

**The Essex County Council (Colchester Borough) (Permitted Parking and  
Special Parking Area) Order 2014**

| <b>ARRANGEMENT OF ARTICLES</b>   | <b>Article</b> |
|--|----------------|
| <b>PART I - PRELIMINARY</b>  |                |
| Citation and Commencement  | 1              |
| Interpretation   | 2              |
| <b>PART II - WAITING AND LOADING OF VEHICLES</b>   |                |
| Waiting and loading restrictions   | 3              |
| Exemptions   | 4              |
| <b>PART III - CLEARWAYS</b>  |                |
| School keep clears   | 5              |
| Bus Stops clearways  | 6              |
| Bus Stands   | 7              |
| Exemptions   | 8              |
| <b>PART IV - LOADING BAYS</b>  |                |
| Designation of loading bays  | 9              |
| Exemptions   | 10             |
| Suspension of a loading bay  | 11             |
| <b>PART V – DESIGNATION OF PARKING PLACES AND PARKING AREAS</b>                              |                |
| Designation of Parking places and parking areas  | 12             |
| Vehicles for which parking places and parking areas are designated                           | 13             |
| Period for which a vehicle may be left in a disabled persons' parking place at certain times | 14             |
| <b>PART VI- APPLICATION FOR PERMITS AND SUPPLEMENTARY PROVISIONS</b>                         |                |
| Application for and issue of hard-copy permits or granting of virtual permits                | 15             |
| Application for and issue of replacement hard-copy permits                                   | 16             |
| Form of hard-copy permits  | 17             |
| Display of hard-copy permits   | 18             |
| Transfer of hard-copy visitor permits  | 19             |
| Validity, withdrawal and surrender of permits  | 20             |
| Exceptions   | 21             |
| Power to suspend a parking place or parking area   | 22             |
| Other provisions   | 23             |
| <b>PART VII - SUPPLEMENTARY PROVISIONS</b>   |                |
| Manner of standing in a parking place, parking area or loading bay                           | 24             |
| Alteration of position of a vehicle in a parking place or parking area                       | 25             |
| Removal of a vehicle from a parking place or parking area                                    | 26             |
| Movement of a vehicle in a parking place or parking area                                     | 27             |
| <b>PART VIII - TEMPORARY DISPENSATION AND SUSPENSION NOTICES</b>                             |                |
| Temporary dispensation and suspension notices  | 28             |

## **PART IX - CONTRAVENTION OF THIS ORDER**

|                             |    |
|-----------------------------|----|
| Contravention of this Order | 29 |
|-----------------------------|----|

## **PART X - REVOCATIONS**

|             |    |
|-------------|----|
| Revocations | 30 |
|-------------|----|

## **SCHEDULES**

|              |  |
|--------------|--|
| Schedule 1 – | Map tiles  |
| Schedule 2 – | List of roads and parts of roads for the purposes of the definition of qualifying resident and business trader |
| Schedule 3 – | Permit Fees  |
| Schedule 4 – | List of roads and parts of roads for the purposes of Article 30  |

Colchester Borough Council acting on behalf of the North Essex Parking Partnership in exercise of the delegated powers of the traffic authority Essex County Council granted under an Agreement dated 31 March 2011 hereby makes the above Order under sections 1(1), 2(1) to (3), 4 (1), 4(2), 32,45,46,49 and 53 and Parts III and IV of Schedule 9 of the Road Traffic Regulation Act 1984 and of all other enabling powers, hereby make the following Order:-

## **PART I - PRELIMINARY**

### **1. Citation and Commencement**

This Order shall come into operation on 15<sup>th</sup> September 2014 and may be cited as The Essex County Council (Colchester Borough) (Permitted Parking and Special Parking Area) Order 2014.

### **2. Interpretation**

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

“the 2002 Regulations” means the Traffic Signs Regulations and General Directions 2002;

“the 2007 Regulations” means the Civil Enforcement of Parking Contraventions (England) General Regulations 2007;

“authorised cab rank” means an area of highway which is comprised within and indicated by road markings complying with diagram 1028.2 in Schedule 6 to the 2002 Regulations and being identified as such on the map tile relating to that authorised cab rank, by reference to the map schedule legend and/or the tile label;

“hackney carriage” or “taxi” means a hackney carriage as defined in Section 38 of the Town Police Clauses Act 1847

“authorised officer” means any officer designated as such by the North Essex Parking Partnership

“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 a permit parking place or permit parking area;

“bus” has the same meaning as in Regulation 22 of the 2002 Regulations;

“bus stop clearway” means any area of carriageway intended for the waiting by buses, which is comprised within and indicated by road markings complying with diagram 1025.1 in Schedule 6 and complying with diagram 974 in Schedule 5 to the 2002 Regulations, as varied in accordance with item 38 of Schedule 16 to the 2002 Regulations.

“business trader” means a person being either an employer or employee of a company who uses a Vehicle in connection with any business that business to be located at premises specified in Schedule 2;

“business users’ permit” means a permit issued to a business trader in accordance with this Order;

“car share club” means an organisation operating a car sharing scheme approved by the Council to operate within its boundaries which supports the planning and sustainable transport policy objectives of the Council relating to that car sharing scheme;

“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” means a person authorised by or on behalf of The Council to supervise and carry out enforcement in respect of any parking area;

“The Council” means Colchester Borough Council as the lead authority for the North Essex Parking Partnership;

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

“disabled person’s badge”, “disabled person’s vehicle” and “parking disc” have the same meanings as in the Local Authorities’ Traffic Orders (Exemption for Disabled Persons) (England) Regulations 2000;

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

“driver” in relation to a vehicle waiting in a parking place or parking area or on a road or length of road, means the person driving the vehicle at the time it was left in that Parking place or parking area or road or length of road;

“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;

“goods” means goods or burden of any description and includes postal packets of any description;

“goods vehicle” means a motor vehicle constructed or adapted for use for the carriage of goods or burden of any description, or a trailer so constructed or adapted, or an “articulated vehicle” within the meaning of Section 138 of the Act;

“hackney carriage” means a hackney carriage as defined in Section 38 of the Town Police Clauses Act 1847

“hard-copy permit” means a hard-copy Residents’ permit, a hard-copy visitor permit, a hard-copy Business users’ permit, a hard-copy car club permit, a hard-copy Town Hall Users’ Permit, a hard-copy Women’s Refuge Permit, a hard-copy Hamilton County Primary School Permit, a hard-copy Kingswode Hoe School Permit or a hard-copy Colchester High School Users’ Permit produced on paper, card or similar, issued under the provisions of Article 15(5);

“hard-copy permit holder” means a person or company/organisation to whom a hard-copy permit has been issued;

“loading” means the loading or unloading of goods to or from a vehicle;

“loading bay” means an area on a highway designated as a loading bay by this Order and being identified as such on the map tile relating to that loading bay, by reference to the map schedule legend and/or the tile label;

“map based schedule” means a collection of map tiles attached to this Order and listed in Schedule 1 which depicts the parking places and parking areas designated by this Order and, in conjunction with the map schedule legend and/or the tile label, identifies the type of each particular parking place or parking area and, if appropriate, certain of its governing provisions:

Provided that the Council does not accept responsibility for any inaccuracies contained in the Ordnance Survey data relied upon to create the map based schedule and where a parking place or parking area is depicted on the map based schedule, that parking place or parking area will continue 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 attached to this Order which, when used in conjunction with a map tile, identifies the specific type of parking places and 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 based schedule attached to this Order;

“motorcycle” and “invalid carriage” have the same meanings as in Section 136 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 who has the private use of such a vehicle in the course of his employment and who changes that vehicle with a frequency which The Council considers exceptional;

“parking area” means an area on a highway designated as a parking area by this Order being a permit parking area or a business parking area and in each case being identified as such type on the map tile relating to that parking place, by reference to the map schedule legend and/or the tile label;

“parking place” means an area on a highway designated as a parking place by this Order, being either a disabled persons’ parking place, a motorcycle parking place, a pedal cycle parking place, a car share club parking place, a free limited waiting parking place, a shared-use (permit and free limited waiting) parking place, a permit parking place or a business parking place and in each case being identified as such type on the map tile relating to that parking place, by reference to the map schedule legend and/or the tile label;

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

“pedal cycle” means a unicycle, tricycle or cycle having four or more wheels, not being in any case mechanically propelled unless it is an electrically assisted pedal cycle of such class as is to be treated as not being a motor vehicle for the purpose of the 1984 Act;

“Penalty Charge” has the meaning given by Section 92 of the Traffic Management Act 2004;

“Penalty Charge Notice” has the meaning given by regulation 8(1) of the 2007 Regulations;

“Permit” without more means a hard-copy permit or a virtual permit;

“Permit Fee” means the fee payable on application to The Council for a permit, as specified in the Schedule 3;

“Permit holder” without more means a hard-copy permit holder or a virtual permit holder;

“permitted hours”, being the hours during which a vehicle may wait in a parking place or parking area or load or unload a vehicle in a loading bay whilst complying with the relevant provisions of this Order means:

- (a) other than in relation to a vehicle waiting courtesy of displaying or having been granted a Colchester High School Users’ Permit, the hours shown by way of the map schedule legend, the map based schedule and/or the tile label in relation to that parking place, parking area or loading bay; or

- (b) in relation to a vehicle waiting courtesy of displaying or having been granted a Colchester High School Users' Permit, that part of the hours shown by way of the map schedule legend, the map based schedule and/or the tile label in relation to that parking place or parking area being between 8.30am and 9.15am, between 12 noon and 12.30pm and between 2.30pm and 3.45pm on Mondays to Fridays inclusive during Colchester High School term times only.

"prescribed hours", in relation to a restricted street, 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 schedule legend and/or tile label in respect of that restricted street;

"prescribed hours", in relation to a authorised cab rank, means the time indicated by or on a traffic sign placed on or near that authorised cab rank and shown by way of the map schedule legend and/or the tile label in relation to that authorised cab rank;

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

"Qualifying Resident" means an owner or occupier of a residential property whose usual place of abode is within a property specified in Schedule 2;

"relevant position" in respect of: -

- (a) a disabled person's badge or a hard-copy permit, means
  - (i) in the case of a vehicle fitted with a front windscreen, that the badge or permit is exhibited thereon with the front facing forward on the nearside of and immediately behind the windscreen; or
  - (ii) the case of a vehicle not fitted with a front windscreen, that the badge or permit is exhibited on the front or nearside of the vehicle;
- (b) a disabled person's parking disc, means that the side showing the time is facing forward or outward and immediately behind the windscreen or side window nearest to the kerb;

"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 by means of a map schedule legend and/or tile label in respect of that restricted street;

"restricted street" means any street or part of street within the Borough of Colchester identified by way of a map schedule legend and/or tile label as having restricted hours applying to that street or part of street as the case may be;

"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;

"street" or "restricted street" includes any part of a street or restricted street, as the case may be;

"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 provider 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;

"tile label", where shown on a map tile in relation to a parking place, parking area, loading bay, waiting, loading or stopping restriction, means a label which indicates the type of parking place, parking area, loading bay or waiting, loading or stopping restriction, and, if appropriate, other applying conditions;

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

"temporary dispensation notice" and "temporary suspension notice" means a notice issued in accordance with Article 28 of this Order;

"traffic sign" means a sign of any size, colour and type prescribed or authorised under, or having the effect as though prescribed or authorised under Section 64 of the Act of 1984;

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



“Vehicle” means a motor car as defined in Section 136(1) of the Act;

“virtual permit” means a virtual Residents’ permit, a virtual visitor permit, a virtual Business users’ permit, a virtual Town Hall Users’ Permit, a virtual Women’s Refuge Permit, a virtual Hamilton County Primary School Permit, a virtual Kingswode Hoe School Permit or a virtual Colchester High School Users’ Permit granted under the provisions of Article 15(6);

“virtual permit holder” means a person or company/organisation to whom a virtual permit has been issued in accordance with the provisions of this Order;

“Zone” means the roads containing parking places or parking areas as indicated in Schedule 2 and identified in relation to a parking place or parking area by reference to the map schedule legend and/or the tile label;

- (2) Except where otherwise stated, any reference in this Order to a numbered Article or Schedule is a reference to the Article or Schedule bearing that number in this Order;
- (3) Any reference in this Order to a length of restricted street shall, unless otherwise specified, be construed as a reference to the whole width of that length of street.
- (4) The road names detailed in the Schedules to this Order are deemed to be in Colchester, unless otherwise stated.
- (5) The provisions of this Order are in addition to and not in derogation of any road markings shown in the appropriate diagram of the Traffic Signs Regulations and General Directions 2002 in respect of any bus stop, bus stand or school keep clear entrance marking or a pedestrian crossing established under Section 23 of the Road Traffic Regulation Act 1984.
- (6) Subject to Article 30, insofar as any provision of this Order conflicts with a provision which is contained in an Order made or having effect as if made under the Act and existing at the time when this Order comes into operation, that provision of that Order shall prevail.
- (7) Save where the contrary is indicated, any reference in this Order to:-
  - (a) This Order or another Order shall be construed as such a reference to this Order or, as the case may be, such other Order, as the same may have been or may from time to time be amended, varied or supplemented;
  - (b) 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.

- (8) Any restrictions, prohibitions or requirements imposed by any Traffic Order made under Section 9, 14, 32 or 35 of the Road Traffic Regulation Act 1984 are not included in the map schedules to this Order.

## **PART II**

### **WAITING AND LOADING OF VEHICLES**

#### **3. Waiting and Loading Restrictions**

- (1) Save as provided in Article 4 no person shall, except upon the direction or with the permission of a Police Constable in uniform or a Civil Enforcement Officer, cause or permit any vehicle to wait during the prescribed hours in a restricted street other than for so long as may be necessary for the purpose of delivering or collecting goods or loading or unloading the vehicle at premises adjacent to the street.
- (2) No person shall cause or permit any vehicle to wait for the purpose of delivering or collecting goods or loading or unloading a vehicle in any restricted street during the restricted hours.

#### **4. Exemptions**

- (1) Nothing in Article 3 shall apply to any vehicle waiting in the lengths of roads referred to therein for so long as it may be necessary to enable:-
- (a) a person to board or alight from the vehicle;
  - (b) 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) the removal of any obstruction to traffic;
    - (ii) the maintenance, improvement or reconstruction of the said lengths of roads;
    - (iii) the laying, erection, alteration or repair in or in land adjacent to the said lengths of roads of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity or of any telecommunications system by statutory undertakers;
    - (iv) the service of a Local Authority or a Water Authority in pursuance of statutory powers or duties;
  - (c) the vehicle to be used for the purpose of delivering or collecting postal packages as defined in Section 87 of the Post Office Act 1953;
  - (d) the vehicle being used for fire brigade, ambulance or police purposes whilst on operational duties.

(2) Nothing in Article 3(1) shall apply:-

- (a) to any vehicle waiting for so long as may be necessary for the purpose of enabling goods to be loaded on or unloaded from the vehicle;
- (b) to a Disabled Person's Vehicle, displaying a Disabled Person's Badge in the relevant position, waiting in a restricted street, the prescribed hours for which apply for a continuous period of 3 hours or more, for a period not exceeding 3 hours (not being a period separated by an interval of less than 1 hour from a previous period of waiting by the same vehicle in the same length of road on the same day), provided that the Disabled Person's Vehicle also displays in the relevant position, a Parking Disc (on which the driver or other person in charge of the vehicle has marked the time at which the period of waiting began);
- (c) to a Disabled Person's Vehicle, displaying a Disabled Person's Badge in the relevant position, waiting in a restricted street other than one referred to in sub-paragraph (b) above;

provided that such exemptions do not apply in bus lanes, cycle lanes, parking places reserved for specific users and school keep clears.

(3) Nothing in Article 3(1) shall apply to any vehicle:-

- (a) being a Hackney Carriage, waiting upon an authorised cab rank; or
- (b) waiting for so long as may be necessary to enable the vehicle to be used in the provision of a local service within the meaning of the Transport Act 1985.

### **PART III CLEARWAYS**

#### **5. School Keep Clears**

Save as provided in Article 8, no person shall, except upon the direction or with the permission of a Police Constable in uniform or a Civil Enforcement Officer, cause or permit any vehicle to stop during the period stated on the tile label in respect of those school keep clear markings

#### **6. Bus Stops clearways**

Save as provided in Article 8, no person shall, except upon the direction or with the permission of a Police Constable in uniform or a Civil Enforcement Officer, cause or permit any vehicle other than a bus to stop or wait in a bus stop clearway during the period stated on the tile label in respect of that bus stop clearway.

## **7. Bus Stands**

Save as provided in Article 8, no person shall, except upon the direction or with the permission of a Police Constable in uniform or a Civil Enforcement Officer, cause or permit any vehicle other than a bus to wait during the period stated on the tile label in respect of that bus stand.

## **8. Exemptions:**

- (1) Nothing in Article 5, 6 or 7 shall apply to any vehicle waiting in the lengths of roads referred to therein for so long as it 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 the removal of any obstruction to traffic;
  - (b) the vehicle being used for fire brigade, ambulance or police purposes whilst on operational duties;
  - (c) the maintenance, improvement or reconstruction of the said lengths of roads;
  - (d) the laying, erection, alteration or repair in or in land adjacent to the said lengths of roads of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity or of any telecommunications system by statutory undertakers;
- (2) Nothing in Article 5, 6 or 7 shall apply to any vehicle stopping temporarily in any of roads or lengths of roads referred to therein when the person in control of the vehicle:-
  - (a) is required by law to stop;
  - (b) is obliged to do so in order to avoid an accident; or
  - (c) is prevented from proceeding by circumstances outside his control.

## **PART IV LOADING BAYS**

## **9. Designation of Loading Bays**

Save as provided in Article 10, no person shall, except upon the direction or with the permission of a Police Constable in uniform or a Civil Enforcement Officer, cause or permit any vehicle other than a goods vehicle to wait during the period stated on the tile label in respect of that loading bay.

## **10. Exemptions**

- (1) Nothing in Article 9 shall apply to any vehicle waiting during the permitted hours in any part of a loading bay if the use of that part has not been suspended or to:
  - (a) any vehicle, if it cannot conveniently be used for such purpose in any other road being used in connection with the removal of any obstruction to traffic;
  - (b) any vehicle being used for the purpose of delivering or collecting postal packages as defined in Section 125(1) of the Postal Services Act 2000;
  - (c) the vehicle being used for fire brigade, ambulance or police purposes;
  - (d) any vehicle to be used in connection with the maintenance, improvement or reconstruction of the said lengths of roads;
  - (e) any vehicle to be used in connection with the laying, erection, alteration or repair in or in land adjacent to the said lengths of roads of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity or of any telecommunications system.
- (2) Nothing in Article 9 shall apply to any vehicle waiting in any of roads or lengths of roads referred to therein when the person in control of the vehicle:-
  - (a) is required by law to stop;
  - (b) is obliged to do so in order to avoid an accident; or
  - (c) is prevented from proceeding by circumstances outside his control.

## **11. Suspension of a loading bay**

Any person duly authorised by the Council or a Police Constable in uniform may suspend the use of a loading bay or any part thereof whenever he/she considers such suspension reasonably necessary:-

- (a) for the purpose of facilitating the movement of traffic or promoting its safety;
- (b) for the purpose of any building operation, demolition or excavation adjacent to the loading bay, the maintenance, improvement or reconstruction of the highway or the cleansing of gullies in or adjacent to the loading bay, the laying, erection, alteration or repair in or adjacent to the loading bay of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity or of any telecommunication system or the placing, maintenance or removal of any 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;

**PART V**  
**Designation of Parking places and parking areas**

**12. Designation of Parking places and parking areas**

- (1) Each area on a highway identified on the map based schedule as a parking place and, if appropriate, by way of a tile label and/or the 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.
- (2) Each area on a highway identified on the map based schedule as a parking area and, if appropriate, by way of a tile label and/or the 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 area, is a designated parking area.
- (3) 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 regulatory sign, either in accordance with the Traffic Signs Regulations and General Directions 2002(a) or, if applicable, by virtue of any special authorisation given by the Department for Transport.
- (4) Unless otherwise so identified, a parking area shall be bounded on both sides of its length by the edge of the carriageway and be an area depicted by a regulatory sign, either in accordance with the Traffic Signs Regulations and General Directions 2002(a) or, if applicable, by virtue of any special authorisation given by the Department for Transport.

**13. Vehicles for which parking places and parking areas are designated**

Subject to the provisions of this Order, each:

- (a) permit parking place or permit parking area may be used for the leaving during the permitted hours of such vehicles as display in the manner specified in Article 18(1) a valid hard-copy residents' permit or hard-copy visitor permit or in respect of which there has been granted a valid virtual residents' permit or virtual visitor permit.
- (b) 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 18(1) a valid hard-copy residents' permit or hard-copy visitor permit or in respect of which there has been granted a valid virtual residents' permit or virtual visitor permit; or
  - (ii) a passenger vehicle, dual purpose vehicle, goods carrying vehicle, motorcycle or invalid carriage, every part of which can fit within the limits of the parking place;

- (c) free limited waiting parking place may be used for the leaving during the permitted hours of a passenger vehicle, dual purpose vehicle, goods carrying vehicle, motorcycle or invalid carriage, every part of which can fit within the limits of the parking place;
- (d) business parking place or business parking area may be used for the leaving during the permitted hours of such vehicles as display in the manner specified in Article 18(1) a valid hard-copy business users' permit or in respect of which there has been granted a valid virtual business permit;
- (e) disabled persons' parking place may be used, subject to Article 14, 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 for the leaving during the permitted hours of such vehicles as are motorcycles;
- (g) pedal cycle parking place may be used for the leaving during the permitted hours of such vehicles as are pedal cycles;
- (h) car share club parking place may be used for the leaving during the permitted hours of such vehicles as are car share club vehicles as display in the manner specified in Article 18(1) a valid hard-copy car share club permit or in respect of which there has been granted a valid car share club permit.

**14. Period for which a vehicle may be left in a disabled persons' parking place at certain times**

- (1) No person shall cause any vehicle displaying a disabled persons' blue badge to be left in a disabled persons' parking place for a continuous period of more than the time stated on the map schedule legend and/or tile label in respect of that parking place and where that time is not unlimited, that period not being a period separated by an interval of less than 1 hour from a previous period of waiting by the same vehicle in the same length of road on the same day:

Provided that the Disabled Person's Vehicle also displays in the relevant position, a Parking Disc (on which the driver or other person in charge of the vehicle has marked the time at which the period of waiting began).

- (2) No person shall cause any vehicle to wait in a free limited waiting parking place or a shared use (permit and free limited waiting) parking place by virtue of Article 13(b)(ii) for a continuous period of more than the time stated on the map schedule legend and/or tile label in respect of that parking place and where that time is not unlimited, that period not being a period separated by an interval of less than the period stated on the map schedule legend and/or tile label 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

**PART VI**  
**APPLICATION FOR PERMITS AND SUPPLEMENTARY PROVISIONS**

**15. Application for and issue of hard-copy Permits or granting of virtual permits**

- (1) The Council may issue specific hard-copy Permits, or the service provider may grant specific virtual permits, to specific people following an application for a permit, as follows:

- (a) A Qualifying Resident who is the Owner of a Vehicle may apply:

- (i) to The Council for the issue of a hard-copy Residents' permit; or
- (ii) to the service provider for the granting of a virtual residents' permit,

in respect of that Vehicle, for the leaving of said Vehicle during the permitted hours in a permit parking place or permit parking area to which such permit relates, the same being within the Zone within which the qualifying resident is eligible to park.

Provided that no permit shall be issued or granted to a qualifying resident when more than one other residents' permit is issued or granted to the household within which the qualifying resident resides.

- (b) Any Qualifying resident may apply:

- (i) to the Council for the issue of a multiple of hard-copy visitor permits; or
- (ii) to the service provider for the granting of a multiple of virtual visitor permits,

for the leaving of a vehicle during the permitted hours in a permit parking place, permit parking area or shared use (permit and free limited waiting) parking place to which such permit relates;

- (c) A Business Trader may apply:

- (i) to the Council for a hard-copy Business users' permit; or
- (ii) to the service provider for the granting of a virtual Business users' permit,

for the leaving of a Vehicle during the permitted hours in a business Parking place, business parking area, permit parking place, permit parking area or shared use (permit and free limited waiting) parking place to which such permit relates;



- (d) Any person requiring access to the Town Hall for continuous loading and unloading of goods and who is the Owner of a Vehicle may apply:
- (i) to the Council for a hard-copy Town Hall Users' Permit; or
  - (ii) to the service provider for the granting of a virtual Town Hall Users' Permit,
- in respect of that Vehicle, for the leaving of said Vehicle during the permitted hours in any business parking place or business parking area situated within West Stockwell Street;
- (e) Any employee of Colchester Women's Aid Refuge who is the Owner of a Vehicle may apply:
- (i) to the Council for a hard-copy Women's Refuge Permit; or
  - (ii) to the service provider for the granting of a virtual Women's Refuge Permit,
- in respect of the vehicle, for the leaving of said vehicle during the permitted hours in any permit parking place, permit parking area or shared use (permit and free limited waiting) parking place situation within Zone C2
- (f) Any employee of Hamilton County Primary School who is the Owner of a Vehicle may apply:
- (i) to the Council for a hard-copy Hamilton County Primary School Permit; or
  - (ii) to the service provider for the granting of a virtual Hamilton County Primary School Permit,
- in respect of that vehicle, for the leaving of said vehicle during the permitted hours in any permit place, permit parking area or shared use (permit and free limited waiting) parking place situated within Hamilton or Constantine Roads
- (g) Any employee of Kingswode Hoe School who is the Owner of a Vehicle may apply:
- (i) to the Council for a hard-copy Kingswode Hoe School Permit; or
  - (ii) to the service provider for the granting of a virtual Kingswode Hoe School Permit,

in respect of that Vehicle, for the leaving of said Vehicle during the permitted hours in any permit parking place, permit parking area or shared use (permit and free limited waiting) parking place situated within Sussex Road;

(h) Any person collecting or delivering children attending Colchester High School who is the Owner of a Vehicle may apply:

(i) to the Council for a hard-copy Colchester High School Users' Permit; or

(ii) to the service provider for the granting of a virtual Colchester High School Users' Permit,

(e) in respect of that Vehicle, for the leaving of said Vehicle during the permitted hours in any permit parking place, permit parking area or shared use (permit and free limited waiting) parking place situated within Wellesley Road where the permit zone signage indicates that "S" permit holders may park.

(i) A Hospital Employee may apply to the Site Manager, Essex County Council, Lexden Road, Colchester, for a Hospital Users' Permit for the leaving of their Vehicle in any permit parking place, permit parking area or shared use (permit and free limited waiting) parking place situated within Oxford Road where the permit zone signage indicates that "H" zone permit holders may park.

(j) The organisers of the Colchester SOS night bus, operated by registered charity Open Road may apply:

(i) to the Council for a hard-copy Colchester SOS night bus Permit; or

(ii) to the service provider for the granting of a virtual Colchester SOS night bus Permit,

in respect of any Vehicle, for the leaving of said Vehicle during the permitted hours in any permit parking place situated within High Street, Colchester.

(k) A car share club may apply:

(i) to the Council for a hard-copy car share club permit; or

(ii) to the service provider for the granting of a virtual car share club permit,

in respect of a car share club vehicle, for the leaving of said Vehicle during the permitted hours in a car share club parking place.

Provided that the Council shall at its absolute discretion decide which permits are available to apply for at any particular time as hard-copy permits or virtual permits.

- (2) All permit applications in respect of a hard-copy permit are to be made on the current standard form issued by and obtainable from The Council (or Site Manager where appropriate).
- (3) All permit applications in respect of a virtual permit are to be made using the telephone or electronic payment system.
- (4) On making any such application the applicant will:-
  - (a) produce such evidence to The Council or as the case may be the service provider as it may reasonably require to substantiate that the information and particulars given in the application are correct; and
  - (b) subject to paragraph (9) of this Article, pay to The Council or as the case may be the service provider the appropriate Permit Fee.
- (5) On receiving an application and the applicant complying with paragraphs (2) and (4) of this Article The Council shall, if it is satisfied that the information is correct, issue a hard-copy Permit to the applicant 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, and a protective cover for each permit.
- (6) On receiving an application and the applicant complying with paragraphs (3) and (4) of this Article The service provider shall, if it is satisfied that the information is correct, grant a virtual Permit to the applicant 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.
- (7) A separate application (with fee) must be made by a Qualifying Resident for each Vehicle at an address.
- (8) The maximum number of Permits that may be issued or granted to an applicant is one, other than the exceptions that follow:

| Type of permit             | maximum number                              |
|----------------------------|---|
| 1) Residents' permits      | 1) 2 per household                          |
| 2) Business users' permits | 2) Decided at the discretion of the Council |
| 3) Visitor permits         | 3) no limit                                 |

- (9) There shall be no permit fee payable in respect of a town hall users permit, a car share club permit or an SOS bus permit.

## **16. Application for and issue of Replacement Hard-copy permits**

- (1) If a hard-copy Permit is mutilated or accidentally defaced or the particulars therein have become faded or altered the Hard-copy 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.
- (2) On making such application the Hard-copy permit holder will be required to surrender the original hard-copy Permit to The Council and until such surrender no replacement shall be issued.
- (3) If a hard-copy Permit (other than a Hard-copy Visitors permit) is lost or destroyed the Hard-copy 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.
- (4) On making an application for a replacement permit the Hard-copy 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 replacement is issued.
- (5) Upon receipt of the application, where applicable the Permit Fee and, other than where the original hard-copy permit has been stolen, the original hard-copy permit, the Council shall issue to the Hard-copy permit holder a replacement Hard-copy permit and upon such issue the original Hard-copy permit shall become invalid.
- (6) the provisions of this Order shall apply to a replacement hard-copy permit and an application therefore as if it were a hard-copy permit or as the case may be an application therefore.

## **17. Form of hard-copy Permits**

- (1) A hard-copy Permit (other than a hard-copy Visitor permit) shall be produced by The Council only and shall contain the following details :-
  - (a) the registration number of the Vehicle;
  - (b) the expiry date of the hard-copy permit;
  - (c) the Zone to which the hard-copy permit relates, if any; and
  - (d) an authentication that it has been issued by The Council.
- (2) A hard-copy permit (other than a hard-copy Visitor permit) shall not be altered or defaced by the Qualifying Resident or any other person.
- (3) A hard-copy Visitor permit shall be produced by The Council only and shall make provision for the following details, which shall be entered by the hard-copy Permit holder or the driver of the Vehicle:-

- (a) the registration number of the Vehicle; and
  - (b) the date and time at which the Vehicle was left in the Parking place or parking area.
- (4) A hard-copy Visitor permit shall also contain an authentication that it has been issued by The Council.
  - (5) It shall be the responsibility of the Driver to ensure that the details on the hard-copy Visitor permit are correct and the hard-copy Visitor permit shall not be valid without such details.

#### **18. Display of hard-copy permits**

- (1) The Driver of a Vehicle other than one in respect of which a valid virtual permit has been granted shall display a valid hard-copy Permit in the Relevant Position on the Vehicle at all times when the Vehicle is left in a permit parking place, permit parking area, business parking place, business parking area or a car share club parking place or a shared use (permit and free limited waiting) parking place by virtue of Article 13(b)(i).
- (2) A Driver shall not display more than one hard-copy Permit at any one time.

#### **19. Transfer of hard-copy visitor permits**

A hard-copy Visitor permit may not be transferred from one Vehicle to another Vehicle.

#### **20. Validity, Withdrawal and Surrender of Permits**

- (1) A hard-copy Visitor permit is only valid for 24 hours from the time of arrival as recorded by the driver on the visitor permit. If no time is recorded or is not visible on the visitors permit when it is checked by a Civil Enforcement Officer the permit will not be valid. The Visitors Permit will not be valid if the address or vehicle registration box is not completed.
- (2) A Permit holder or applicant therefore 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 or as the case may be the service provider in order to ascertain that the Permit is valid.
- (3) Each valid hard-copy Visitor Permit or valid virtual visitor permit shall enable the Driver of a Vehicle who is the bona fide visitor of the Permit holder to leave their Vehicle in a Parking place or parking area specified in the Schedules to this Order for a maximum period of 24 hours.
- (4) A Permit holder who has a valid Permit for a specific Zone shall only be eligible to leave his Vehicle in a Parking place or parking area in said specific Zone, the Permit will not be valid in other Zones.

- (5) Permits may only be used by the following classes of vehicle:
  - (a) Dual Purpose Vehicles
  - (b) Goods Vehicles (not exceeding 3 tonnes unladen weight)
  - (c) Passenger Vehicles
  - (d) Motorcycles, or
  - (e) A vehicle owned and used by a person with an Invalid Carriage or any registered disabled person.
- (6) A hard-copy 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.
- (7) The selling of any Permit, other than by the North Essex Parking Partnership is not allowed nor is any Permit transferable. The Council reserves the right to revoke existing Permits and refuse to supply any further permits to those who abuse the parking scheme, either by fraudulent use of Permits or by allowing persons, other than bona fide visitors, to use hard-copy Visitor permits or virtual visitor permits, or by any other means persistently infringing any of the Articles in this Order.
- (8) The Council may withdraw a Permit at any time by written notice to the Permit holder's address or by notice attached to the Vehicle such written notice having immediate effect, and upon either of which the Permit holder must surrender the Permit to The Council within 48 hours.
- (9) In the event of The Council withdrawing the Permit, The Council shall not be obliged to refund the Permit Fee or any part thereof if:-
  - (a) in relation to a resident permit, the Permit holder ceases to be Qualifying Resident;
  - (b) the Permit holder ceases to be the Owner of the Vehicle in respect of which the Permit was issued or granted;
  - (c) the Vehicle has been adapted to such extent that it ceases to be the type of vehicle in respect of which the permit was issued or granted;
  - (d) the Permit holder fails to satisfy The Council that he remains eligible for a Permit;
  - (e) The Qualifying Resident has allowed a person who is not a bona fide visitor to use the hard-copy Visitor permit or virtual visitor permit; or
  - (f) the provisions of this Order are revoked.
- (10) A Permit holder may surrender his Permit at any time.
- (11) A Permit holder shall surrender his Permit, upon which The Council or service provider shall refund a relevant proportion of the Permit Fee (less an administration charge) if:-

- (a) in relation to a resident permit, the Permit holder ceases to be:
    - (i) a Qualifying Resident; or
    - (ii) the Owner of the Vehicle in respect of which the Permit was issued;
  - (b) in relation to a business users' permit, the Permit holder ceases to be
    - (i) a business trader; or
    - (ii) the user of the Vehicle in respect of which the Permit was issued;
  - (c) in relation to a car share club permit, the Permit holder ceases to be a car share club.
- (12) A Permit holder shall surrender his Permit upon which The Council or service provider shall not be obliged to refund the Permit Fee or any part thereof if:-
- (a) the Vehicle has been adapted to such extent that it ceases to be the type of vehicle in respect of which the permit was issued;
  - (b) the Permit is withdrawn by The Council in accordance with the provisions of this Order; or
  - (c) in the case of a hard-copy permit, a replacement hard-copy Permit has been issued in accordance with the provisions of this Order.
- (13) If a Permit is issued by The Council and payment is not honoured by the bank/building society the Permit shall cease to be valid and the Permit holder shall be required to surrender the same to The Council within 48 hours of the receipt of written notice from The Council.

## **21. Exceptions**

- (1) Notwithstanding the provisions of this Order any vehicle of any description may wait at any time in any Parking place or parking area (other than one which has been suspended) for so long as may be reasonably necessary if:-
- (a) direction from or the permission of a police constable in uniform or a civil enforcement officer is given;
  - (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 in the service of or employed by a postal or parcel delivery business and is being used in conjunction with the delivery of goods;
- (e) the vehicle is waiting owing to the Driver being prevented from proceeding by circumstances beyond his control or in order to avoid an accident;
- (f) the vehicle is being used by an emergency service, a local authority or in connection with providing medical attention to any person in the neighbouring area (evidence of such a purpose may be required by The Council);
- (g) the vehicle is 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;
- (h) the vehicle is in actual use as a removal vehicle in connection with the removal or delivery of furniture to or from an office or dwelling house in the neighbouring area;
- (i) the vehicle is being used for the laying erection alteration removal or repair in or adjacent to the Parking place or parking area of any sewer service conductor or apparatus and cannot conveniently be used for that purpose in any other neighbouring road;
- (j) the vehicle is waiting only for so long as it is necessary to enable it to be used in connection with posting or removing advertising material in the form of posters on or from, or cleaning windows or chimneys, in premises adjacent to the parking place or parking area.

(2) Notwithstanding the provisions of this Order a vehicle which displays:

- (a) a valid Town Hall Users' Permit issued in accordance with the provisions of Article 15 may be left in any business parking place or business parking area situated within West Stockwell Street;
- (b) a valid Women's Refuge Permit issued in accordance with the provisions of Article 15 may be left in any permit parking place, permit parking area or shared use (permit and free limited waiting) parking place situated within Zone C2;
- (c) a valid Hamilton County Primary School Permit issued in accordance with the provisions of Article 15 may be left in any permit parking place, permit parking area or shared use (permit and free limited waiting) parking place situated within Hamilton or Constantine Road;
- (d) a valid Kingswode Hoe School Permit issued in accordance with the provisions of Article 15 may be left in any permit parking place, permit parking area or shared use (permit and free limited waiting) parking place situated within Sussex Road; or



- (f) a valid Colchester High School Users Permit issued in accordance with the provisions of Article 15 may be left in any permit parking place, permit parking area or shared use (permit and free limited waiting) parking place situated within Wellesley Road where the permit zone signage indicates that "S" permit holders may park Monday to Friday between the hours of 8.15am to 9.15am, noon to 12.30pm and 2.30pm to 3.45 pm during school term time only.
- (g) A valid Hospital Users Permit in accordance with the provisions of Article 15 may be left in any permit parking place, permit parking area or shared use (permit and free limited waiting) parking place situated within Oxford Road where the permit zone signage indicates that "H" permit holders may park.,

provided that the use of that part of that parking place or parking area in which it is left has not been suspended.

## **22. Power to Suspend a Parking place or parking area**

- (1) Any person authorised by The Council or a Civil Enforcement Officer may suspend the use of a Parking place or parking area or a section thereof if the suspension is considered reasonably necessary.
- (2) A Police Constable in uniform may suspend the use of a Parking place or parking area for a period not exceeding 24 hours if he considers it reasonably necessary.
- (3) Any person may apply to The Council to have the use of a Parking place or parking area or a section thereof suspended in accordance with Article 28, such application to be made on the current standard form issued by and obtainable from The Council.
- (4) Any person suspending the use of a Parking place or parking area in accordance with this Order shall place or cause to be placed at the suspended part of the Parking place or parking area a sign indicating that waiting by vehicles is prohibited.
- (5) No person shall cause or permit any vehicle to be left in any area of a Parking place or parking area the use of which has been suspended.

## **23. Other provisions**

- (1) A Driver using a Parking place or parking area shall stop the engine of the Vehicle as soon as the Vehicle is in position and shall not start the engine except when about to change the position of the Vehicle in or to depart from the Parking place or parking area.
- (2) No person shall use a Vehicle in a Parking place or parking area in connection with the sale of any article to persons in or near the Parking place or parking area or in connection with the selling or offering for hire of his skill or services.

- (3) No person shall use any part of a Parking place or parking area or any Vehicle left in a Parking place or parking area:-
- (a) for sleeping, camping or cooking; or
  - (b) 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 or parking area.
- (4) No person shall drive or permit to be driven any Vehicle in a Parking place or parking area for any purpose other than the purpose of leaving that Vehicle in the Parking place or parking area in accordance with the provision of this Order or for the purpose of departing from the Parking place or parking area.

## **PART VII**

### **SUPPLEMENTARY PROVISIONS**

#### **24. Manner of standing in a parking place, parking area or loading bay**

- (1) Every vehicle, other than a motorcycle or a pedal cycle, left in a parking place, parking area or loading bay in accordance with the foregoing provisions of this Order shall stand so:
- (a) in the case of a parking place, parking area or loading bay in relation to which a special manner of standing of a vehicle in that parking place, parking area or loading bay is identified on the highway by means of appropriate road markings and/or the placing of an appropriate sign nearby, as to be in accordance with that identification and/or sign;
  - (b) in the case of any other parking place, parking area or loading bay -
    - (i) if the parking place, parking area or loading bay is not in a one-way street, that the left or near side of the vehicle is adjacent to the left-hand edge of the carriageway; and
    - (ii) that the distance between the edge of the carriageway and the nearest wheel of the vehicle is not more than 50 centimetres;
  - (c) that every part of the vehicle is within the limits of a parking place, parking area or loading bay, as the case may be;
  - (d) that no part of the vehicle obstructs any vehicular means of ingress to or egress from any premises adjacent to the side of the road on which the vehicle is waiting.

- (2) Every motorcycle left in a parking place or parking area or pedal cycle left in a pedal cycle parking place in accordance with the foregoing provisions of this Order shall stand so that every part of the vehicle is within the limits of that parking place or parking area and that no part of the vehicle obstructs any vehicular means of ingress to or egress from any premises adjacent to the side of the road on which the vehicle is waiting.

**25. Alteration of Position of a Vehicle in a parking place or parking area**

- (1) If a Vehicle is left in a parking place or parking area in a position other than in accordance with the provision 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.
- (2) Any person altering or causing the alteration of the position of a Vehicle under the Articles 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.

**26. Removal of a Vehicle from a parking place or parking area**

- (1) 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 Essex County Council or The Council may remove the Vehicle from the parking place or parking area or arrange for the removal of a Vehicle from the parking place or parking area.
- (2) Any person removing or causing the removal of a Vehicle under the Articles of this Order may do so by towing or driving the Vehicle or in such other manner as is reasonably necessary to enable the Vehicle to be removed.
- (3) Any person removing or arranging for the removal of a Vehicle under the Articles 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, neither such person nor the Council shall be responsible for any loss or damage to the vehicle or other thing or to anything contained therein or thereon arising from or in consequence of the exercise of these powers other than such loss or damage occasioned by the negligence of such person or of the Council.
- (4) Any person removing or arranging for the removal of a Vehicle shall use all reasonable means to notify the Owner of the removal.
- (5) Where a vehicle or other thing has been removed from a parking place or parking area in accordance with this Order, the driver, owner of the vehicle or other thing or person authorised by the owner in writing in that behalf shall be required to pay to the Council up to the maximum sum set out in The Removal, Storage and Disposal of Vehicles (Prescribed Sums and Charges etc) Regulations 1989 and furnish satisfactory proof of identity.

- (6) Following payment of the sum mentioned above and upon production of satisfactory proof of identity the Council shall issue a receipt, together with details of the place where the vehicle or other thing has been impounded.
- (7) Upon production of the receipt given in accordance with the preceding Articles to an authorised person at the place of impound the vehicle or other thing shall be released to the person producing the receipt.
- (8) Any vehicle or other thing removed from the parking place or parking area 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.

#### **27. Movement of a Vehicle in a parking place or parking area in an emergency**

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 parking area or remove or arrange for the removal of a Vehicle from a parking place or parking area.

### **PART VIII**

#### **TEMPORARY DISPENSATION AND SUSPENSION NOTICES**

#### **28. Temporary Dispensation And Suspension Notices**

Notwithstanding the foregoing provisions of this Order, the Council may at its discretion issue a temporary dispensation notice allowing a specific vehicle to wait for a specified purpose in a road or a parking place or parking area during the hours of operation of any restriction or prohibition to the contrary, or a temporary suspension notice temporarily suspending any restriction imposed by this Order. The Council shall set a charge for the issue of such notices as it considers appropriate.

### **PART IX**

#### **29. Contravention of this Order**

- (1) If a vehicle is left in contravention of any provisions of this Order a Civil Enforcement Officer may issue a Penalty Charge Notice in respect of that contravention, in accordance with the 2007 Regulations.
- (2) The Penalty Charge shall be paid to The Council in accordance with the instructions contained on the Penalty Charge Notice.

### **PART X**

### **30. Revocations**

Without prejudice to any act or omission before the coming into force of this Order any provisions of The Essex County Council (Colchester Borough) (Permitted Parking Area And Special Parking Area) (Consolidation) Order 2008 and The Essex County Council (Colchester Borough) (Waiting Restriction) (Consolidation) Order 2008 and any subsequent amendments are hereby revoked in so far as they impose any restriction or designate any parking place on any road or length of road referred to in Schedule 4.

## PART XI

## SEAL

Sealed with the Common Seal of the Colchester Borough Council this 8th day of August Two Thousand and Fourteen.

THE COMMON SEAL of the )  
COLCHESTER BOROUGH COUNCIL )  
was hereunto affixed by Order: )


$$252/14$$

*A. Weary* Authorised Officer

# **SCHEDULE 1 (see Article 2(1) – definition of “map based schedule”)**

| Map tile list | Version | Effective Date                   | Map tile list | Version | Effective Date                  |
|---------------|---------|----------------------------------|---------------|---------|---------------------------------|
| TL975250      | V1      | 15 <sup>th</sup> September 2014  | TL990265      | V1      | 15 <sup>th</sup> September 2014 |
| TL980240      | V1      | 15 <sup>th</sup> September 2014  | TL990267      | V1      | 15 <sup>th</sup> September 201  |
| TL980242      | V1      | 15 <sup>th</sup> September 2014* | TL990270      | V1      | 15 <sup>th</sup> September 2014 |
| TL980245      | V1      | 15 <sup>th</sup> September 2014  | TL995245      | V1      | 15 <sup>th</sup> September 2014 |
| TL980247      | V1      | 15 <sup>th</sup> September 2014  | TL995247      | V1      | 15 <sup>th</sup> September 2014 |
| TL980250      | V1      | 15 <sup>th</sup> September 2014  | TL995250      | V1      | 15 <sup>th</sup> September 2014 |
| TL980252      | V1      | 15 <sup>th</sup> September 2014  | TL995252      | V1      | 15 <sup>th</sup> September 2014 |
| TL980267      | V1      | 15 <sup>th</sup> September 2014  | TL995255      | V1      | 15 <sup>th</sup> September 2014 |
| TL985240      | V1      | 15 <sup>th</sup> September 2014  | TL995257      | V1      | 15 <sup>th</sup> September 2014 |
| TL985242      | V1      | 15 <sup>th</sup> September 2014  | TL995260      | V1      | 15 <sup>th</sup> September 2014 |
| TL985245      | V1      | 15 <sup>th</sup> September 2014  | TM000242      | V1      | 15 <sup>th</sup> September 2014 |
| TL985247      | V1      | 15 <sup>th</sup> September 2014  | TM000245      | V1      | 15 <sup>th</sup> September 2014 |
| TL985250      | V1      | 15 <sup>th</sup> September 2014  | TM000247      | V1      | 15 <sup>th</sup> September 2014 |
| TL985252      | V1      | 15 <sup>th</sup> September 2014  | TM000252      | V1      | 15 <sup>th</sup> September 2014 |
| TL985265      | V1      | 15 <sup>th</sup> September 2014  | TM000255      | V1      | 15 <sup>th</sup> September 2014 |
| TL985267      | V1      | 15 <sup>th</sup> September 2014  | TM005240      | V1      | 15 <sup>th</sup> September 2014 |
| TL990242      | V1      | 15 <sup>th</sup> September 2014  | TM005242      | V1      | 15 <sup>th</sup> September 2014 |
| TL990245      | V1      | 15 <sup>th</sup> September 2014  | TM005245      | V1      | 15 <sup>th</sup> September 2014 |
| TL990247      | V1      | 15 <sup>th</sup> September 2014  | TM005247      | V1      | 15 <sup>th</sup> September 2014 |
| TL990250      | V1      | 15 <sup>th</sup> September 2014  | TM035212      | V1      | 15 <sup>th</sup> September 2014 |
| TL990252      | V1      | 15 <sup>th</sup> September 2014  | TM035215      | V1      | 15 <sup>th</sup> September 2014 |
| TL990255      | V1      | 15 <sup>th</sup> September 2014  | TM040215      | V1      | 15 <sup>th</sup> September 2014 |
| TL990257      | V1      | 15 <sup>th</sup> September 2014  | TM 035 217    | V1      | 15 <sup>th</sup> September 2014 |
| TL990260      | V1      | 15 <sup>th</sup> September 2014  | TM 035 220    | V1      | 15 <sup>th</sup> September 2014 |
| TL990262      | V1      | 15 <sup>th</sup> September 2014  | TM 040 217    | V1      | 15 <sup>th</sup> September 2014 |

| Map tile list | Version | Effective Date                  |
|---------------|---------|---------------------------------|
| TM 040 220    | V1      | 15 <sup>th</sup> September 2014 |

## **SCHEDULE 2**

**(see Article 2(1) – List of road and parts of roads for the purposes of the definition of ‘qualifying resident’, ‘business trader’ and ‘zone’)**

### **ZONE A1:**

All those properties referred to in PARTS I(B) and I(C) of this Schedule and properties in Crouch Street (numbers 32-44 & 55-125 only), Crowhurst Road, Hospital Lane, Manor Road, Papillon Road, Pope’s Lane, Rawstorn Road and St Alban’s Road.

### **PART I(B)**

#### **ZONE A2:**

All those properties referred to in PART I(C) of this Schedule and all properties in Oaks Drive.

### **PART I(C)**

#### **ZONE A3:**

All properties in Ashley Gardens, Endsleigh Court, Highfield Drive, Lexden Court, Lexden Road (odd numbers 31-107 & 31a-31c), Lockhart Avenue, New Kiln Road, Sussex Road (including Orchard Court and Bentley Court) and The Chantry.

### **PART II(A)**

#### **ZONE B1:**

All those properties referred to in PARTS II(B) and II(C) of this Schedule and all properties in Abbeygate Street (inc. Rookery House parking on St John’s Green Only), Alexandra Road, Alexandra Terrace, Butt Road (even numbers 42-88 & odd numbers 47-109 only), Beaconsfield Avenue, Burlington Road, Cedars Road, Chapel Street South, Cavalry Road, Crimea Walk, Garland Road, Stable Road, Gray Road, Hospital Road, Maldon Road (even numbers 38-60, odd numbers 11-71 and Maldon Court only), Osborne Street (24 – 45 only), St John’s Green, South Street, Stanwell Street Walsingham Road, Wellington Street, West Street and Whitewell Road.

### **PART II(B)**

#### **ZONE B2:**



All those properties referred to in PART II(C) of this Schedule and all properties in Beverley Road, Butt Road (numbers 112-152 only), Creffield Road, Errington Road; Inglis Road, Keble Close, Maldon Road (even numbers 76-142 and odd numbers 73-99 only), Oxford Road, Salisbury Avenue, Wellesley Road, Wickham Road and Lexden Road (even number 2 – 20)

#### **PART II(C)**

##### **ZONE B3:**

All properties in Butt Road (numbers 146-184 only), Cambridge Road, Christchurch Court, Constantine Road, Drury Road (number 1 – 21 odd only), Hamilton Road, Honeywood Road, Ireton Road, Lexden Road (even numbers 22 -26), Maldon Road (even numbers 144-206 and odd numbers 107-199 only), Park Road, Queen's Road, Roddam Close, St Helena Road, The Avenue, Victoria Road, Vint Crescent and West Lodge Road.

#### **PART III(A)**

##### **ZONE C1:**

All those properties referred to in PART III(B) of this Schedule and all properties in Cromwell Road, Fairfax Road, Golden Noble Hill, Lucas Road, Magdalen Street (numbers 17-109 only), Mersea Road (numbers 8-34 only), Military Road (even numbers 24-136, odd numbers 67-95 & Winnock's Almshouses only), Mill Street, Portland Road and Shrubland Road. Military road (odd numbers 1 – 65 )

#### **PART III(B)**

##### **ZONE C2:**

All properties in Charles Street, Gladstone Road, Goodey Close, Granville Road, James Street, Kendall Road, Military Road, New Town Road, Wimpole Road, Winnock Road, and Winsley Road.

#### **PART IV(A)**

##### **ZONE D1:**

All properties in Ball Alley, Claudius Court, East Stockwell Street, George Street, John Ball Walk, Kane Mews, Ken Cooke Court, Maidenburgh Street, Middle Mill, Northgate Street, Nunn's Road, Ryegate, Sanderson Mews, St Helen's Lane, St Peter's Street (south side only not inc. Charles House, Stuart House or Parkside Quarter), Shortcut Road (even numbers 2-14 only), Stockwell, Walters Yard, Taylor Court, Wat Tyler Walk, West Stockwell Street and William's Walk.

#### **PART IV(B)**

#### **ZONE D2:**

All properties in Castle Road (not Greyfriars Court) and Roman Road.

#### **PART V(A)**

#### **ZONE F1:**

All those properties referred to in PART V(B) of this Schedule and all properties in Albert Street, Catchpool Road, Causton Road, Cowdray Avenue (numbers 1-61 only), Jarmin Road (all numbers 1-19), Kings Head Court, Kings Meadow Road, Margaret Road, Mercer's Way, North Station Road (odd numbers 29-103 only) and Serpentine Walk.

#### **PART V(B)**

#### **ZONE F2:**

All properties in Belle Vue Road, Colne Bank Avenue, John Harper Street, Morten Road, North Station Road (even numbers 50-82 & 108-140 and odd numbers 139-157 only), Orchard Road, and St Paul's Road.

#### **PART VI(A)**

#### **ZONE G1:**

All those properties referred to in PART VI(B) of this Schedule and all properties in Bergholt Road, Enid Way, Golden Dawn Way, Hugh Dickson Road, Longacre, Prior Way, Rose Crescent, Three Crowns Road and Tufnell Way.

#### **PART VI(B)**

#### **ZONE G2:**

All those properties referred to in PART VI(A) of this Schedule and All properties in Mile End Road (even numbers 2-152 and odd numbers 1-213 only) and Rectory Close.

#### **PART VII**

#### **ZONE I:**

All Properties in Alma Street, Anchor Hill, Anglesea Road, Bath Street, Belle Vue Road (even numbers 2-16 only), Bethany Street, Black Buoy Hill, Blythe Lane, Brook Street, Chapel Road, Clifton Terrace, De Vere Close, De Vere Lane, East Street, Falcon Yard, Hamilton Road, High Street, Joliffes Yard, Malting Yard, Paget Road, Phillip Road, Queens Road, Quay Street, Rebow Road, Rose Lane, St John's Road, Station Road, The Quay, The Folly, The Pound and West Street.



**SCHEDULE 3 (see Article 2(1) – definition of “permit fee”)**

| <b>Item</b>  | <b>Charge</b> | <b>Period valid</b>         |
|--|---------------|-----------------------------|
| Residents' permit issued in respect of a vehicle other than a motorcycle | 1) £60.00     | 1 year                      |
|  | 2) £75.00     | 1 year                      |
| Residents' permit issued in respect of a motorcycle                      | £25.00        | 1 year                      |
| Business users' permit   | 1) £110       | 1) 3 months                 |
|  | 2) £440       | 2) 1 year                   |
| Women's Refuge Permit  | £104.00       | 1 year                      |
| Hamilton County Primary School Permit                                    | £104.00       | 1 year                      |
| Kingswode Hoe School Permit  | £104.00       | 1 year                      |
| Colchester High School Users' Permit                                     | £33.00        | 1 year                      |
| Hospital Users Permit  | £104.00       | 1 year                      |
| Visitor Permits  | £8.00         | book of ten 24-hour permits |
| Replacement permits  | £15.00        | N/A                         |
| temporary dispensation notice  | 1) £24.00     | 1 day (on the first day)    |
|  | 2) £11.00     | 1 day (on subsequent days)  |
|  |               |                             |



**SCHEDULE 4 (List of roads and parts of roads for the purposes of Article 30)**

|  |   |
|--|---|
| Abbeygate Street   | De Vere Close   |
| Albert Street  | De Vere Lane  |
| Alexandra Road   | East Stockwell Street   |
| Alexandra Terrace  | East Street   |
| Alma Street  | Endsleigh Court   |
| Anchor Hill  | Enid Way  |
| Anglesea Road  | Errington Road  |
| Ashley Gardens   | Fairfax Road  |
| Ball Alley   | Falcon Yard   |
| Bath Street  | George Street   |
| Beaconsfield Avenue  | Gladstone Road  |
| Belle Vue Road   | Granville Road  |
| Bergholt Road  | Golden Dawn Way   |
| Bethany Street   | Golden Noble Hill   |
| Beverley Road  | Goodey Close  |
| Black Buoy Hill  | Gray Road   |
| Blythe Lane  | Hamilton Road   |
| Brook Street   | Hamilton Yard   |
| Burlington Road  | High Street   |
| Butt Road ( <i>between its junction with Southway and its junction with Gioojerat Road</i> )   | Highfield Drive   |
| Cambridge Road   | Honywood Road   |
| Castle Road  | Hospital Lane   |
| Catchpool Road   | Hospital Road   |
| Causton Road   | Hugh Dickson Road   |
| Cavalry Road   | Inglis Road   |
| Cedars Road  | Ireton Road   |
| Chapel Street  | James Street  |
| Chapel Street South  | Jarmin Road   |
| Christchurch Court   | John Ball Walk  |
| Claudius Court   | John Harper Street  |
| Clarendon Way,   | Joliffes Yard   |
| Clifton Terrace  | Kane Mews   |
| Colne Bank Avenue  | Keble Close   |
| Constantine Road   | Ken Cooke Court   |
| Cowdray Avenue ( <i>south side, between its junction with North Station Road and a point in line with the eastern boundary line of No. 61 Cowdray Avenue</i> ) | Kendall Road  |
| Creffield Road   | Kings Meadow Road   |
| Cromwell Road  | Lexden Court  |
| Crouch Street ( <i>between its junction with Balkerne Hill and its western terminus</i> )  | Lexden Road ( <i>north side, between its junction with Lockhart Avenue and a point 48.0 metres west of its junction with Oaks Drive; south side, between its junction with Oxford Road and a point 48.0 metres west of its junction with Oaks Drive</i> ) |
| Crowhurst Road   | Lockhart Avenue   |
|  | Longacre  |

|  |  |
|--|--|
| Lucas Road   | Osborne Street   |
| Magdalen Street ( <i>south side, between its junction with Military Road and its junction with Wimpole Road</i> )  | Oxford Road  |
| Maidenburgh Street   | Paget Road   |
| Maldon Road ( <i>north-west side, between its junction with Lexden Road and a point 8 metres south-west of its junction with Althestan Road; south-east side, between its junction with Southway and a point 9 metres south-west of its junction with St Helena Road</i> )                                       | Papillon Road  |
| Malting Yard   | Park Road  |
| Manor Road   | Phillip Road   |
| Margaret Road  | Pope's Lane  |
| Mercer's Way   | Portland Road  |
| Mersea Road ( <i>between its junction with St Botolph's Circus and its junction with Napier Road</i> )   | Prior Way  |
| Middle Mill  | Quay Street  |
| Mile End Road ( <i>between its junction with Bergholt Road/Turner Road and a point 6 metres south of its junction with Bartholomew Court</i> )   | Queen's Road   |
| Military Road ( <i>south-west side, between its junction with Lisle Road and its junction with Myrtle Grove, and between its junction with Golden Noble Hill and a point 42 metres north-west of that junction; north-east side, between its junction with Winnock Road and its junction with Wimpole Road</i> ) | Rawstorn Road  |
| Mill Street  | Rebow Road   |
| Morten Road  | Rectory Close  |
| New Kiln Road  | Roddam Close   |
| New Town Road  | Rose Crescent  |
| North Station Road ( <i>west side between its junction with Clarendon Way and its junction with John Harper Street; east side between its junction with Clarendon Way and its junction with Causton Road</i> )   | Rose Lane  |
| Northgate Street   | Rygate Road  |
| Nunn's Road  | Salisbury Avenue   |
| Old Ferry Road   | Sanderson Mews   |
| Orchard Road   | Shortcut Road  |
|  | Shrubland Road   |
|  | South Street   |
|  | St Alban's Road  |
|  | St Helen's Lane  |
|  | St Helena Road   |
|  | St John's Green  |
|  | St John's Road   |
|  | St Paul's Road   |
|  | St Peter's Street ( <i>south side, for its entire length</i> )                             |
|  | Stanwell Street  |
|  | Station Road   |
|  | Stockwell  |
|  | Sussex Road ( <i>for its entire length and including Orchard Court and Bentley Court</i> ) |
|  | Taylor Court   |
|  | Walsingham Road  |
|  | West Street  |
|  | Wimpole Road   |
|  | Winnock Road   |
|  | Winsley Road   |

