

THE DISTRICT OF BASILDON (VARIOUS ROADS, BASILDON DISTRICT) (PERMITTED PARKING AREA AND SPECIAL PARKING AREA) (WAITING RESTRICTIONS, STREET PARKING PLACES AND OFF STREET PARKING PLACES) CONSOLIDATION (AMENDMENT NO. 7) ORDER 2005

The Basildon District Council, in exercise of its powers under Sections 32 and 35 of the Road Traffic Regulation Act 1984 (hereinafter referred to as "the Act") and Part IV of Schedule 9 to the Act, and all other enabling powers, after consulting and with the consent of Essex County Council in accordance with Section 39(3) of the Act, and after consulting the Chief Officer of Police for the Essex Police in accordance with Part III of Schedule 9 to the Act, hereby makes the following Order:-

1. This Order will come into operation on 17 January 2005 and may be cited as "The District of Basildon (Various Roads, Basildon District) (Permitted Parking Area and Special Parking Area) (Waiting Restrictions, Street Parking Places and Off Street Parking Places) Consolidation (Amendment No. 7) Order 2005".
2. The provisions of The District of Basildon (Various Roads, Basildon District) (Permitted Parking Area and Special Parking Area) (Waiting Restrictions, Street Parking Places and Off Street Parking Places) Consolidation Order 2003 plans ref nos. J15, M37, M39, O39, P38, S39 and U38 are hereby amended and new plans ref nos. J37, Q45, R44, U24 and X19 added with the restrictions in plans TR0869 218, 226, 227, 230, 232, 233, 234, 235, 237, 239, 240 and 241 and TR 0993 001 attached hereto.
3. The provisions of the District of Basildon (Various Roads, Basildon District) (Permitted Parking Area and Special Parking Area) (Waiting Restrictions, Street Parking Places and Off Street Parking Places) Consolidation Order 2003 are hereby amended:
  - (i) "goods vehicles" be deleted and substituted by:

"goods vehicle" means a motor vehicle which is constructed or adapted for use for the carriage of goods or burden of any description, which does not exceed 3.5 tonnes plated weight but shall not include a trailer so constructed or adapted;
  - (ii) Article 8(1) (c) be deleted and replaced by:

'(c) the 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 a public utility in pursuance of statutory powers or duties;'
  - (iii) Article 9 be deleted and substituted by:

'9. Nothing in Article 6 of this Order shall render it unlawful to cause or permit a disabled person's vehicle which displays in the relevant position a valid 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 waiting began, to wait in any of the roads, lengths of road or on any of the sides of road identified on the plans attached to this Order, except designated clearways, for a period not exceeding three hours (not being a period

separated by an interval of less than one hour from a previous period of waiting by the same vehicle in the same length of road or on the same side of road on the same day). Provided that in respect of the roads identified in the plans attached to this Order when loading is permitted at all times or limited to certain times such period lies entirely within the period during which loading is permitted.'

- (iv) Article 10 be deleted and substituted by:

'Nothing in Article 6 of the Order shall render it unlawful to cause or permit a disabled person's vehicle which displays in the relevant position a valid disabled person's badge to wait at the sides of the roads identified on the plans attached to this Order where limited waiting is permitted.'

- (v) Article 23(1)(b) be deleted and substituted by:

'(b) A disabled person who is the owner of a vehicle of the following class, that is to say a passenger vehicle, a goods vehicle or a motor cycle, may apply to the Council for the issue of a disabled residents' permit for the leaving of that vehicle and any such application shall be made on a form issued by and obtainable from the Council.'

- (vi) Add after Article 24(3)(g):

'(h) the issue of a replacement vehicle permit by the Council under the provisions of Article 25A of this Order.'

- (vii) Article 25(1) be deleted and substituted by:

'(1) If a permit is mutilated or accidentally defaced or the figures or particulars there 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 issue to him of a duplicate permit and the Council upon receipt of the permit, shall issue a duplicate permit and upon such issue the original permit shall become invalid.'

- (viii) Add after Article 25:

#### 'REPLACEMENT OF VEHICLE

25A (1) If the permit holder ceases to be the owner of the vehicle in respect of which the permit was issued, the permit holder shall surrender the permit to the Council and apply to the Council for the issue to him of a replacement vehicle permit for the new vehicle. The Council shall, upon receipt of the permit and proof that the vehicle has been changed, issue a replacement vehicle permit and, upon such issue, the original permit shall become invalid.

(2) There shall be a charge of £5.00 for the issue of a replacement permit under the provisions of this Article.'

(ix) Article 27(iii) Business Users' Permit be deleted and substituted by:

'The charge in connection with a business users' permit for the leaving of a vehicle in any parking place during the permitted hours shall be £37.00 for a period of one year.'

(x) Article 29 be deleted and substituted by:

'29 (a) At all times during which a resident's, carer's or business user's vehicle is left in a parking place during the permitted hours there shall be displayed in the front near side corner of the windscreen of the vehicle, a valid residents', carers' or business user's permit issued in respect of that vehicle or a visitor's permit issued and displayed under Article 32 of this Order, so that all the particulars referred to in Articles 26, 32 and 33 of this Order are readily legible from the side of the vehicle nearest the kerb.

(b) At all times during which a disabled residents' vehicle is left in one of the designated disabled residents' parking places there shall be displayed in the front near side corner of the windscreen of the vehicle, a valid disabled residents' permit issued in respect of that vehicle so that all particulars referred to in Articles 22 and 23 of this Order are readily legible from the side of the vehicle nearest the kerb.'

(xi) Article 32(2) be deleted and substituted by:

'(2) Any resident may initially obtain up to 6 visitor permit cards each allowing 10 visits and further cards may be obtained from the Council only upon the surrender of a completed permit card.'

(xii) Article 36(i)(a)(ii) be deleted and substituted by:

'(ii) the distance between the edge of the carriageway and the nearest wheel of the vehicle is not more than 500 millimetres; or'

(xiii) Article 43(d) be deleted and substituted by:

'(d) the 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 of a public utility in pursuance of statutory powers or duties;'

(xiv) Article 44 be deleted and substituted by:

'44 Nothing in Article 41 of this Order shall render it unlawful to cause or permit a disabled person's vehicle which displays in the relevant position, a valid 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 waiting began, to wait on the lengths of road or sides of road referred to in Article 21(a) of this Order.'

(xv) Article 48(b) be deleted and substituted by:

'(b) the 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 of a public utility in pursuance of statutory powers or duties;'

(xvi) Article 50(c) be deleted and substituted by:

'(c) to a vehicle being used in the service of a local authority or of a public utility in pursuance of statutory powers or duties;'

(xvii) Article 56(3) be deleted and substituted by:

'(3) The driver of a vehicle leaving a vehicle in a parking place during the charging hours specified shall, at all times during which the vehicle is left in the parking place, display or attach the ticket or tickets or parking disc or parking permit referred to in paragraph 1 of this Article so that the validity of the ticket or tickets or parking disc or parking permit can be checked by a person standing at the offside of a vehicle:

(a) In the case of a motor cycle in a conspicuous position on the offside of the vehicle in front of the driving seat;

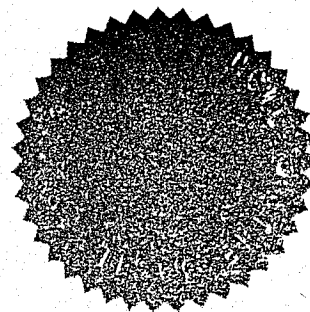
(b) In the case of all other vehicles in such a position as to be clearly visible through the offside of the windscreen facing frontwards.

A vehicle shall not be left in a parking place if it displays an out-of-date ticket, tickets, parking disc or parking permit.'

Dated this 11th day of January 2005

THE COMMON SEAL of the )  
DISTRICT COUNCIL of )  
BASILDON was hereunto )  
affixed by Order: )

*Boone*



Hi52-ref J15

R12/03