

NORTH YORKSHIRE COUNTY COUNCIL

(VARIOUS ROADS, BOROUGH OF HARROGATE)
(PARKING AND WAITING) (NO.36) ORDER 2015

North Yorkshire County Council (hereinafter referred to as "the Council") in exercise of their powers under Sections 1(1), 2(1) to (3), 4(2), 32(1), 35(1) and 45 to 49 of the Road Traffic Regulation Act 1984 and Part IV of Schedule 9 to the 1984 Act and under the Traffic Management Act 2004 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, hereby make the following Order:-

PART I

GENERAL

1. (1) When used in this Order each of the following expressions has the meaning assigned to it below:-

"Authorisation Card" means a card issued by the Council under Article 38 as proof of entitlement to purchase Residents' Guest Permits and Guest House Permits and is not itself a Permit;

"Authorised Parking Place" means any parking place on a road authorised or designated by an Order made or having effect as if made under the 1984 Act and, or which is comprised within and indicated by a road marking complying with either diagram 1028.3, 1028.4, 1032 or diagram 1033 in Schedule 6 to the 2002 Regulations or otherwise authorised by the Department for Transport;

"Business Premises" means any one hereditament assessed for Uniform Business Rate or (except in the case of holiday flats or premises let on tenancies of less than three months which shall each be treated as separate Business Premises) where more than one such hereditament is occupied by substantially the same personnel within the same or neighbouring buildings or curtilages, the combination of such hereditaments is one Business Premises for the purposes of this Order

"Bus" or "Buses" has the same meaning as in regulation 22(2) of the 2002 Regulations;

"Bus Stop Area" means any area of carriageway intended for the waiting of Buses and which is comprised within and indicated by a road marking complying with either diagram 1025.1, 1025.3 or 1025.4 in Schedule 6 to the 2002 Regulations;

"Carriageway" means that part of the Road over which the public have right of way for the passage of Motor Vehicles and excludes any way over which the public have right of way on foot only;

"Charge Certificate" means the statement that the penalty charge has been increased in accordance with Regulation 21 of The Civil Enforcement of Parking Contraventions (England) General Regulations 2007;

"Civil Enforcement Officer" means any officer of the Council who is duly authorised in writing in that behalf (from time to time) by the Council to enforce the provisions of this Order pursuant to Section 76 of the 2004 Act and Section 63A of the 1984 Act;

"Column" means a Column in a Schedule or Part of a Schedule referred to or last referred to;

"Cycle Track" has the same meaning as in Section 329 of the Highways Act 1980;

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

"Director of Development Services" means the officer employed in that post or any

equivalent post by the Harrogate Borough Council;

"Disabled Person" means a person who holds a disabled persons' badge in accordance with the provisions of the Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000 (No. 682) (and in particular Regulation 4 thereof) or any re-enactment thereto;

"Disabled Person's Badge" means a badge issued in accordance with the provisions of the Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000 (as amended) (in particular Regulation 11 and the Schedule thereto) or under regulations having effect in Scotland and Wales under Section 212 of the Chronically Sick and Disabled Persons Act 1970 as referred to currently by the Local Authorities Traffic Orders (Exemptions for Disabled) (England) Regulations 2000 (No. 683) or any subsequent further re-enactments thereof;

"Disabled Person's Parking Bay" means any area of carriageway designated as a Parking Place reserved for Disabled Person's Badge holders and which is comprised within and indicated by a road marking complying with diagram 1028.3 or 1033 in Schedule 6 to the 2002 Regulations;

"Disabled Person's Vehicle" means a vehicle driven by a Disabled Person as defined in Regulation 4(2) of the Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000 (No. 682);

"Driver", in relation to a vehicle waiting in a parking place, means the person driving the vehicle at the time it was left in the parking place (and shall, as appropriate, bear the meaning assigned by Section 142 of the 1984 Act);

"Goods" shall mean items of any description which cannot easily be carried by one person and do not include Goods that are not pre-ordered, shopping, small fragile Goods or cash or other valuable securities which are being collected or delivered from a bank/building society (except in the case of security company collections);

"Goods Vehicle" means a motor vehicle constructed or adapted for the carriage or haulage of Goods or burden of any description (other than the effects of passengers) or a trailer so constructed or adapted whether or not such Trailer may by superimposition be attached to the Motor Vehicle in such a manner as to cause a substantial part of its weight to be borne by the Motor Vehicle;

"Hackney Carriage" has the same meaning as in section 38 of the Town Police Clauses Act 1847 as referred to in The Local Government (Miscellaneous Provisions) Act 1976 save further that reference to "plying for hire" shall be excluded from this definition; and "Taxi" shall be construed to the extent that these terms are interchangeable;

"Heavy Commercial Vehicle" has the same meaning as in section 138 of the 1984 Act and which has an operating weight exceeding 7.5 tonnes;

"Heavy Goods Vehicle" means a Goods Vehicle with a maximum gross weight exceeding 7.5 tonnes which is constructed or adapted to carry or haul Goods of any description or which is fitted with a special appliance, plant, machinery or apparatus, such appliance plant machinery of apparatus being included in the weight or, for the purposes of this Order, a 'Heavy Commercial Vehicle' as defined in section 138 of the 1984 Act;

"Higher Level Contraventions" are as defined in The Civil Enforcement of Parking Contraventions (Guidelines on Levels of Charges) (England) Order 2007 or any amendment or re-enactment thereof;

"Household" means any self-contained unit of domestic living accommodation which contains sleeping, cooking, washing and toilet facilities;

"Invalid Carriage" means a mechanically propelled vehicle not being a specialist

Motor Vehicle the weight of which unladen does not exceed 254 kgs and which is specifically designed and constructed, and not merely adapted, for the use of a person suffering from severe physical defect or disability and which is used solely for such a person;

"junction" means, unless otherwise indicated in this Order, the intersection of the general alignment of the boundaries of two road kerblines or projected kerblines of roads;

"Length" referring to a Road means a length of road described in a Schedule;

"Loading" and, or "Unloading" means when a Motor Vehicle stops to load or unload Goods and "Loaded" and "Unloaded" shall be construed accordingly;

"Loading Bay" means any area of carriageway intended for the waiting of vehicles for so long as may be necessary to enable Goods to be loaded on or unloaded from the vehicle and which is comprised within and indicated by a road marking complying with diagram 1028.3 or 1032 in Schedule 6 to the Traffic Signs Regulations and General Directions 2002;

"Lower Level Contraventions" means all parking contraventions which are not higher level contraventions as defined in The Civil Enforcement of Parking Contraventions (Guidelines on Levels of Charges) (England) Order 2007 or any amendment or re-enactment thereof;

"maximum gross weight" shall have the meaning ascribed to that expression by Regulation 4 of the Traffic Signs Regulation and General Directions 2002;

"Motor Car" shall mean and include any mechanically propelled vehicle not being a Motor Cycle or an Invalid Carriage, which is constructed itself to carry passengers of which the weight unladen does not normally exceed 3500 kilograms subject always to the inclusion of the extended meaning to this term given in Section 136 of the 1984 Act (and whether or not it is being used for business purposes);

"Motor Cycle" and "Invalid Carriage" have the same meanings respectively as in Section 136(4) of the 1984 Act;

"Motor Vehicle" means any class of mechanically propelled vehicle including Motor Cycles, Motor Cars, Goods Vehicles and car derived vans, and shall bear the extended definition given thereto in Sections 136 and 137 of the 1984 Act (but shall not include any Heavy Commercial Vehicle as defined in Section 138 of the 1984 Act) (and whether or not it is being used for business purposes). Where reference is made to vehicle or Motor Vehicle in the Order these terms shall be deemed to have the same meaning and be interchangeable and to be interpreted accordingly;

"Officer" means an Officer of the Council duly authorised for any purpose;

"Operative Hours" means in relation to those lengths of Road specified in Schedules 7 and Part I of Schedule 8 and for the period specified in those lengths of Road specified in Schedules 7 and Part I of Schedule 8;

"Owner" in relation to a Motor Vehicle means the person by whom such Motor Vehicle is kept and used;

"Paragraph" means a paragraph of the Article in which the word appears unless otherwise stated;

"Parking Disc" means:

- (a) in relation to Part VIII of this Order, a device which is capable of showing the Quarter Hour Period during which a Motor Vehicle arrived at a Parking Place; and

(b) in relation to Part III of this Order (Disabled Persons Parking Places), a device which:-

- (i) is 123 millimetres square and coloured blue, issued on or after 1st April 2000, or orange if issued before that date;
- (ii) has been issued by a local authority and has not ceased to be valid; and
- (ii) is capable of showing the Quarter Hour Period during which a period of waiting began;

"Parking Charge" means payment made at a Ticket Machine made under the provisions of Article 19;

"Parking Place" means any parking place on a road authorised or designated by an Order made or having effect as if made under the 1984 Act and which is comprised within and indicated by a road marking complying with either diagram 1028.3, 1028.4, 1032 or diagram 1033 in Schedule 6 to the 2002 Regulations or otherwise authorised by the Department for Transport;

"Parking Services Manager" means an Officer for the time being appointed to that post by the Harrogate Borough Council;

"Parking Ticket" means a ticket dispensed by a Ticket Machine on payment of the appropriate Parking Charge under the provisions of Article 19;

"Passenger Vehicle" means a Motor Vehicle (other than a Motor Cycle, an Invalid Carriage, Goods Vehicle or Heavy Commercial Vehicle) as defined in this Order;

"Penalty Charge" means a charge set by the Council in accordance with charges set by the Secretary of State under the provisions of Section 77 and Schedule 9 of the 2004 Act and The Civil Enforcement of Parking Contraventions (Guidelines on Levels of Charges) (England) Order 2007 which is to be paid to the Council within 28 days beginning with the date of service endorsed upon the penalty charge notice in the manner set out in the penalty charge notice;

"Penalty Charge Notice" means a notice issued or served by a civil enforcement officer or posted by the Council pursuant to the provisions of Section 78 of the 2004 Act and The Civil Enforcement of Parking Contraventions (England) General Regulations 2007;

"Permit" means a Valid Permit and includes any Permit issued by the Council under the provisions of this Order which has become invalid or is used in circumstances in which it is invalid;

"Permit Holder" means a person to whom a Permit has been issued under the provisions of this Order until such time as that Permit is surrendered to the Council or the Permit expires;

"Post office" and any reference to "post office vehicle" or "postal packets" shall be construed in the context of the Postal Services Act 2000 and the Postal Services Act 2000 (Consequential Modifications to Local Enactments No. 1) Order 2001 (SI No. 2001/648) and shall include therefore references to "universal service providers", as the context shall require;

"Quarter Hour Period" means a period of quarter of an hour starting at any hour or fifteen, thirty or forty-five minutes past the hour which can be shown on the Parking Disc;

"Reduced Penalty Charge" means a charge set by the Council in accordance with charges set by the Secretary of State under the provisions of Section 77 and

Schedule 9 of the 2004 Act and The Civil Enforcement of Parking Contraventions (Guidelines on Levels of Charges) (England) Order 2007 which is to be paid to the Council within 14 days following the date of service endorsed upon the penalty charge notice in the manner set out in the penalty charge notice;

"Registered Keeper" means:-

- (a) the person whose name appears in the Motor Vehicle registration document or book of the Motor Vehicle in whose name the vehicle is registered, or
- (b) a person who has the permanent use of the Motor Vehicle vested in the name of his employer, or in the case of a leased Motor Vehicle in the name of the leasing company;

"Relevant Position" means (in conformity with Regulation 12 of the Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000 (SI 2000 No. 682) referred to above):-

- (a) in relation to a Disabled Person's Badge,
 - (i) in the case of a vehicle fitted with a dashboard or facia panel, the badge is exhibited thereon so that Part 1 of the Disabled Person's Badge is legible from outside the vehicle; or
 - (ii) in the case of a vehicle not fitted with a dashboard or facia panel, the badge is exhibited in a conspicuous position on the Motor Vehicle so that Part 1 of the Disabled Person's Badge is legible from outside the vehicle.
- (b) in relation to a Parking Device or Parking Disc (in conformity with Regulation 4 of the Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000 (SI 2000 No. 683)):-
 - (i) in the case of a vehicle fitted with a dashboard or fascia panel the Parking Disc is exhibited thereon so that the quarter-hour period during which the period of waiting began is legible from outside the vehicle; or
 - (ii) in the case of a vehicle not so fitted the Parking Disc is exhibited in a conspicuous position on the Motor Vehicle so that the quarter-hour period during which the period of waiting began is clearly legible from the outside of the vehicle.
- (c) in relation to a Permit
 - (i) in the case of a vehicle fitted with a front windscreen the Permit is exhibited thereon on the near side of and immediately behind the windscreen and with the front facing forward so as to be legible from the outside of the vehicle; or
 - (ii) in the case of a vehicle not fitted with a front windscreen, the Permit is exhibited in a conspicuous position on the vehicle.
- (d) in relation to a Parking Ticket
 - (ii) in the case of a vehicle fitted with a front windscreen the Permit is exhibited thereon on the near side of and immediately behind the windscreen and with the front facing forward so as to be legible from the outside of the vehicle; or
 - (ii) in the case of a vehicle not fitted with a front windscreen, the Permit is exhibited in a conspicuous position on the vehicle.

"Resident" means a person whose usual place of abode is at premises fronting any length of Road specified in Schedules 7 and 8, holding a driving licence and who may make an application for a Household Permit for a Motor Vehicle having an unladen weight of not more than 3500Kgs;

"Road" means the full width of the highway including the carriageway and footway any other Road to which the public has access and includes bridges over which a Road passes;

"Service" or "Served" in respect of a Penalty Charge Notice means the forms of service specified in regulations 9 and 10 of The Civil Enforcement of Parking Contraventions (England) General Regulations 2007 or any amendment or re-enactment thereof;

"School Keep Clear Area" means any area of carriageway outside a school entrance which should be kept clear of stationary Motor Vehicles and which is comprised within and indicated by a road marking complying with diagram 1027.1 in Schedule 6 to the 2002 Regulations;

"Secretary of State" means the Secretary of State for Transport;

"Taxi" means a Hackney Carriage in respect of which a licence has been issued pursuant to the provisions of the Town Police Clauses Acts 1847 and 1889 and any private hire vehicle in respect of which a licence has been issued pursuant to the provisions of the Local Government (Miscellaneous Provisions) Act 1976;

"Ticket Machine" means any apparatus or a device of a type and design approved in accordance with Section 46(2) of the 1984 Act designed to indicate the time and date by a clock operated by the insertion of coins, bank notes, credit or debit cards and that issues Parking Tickets indicating the payment of a Parking Charge, the date and time at which that Parking Charge was paid and the time by which the Motor Vehicle must leave the Parking Place;

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

"Trailer" shall have the meaning assigned to it by Section 136(1) of the 1984 Act;

"the 1984 Act" means the Road Traffic Regulation Act 1984;

"the 2002 Regulations" means the Traffic Signs Regulations and General Directions 2002;

"the 2004 Act" means the Traffic Management Act 2004;

"Valid Permit" means a Permit issued in respect of a Motor Vehicle under the provision of Article 38 which has not become invalid and is not being used in circumstances where it is not valid;

"Verge" means any part of a Road which is not a carriageway, footway or lay-by;

"Zone" means an area referred to in Schedules 7 and 8 to this Order and any one zone may be referred to by the reference number given to that Zone in Schedule 8 Part IV or the title on the plan of that zone;

- (2) Except where otherwise stated, any reference in this Order to a numbered Article is a reference to the Article bearing that number in this Order, and any reference in this Order to a Schedule is a reference to a Schedule bearing that number in this Order.

2. For the purposes of this Order any reference to a length of Road shall be construed as a reference to the length specified in Column 4 of the Schedules to this Order of the side or

sides of Road specified in respect of that length in Column 3 thereof in relation to the Road named in respect of that side or those sides in Column 2 of those Schedules.

PART II

PROHIBITION AND RESTRICTION OF WAITING

3. Save as provided in Article 7 of this Order no person shall except upon the direction or with the permission of a Civil Enforcement Officer, cause or permit any Motor Vehicle to wait at any time in any length of Road specified in Schedule 1.
4. Save as provided in Article 7 of this Order no person shall except upon the direction or with the permission of a Civil Enforcement Officer, cause or permit any Motor Vehicle to wait between the hours of 8.00am and 6.00pm, Mondays to Saturdays (inclusive) in any length of Road specified in Schedule 2.
5. Save as provided in Article 7 of this Order no person shall except upon the direction or with the permission of a Civil Enforcement Officer, cause or permit any Motor Vehicle to wait between the hours of 8.00am and 6.00pm, Mondays to Fridays (inclusive) in any length of Road specified in Schedule 3.
6. Save as provided in Article 7 of this Order no person shall except upon the direction or with the permission of a Civil Enforcement Officer, cause or permit any Motor Vehicle to wait between the hours of Midnight and 8.00am and 5.00pm to Midnight, Mondays to Fridays, Saturdays and Sundays (inclusive) in any length of Road specified in Schedule 4.
7. (i) Nothing in Articles 3, 4, 5 and 6 of this Order shall render it unlawful to cause or permit any Motor Vehicle to wait in any length of Road specified in Schedules 1 to 4 to this Order for so long as may be necessary to enable:-
 - (a) a person to board or alight from the Motor Vehicle;
 - (b) Goods to be Loaded on or Unloaded from the Motor Vehicle; or
 - (c) the Motor Vehicle if it cannot conveniently be used for such purposes in any other Road to be used in connection with any of the following operations:-
 - (i) building, industrial or demolition operations;
 - (ii) the removal of any obstruction to traffic;
 - (iii) the maintenance, improvement or reconstruction of any length of Road specified in the said Schedules;
 - (iv) the laying, erection, alteration or repair, in or in land adjacent to, the length of Road specified in the said Schedules of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity or of any electronic communications apparatus as defined in Schedule 2 to the Telecommunications Act 1984; or
 - (v) the delivery or collection of postal packets as defined in Section 125(1) of the Postal Services Act 2000 at or from premises fronting any length of Road specified in the said Schedules.
 - (d) the Motor Vehicle if it cannot conveniently be used for such purpose in any other Road to be used in the service of a local authority or a water authority for the purpose of the performance of the statutory functions of such authority;
 - (e) the Motor Vehicle to take in petrol, oil, water or air from any garage situated on or adjacent to any length of Road specified in the said Schedules;

(f) the Motor Vehicle to wait at or near to any premises situated on or adjacent to any length of Road specified in the said Schedules for so long as is reasonably necessary to enable the vehicle to be used for or in connection with the purposes of any wedding or funeral taking or to take place from or at any such premises, or

(g) the Motor Vehicle to be used for Fire Brigade, Ambulance or Police purposes.

(2) Nothing in Articles 3, 4, 5 and 6 of this Order shall render it unlawful to cause or permit a

Disabled Person's Vehicle which displays in the Relevant Position a Disabled Person's Badge whilst such Motor Vehicle is being used by or for the convenience of a Disabled Person and a Parking Disc (on which the Driver or other person in charge of the Motor Vehicle has marked the time at which the period of waiting began) to wait in any of the lengths of Road referred to in that Article 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 Motor Vehicle in the same length of Road on the same day).

8. No person shall except upon the direction or with the permission of a Civil Enforcement Officer, cause or permit any vehicle to wait or stop between the hours of 8.00 am and 5.00 pm, Monday to Friday (inclusive) in any length of road specified in Schedule 5, such lengths of road being designated as School Keep Clear Areas.

9. No person shall except upon the direction or with the permission of a Civil Enforcement Officer, cause or permit any Motor Vehicle other than a bus to wait between the hours of 8.00 am and 5.00 pm, Monday to Friday (inclusive) for longer than 30 minutes, return prohibited within one hour, in the length of Road specified in Schedule 6.

10. Nothing in Articles 8 or 9 of this Order shall render it unlawful to cause or permit any Motor Vehicle to wait in any of the lengths of Road to which those Articles apply if it is necessary to do so to enable:-

(a) the Motor Vehicle if it cannot conveniently be used for such purposes in any other Road to be used in connection with any of the following operations:-

(i) building, industrial or demolition operations;

(ii) the removal of any obstruction to traffic;

(iii) the maintenance, improvement or reconstruction of any length of Road specified in Schedule 5 or 6; or

(iv) the laying, erection, alteration or repair, in or in land adjacent to, any length of Road specified in Schedule 5 or 6 of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity or of any telecommunications apparatus as defined in the Telecommunications Act 1984.

(b) the Motor Vehicle if it cannot conveniently be used for such purpose in any other Road to be used in the service of a local authority or a water authority for the purpose of the performance of the statutory functions of such authority;

(c) the Motor Vehicle to be used for Fire Brigade, Ambulance or Police purposes.

PART III

PENALTY CHARGE AND PAYMENT

11. Where a Motor Vehicle:-

- (a) waits, parks or is left on a Road in contravention of the foregoing provisions of this Order or otherwise contravenes or fails to comply with the provisions of this Order, insofar as it relates to a Motor Vehicle waiting, parking or being left on a Road; or
- (b) waits, parks or is left on a Road in contravention of any other Traffic Regulation Order the provisions of which are not consolidated into this Order or fails to comply with the provisions of any such Order insofar as it relates to a vehicle waiting, parking or being left on a Road; or
- (c) parks in contravention of the provisions of Sections 19 or 21 of the Road Traffic Act 1988 (prohibition of parking of HGVs on Verges, central reservations and footways), and (driving or parking on Cycle Tracks);

a penalty charge shall be payable by the owner for each day of the said contravention or non-compliance.

12. The penalty charge or reduced penalty charge shall be in the sum of the following amounts:-

- (a) The penalty charge - Band 2 as set out in Section 1 of The Civil Enforcement of Parking Contraventions (Guidelines on Levels of Charges) (England) Order 2007 subject to payment being received by the Council as provided in Article 16 within 28 days beginning with the date of service of the penalty charge notice.
- (b) The reduced penalty charge - a 50 per cent reduction of the penalty charge subject to payment being received by the Council as provided in Article 17 within 14 days beginning with the date of service of the penalty charge notice.
- (c) On the issue of a charge certificate in accordance with the provisions of Regulation 21 of The Civil Enforcement of Parking Contraventions (England) General Regulations 2007 to the effect that the penalty charge in question is increased by 50 per cent.

13. Service of a penalty charge notice or charge certificate by post is deemed effective on the second working day after the day of posting.

14. In the case of a motor vehicle in respect of which a penalty charge is payable under Article 11 a penalty charge notice, which shall comply with the requirements of Regulation 9 and the Schedule to The Civil Enforcement of Parking Contraventions (England) General Regulations 2007, may be issued by a civil enforcement officer and may accordingly be affixed to the motor vehicle in a conspicuous position or given to the person appearing to be in charge of the vehicle,

15. In the case of a motor vehicle in respect of which a penalty charge is payable under Article 11 a penalty charge notice, which shall comply with the requirements of Regulation 10 and the Schedule to The Civil Enforcement of Parking Contraventions (England) General Regulations 2007, may be issued by post by the Council if the owner of the vehicle drives the vehicle away before the civil enforcement officer has issued a penalty charge notice or the civil enforcement officer has been prevented from issuing a penalty charge notice.

16. Payment of the penalty charge to the Council shall be paid by electronic transfer, cash or by credit card or debit card, cheque or postal order in each case crossed and made payable to Harrogate Borough Council which shall be delivered or sent by post so as to reach the relevant Department/ Office of the Council as stated on the penalty charge notice not later than 4:30pm, within 28 days beginning with the date of service of the penalty charge notice, but should the said Council Department/ Office be closed on that day, the period for receiving payment may be extended until 4:30pm on the next full working day. Payment may also be made in person or by phone as detailed on the Penalty Charge Notice.

17. Payment of the reduced penalty charge to the Council shall be paid by electronic transfer, cash or by credit card or debit card, cheque or postal order in each case crossed and made payable to Harrogate Borough Council which shall be delivered or sent by post so as to reach the relevant Department/ Office of the Council as stated on the penalty charge notice not later than 4:30pm, within 14 days beginning with the date of service of the penalty charge notice, but should the said Council Department/ Office be closed on that day, the period for receiving payment may be extended until 4:30pm on the next full working day. Payment may also be made in person or by phone as detailed on the Penalty Charge Notice.
18. The particulars given in the penalty charge notice attached to a vehicle, given to the person appearing to be in charge of the vehicle or issued by post by the Council in accordance with Articles 11-18 shall be treated as evidence in any proceedings relating to failure to pay such penalty charge.

PART IV

REVOCATION OF EXISTING ORDERS

19. The Traffic Regulation Orders specified in Column 1 of Schedule 7 to this Order are hereby revoked to the extent specified in Column 2 of that Schedule, and to the extent that the provisions of this Order are inconsistent with, or incompatible with, the provisions of any other Order, Byelaws or enactment relating to traffic regulation in Harrogate, Knaresborough, Pannal and Burnbridge area not specifically referred to in Schedule 9, the provisions of this Order shall prevail for all purposes.

PART V

OPERATION OF THE ORDER

20. The prohibitions and restrictions imposed by this Order shall be in addition to and not in derogation from any restriction or requirement imposed by any Order or regulations made or having effect as if made under the Act or by or under any other enactment.
21. This Order shall come into operation on 2 November 2015 and may be cited as "North Yorkshire County Council (Various Roads, Borough of Harrogate) (Parking and Waiting) (No.36) Order 2015".

THE COMMON SEAL of NORTH
YORKSHIRE COUNTY COUNCIL
was hereunto affixed this 27th
day of October 2015 in the presence
of:-)
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A handwritten signature in black ink, appearing to read 'H S C S C', written over a horizontal line.

AUTHORISED
SIGNATORY

SCHEDULE 1**WAITING PROHIBITED AT ALL TIMES WITH EXEMPTIONS**

<u>Column 1</u> <u>Item</u>	<u>Column 2</u> <u>Road</u>	<u>Column 3</u> <u>Side</u>	<u>Column 4</u> <u>Length</u>
1	U3164 Church Lane, Ripon	South east	From its intersection point with the northern kerbline of Park Street for a distance of 24 metres in a northerly direction.
2	U3164 Church Lane, Ripon	South east	From its intersection point with the south west kerbline of Blossomgate to a point 29 metres south west of its intersection point with the south west kerbline of Blossomgate.
3	U3164 Church Lane, Ripon	North west	From its intersection point with the northern kerbline of Park Street for a distance of 22 metres in a northerly direction.
4	U3164 Church Lane, Ripon	North west	From a point 105.52 metres north east of its intersection point with the northern kerbline of Park Street to a point 120.8 metres north east of its intersection point with the northern kerbline of Park Street.
5	U3164 Church Lane, Ripon	North west	From its junction with Kirkby Road to a point 70 metres south west of its junction with Kirkby Road.
6	U2978 Clothierholme Road, Ripon	South west	From a point 9.5 metres south east of its intersection point with the projected boundary line of Nos. 21/ 23 Clothierholme Road to a point 20.5 metres south east of its intersection point with the projected boundary line of Nos. 21/ 23 Clothierholme Road.
7	U3003 College Road, Ripon	North/ north east	From its intersection point with Coltsgate Hill to a point 200.6 metres west of its intersection points of the northern kerbline of Coltsgate Hill with the north west kerb line of Marshall Way.
8	U3003 College Road, Ripon	South/ south west	From its intersection point with Coltsgate Hill to a point 62 metres north west of the junction of Coltsgate Hill and Trinity Lane.
9	U3004 Coltsgate Hill, Ripon	North/ north east	From its intersection point with the north west kerb line of Marshall Way to its intersection point with College Road.

<u>Column 1</u> <u>Item</u>	<u>Column 2</u> <u>Road</u>	<u>Column 3</u> <u>Side</u>	<u>Column 4</u> <u>Length</u>
10	U3004 Coltsgate Hill, Ripon	South/ south west	From its junction with Marshall Way to a point 8 metres south east of its intersection point with the projected boundary line of Nos. 12/ 13 Coltsgate Hill.
11	U3004 Coltsgate Hill, Ripon	South/ south west	From a point 4 metres north west of its intersection point with the projected boundary line of Nos. 12/ 13 Coltsgate Hill to a point 14.6 metres north west of its intersection point with the projected boundary line of Nos. 12/ 13 Coltsgate Hill.
12	U3004 Coltsgate Hill, Ripon	South/ south west	From a point 40 metres north west of its intersection point with the projected boundary line of Nos. 12/ 13 Coltsgate Hill to its intersection point with College Road.
13	C422 Harrogate Road, Ripon	South west	From its junction with Lead Lane to a point 16.6 metres north west of its junction with Lead Lane.
14	C371 Kirkby Road, Ripon	North east	From its junction with Trinity Lane to a point 40 metres north west of its intersection point with the projected boundary line of Nos. 4/ 6 Kirkby Road, measured along the north east channel line.
15	C371 Kirkby Road, Ripon	South west	From its junction with Church Lane to a point 1.3 metres north west of its intersection point with the projected boundary line of Nos. 4/ 6 Kirkby Road, measured along the south west channel line.
16	C371 Kirkby Road, Ripon	South west	From a point 33 metres north west of its intersection point with the projected boundary line of Nos. 4/ 6 Kirkby Road to a point 55.8 metres north west of its intersection point with the projected boundary line of Nos. 4/ 6 Kirkby Road, measured along the south west channel line.
17	C371 Kirkby Road, Ripon	South west	From a point 85.8 metres north west of its intersection point with the projected boundary line of Nos. 4/ 6 Kirkby Road to a point 97.8 metres north west of its intersection point with the projected boundary line of Nos. 4/ 6 Kirkby Road, measured along the south west channel line.

<u>Column 1</u> <u>Item</u>	<u>Column 2</u> <u>Road</u>	<u>Column 3</u> <u>Side</u>	<u>Column 4</u> <u>Length</u>
18	C371 Kirkby Road, Ripon	South west	From a point 110 metres north west of its intersection point with the projected boundary line of Nos. 4/ 6 Kirkby Road to a point 150 metres north west of its intersection point with the projected boundary line of Nos. 4/ 6 Kirkby Road, measured along the south west channel line.
19	U3060 Lead Lane, Ripon	North west	From its junction with Harrogate Road to a point 28.9 metres south west of its junction with Harrogate Road.
20	U3060 Lead Lane, Ripon	South east	From its junction with Harrogate Road to its junction with Dudley Walk.
21	U3035 Low Mill Road, Ripon	South east	From its junction with Low St Agnesgate to a point 22 metres east of its intersection point with the projected western building line of the property know as Alma House.
22	U3040 Trinity Lane, Ripon	South east	In its entire length.
23	U3040 Trinity Lane, Ripon	North west	From its intersection point with the north east kerbline of Kirkby Road to a point 33 metres north east of its intersection point with the north east kerbline of Kirkby Road.
24	U3040 Trinity Lane, Ripon	North west	From a point 133 metres north east of its intersection point with the north east kerbline of Kirkby Road to its junction with Coltsgate Hill.
25	C420 Boroughbridge, Boroughbridge	North west	From a point 30.2 metres north east of the centre line of the U3572 Minskip Road, at the bridge expansion joint on the south west side of the A1(M) bridge to a point 288.5 metres north east of the centre line of the U3572 Minskip Road.
26	C420 Boroughbridge, Boroughbridge	North west	From a point 304.5 metres north east of the centre line of the U3572 Minskip Road to its intersection point with the south west kerbline of the C267 Wetherby Road roundabout.
27	C420 Boroughbridge, Boroughbridge	South east	From a point 29.5 metres north east of its intersection point with the projected centre line of the U3572 Minskip Road to a point 288 metres north east of its intersection point with the projected centre line of the U3572 Minskip Road.

<u>Column 1</u> <u>Item</u>	<u>Column 2</u> <u>Road</u>	<u>Column 3</u> <u>Side</u>	<u>Column 4</u> <u>Length</u>
28	C420 Boroughbridge, Boroughbridge	South east	From a point 312 metres north east of its intersection point with the projected centre line of the U3572 Minskip Road to its intersection point with the southern kerbline of the C267 Wetherby Road roundabout.
29	C267 Wetherby Road, Boroughbridge	West	From its intersection point with the projected centre line of U1753 The Ridings in a northerly direction to its intersection point with the south eastern kerbline of the C420 roundabout.
30	U3338 Church Lane, Boroughbridge	East	From its junction with the B6265 Aldborough Road to a point 60.5 metres south of its junction with the B6265 Aldborough Road.
31	U3338 Church Lane, Boroughbridge	West	From its junction with the B6265 St James Square to a point 33 metres south of its junction with the B6265 St James Square.
32	U2816 Crag Lane, Killinghall	North	From a point 61 metres north west of its junction with Otley Road (B6161) to a point 82.5 metres north west of its junction with otley Road (B6161).
33	U2816 Crag Lane, Killinghall	South	From a point 59 metres north west of its junction with Otley Road (B6161) to a point 73 metres north west of its junction with otley Road (B6161).

SCHEDULE 2**WAITING PROHIBITED 8.00 AM TO 6.00 PM MONDAY TO SATURDAY (INCLUSIVE) WITH EXEMPTIONS**

<u>Column 1</u> <u>Item</u>	<u>Column 2</u> <u>Road</u>	<u>Column 3</u> <u>Side</u>	<u>Column 4</u> <u>Length</u>
1	U3004 Coltsgate Hill, Ripon	South/ south west	From a point 8 metres south east of its intersection point with the projected boundary line of Nos. 12/ 13 Coltsgate Hill to a point 4 metres north west of its intersection point with the projected boundary line of Nos. 12/ 13 Coltsgate Hill.
2	U3004 Coltsgate Hill, Ripon	South/ south west	From a point 14.6 metres north west of its intersection point with the projected boundary line of Nos. 12/ 13 Coltsgate Hill to a point 40 metres north west of its intersection point with the projected boundary line of Nos. 12/ 13 Coltsgate Hill.
3	U3003 College Road, Ripon	South/ south west	From a point 62 metres north west of its junction with Trinity Lane to a point 150.2 metres north west of its junction with Trinity Lane.
4	U3040 Trinity Lane, Ripon	North west	From a point 108.22 metres north east of its intersection point with the north east kerbline of Kirkby Road to a point 133 metres north east of its intersection point with the north east kerbline of Kirkby Road.

SCHEDULE 3**WAITING PROHIBITED 8.00 AM TO 6.00 PM MONDAY TO FRIDAY (INCLUSIVE) WITH EXEMPTIONS**

<u>Column 1</u> <u>Item</u>	<u>Column 2</u> <u>Road</u>	<u>Column 3</u> <u>Side</u>	<u>Column 4</u> <u>Length</u>
1	U2978 Clothholme Road, Ripon	North east	From a point 94 metres south east of its junction with Ash Grove to a point 122 metres south east of its junction with Ash Grove.
2	U2978 Clothholme Road, Ripon	North east	From a point 226 metres south east of its junction with Ash Grove to a point 244 metres south east of its junction with Ash Grove.

SCHEDULE 4

WAITING PROHIBITED MIDNIGHT TO 8.00 AM AND 5.00 PM – MIDNIGHT, MONDAY TO FRIDAYS, SATURDAYS AND SUNDAYS (INCLUSIVE) WITH EXEMPTIONS

<u>Column 1 Item</u>	<u>Column 2 Road</u>	<u>Column 3 Side</u>	<u>Column 4 Length</u>
1	U3040 Trinity Lane, Ripon	North west	From a point 33 metres north east of its intersection point with the north east kerbline of Kirkby Road to a point 108.22 metres north east of its intersection point with the north east kerbline of Kirkby Road.

SCHEDULE 5

WAITING AND STOPPING PROHIBITED 8.00 AM TO 5.00 PM MONDAY TO FRIDAY (INCLUSIVE) ON SCHOOL ENTRANCE MARKINGS

<u>Column 1 Item</u>	<u>Column 2 Road</u>	<u>Column 3 Side</u>	<u>Column 4 Length</u>
1	U3164 Church Lane, Ripon	North west	From a point 70 metres south west of its junction with Kirkby Road to a point 95.56 metres south west of its junction with Kirkby Road.
2	U3164 Church Lane, Ripon	North west	From a point 120 metres south west of its junction with Kirkby Road to a point 145.56 metres south west of its junction with Kirkby Road.
3	U3164 Church Lane, Ripon	North west	From a point 48.2 metres north east of its intersection point with the northern kerbline of Park Street to a point 79.76 metres north east of its intersection point with the northern kerbline of Park Street.
4	U3164 Church Lane, Ripon	North west	From a point 79.86 metres north east of its intersection point with the northern kerbline of Park Street to a point 105.42 metres north east of its intersection point with the northern kerbline of Park Street.
5	U2978 Clothierholme Road, Ripon	North east	From a point 170 metres south east of its junction with Ash Grove to a point 201.56 metres south east of its junction with Ash Grove.
6	U2978 Clothierholme Road, Ripon	South west	From a point 5.1 metres north west of its intersection point with the north west boundary line of No. 19 Clothierholme Road to a point 42.66 metres north west of its intersection point with the north west boundary line of No. 19 Clothierholme Road.

<u>Column 1 Item</u>	<u>Column 2 Road</u>	<u>Column 3 Side</u>	<u>Column 4 Length</u>
7	U2978 Clotherholme Road, Ripon	South west	From a point 5 metres north west of its intersection point with the north west boundary line of No. 19 Clotherholme Road to a point 32.56 metres south east of its intersection point with the north west boundary line of No. 19 Clotherholme Road.
8	U3060 Lead Lane, Ripon	North west	From a point 29 metres south west of its junction with Harrogate Road to a point 60.56 metres south west of its junction with Harrogate Road.
9	U3060 Lead Lane, Ripon	North west	From a point 152.44 metres south west of its junction with Harrogate Road to a point 190 metres south west of its junction with Harrogate Road.
10	U3040 Trinity Lane, Ripon	North west	From a point 33 metres north east of its intersection point with the north east kerbline of Kirkby Road to a point 70.56 metres north east of its intersection point with the north east kerbline of Kirkby Road.
11	U3040 Trinity Lane, Ripon	North west	From a point 70.66 metres north east of its intersection point with the north east kerbline of Kirkby Road to a point 108.22 metres north east of its intersection point with the north east kerbline of Kirkby Road.

SCHEDULE 6

AUTHORISED PARKING PLACE FOR BUSES ONLY - WAITING RESTRICTED TO 30 MINUTES BETWEEN THE HOURS OF 8.00 AM AND 5.00 PM MONDAY TO FRIDAY (INCLUSIVE) - RETURN PROHIBITED WITHIN 1 HOUR

<u>Column 1 Item</u>	<u>Column 2 Road</u>	<u>Column 3 Side</u>	<u>Column 4 Length</u>
1	U3164 Church Lane, Ripon	North west	From a point 96 metres south west of its junction with Kirkby Road to a point 119 metres south west of its junction with Kirkby Road.

SCHEDULE 7

REVOCATIONS

<u>Column 1</u> <u>Title of Order</u>	<u>Column 2</u> <u>Extent of Revocation</u>
North Yorkshire County Council (Various Roads, Borough of Harrogate) (Parking and Waiting) (No.34) Order 2012	In so far as it relates to item 1, Schedule 3 [No waiting 8am to 6pm – Church Lane, Ripon]
North Yorkshire County Council (Various Roads, Ripon) (Parking and Waiting) Order 2002	In so far as it relates to items 4 and 5, Schedule 2 [No waiting 8am to 6pm – Church Lane, Ripon]
North Yorkshire County Council (Various Roads, Ripon) (Parking and Waiting) Order 2002	In so far as it relates to items 3 and 4, Schedule 3 [No waiting 8am to 6pm, Monday to Saturday – College Road, Ripon]
North Yorkshire County Council (Various Roads, Borough of Harrogate) (Parking and Waiting) (No.34) Order 2012	In so far as it relates to items 33 and 34, Schedule 1 [No waiting at any time – Coltsgate Hill, Ripon]
North Yorkshire County Council (Various Roads, Ripon) (Parking and Waiting) Order 2002	In so far as it relates to items 5, 6 and 7, Schedule 3 [No waiting 8am to 6pm, Monday to Saturday – Coltsgate Hill, Ripon]
North Yorkshire County Council (Various Roads, Ripon) (Parking and Waiting) Order 2002	In so far as it relates to items 10 and 11, Schedule 2 [No waiting 8am to 6pm – Kirkby Road, Ripon]
North Yorkshire County Council (Various Roads, Borough of Harrogate) (Parking and Waiting) (No.35) Order 2013	In so far as it relates to item 4, Schedule 1 [No waiting at any time – Kirkby Road, Ripon]
North Yorkshire County Council (Various Roads, Ripon) (Parking and Waiting) Order 2002	In so far as it relates to item 67, Schedule 1 [No waiting at any time – Low Mill Road, Ripon]
North Yorkshire County Council (Various Roads, Ripon) (Parking and Waiting) Order 2002	In so far as it relates to item 11, Schedule 3 [No waiting 8am to 6pm, Monday to Saturday – Trinity Lane, Ripon]
North Yorkshire County Council (Various Roads, Borough of Harrogate) (Parking and Waiting) Order 2002	In so far as it relates to items 4 and 5, Schedule 1 [No waiting at any time – Church Lane, Boroughbridge]
North Yorkshire County (Prohibition of Waiting) (C267) Minskip to Boroughbridge Order 2007	In its entirety
North Yorkshire County Council (Various Roads, Borough of Harrogate) (Parking and Waiting) (No 34) Order 2012	In so far as it relates to items 15 and 18, Schedule 1 [No waiting at any time – Crag Lane, Killinghall]