pedestrian crossings

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

## **SECTION 3 – PERMITTED PARKING PLACES**

### **Limited waiting parking places**

#### Designation of limited waiting parking places

25. The parts of roads identified as such on the Plans are hereby designated to be used subject to the following provisions of this Order as limited waiting parking places and may be used subject to the provisions of this Order on such days and during such hours as are specified on the Plans.
26. No person shall cause or permit any vehicle to park in a limited waiting parking place during the permitted hours unless it is of the specified class.

#### Classes of vehicles for which limited waiting parking places are designated

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

#### Restriction on parking

28. No person shall cause or permit any vehicle to park in a limited waiting parking place for longer than the maximum period specified for that parking place in the Plans.

#### No return

29. Where a period within which a vehicle must not be parked again in the limited waiting parking place is specified in the Plans, no person shall permit or cause the vehicle to park again in that parking place until the expiry of that specified period.

### Verge and footway parking

30. Where parking partially on the verge or footway is specified on the Plans, nothing shall render it unlawful for any person to cause or permit a vehicle of the class specified to park in a limited waiting parking place partially on the verge or footway.

### **Payment parking places**

#### Designation of pay and display parking places

31. The parts of roads identified as such on the Plans are hereby designated to be used subject to the following provisions of this Order as payment parking places and may be used subject to the provisions of this Order on such days and during such hours as are specified on the Plans.
32. No person shall cause or permit any vehicle to be parked in a pay and display parking place during the permitted hours unless it is of the specified class and there is displayed on that vehicle in the relevant position a pay and display ticket valid for that time and for that parking place.

#### Classes of vehicles for which pay and display parking places are designated

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

#### Ticket machines to be installed at pay and display parking places

34. The Council will –
- (a) install in such positions at or in the vicinity of a payment parking place as it may think fit such pay and display ticket machines as are required by this Order for the purposes of that parking place; and

- (b) carry out such other work as is authorised by this Order or is reasonably required for the purposes of the satisfactory operation of a parking place.

#### Maximum period of parking

35. No person shall cause or permit any vehicle to be parked in a pay and display parking place
- (i) beyond the time of expiry of the period for which the charge has been paid, or
  - (ii) for longer than the maximum period specified for that parking place on the Plans.

#### No return

36. Where a period within which a vehicle must not be parked again in the pay and display parking place is specified on the Plans, no person shall permit or cause the vehicle to park again in that parking place until the expiry of that specified period.

#### Payment

37. No person shall cause or permit any vehicle to be parked in a pay and display parking place without arranging for the appropriate charge (if any) to be paid in accordance with the scale of current charges as specified by notice at or close to the parking place.

#### Means of payment

38. The charge referred to in the preceding Article shall be payable in the manner as specified by notice at or close to the parking place.
39. The person in charge of a vehicle, upon parking the vehicle in a pay and display parking place, shall immediately purchase of a pay and display ticket from a ticket machine situated close to that parking place at the level of charge and for the period



required in accordance with the scale of daily charges as specified by notice at or close to that parking place.

#### Display of ticket

40. Where on payment of the charge a pay and display ticket has been obtained, the person in charge of the vehicle shall
- (i) display the pay and display ticket issued in the relevant position on the vehicle in respect of which it was issued, and
  - (ii) ensure that the pay and display ticket is displayed during the entire period that the vehicle is parked in the parking place.

#### Validity of Pay and Display Tickets

41. A pay and display ticket is not transferable from one vehicle to another.
42. A pay and display ticket is valid only until the expiry of the period for which a charge has been paid.
43. A pay and display ticket is valid only in the parking street in respect of which it was issued. This is defined by the identification on the parking ticket machine located in respect of that parking street and the information printed on the pay and display ticket.

#### Expiry of parking period

44. The expiry of the period for which the charge has been paid shall be when the time shown on the clock of the issuing ticket machine is later than the time exhibited on the pay and display ticket displayed on the vehicle.
45. For the avoidance of doubt, the limit of waiting time applicable to a parking place shall take precedence over the times shown on a pay and display ticket in determining whether or not a contravention has taken place.

#### No ticket displayed

46. If at any time while a vehicle is parked in a parking place no pay and display ticket is displayed on that vehicle in the relevant position and where arrangements to pay the daily charge through an alternative approved method of payment have not been made, it shall be judged that the charge has not been paid.

#### Ticket machine out of order

47. If at the time when a vehicle is parked during the permitted hours in a parking place and the nearest ticket machine is out of order, then a pay and display ticket shall be obtained from another parking ticket machine relative to that parking street (where provided).

#### Restriction on removal of tickets

48. Where a ticket has been attached to a vehicle in accordance with the provisions of this Order no person, not being the driver of the vehicle, shall remove the ticket from the vehicle unless authorised to do so by the driver.

#### Exemptions

49. If, at the time when a vehicle is parked during the permitted hours in a pay and display parking place, all the ticket machines are out of order, the driver of that vehicle shall be exempt from payment of the charge and display of ticket, provided that the maximum period of parking specified for that parking place on the Plans still applies.
50. The driver of any vehicle displaying in the relevant position a permit valid for that pay and display parking place shall be exempt from payment of the parking charge, display of ticket and any time limit provided that the vehicle is being used in accordance with the conditions applying to the said permit.

51. The driver of any vehicle displaying in the relevant position a valid disabled persons badge or valid dispensation certificate shall be exempt from payment of the parking charge, display of ticket and any time limit provided that the vehicle is being used in accordance with the conditions applying to the said badge or certificate.

### **Disabled person's parking places**

#### Designation of disabled person's parking places

52. The parts of roads identified as such on the Plans are hereby designated to be used subject to the following provisions of this Order as parking places for vehicles displaying a valid disabled person's badge and may be used subject to the provisions of this Order on such days and during such hours as are specified on the Plans.

#### Display of disabled person's badge

53. No person shall cause or permit any vehicle to park in a disabled person's parking place during the permitted hours unless there is displayed on that vehicle in the relevant position a valid disabled person's badge, provided that the vehicle immediately before or after the act of parking has been or is about to be driven or used by the person to whom the badge has been issued or, as the case may be, used for the carrying of disabled person(s) as passenger(s).

#### Maximum period of parking in a disabled person's parking place

54. Save as in an emergency, no person shall cause or permit any vehicle to remain in a disabled person's parking place for longer than the maximum period (if any) specified for that parking place in the Plans.
55. Where as indicated on the Plans there is a maximum period specified for that disabled person's parking place, the driver of a vehicle shall upon parking the

vehicle in the parking place, display in the relevant position a disabled person's badge and a parking disc, on which has been marked the time at which the period of parking began and shall remove that vehicle from the said parking place within the maximum time specified.

56. Where a period within which a vehicle must not be parked again in the disabled person's parking place is specified in the Plans, no person shall permit or cause the vehicle to park again in that parking place until the expiry of that specified period.

### **Permit only parking places**

#### Designation of permit holders only parking places

57. Subject to the provisions of this Order, parking places identified in the Plans as permit holders only parking places are hereby designated as being restricted to be used during the permitted hours only by vehicles displaying a valid permit.
58. Save as provided in this Order, no person shall cause or permit any vehicle to park in a permit holders only parking place during the periods specified in the Plans unless there is on display in the relevant position on that vehicle a permit valid for that time and that parking place.

#### Classes of vehicles for which permits are applicable

59. Subject to the provisions of this Order, permits may be issued in respect of classes of vehicles being passenger vehicles, light goods vehicles, motor-cycles and disabled persons vehicles.

#### Permits to be displayed on vehicles

60. At all times during which a vehicle is parked in a permit holders only parking place during the permitted hours, the driver thereof shall cause to be displayed in the

relevant position a valid permit issued in respect of that vehicle (where appropriate) relating to the parking place within which that vehicle is parked.

61. Where a permit has been displayed on a vehicle in accordance with the preceding Article, no person other than the driver of the vehicle shall remove the permit from the vehicle unless authorised to do so by the driver of the vehicle.

### **Motor cycle parking places**

#### Designation of motor cycle parking places

62. The parts of roads identified as such on the Plans are hereby designated to be used subject to the following provisions of this Order as parking places for motor cycles and may be used subject to the provisions of this Order on such days and during such hours as are specified on the Plans.

#### Classes of vehicles

63. Where parking places are provided for the parking of motor cycles, no person shall cause or permit any vehicle to park in that parking place during the periods specified in the Plans unless it is a motor cycle.

#### Restriction on parking

64. Save as in an emergency, no person shall cause or permit any vehicle to park in a motor cycle parking place for longer than the maximum period specified for that parking place in the Plans.
65. Where a period within which a motor cycle must not be parked again in the limited waiting parking place is specified in the Plans, no person shall permit or cause the motor cycle to park again in that parking place until the expiry of that specified period.

## **General conditions in respect of parking places**

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

66. Unless indicated otherwise by markings on the carriageway, each vehicle parked in a limited waiting, pay and display, disabled person's or permit parking place in accordance with the provisions of this Order shall stand:
- (i) if the parking place is in a one-way street, so that the vehicle is facing according to the direction of the traffic flow and adjacent to the edge of the carriageway;
  - (ii) if the parking place is not in a one-way street, so that the left or near side of the vehicle is adjacent to the left-hand edge of the carriageway;
  - (iii) so that no part of the vehicle obstructs any vehicular means of ingress to or egress from premises adjacent to the side of the road on which the vehicle is parked; and
  - (iv) so that every part of the vehicle is within the limits of the parking place as marked on the highway.

### **Suspension of use of a parking place**

67. Any person duly authorised by the Council may suspend the use of a parking place or any part thereof whenever they consider such suspension reasonably necessary:
- (a) for the purpose of facilitating the movement of traffic or promoting its safety;
  - (b) for the purpose of any building operation, demolition or excavation adjacent to the parking place, the maintenance, improvement or reconstruction of the highway or the cleansing of gullies in or adjacent to the parking place, the laying, erection, alteration or repair in or adjacent to the parking place or any sewer or of any main, pipe, or apparatus for the supply of gas, water or electricity or of any telecommunications system or the placing, maintenance or removal of any traffic sign;
  - (c) for the convenience or occupiers of premises adjacent to the parking place on any occasion of the removal of furniture to or from one office or dwelling-

house adjacent to the parking place from or to a depository, another office or dwelling-house;

- (d) on any occasion on which it is likely by reason of some special attraction that any street will be thronged or obstructed;
- (e) for the convenience of occupiers of premises adjacent to the parking place at times of weddings or funerals, or on other special occasions;
- or
- (f) on any occasion in the interests of traffic or pedestrian movement and safety when a special event is taking place in the vicinity.

- 68. A police officer or Civil Enforcement Officer in uniform may suspend for not longer than 7 days the use of a parking place or any part thereof whenever he / she considers such suspension reasonably necessary for the purpose of facilitating the movement of traffic or promoting its safety.
- 69. Any authorised person or police officer suspending the use of a parking place or any part thereof in accordance with the provisions of this Order shall thereupon place or cause to be placed in or adjacent to that parking place or part thereof a traffic sign indicating that parking by vehicles is prohibited.

#### No parking in a suspended parking place

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

### Restrictions on the use of vehicles in a parking place

72. During the permitted hours no person shall use any parking place or any vehicle whilst it is in a parking place in connection with the sale or offering or exposing for sale any goods to any person in or near the parking place or in connection with the selling or offering for sale of their skill in handicraft or their services in any other capacity:

Providing that

- (i) nothing in this Article shall prevent the sale of goods from a vehicle if there is on display in the vehicle a certificate of Street Trading Consent issued by the Council and the vehicle is being operated in accordance with any conditions of the said certificate, and
- (ii) nothing in this Article shall prevent the sale of goods from a vehicle if the goods are immediately delivered at or taken into premises adjacent to the vehicle from which the sale is effected and the vehicle does not park for a period exceeding 20 minutes or such longer period as a civil enforcement officer may approve.

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

73. Notwithstanding for foregoing provisions of this Order any vehicle may be parked during the permitted hours in any part of a parking place if the use of that part has not been suspended and if:
- (a) the vehicle is parked for so long as may be necessary for the purpose of enabling any person to board or alight from a vehicle or for loading;
  - (b) the vehicle is parked owing to the driver being prevented from proceeding by circumstances beyond their control or to such parking being necessary in order to avoid an accident;
  - (c) the vehicle is being used for fire and rescue, ambulance or police purposes or, not being a passenger vehicle, is being used in the service of a local authority in pursuance of statutory powers or duties provided that in all the circumstances it is reasonably necessary in the exercise of such powers or in



- the performance of such duties for the vehicle to park in the place in which it is parked;
- (d) the vehicle is parked for so long as may be necessary to enable it to be used in connection with the removal of any obstruction to traffic;
  - (e) the vehicle of the Royal Mail or other universal postal service provider (as defined in Section 4(3) and (4) of the Postal Services Act 2000) is parked for the purpose of delivering and/or collecting mail;
  - (f) the vehicle is displaying in the relevant position a valid disabled persons badge provided that the vehicle is being used in accordance with the conditions applying to the said badge.

#### Exemptions for vehicles displaying a valid dispensation certificate

74. Notwithstanding for foregoing provisions of this Order any vehicle displaying in the relevant position a valid dispensation certificate issued by the Council may be parked:
- (i) without payment of a daily charge and/or time limit during the permitted hours in any part of a parking place if the use of that part has not been suspended, or
  - (ii) in any part of a parking place the use of which has been suspended,
- Provided that the vehicle is parked in accordance with the terms and conditions of the said certificate.

#### **SECTION 4 - CONDITIONS AS TO PERMITS**

##### Classes of vehicles for which permits are applicable

75. Subject to the provisions of this Order, permits may be issued in respect of classes of vehicles being passenger vehicles, light goods vehicles, motor-cycles and disabled persons vehicles.

## **Entitlement to and application for permits**

### **Residents permits**

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

### **Residents carer/special permits**

77. Any person who is providing care services to a resident may apply to the Council for the issue to them of residents carer permit for the parking of a vehicle of the class specified in a parking place in which such permits are valid; provided that the Council may require such specific and supportive information as it considers appropriate to satisfy itself that the resident is in need of carer services and that the applicant will be providing such services.

### **Residents visitor permits**

78. Any resident may apply to the Council for the issue of one or more visitors permits for use by visitors to the resident and any such application shall be made on a form issued by and obtainable from the Council and shall include the particulars and information required by such form to be supplied.

### **Operational permits**

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

### School permits

80. Any person responsible for a child or children attending a school situated within a controlled parking zone may apply to the school for the issue to them of school permit for the parking of a vehicle of the class specified in a parking place in which such permits are valid; provided that the Council may require such specific and supportive information as it considers appropriate to satisfy itself that the applicant is entitled to a school permit.

### Evidence in respect of application

81. The Council or school may at any time require an applicant for a residents permit, residents carer permit, residents visitor permit, operational permit or school permit or the holder of a residents permit, residents carer permit, residents visitor permit, operational permit or school permit to produce to an officer of the Council or authorised agent or school representative such evidence in respect of an application for a permit made to them as they may reasonably require to verify any particulars or information given to them or in respect of any permit issued by them as they may reasonably require for to verify that the permit is valid.

### **Issue of permits**

#### Residents permits

82. Upon receipt of an application duly made under the provisions of this Order, the Council upon being satisfied that the applicant is a resident who is the owner or has sole use or main use of a vehicle of the class specified and, on payment of any fee that the Council may from time to time determine, may issue to the applicant a residents permit for the parking during the permitted hours in a parking place to which such residents permit relates of vehicle to which such residents permit relates; provided that, if a limit on the number of permits per resident or per household applies in accordance with the Schedule, the limit is not exceeded.

#### Residents carer permits

83. Upon receipt of an application duly made under the provisions of this Order, the Council upon being satisfied that the applicant satisfies the requirements and on receipt of any fee that the Council may from time to time determine, may issue to the applicant a residents carer permit for parking during the permitted hours in a parking place to which such residents carer permit relates of a vehicle; provided that the Council may impose such conditions on the use of the permit as it considers appropriate and that, if a limit on the number of permits applies in accordance with the Schedule, the limit is not exceeded.

#### Residents visitor permits

84. Upon receipt of an application duly made under the provisions of this Order, the Council upon being satisfied that the applicant satisfies the requirements and on receipt of any fee that the Council may from time to time determine, may issue to the applicant residents visitor permits for parking during the permitted hours in a parking place to which such residents visitor permit relates of a vehicle to which a permit relates by the owner of such vehicle; provided that, if a limit on the number of residents visitor permits per resident or per household applies in accordance with the Schedule, the limit is not exceeded.

#### Operational permits

85. Upon receipt of an application duly made under the provisions of this Order, the Council upon being satisfied that the applicant satisfies the requirements and on receipt of any fee that the Council may from time to time determine, may issue to the applicant an operational permit for parking during the permitted hours in a parking place to which such operational permit relates of the vehicle to which a permit relates; provided that, if a limit on the number of permits applies in accordance with the Schedule, the limit is not exceeded.

### School permits

86. Upon receipt of an application duly made under the provisions of this Order, the school upon being satisfied that the applicant satisfies the requirements and on receipt of any fee that the Council may from time to time determine, may issue to the applicant a school permit for parking, school days only, in a parking place to which such school permit relates, of a vehicle; provided that, if a limit on the number of permits applies in accordance with the Schedule, the limit is not exceeded.

### Surrender of permits

87. A permit holder may surrender such permit to the Council or authorised agent at any time and shall surrender such permit to the Council or authorised agent on the occurrence of any one of the surrender events.

### Withdrawal of permit

88. The Council or authorised agent may, by notice in writing served on the permit holder at the address shown by that person on the application for the permit or at any other address believed to be that person's residence or place of business, withdraw a permit if it appears to the Council or authorised agent that any one of the surrender events has occurred and the permit holder shall surrender the permit to the Council or authorised agent within 48 hours of the receipt of the aforementioned notice.

### Surrender events

89. Each of the following is a surrender event:
- (i) the permit was obtained by fraud or misrepresentation;
  - (ii) the permit was issued by mistake;
  - (iii) the permit holder ceasing to be eligible for the permit;

- (iv) the permit holder ceasing to be the owner of the vehicle in respect of which the permit was issued (as appropriate);
- (v) the vehicle in respect of which such permit was issued being adapted or used in such a manner that it is not a vehicle of the class specified;
- (vi) a penalty charge notice has been issued to the holder of the permit;
- (vii) there is another substantial cause for revocation;
- (viii) the issue of a duplicate permit by the Council or school under the provisions of this Order; or
- (ix) the permit being defaced, mutilated or altered.

#### Validity of permit

90. A permit shall only be valid for use in a parking place on a road within the zone or designated parking area identified on the permit and shall cease to be valid at the expiration of the period specified thereon or on the occurrence of any of the surrender events, whichever is the earlier: provided that the validity of a residents visitor permit is extended until 10.00am on the day after the date specified on the permit.
91. Where a permit is issued to any person upon receipt of a cheque and the cheque is subsequently dishonoured, the permit shall cease to be of any effect and the council shall by notice in writing served on the person to whom such permit or voucher was issued by sending the same to the permit holder at the address shown by that person on the application for the permit, or at any other address believed to be that person's place of abode, require that person to surrender the permit or voucher to the Council within 48 hours of receipt of the aforementioned notice.
92. A permit shall cease to be valid if:
- (i) the details have been altered or defaced;
  - (ii) any additional details required as a condition of the permit are not exhibited;  
or
  - (iii) the details cannot be easily read from outside the vehicle.

#### Duplicate permits

93. If a permit or visitor voucher is accidentally mutilated or defaced or particulars thereon have become illegible or the colour of the permit has become altered by fading or otherwise, the permit holder shall surrender it to the Council and apply to the Council for the issue of a replacement permit or voucher.
94. If a permit or visitor voucher is lost or destroyed, the permit holder may apply to the Council for the issue of a duplicate permit or voucher.
95. On application under the provisions of this Order, the Council, being satisfied as to the circumstances as indicated, and on payment of any fee as the Council may from time to time determine, shall issue a replacement or duplicate permit or voucher so marked and upon such issue the original permit or voucher shall become invalid.
96. All the provisions of this Order shall apply to a replacement or duplicate permit to the same extent as they applied to the original permit.

#### Form of permit

97. A permit shall be in writing and shall include the following particulars:
  - (i) the registration mark of the vehicle in respect of which the permit has been issued:  
Provided that as appropriate, at the absolute discretion of the Council, the vehicle registration mark may be omitted;
  - (ii) the period during which, subject to the provisions pertaining to surrender or withdrawal, the permit shall remain valid;
  - (iii) an indication that the permit has been issued by the Council; and
  - (iv) a code or identification indicating the parking zone for which the permit is valid.

### Waiver and dispensation certificates

98. The Council may issue a waiver or dispensation certificate on receipt of application and may impose charges, terms and conditions as appropriate.
99. A waiver or dispensation certificate may be cancelled at any time at the sole discretion of the Council and shall thereupon immediately cease to be valid. Notification of such cancellation shall be in writing to the holder of the certificate at any address that the Council believes to be that person's address and the certificate shall forthwith be surrendered to the Council.
100. Without prejudice to the validity of anything done or to any liability incurred in respect of any act or omission before the coming into effect of this Order any waiting restrictions operative prior to this Order coming into effect relating to the Aylesbury District are revoked to the extent that this Order takes effect.

## **SECTION 5 - REVOCATIONS**

**The following Orders are hereby revoked**

The Buckinghamshire County Council  
(Chiltern District)(Consolidation Order) 2005

The Buckinghamshire County Council (Various Roads, Great Missenden) (Prohibition and Restriction of Waiting and Parking Places with Permits) Order, 2006.

The Buckinghamshire County Council  
(Chiltern District) (Prohibition and Restriction of Waiting) Order 2010

The Buckinghamshire County Council  
(Chiltern District) (Prohibition and Restriction of Waiting) (Part 2) Order 2010

The Buckinghamshire County Council  
(Chiltern District) (Consolidation) (Amendment) Order, 2007

The Buckinghamshire County Council  
(Chiltern District) (Prohibition and Restriction of Waiting) Order 2009



The Buckinghamshire County Council  
(Various Roads, Gerrards Cross)  
(Prohibition and Restriction of Waiting) Order, 2008

**The following Order is hereby partly revoked insofar as it relates to Waiting Restrictions provisions.**

The Buckinghamshire County Council (Various Roads, Chesham) (Pedestrianisation)  
(Traffic Regulation) Order 1990

**THE BUCKINGHAMSHIRE COUNTY COUNCIL  
(CHILTERN DISTRICT)  
(CONSOLIDATION ORDER) 2010**

**Residents' Parking - Parking places with permits**

Streets for the purpose of the issue of permits :

Church Street and The Green: Church Street, Great Missenden

**Resident Permit holders without time limit or waiting limited during prescribed hours**

Streets for the purpose of the issue of permits :

High Street and The Square, Great Missenden

Station Road, Amersham

**Eligible for permits in Station Road, Amersham – Residents of No. 115 to No. 123**

**Station Road (Max. 1 per address)**

THE COMMON SEAL of **BUCKINGHAMSHIRE**  
**COUNTY COUNCIL** was hereunto affixed  
this 20<sup>th</sup> day of October 2010  
in the presence of:-

  
Authorised Signatory



