

LINCOLNSHIRE COUNTY COUNCIL
(PROHIBITION AND RESTRICTION OF WAITING AND LOADING AND PARKING PLACES)
(CIVIL ENFORCEMENT AND CONSOLIDATION) ORDER 2012

THE LINCOLNSHIRE COUNTY COUNCIL in exercise of its powers under Sections 1, 2(1) and (2), 3, 4, 5, 32, 35, 45, 46, 49, 53, 124 and Part IV of Schedule 9 of the Road Traffic Regulation Act 1984 (the Act of 1984) as amended and the Traffic Management Act 2004 (the Act of 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 of 1984, hereby makes the following Order.

SECTION 1 – PRELIMINARY

Citation and commencement

1. This Order shall come into operation on **30 November 2012** and may be cited as the Lincolnshire County Council (Prohibition and Restriction of Waiting and Loading and Parking Places) (Civil Enforcement and Consolidation) Order 2012.
2. The Lincolnshire County Council (Prohibition and Restriction of Waiting and Loading and Parking Places) (Civil Enforcement and Consolidation) Order 2012 Plans including the key (the “Plans”) are incorporated into this Order.

Interpretation

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

“County Council” means Lincolnshire County Council and includes any parking services contractors or authorised agent appointed by or acting on behalf of the County Council for the purposes of any function under the provisions of this Order;

“District Council” means the District Council for that administrative area”

“approved timing point” is a location where a public service vehicle may wait to ensure adherence to a published timetable or local service registration and includes departure and terminal points, provided that the location and the service(s) have been approved in writing by the Highway Authority as subject to amendment in writing by the Highway Authority;

“business user” means a person who occupies or is employed at premises the postal address of which is in any street or part of a street described in Schedule 1 and who uses such premises for non-residential purposes;

“cycle lane” means a length of road specified in this Order as a cycle lane and bounded by delineating road markings as prescribed under the Traffic Signs Regulations and General Directions 2002 ;

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

"doctor" means a 'fully registered person' as defined in section 55 of the Medical Act 1983;

“driver” in relation to a vehicle waiting or parked in a restricted street or parking place respectively, means the person driving the vehicle at the time it was left in that restricted area or parking place and for the purposes of this Order and any legal proceedings taken thereunder if on the date a vehicle is left in a restricted area or parking place a person is shown to have been the registered owner or keeper thereof by notification in writing from the appropriate registration authority he or she shall be deemed to have been the driver of the vehicle on that date, unless the contrary is shown;

“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;

“goods” means goods of any kind whether animate or inanimate and includes postal packets;

"hackney carriage" means a vehicle licensed under Section 37 of the Town Police Clauses Act 1847;

“issuing authority” means either the County Council or the District Council or any organisation contracted by the them to issue permits;

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

“main carriageway” means that part of the public highway used primarily for through traffic provided that the expression main carriageway shall not include any lay-by;

“motorcycle” has the same meaning as that in Section 136 of the Act of 1984;

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

“operational police vehicle” means any vehicle owned by the Police Authority (whether marked with livery or unmarked), any vehicle hired by the Police Authority for police purposes, or any privately owned vehicle which at the time of being parked is being used for police purposes for which the owner is entitled to make a claim for the mileage incurred in that use;

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

“parking bay” means a space marked out in a parking place which is provided for the parking of a vehicle of a specific class;

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

“parking place” means an area of a highway authorised by this Order for the parking of vehicles of specific classes;

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

"pedal cycle " has the same meaning as in Regulation 4 of the Traffic Signs Regulations and General Directions 2002

“permit” means any permit issued under the provisions of this Order;

“permit holder” means a person to whom a permit has been issued;

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

“public service vehicle” has the same meaning as defined by Section 1 of the Public Passenger Vehicle Act 1981 and any reference in this Order to a public service vehicle includes such a vehicle being used on a “local service” or a “nonlocal service” as defined by Section 2 of the Transport Act 1985;

“relevant position” in respect of:

(a) a disabled person’s badge and parking disc has the same meaning as in the Local Authorities’ Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000; and

(b) a permit or Pay and Display ticket means exhibited on the windscreen, dashboard or fascia of the vehicle or, where the vehicle does not have a windscreen, dashboard or fascia, in a conspicuous position on the vehicle so that the whole of the information on the front of the permit or Pay and Display ticket is clearly legible from outside the vehicle;

“resident” means a person whose usual residence is at premises the postal address of which is in any road or part of road specified in Schedule 1;

“specified users parking place” means any parking place provided for use by a specified groups of users

“street” and “road” have similar meanings for the purpose of this order;

“taxi” has the same meaning as given in Regulation 4 of the Traffic Signs Regulations and General Directions 2002.

“taxi rank” means an area of carriageway which is indicated by road markings complying with diagram 1028.2 in the Traffic Signs Regulations and General Directions 2002 for use by Hackney Carriages;

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

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

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

4. Any reference in this Order to a numbered Article shall, unless the context requires otherwise, be construed as a reference to the Article bearing that number in this Order and any reference to the Plans is a reference to the Plans incorporated into this Order.
5. Any reference in this Order to any enactment shall be construed as a reference to that enactment as amended, applied, consolidated, re-enacted by or as having effect by virtue of any subsequent enactment.
6. The Interpretation Act 1978 shall apply to the interpretation of this Order as it applies for the interpretation of an Act of Parliament and as if for the purposes of Section 21 of that Act this Order were an Act of Parliament and the Orders revoked by this Order were Acts of Parliament thereby repealed.
7. The restrictions imposed by this Order shall be in addition to and not in derogation from any restriction or requirements imposed by any regulations made or having effect as if made under the Act of 1984 or by or under any other enactment.
8. If a court, the Department for Transport, the Traffic Penalty Tribunal or the Traffic Enforcement Centre declares any part of this Order to be invalid or unenforceable, such declaration shall not invalidate the remainder of the Order.
9. Headings within this Order have been inserted for convenience and shall not affect the construction and interpretation of the Order.

SECTION 2 – PROHIBITION AND RESTRICTION OF WAITING AND LOADING

10. Save as provided in Articles 13, 15, 16 and 17 of this Order, no person shall, except upon the direction or with the permission of a Police Constable in uniform cause or permit any vehicle (and/or drawn trailer) to wait on the roads or sides of the roads subject to restrictions identified as No Waiting for the periods specified on the plans attached to this Order.
11. Save as provided in Articles 13 and 16 no person shall, except upon the direction or with the permission of a Police Constable in uniform, cause or permit any vehicle (and/or drawn trailer) or a vehicle of a specific class to be load to or unload from the vehicle in the roads or sides of roads identified as No Loading and for the periods identified on the plans attached to this Order.
12. Save as provided in Article 14 and 16 of this Order, no person shall, except upon the direction or with the permission of a Police Constable in uniform cause or permit any vehicle, other than a licenced hackney carriage to stop or wait in a taxi rank area in the roads or sides of the roads subject to restrictions identified as No Stopping Except Taxis for the periods identified on the plans attached to this Order.
13. Nothing in Articles 10 and 11 of this Order shall render it unlawful to cause or permit any vehicle to wait in any roads of the sides or lengths of road identified in the plans attached to this Order for so long as may be necessary to enable:
 - (a) a person to board or alight from the vehicle;
 - (b) goods to be loaded onto or unloaded from the vehicle provided that loading is carried out in one continuous operation and that no vehicle shall so wait on any length of road subject to restrictions identified as No Loading during the periods identified on the plans attached to this Order;
 - (c) the vehicle, if it cannot conveniently be used for such purpose in any other road, to be used for the purpose of any maintenance or improvement or reconstruction of the said lengths or sides of road or any works connected with any sewer, main, pipe or apparatus for the supply of gas, water or electricity or of any telecommunications apparatus;
 - (d) the vehicle, if it cannot conveniently be used for such purpose in any other road, to be used in the service of the local authority in pursuance of statutory powers or duties;
 - (e) the vehicle to be used in the service provider (as defined in Section 4(3) and (4) of the Postal Services Act 2000) to be used for the purpose of delivering and / or collecting mail;
 - (f) the vehicle to be used in connection with an emergency for Police, Fire and Rescue Service, Ambulance Service or Lifeboat and Coastguard purposes.
 - (g) the vehicle to be used in any case where the person in control of the vehicle:

- (i) is required by law to stop or wait,
- (ii) is obliged to stop so as to prevent an accident;
- (iii) to remove any obstruction to traffic;
- (iv) is prevented from proceeding by circumstances outside their control.

(h) the vehicle to be loaded or unloaded whilst it is in actual use in connection with the removal of furniture and effects from one office or dwelling house to another or to such premises from a depository or from such premises to a depository provided that no vehicle shall so wait on any length of road subject to restrictions identified as Prohibition of Loading during the periods identified on the plans attached to this Order;

(i) a security vehicle, being a vehicle specifically designed for that purpose to be used in the course of delivering or collecting cash to / from properties;

(j) the vehicle to be used as part of a wedding or funeral cortege and for so long as such waiting is reasonably necessary in connection with a wedding or funeral.

14. Nothing in Article 12 shall render it unlawful to cause or permit any vehicle to wait in any of the roads, lengths of road or on the sides of road specified therein for so long as may be necessary to enable:

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

- (i) building, shop fitting, industrial or demolition operations;
- (ii) the removal of any obstruction to traffic;
- (iii) the maintenance, improvement or reconstruction of the said lengths or sides of road; and
- (iv) the laying, erection, alteration or repair in or on land adjacent to the said lengths or sides of road of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity or of any telecommunications system,

(b) the vehicle, not being a passenger vehicle, if it cannot conveniently be used for such purposes in any other road, to be used in the service of a local authority or its contractors in pursuance of that authority's statutory powers or duties;

(c) the vehicle of the Royal Mail or other Universal Service Provider (as defined in section 4(3) and (4) of the Postal Services Act 2000) to be used for the purpose of delivering and/or collecting mail;

(d) in any case where the person in control of the vehicle,

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

15. (a) Nothing in Article 10 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 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 lengths of road referred to in that Article for a period not exceeding 3 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).

(b) It shall be unlawful for a person displaying a disabled person's badge to wait in any of the lengths of road specified in Articles 11, 12 and 52 of this Order.

16. Nothing in Article 10, 11, and 12 of this Order shall prevent any person from causing or permitting any vehicle to wait in any lengths of road referred to in that Article provided permission has been obtained from the County Council by means of a waiver certificate (subject to Article 110) to be displayed in the front or nearside of the vehicle which includes information to enable the driver to be contacted in an emergency and providing that an obstruction is not caused by so doing and that the vehicle is moved if the driver is requested to do so by a Police Constable in uniform or Civil Enforcement Officer.
17. Nothing in Article 10 of this Order shall render it unlawful for a licenced hackney carriage to stop or wait in any of the lengths of road subject to restrictions identified as No Stopping Except Taxis during the periods specified on the plans attached to this Order.
18. Nothing in Articles 10 shall render it unlawful to cause or permit a vehicle which is a public service vehicle to wait at an approved timing point.
19. No person shall cause or permit any vehicle to wait so that any part of the vehicle obstructs any dropped kerb or any vehicular means of ingress to or egress from premises adjacent to the side of the road on which the vehicle is waiting.
20. No person shall cause or permit any vehicle to wait, unless indicated otherwise by markings on the carriageway, with all wheels on the carriageway and, if conditions dictate that the vehicle should wait parallel to the kerb, so that the distance between the edge of the carriageway and the nearest wheel of the vehicle is not more than 50cms.

SECTION 3 – CLEARWAYS, URBAN CLEARWAYS AND SCHOOL KEEP CLEAR

21. Save as provided in Article 22 of this Order no person shall except upon the direction or with the permission of a Police Constable in uniform cause or permit any vehicle to stop or wait on any of the main carriageways forming part of the lengths of roads identified as clearways, urban clearways or school keep clear areas on the plans attached to this Order.
- 22.1 Nothing in Article 21 of this Order shall apply so as to prevent any vehicle to stop or wait on any main carriageway identified as clearways, urban clearways or school keep clear areas on the plans attached to this Order for so long as may be necessary to enable the vehicle if it cannot be used for such purpose without waiting on that carriageway, to be used in connection:
- (i) with the removal of any obstruction or potential obstruction to traffic;
 - (ii) with the provisions contained within Article 13 (c), 13(d), 13(f) and 13(g) of this Order; and
 - (iii) to enable a public service vehicle to stop or wait on any main carriageway identified on the plans attached to this Order for as long as may be necessary to enable a person to board or alight from the vehicle at any recognised stopping place;
- 22.2 Notwithstanding any exemption contained in paragraph (1) of this Article, the person in control of a vehicle stopping or waiting on any of the lengths of road identified as clearways, urban clearways or school keep clear areas on the plans attached to this Order, shall move the vehicle on the instructions of a Police Constable in uniform or Civil Enforcement Officer whenever such moving may be reasonably necessary for the purpose of preventing obstruction.
- 22.3 Nothing in Article 21 of this Order shall apply so as to prevent a School Bus as defined in Section 46(3) of the Public Passenger Vehicles Act 1981 and being used to provide free school transport to stop or wait on any main carriageway identified as clearways, urban clearways or school keep clear areas on the plans attached to this Order :
- 22.4 No person shall cause or permit any vehicle to wait on any verge or lay-by immediately adjacent to a main carriageway identified on the plans attached to this order for the purpose of selling goods from that vehicle unless the goods are immediately delivered at or taken into premises adjacent to the vehicle from which the sale is affected.

SECTION 4 – GENERAL PROVISIONS RELATING TO PARKING PLACES

23. The parts of road identified as Limited Waiting or Parking Place on the plans attached to this Order, are authorised to be used, subject to the following provisions of the Order by the class of vehicle specified, if none specified then all classes of vehicle, on such days and during such permitted hours as identified on the plans attached to the Order and wholly within the limits of the parking place or bay and in such position as indicated by the appropriate road markings.
24. (a) Nothing in Article 23 of this Order shall restrict the power of the County Council, for preventing obstruction of the streets, by order on the occasion of any public markets or fairs or of any public procession, rejoicing or illumination, or where streets are thronged or liable to be obstructed, to close any or part thereof of a parking place;
- (b) Nothing in Article 23 of this Order shall prevent the County Council, by notice displayed at or near any parking place:
- (i) from closing that parking place or any part thereof for any period while any works are being executed therein or adjacent thereto or whilst that parking place or any part thereof is required for use of some special purpose;
- (ii) from setting aside for use only by specially authorised vehicles of any part(s) of that parking place on all days or on certain days or during certain parts of certain days.
25. Nothing in Article 23 of this Order shall apply so as to prevent any person from causing any vehicle to wait in the parts of road identified in that Article (other than a parking place or part thereof the use of which has been suspended under Article 110) if the vehicle is being used in connection with the provisions contained within Article 13(c), 13(d), 13(f), 13(g), 13(h), and 13(j) of this Order.
26. Where in the roads or sides of the roads identified on the plans attached to this Order a parking place is described as available for vehicles of a specified class, a specified position, or a specified day, the driver of a vehicle shall not permit it to wait in that parking place:
- (a) unless it is of the specified class appropriate to that parking place and that day and time; or
- (b) otherwise than wholly within the limits of a parking bay marked out in that parking place as indicated by white line carriageway markings.
27. (1) The driver of a vehicle shall not permit it to wait in a parking place for longer than the maximum period permitted for waiting specified in relation to that parking place and as identified on the plans attached to this Order; and
- (2) When a vehicle has left a parking place after waiting thereon, the driver thereof shall not within the period specified in relation to that parking place and as identified on the plans attached to this Order after its leaving permit it to wait again upon that parking place.

28. The driver of a vehicle drawing a trailer shall not permit the vehicle or the trailer to wait in a parking place unless they have been disconnected and for the purpose of this Order the vehicle and trailer shall be deemed to be separate vehicles and the driver shall be deemed to be the driver of each of the said vehicles.
29. Subject to Article 26 the driver of a vehicle being an invalid carriage, or disabled person's vehicle, which displays in the relevant position a disabled persons' badge, shall be exempt from any limitation on time when left in a parking place (not being a specified users parking place) identified on the plans attached to this Order.
30. The driver of a vehicle displaying at its front or nearside a valid waiver certificate (subject to Article 110) issued by the County Council shall be exempt from any limitation of time or specified class restriction in the lengths of road or on any sides of road identified as Limited Waiting or Parking Places identified on the plans attached to this Order when left in a parking place.
31. Notwithstanding the foregoing provisions of this part of the Order, any vehicle may wait during the permitted hours in a parking place (other than a parking place or part thereof the use of which has been suspended under Article 104 of this Order) for so long as may be necessary if:-
 - (a) the vehicle is a vehicle used for Police, Fire & Rescue Service or Ambulance purposes, or a vehicle (other than a passenger vehicle) in the service of a local authority or its agent which is being used in pursuance of statutory powers or duties to maintain the highway;
 - (b) the vehicle (not being a passenger vehicle) is waiting to enable it to be used for the purpose of any building operation, demolition or excavation in or adjacent to the parking place or the maintenance or improvement of the parking place or any works connected with any sewer, main, pipe or apparatus for the supply of gas, water or electricity or of any telecommunications apparatus;
 - (c) the vehicle (not being a passenger vehicle) is in actual use in connection with the removal of furniture from a business or dwelling house to another or the removal of furniture from such premises to a depository or to such premises from a depository.

SECTION 5 – GENERAL PROVISIONS RELATING LOADING ONLY PARKING PLACES

32. The parts of road identified as Loading Only on the plans attached to this Order, are authorised to be used, subject to the following provisions of the Order by the class of vehicle specified, if none specified then all classes of vehicle, on such days and during such permitted hours as identified on the plans attached to the Order and in such position as indicated by the appropriate road markings for the purpose of loading and unloading only.
- 33 (a) Nothing in Article 32 of this Order shall restrict the power of the County Council, for preventing obstruction of the streets, by order on the occasion of any public markets or fairs or of any public procession, rejoicing or illumination, or where streets are thronged or liable to be obstructed, to close any or part thereof of a parking place;
(b) Nothing in Article 32 of this Order shall prevent the County Council, by notice displayed at or near any loading only parking place:
(i) from closing that loading parking place or any part thereof for any period while any works are being executed therein or adjacent thereto or whilst that loading parking place or any part thereof is required for use of some special purpose;
(ii) from setting aside for use only by specially authorised vehicles of any part(s) of that parking place on all days or on certain days or during certain parts of certain days.
34. Nothing in Article 32 of this Order shall apply so as to prevent any person from causing any vehicle to wait in the parts of road identified in that article if the vehicle is being used in connection with the provisions contained within Article 13(c), 13(d), 13(f), 13(g), and 13(j) of this Order.
35. Where identified on the plans attached to this Order that a road or sides of road are identified as available for vehicles of a specified class, in a specified position, or on a specified day or time, the driver of a vehicle shall not permit it to load or unload unless it is of that specified class for that day and or time.
36. (a) The driver of a vehicle shall not permit it to wait in a loading only parking place for longer than it is necessary to enable goods to be loaded or unloaded from a vehicle and not longer than the maximum period permitted for waiting specified in relation to that loading only parking place as identified on the plans attached to this Order; and
(b) when a vehicle has left a loading only parking place after waiting thereon, the driver thereof shall not within the period specified in relation to that parking place and as identified on the plans attached to this Order, after its leaving, permit it to wait again upon that loading only parking place.
37. The driver of a vehicle displaying at its front or nearside a valid waiver certificate (subject to Article 110) issued by Lincolnshire County Council shall be exempt from any limitation of time or specified class restriction in the lengths of road or on any sides of road identified as Loading Only on the plans attached to this Order when left in a loading only parking place.

SECTION 6 – GENERAL PROVISIONS RELATING TO DISABLED BADGE HOLDERS ONLY PARKING PLACES

38. The parts of road identified as Disabled Badge Holders Only on the plans attached to this Order, are authorised to be used, subject to the following provisions of the Order, only by disabled person's vehicles displaying a valid disabled badge, on such days and during such permitted hours as identified on the plans attached to the Order and in such position as indicated by the appropriate road markings.
39. (a) The driver of a vehicle shall exhibit a parking disc on the vehicle in the relevant position and set the disc to indicate a quarter hour period during which the vehicle arrived at the disabled badge holders only parking place.
(b) The driver of the vehicle shall not permit it to wait continuously in a disabled badge holders only parking place for longer than the maximum period permitted for waiting specified in relation to that parking place as identified on the plans attached to this Order, such period being calculated as commencing from the later time indicated on the parking disc set in accordance with the provisions of Article 39(a) of this Order.
(c) When a vehicle has left a disabled badge holders only parking place after waiting thereon, the driver thereof shall not within the period specified in relation to that disabled badge holders only parking place and as identified on the plans attached to this Order, after its leaving, permit it to wait again upon that disabled badge holders only parking place.
(d) Where a parking disc exhibited in pursuance of this Order on a vehicle waiting in a disabled person's parking place is showing a quarter hour period, the later time indicated by the disc showing the end of that period shall be treated as evidence that the vehicle has been waiting in that parking place since that later time.
40. No person shall:-
(a) After the parking disc exhibited on a vehicle has been set in accordance with Article 39 of this Order, alter the indications given by that parking disc whilst the said vehicle remains in the disabled badge holders only parking place.
(b) Knowingly exhibit on any vehicle any parking disc which has been altered, defaced, mutilated or added to or upon which figures or particulars have become illegible.
(c) It shall be assumed, unless the contrary is shown, that the parking disc mentioned in Article 39 of this Order is an approved device.
41. (a) Nothing in Article 38 of this Order shall restrict the power of the County Council, for preventing obstruction of the streets, by order on the occasion of any public markets or fairs or of any public procession, rejoicing or illumination, or where streets are thronged or liable to be obstructed, to close any or part thereof of the parking place.
(b) Nothing in Article 38 of this Order shall prevent the County Council, by notice displayed at or near any disabled badge holders only parking place:
(i) from closing that disabled badge holders only parking place or any part thereof for any period while any works are being executed therein or adjacent thereto or whilst that parking place or any part thereof is required for use of some special purpose;
(ii) from setting aside for use only by specially authorised vehicles of any part(s) of that parking place on all days or on certain days or during certain parts of certain days.

42. Nothing in Article 38 of this Order shall apply so as to prevent any person from causing any vehicle to wait in the parts of road identified in that article if the vehicle is being used in connection with the provisions contained within Article 13(c), 13(d), 13(f) and 13(g) of this Order.
43. The driver of a vehicle displaying at its front or nearside a valid waiver (subject to Article 110) issued by the County Council shall be exempt from any limitation of time or specified class restriction in the lengths of road or on any sides of road identified as Disabled Badge Holders Only on the plans attached to this Order when left in a disabled badge holders only parking place.

SECTION 7 – GENERAL PROVISIONS RELATING TO DOCTORS ONLY PARKING PLACES

44. The parts of road identified as Doctors Permit Holders Only on the plans attached to this Order, are authorised to be used, subject to the following provisions of the Order, only by vehicles displaying in the relevant position a Doctor's Permit valid for that vehicle and parking place, on such days and during such permitted hours as identified on the plans attached to the Order and in such position as indicated by the appropriate road markings.
45. (a) Nothing in Article 44 of this Order shall restrict the power of the County Council, for preventing obstruction of the streets, by order on the occasion of any public markets or fairs or of any public procession, rejoicing or illumination, or where streets are thronged or liable to be obstructed, to close any or part thereof of a parking place;
- (b) Nothing in Article 44 of this Order shall prevent the County Council, by notice displayed at or near any doctors permit holders only parking place:
- (i) from closing that doctors permit holders only parking place or any part thereof for any period while any works are being executed therein or adjacent thereto or whilst that parking place or any part thereof is required for use of some special purpose;
- (ii) from setting aside for use only by specially authorised vehicles of any part(s) of that parking place on all days or on certain days or during certain parts of certain days.
46. Nothing in Article 44 of this Order shall apply so as to prevent any person from causing any vehicle to wait in the parts of road identified in that article if the vehicle is being used in connection with the provisions contained within Article 13(c), 13(d), 13(f), and 13(g) of this Order.
47. (a) A Doctor may apply to the County Council for the issue of a permit in respect of each vehicle which shall be specified in the application and any such application shall be made on a form issued by and obtainable from the County Council and shall include the particular information and authentication required by such form to be supplied.
- (b) The County Council may at any time require an applicant for a permit or a permit holder to produce to an officer of the County Council such evidence in respect of the application or permit, the as the officer may require, and to verify any particular or information reasonably required to verify that the permit is valid.
- (c) Upon receipt of an application duly made under the foregoing provisions of this Article the County Council may issue to the applicant permit(s) for the leaving during the permitted hours in the parking place specified thereon of such vehicles specified in the application as they are satisfied are used by legally qualified medical practitioners who are liable to be called, of necessity, to emergencies away from the surgery or consulting room shown on such application to the extent that the need for special parking arrangements is justified and to whom no suitable alternative parking facility is available within a reasonable distance.
48. (a) A permit holder may surrender a permit to the County Council at any time and shall surrender a permit to the County Council on the occurrence of any one of the events set out in Article 48(c) or in accordance with the provisions of Article 46(e) of this Order.
- (b) The County Council may, by notice in writing served on the permit holder by sending the same by the recorded delivery service to the permit holder at the address shown by

that person on the application for the permit or at any other address believed to be that person's place of abode, withdraw a permit if it appears to the County Council that any one of the events set out in Article 48(c) of this Order has occurred and the permit holder shall surrender the permit to the County Council within 48 hours of the receipt of the aforementioned notice.

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

- (i) the vehicle or any vehicle in respect of which the permit was issued ceasing to be used by a legally qualified medical practitioner who is liable to be called, of necessity, to emergencies away from the surgery or consulting room shown on the application for that permit to the extent that the need for special parking arrangements can be justified;
- (ii) the revocation of the designation of the parking place in respect of which the permit was issued;
- (iii) the issue of a revised permit or a duplicate permit by the County Council;
- (iv) the permit ceasing to be valid pursuant to the provisions of Article 48(d) of this Order.

(d) Without prejudice to the foregoing provisions of this Article a permit shall cease to be valid at the expiration of the period specified thereon (which period shall not exceed a period of 12 months) from the beginning of the month during which it first became valid or on the occurrence of any one of the events set out in Article 48 of this Order, whichever is the earlier.

49. (a) (i) A permit holder may at any time apply to the County Council for a permit issued to him to be amended so as to relate to any other vehicle or any additional vehicle or both being in either case a vehicle which is used by a legally qualified medical practitioner who is liable to be called, of necessity, to emergencies away from the surgery or consulting room shown on the application for that permit to the extent that the need for special parking arrangements can be justified.
- (ii) Upon receipt of an application pursuant to Article 49(a)(i) to this Order to amend a permit, the County Council may amend the relevant permit accordingly or, to such lesser extent as they think fit, or, at their discretion, issue a revised permit, and if a revised permit is so issued, the permit shall become invalid and shall be surrendered to the County Council.

(b) If a permit is mutilated or accidentally defaced or the figures or particulars thereon have become illegible or the colour of the permit has become altered by fading or otherwise, the permit holder shall either surrender it to the County Council or apply to the County Council for the issue to him of a duplicate permit and the County Council, upon the receipt of the permit, shall issue a duplicate permit so marked and upon such issue the permit shall become valid.

(c) If a permit is lost or destroyed, the permit holder may apply to the County Council for the issue to him/her of a duplicate permit and the County Council, upon being satisfied as to such loss or destruction, shall issue a duplicate permit so marked and, upon such issue, the permit shall become invalid.

(d) The provisions of this Order shall apply to a revised permit or a duplicate permit and an application therefore as if it were a permit or as the case may be an application therefore.

50. A doctors parking permit shall be issued by the County Council in such form and subject to such conditions as may be agreed from time to time by the County Council.

SECTION 8 DESIGNATION OF PARKING PLACES FOR OPERATIONAL POLICE VEHICLES

51. The parts of roads identified as such on the Plans are hereby designated to be used subject to the following provisions of this Order as parking places for operational police vehicles and may be used subject to the provisions of this Order on such days and during such hours as are specified on the Plans.
52. Where parking places are provided for the leaving of operational police vehicles, no person shall cause or permit any vehicle to park in that parking place during the permitted period specified in the Plans unless it is an operational police vehicle.

SECTION 9 PROVISIONS RELATING TO MANDATORY CYCLE LANES

53. Save as provided in Article 54 no person shall, except upon the direction or with the permission of a Police Constable in uniform, cause or permit any vehicle, other than a pedal cycle, to enter, proceed or wait in a mandatory cycle lane as specified on the plans attached to this Order.
54. Nothing in Article 53 of this Order shall render it unlawful to cause or permit any vehicle to enter or wait in a cycle lane identified in the plans attached to this Order for so long as may be necessary to enable:
- (a) a person to board or alight from the vehicle;
 - (b) goods to be loaded onto or unloaded from the vehicle;
 - (c) the vehicle, if it cannot conveniently be used for such purpose in any other road, to be used for the purpose of any building operation, demolition or excavation, or the maintenance or improvement or reconstruction of the said lengths or sides of road or any works connected with any sewer, main, pipe or apparatus for the supply of gas, water or electricity or of any telecommunications apparatus;
 - (d) the vehicle, if it cannot conveniently be used for such purpose in any other road, to be used in the service of the local authority in pursuance of statutory powers or duties;
 - (e) the vehicle of a universal service provider (as defined in Section 4(3) and (4) of the Postal Services Act 2000) to be used for the purpose of delivering and/or collecting mail;
 - (f) the vehicle to be used in the service of the Police, Fire & Rescue Service or Ambulance Service;
 - (g) the vehicle to be used in any case where the person in control of the vehicle:
 - (i) is required by law to stop or wait or is permitted to stop or wait by a Police Constable in uniform;
 - (ii) is obliged to stop so as to prevent an accident; or
 - (iii) is prevented from proceeding by circumstances outside his control;
 - (h) the vehicle to be loaded or unloaded whilst it is in actual use in connection with the removal of furniture and effects from one office or dwelling house to another or to such premises from a depository or from such premises to a depository notwithstanding anything contained in paragraph (b) above as to waiting in the roads or sides of the roads identified and for the periods identified on the plans attached to this Order;
 - (i) a security vehicle to be used in the course of delivering or collecting cash to/from properties in any of the lengths of road identified on the plans attached to this Order and being a vehicle specifically designed for that purpose.
 - (j) the vehicle to be used as part of a wedding or funeral cortege or otherwise in connection with a wedding or funeral; or
 - (k) the vehicle to be used for the purposes of road cleansing or gully emptying.

SECTION 10 PAY AND DISPLAY PARKING PLACES

55. The parts of roads identified as such on the Plans attached to this Order are hereby designated to be used subject to the following provisions of this Order as pay and display parking places and may be used subject to the provisions of this Order on such days and during such hours as are specified on the Plans.
56. No person shall cause or permit any vehicle to be parked in a pay and display parking place during the permitted hours unless it is of the specified class and there is displayed on that vehicle in the relevant position a pay and display ticket valid for that time and for that parking place.
57. Subject to the provisions of this Order, parking places may be used during the permitted hours for the parking of vehicles as specified in Schedule 3 to this Order.
58. The County Council will –
- (a) install in such positions at or in the vicinity of a payment parking place as it may think fit such pay and display ticket machines as are required by this Order for the purposes of that parking place; and
 - (b) carry out such other work as is authorised by this Order or is reasonably required for the purposes of the satisfactory operation of a parking place.
59. Subject to the provisions of this Order, no person shall cause or permit any vehicle to be parked in a pay and display parking place
- (i) beyond the time of expiry of the period for which the charge has been paid, or
 - (ii) for longer than the maximum period specified for that parking place in Schedule 3
60. Subject to the provisions of this Order, where a period within which a vehicle must not be parked again in the pay and display parking place is specified in Schedule 3, no person shall permit or cause the vehicle to park again in that parking place until the expiry of that specified period.

- 61 No person shall cause or permit any vehicle to be parked in a pay and display parking place without arranging for the appropriate charge (if any) to be paid in accordance with the scale of current charges as specified in Schedule 3.
- 62 The person in charge of a vehicle, upon parking the vehicle in a pay and display parking place, shall immediately
- (i) purchase of a parking ticket from a ticket machine at a parking place and such ticket shall be purchasable by the insertion into a ticket machine of the appropriate coins; or
 - (ii) make arrangements to pay the appropriate fee through an alternative method of payment and indication of payment offered from time to time by the County Council;
63. Where on payment of the charge a pay and display ticket has been obtained, the person in charge of the vehicle shall
- (i) display the pay and display ticket issued in the relevant position on the vehicle in respect of which it was issued, and
 - (ii) ensure that the pay and display ticket is displayed during the entire period that the vehicle is parked in the parking place.
- 64 A pay and display ticket is not transferable from one vehicle to another.
- 65 A pay and display ticket is valid only until the expiry of the period for which a charge has been paid.
- 66 A pay and display ticket is valid only in the parking place in respect of which it was issued. This is defined by the identification on the parking ticket machine located in respect of that parking place and the information printed on the pay and display ticket.
- 67 The expiry of the period for which the charge has been paid shall be when the time shown on the clock of the issuing ticket machine is later than the time exhibited on the pay and display ticket displayed on the vehicle.

- 68 For the avoidance of doubt, the limit of waiting time applicable to a parking place shall take precedence over the times shown on a pay and display ticket in determining whether or not a contravention has taken place.
- 69 If at any time while a vehicle is parked in a parking place no pay and display ticket is displayed on that vehicle in the relevant position and where arrangements to pay the daily charge through an alternative approved method of payment have not been made, it shall be judged that the charge has not been paid.
- 70 If at the time when a vehicle is parked during the permitted hours in a parking place and the nearest ticket machine is out of order, then a pay and display ticket shall be obtained from another parking ticket machine relative to that parking place (where provided).
- 71 Where a ticket has been attached to a vehicle in accordance with the provisions of this Order no person, not being the driver of the vehicle, shall remove the ticket from the vehicle unless authorised to do so by the driver.

Exemptions

72. Where arrangements to pay the daily charge have been made through an alternative approved method of payment and no pay and display ticket is produced by following the process, the driver of a vehicle shall be exempt from the requirement to display such a ticket.
73. If at the time when a vehicle is parked during the permitted hours in a pay and display parking place and all the ticket machines are out of order, the driver of that vehicle shall be exempt from payment of the charge and display of ticket, Provided that the maximum period of parking specified for that parking place in Schedule 3 still applies.
74. The driver of any vehicle displaying in the relevant position a valid disabled persons badge or valid waiver certificate shall be exempt from payment of the parking charge, display of ticket and any time limit provided that the vehicle is being used in accordance with the conditions applying to the said badge or certificate.

SECTION 11 - PROVISIONS RELATING TO ACCESS ONLY PARKING

- 75 The parking places identified in the Plans as permit holders only parking places are hereby designated as being restricted to use during the permitted hours by vehicles displaying a valid access permit
- 76 No person shall cause or permit any vehicle to park in a permit holders only parking place during the periods specified in the Plans unless there is on display in the relevant position on that vehicle an access permit valid for that parking place.
77. At all times during which a vehicle is parked in a permit holders only parking place during the permitted hours, the driver thereof shall cause to be displayed in the relevant position a valid permit issued in respect of that parking place within which that vehicle is parked.
- 78 Where a permit has been displayed on a vehicle in accordance with the preceding Article, no person other than the driver of the vehicle shall remove the permit from the vehicle unless authorised to do so by the driver of the vehicle.

SECTION 11 - PROVISIONS RELATING TO RESIDENTS AND BUSINESS ONLY PARKING

- 79 The parking places identified in the Plans as residents permit holders only parking places are hereby designated as being restricted to use during the permitted hours by vehicles displaying a valid residents permit, visitor permit, business permit, or daily visitor permit.
- 80 No person shall cause or permit any vehicle to park in a residents permit holders only parking place during the periods specified in the Plans unless there is on display in the relevant position on that vehicle a residents permit, visitor permit, business permit, or daily visitor permit valid for that parking place.
- 81 Subject to the provisions of this Order, permits may be issued in respect of classes of vehicles being passenger vehicles, goods vehicles having a gross weight not exceeding 3750 kilograms, motor-cycles and disabled persons vehicles.

- 82 At all times during which a vehicle is parked in a residents permit holders only parking place during the permitted hours, the driver thereof shall cause to be displayed in the relevant position a residents permit, visitor permit, business permit, or daily visitor permit issued in respect of that vehicle relating to the parking place within which that vehicle is parked.
- 83 Where a permit has been displayed on a vehicle in accordance with the preceding Article, no person other than the driver of the vehicle shall remove the permit or visitors voucher from the vehicle unless authorised to do so by the driver of the vehicle.
- 84 A permit shall only be valid for use in a parking place on a road within the zone identified on the permit as specified in Schedule 1.

Entitlement to and application for permits

- 85 Any resident who is the owner of a vehicle of the class specified may apply to the issuing authority for the issue of a residents permit, in respect of that vehicle and / or the issue of a visitor permit or daily visitor permits for use by visitors to the resident and any such application shall be made on a form issued by and obtainable from the issuing authority and shall include the particulars and information required by such form to be supplied.
- 86 Any resident may apply to the issuing authority for the issue of a visitor permit or daily visitor permits for use by visitors to the resident and any such application shall be made on a form issued by and obtainable from the issuing authority and shall include the particulars and information required by such form to be supplied.
- 87 Any business user operating from premises with a postal address in the roads or parts of road as specified in Schedule 1 who is the operator of a vehicle of the class specified and use of the vehicle is integral to the daily operation of the business may apply to the issuing authority for the issue of a business permit in respect of that vehicle and any such application shall be made on a form issued by and obtainable from the issuing authority and shall include the particulars and information required by such form to be supplied.
- 88 The issuing authority may at any time require an applicant for a business permit, or daily visitor permit to produce to an officer of the issuing authority or authorised agent such

evidence in respect of an application for a permit made to them as they may reasonably require to verify any particulars or information given to them or in respect of any permit issued by them as they may reasonably require for to verify that the permit is valid.

Issue of permits

- 89 Upon receipt of an application duly made under the provisions of this Order, the issuing authority upon being satisfied that the applicant is a resident who is the owner of a vehicle of the class specified and on payment of the appropriate fee that the issuing authority may from time to time determine may issue to the applicant a resident's permit for the vehicle to which such residents permit relates for the leaving during the permitted hours in a parking place, provided that if a limit on the number of permits per resident or per household applies in accordance with Schedule 2 the limit is not exceeded.
- 90 Upon receipt of an application duly made under the provisions of this Order, the issuing authority upon being satisfied that the applicant fulfils the requirements and on receipt of the appropriate fee that the issuing authority may from time to time determine may issue to the applicant residents visitor permits or books of daily visitor permits for the leaving of a vehicle during the permitted hours in a parking place to which such residents visitor permit or daily visitor permit relates, by the owner of such vehicle; provided that, if a limit on the number of residents visitor permits per resident or per household applies in accordance with Schedule 2, the limit is not exceeded.
- 91 Upon receipt of an application duly made under the provisions of this Order, the issuing authority upon being satisfied that the applicant fulfils the requirements and on receipt of the appropriate fee that the issuing authority may from time to time determine may issue to the applicant business permits for the leaving during the permitted hours in a parking place of the vehicle to which a permit relates up to the maximum permitted as specified in Schedule 2; provided that the issuing authority may impose such conditions on the use of the permit as it considers appropriate and that if a limit on the number of permits applies in accordance with Schedule 2 the limit is not exceeded.
- 92 A permit holder may surrender such permit to the issuing authority or authorised agent at any time and shall surrender such permit to the issuing authority or authorised agent on the occurrence of any one of the surrender events.

- 93 The issuing authority or authorised agent may, by notice in writing served on the permit holder at the address shown by that person on the application for the permit or at any other address believed to be that person's residence or place of business, withdraw a permit if it appears to the issuing authority or authorised agent that any one of the surrender events has occurred and the permit holder shall surrender the permit to the issuing authority or authorised agent within 48 hours of the receipt of the aforementioned notice.
- 94 Each of the following is a surrender event:
- (i) the permit holder ceasing to be a resident;
 - (ii) the permit holder ceasing to be the owner of the vehicle in respect of which the resident's permit was issued;
 - (iii) the vehicle in respect of which such permit was issued being adapted or used in such a manner that it is not a vehicle of the class specified;
 - (iv) the issue of a duplicate permit or visitor permit by the issuing authority under the provisions of this Order; or
 - (v) the permit being defaced, mutilated or altered.
- 95 A permit shall cease to be valid at the expiration of the period specified thereon or on the occurrence of any of the surrender events, whichever is the earlier.
- 96 Where a permit is issued to any person upon receipt of a cheque and the cheque is subsequently dishonoured, the permit shall cease to be of any effect and the issuing authority shall by notice in writing served on the person to whom such permit or voucher was issued by sending the same to the permit holder at the address shown by that person on the application for the permit, or at any other address believed to be that person's place of abode, require that person to surrender the permit or voucher to the issuing authority within 48 hours of receipt of the aforementioned notice.
- 97 A permit shall cease to be valid if:
- (i) the details have been altered or defaced;
 - (ii) any additional details required as a condition of the permit are not exhibited;
or
 - (iii) the details cannot be easily read from outside the vehicle.

- 98 If a permit is accidentally mutilated or defaced or the figures or particulars thereon have become illegible or the colour of the permit has become altered by fading or otherwise, the permit holder shall surrender it to the issuing authority and apply to the issuing authority for the issue of a replacement permit or voucher.
- 99 If a permit is lost or destroyed, the permit holder may apply to the issuing authority for the issue of a duplicate permit.
- 100 On application under the provisions of this Order, the issuing authority, being satisfied as to the circumstances as indicated, and on payment of any fee as the issuing authority may from time to time determine, shall issue a replacement or duplicate permit and upon such issue the original permit shall become invalid.
- 101 All the provisions of this Order shall apply to a replacement or duplicate permit to the same extent as they applied to the original permit.
- 102 A permit shall be in writing and shall include the following particulars:-
- (i) the registration mark of the vehicle in respect of which the permit has been issued.
- Provided that in exceptional circumstances at the absolute discretion of the issuing authority the vehicle registration mark may be omitted;
- (ii) the period during which, subject to the provisions pertaining to surrender or withdrawal, the permit shall remain valid;
 - (iii) an indication that the permit has been issued by the issuing authority I; and
 - (iv) a code or identification indicating the parking area for which the permit is valid.
- 103 A permit holder who surrenders a permit to the issuing authority before the permit becomes valid or after the permit becomes valid may be entitled to a refund of a sum determined by reference to a policy agreed from time to time by the issuing authority.

SECTION 12 –POWER TO SUSPEND AND RESTRICTIONS ON THE USE OF PARKING PLACES

104. (a) Any person duly authorised by the County Council may suspend the use of a parking place or any part thereof whenever they consider such suspension reasonably necessary:
- (i) for the purpose of facilitating the movement of traffic or promoting its safety;
 - (ii) for the purpose of any building operation, demolition or excavation adjacent to the parking place, the maintenance, improvement or reconstruction of the highway or the cleansing of gullies in or adjacent to the parking place, the laying, erection, alteration or repair in or adjacent to the parking place or any sewer or of any main, pipe, or apparatus for the supply of gas, water or electricity or of any telecommunications system or the placing, maintenance or removal of any traffic sign;
 - (iii) for the convenience of occupiers of premises adjacent to the parking place on any occasion of the removal of furniture to or from one office or dwellinghouse adjacent to the parking place from or to a depository, another office or dwelling-house;
 - (iv) on any occasion on which it is likely by reason of some special attraction that any street will be thronged or obstructed;
 - (v) for the convenience of occupiers of premises adjacent to the parking place at times of weddings or funerals, or on other special occasions; or,
 - (vi) on any occasion in the interests of traffic or pedestrian movement and safety when a special event is taking place in the vicinity.
- (b) A Police Constable in uniform may suspend, for not longer than seven days, the use of a parking place or any part thereof whenever he/she considers such suspension reasonably necessary for the purpose of facilitating the movement of traffic or promoting its safety.
- (c) Any person suspending the use of a parking place or any part thereof in accordance with the provisions of Article 24, 33, 41, 45, 104(a) and 104(b) of this Order shall thereupon place or cause to be placed in or adjacent to that parking place or the part thereof the use of which is suspended, a traffic sign indicating that waiting by vehicles is prohibited.
- (d) No person shall cause or permit a vehicle to be left in any part of a parking place during such period as there is in or adjacent to that part of a parking place a traffic sign placed in pursuance of Article 104(c) of this Order.
105. Provided that, nothing in Article 43(a) of this Order shall render it unlawful to cause or permit a vehicle to be left in a parking place, if:
- (i) it is being used in an emergency for fire and rescue service, ambulance or Police purposes or in the service of a local authority or its agents in pursuance of its statutory powers and duties to maintain the highway;
 - (ii) the vehicle is left with the permission of the person suspending the use of the parking place or part thereof in pursuance of Article 104(a) of this Order, a Police Constable in Uniform or Civil Enforcement Officer or a person authorised in that behalf by the County Council.
 - (iii) by a vehicle displaying in the relevant position a valid waiver certificate (subject to Article 110) issued by the County Council.
106. During the permitted hours no person shall use any parking place or any vehicle whilst it is in a parking place
- (a) to carry out any trade,

(b) in connection with the sale or offering or exposing for sale any goods to any person in or near the parking place, or

(c) in connection with the selling or offering for sale of their skill in handicraft or their services in any other capacity: Provided that

(a) nothing in this Article shall prevent the sale of goods from a vehicle if there is on display in the vehicle a certificate of Street Trading Consent issued by the District Council for that area and the vehicle is being operated in accordance with any conditions of the said certificate, and

(b) nothing in this Article shall prevent the sale of goods from a vehicle if the vehicle is a passenger vehicle, a goods vehicle, a motorcycle or an invalid carriage and the goods are immediately delivered at or taken into premises adjacent to the vehicle from which the sale is effected and the vehicle does not park for a period exceeding 20 minutes or such longer period as a person duly authorised by the County Council may approve.

SECTION 13 – MISCELLANEOUS PROVISIONS

107. The County Council shall:-
- (a) cause the limits of each parking place and of each parking space to be indicated on the carriageway by placing and maintaining thereon appropriate traffic signs of a size, colour and type prescribed or authorised, and
 - (b) place and maintain in or in the vicinity of the parking place traffic signs of any size, colour and type prescribed or authorised, indicating the number of such parking places and, where appropriate, the permitted hours of use and permitted class of vehicle, and
 - (c) carry out such work as is reasonably required for the purposes of the satisfactory operation of the parking place.
108. The driver of a vehicle shall not permit it to wait so as to prevent access to any premises adjoining the road or inhibit use of the road by others or so as to be a nuisance to others.
109. Where a permit or waiver certificate has been displayed on a vehicle in accordance with the provisions of this Order, no person, not being the driver of the vehicle, shall remove the permit from the vehicle unless authorised to do so by the driver of the vehicle.
110. (a) Any person may apply to the County Council for the issue of a waiver certificate for their vehicle. The application shall be made on a form issued by and obtainable from the County Council and shall include the information and particulars required by the form and shall be accompanied by the appropriate charge as set by the County Council. The County Council reserve the right not to grant a waiver certificate and, if a waiver certificate is granted, may impose terms and conditions on the waiver certificate as appropriate.
- (b) The waiver certificate must be displayed in the relevant position so that the waiver certificate and relevant information on said waiver certificate is clearly visible to the Civil Enforcement Officer from the front or nearside of a vehicle.
- (c) The County Council will require the applicant to demonstrate that there is no other suitable alternative place to park in connection with the activity.
- (d) The waiver certificate is valid only for the dates and site specified on the waiver certificate and providing that the vehicle is not parked so as not to cause any obstruction or danger to other users of the highway.
- (e) The County Council may at any time require an applicant for a waiver certificate to produce to an officer of the County Council reasonable evidence to verify and particulars or information given to them, or that the waiver certificate is current and valid.
- (f) The County Council reserves the rights to terminate all exemptions granted by the waiver certificate at any time if there is any contravention of the provisions contained within this Order.
- In such circumstances the holder of said waiver certificate shall not be entitled to any refund of monies paid in respect of the waiver certificate without prejudice to any other rights of the County Council against the waiver certificate holder in respect of any breach of condition giving rise to such termination.
111. Nothing in the provisions of this Order shall be taken as authorising anything which would be a contravention of any regulations made or having effect as if made under sections 23 and 25 of the Road Traffic Regulation Act 1984.

SECTION 14 – CONTRAVENTION OF RESTRICTIONS

112. Where a vehicle has been left in contravention of the restrictions imposed by this Order, a Penalty Charge shall be incurred, the amount of which will be set by Lincolnshire Council under the provisions of the Act of 2004 relating to the Civil Enforcement Areas and Special Enforcement Areas.
113. Where a Penalty Charge is payable, a Penalty Charge Notice shall be issued by a Civil Enforcement Officer in accordance with the Act of 2004.

Manner of Payment of Penalty Charge Notice

114. The Penalty Charge shall be paid within 28 days payable to Lincolnshire County Council under the terms referred to in the said Notice.

Restriction on Removal of Penalty Charge Notice

115. Where a notice has been attached to a vehicle in accordance with the provisions of the Act of 2004, no person not being the driver of the vehicle or duly authorised representative of the Council shall remove the notice from the vehicle unless authorised to do so by the driver.
116. The particulars given in any notice served on a vehicle in contravention of any provision of this Order shall be treated as evidence in any proceedings relating to failure to pay any penalty charge.

Revocations

118. Without prejudice to the validity of anything done or to any liability incurred in respect of any act or omission before the coming into force of this Order, all waiting restrictions, loading and unloading restrictions, clearways, keep clear markings, loading areas, and taxi ranks in the administrative area of the Lincolnshire County Council are hereby revoked.

THE COMMON SEAL of the LINCOLNSHIRE)

COUNTY COUNCIL was hereunto affixed)

this day of 20)

in the presence of:-)

Authorised Officer

SCHEDULE 1 RESIDENTS PARKING ZONES

Residents Parking Zones in the City of Lincoln

Zone 1A

BELLE VUE ROAD
CARLINE ROAD
WORDSWORTH STREET

BELLE VUE TERRACE
DRURY LANE
YARBOROUGH ROAD Nos. 82-110 even only)

Zone 1B

ALEXANDRA TERRACE
ALLSION PLACE
ASHLIN GROVE
GRESHAM STREET
NEWLAND STREET WEST
NORTH PARADE
RUDGARD LANE
ST FAITH'S STREET
VICTORIA STREET
WELLINGTON STREET
WHITEHALL GROVE

ALLISON PLACE
ALLSION STREET
CHARLES STREET WEST
HAMPTON STREET
NELSON STREET
RICHMOND ROAD (from Ashlin Grove to
Hampton Street)
SOUTH PARADE
THE PARK
VICTORIA TERRACE
WEST PARADE (The Avenue to Hampton Street)
YARBOROUGH ROAD (West Parade to Carline
Road)

Zone 1C

ARTHUR TAYLOR STREET
CARHOLME ROAD (Nos. 31-77 odd only)
CHARLESWORTH STREET
FOSS STREET
STAUNTON STREET
WESTFIELD STREET

CARHOLME ROAD (Nos. 4-120 even only)
CARR STREET
FOSS BANK
HAVEY STREET
WESTBOURNE GROVE

Zone 1D

BEAUMONT FEE NORTH (West Parade to
Spring Hill)
HUNGATE
ST MARTINS LANE

GARMSTON STREET
MOTHERBY LANE
WEST PARADE (Nos. 2-28 even only)

Zone 1E

PARK STREET

Zone 1F

CARHOLME ROAD (Nos. 122-146 even only)
DERWENT STREET
NEWSUM VILLAS

CARHOLME ROAD (Nos. 79-191 odd only)
SEVERN STREET

Zone 1G

BEDFORD STREET
DRAKE STREET
HEWSON ROAD
MOOR STREET
ROSEBERY AVENUE
WEST PARADE (Nos. 192-296 even only)
WOODSTOCK STREET

BLENHEIM ROAD
FLEET STREET
HOWARD STREET
NORFOLK STREET
TENNYSON STREET
WEST PARADE (Nos. 99-195 odd only)

Zone 1H

ALBERT CRESCENT
COLENZO TERRACE
MAY CRESCENT
RICHMOND ROAD (Hampton Street to York Avenue)

CAMBRIDGE AVENUE
ELY STREET
QUEEN CRESCENT
YORK AVENUE

Zone 2A

ARBORETUM AVENUE
BAGGEHOLME ROAD
CHEVIOT STREET
CROFT STREET (cul de sac section only)
LINDUM AVENUE
MONTAGUE TERRACE
ROSEMARY LANE
ST HUGH STREET
THOMAS STREET

AVONDALE STREET
BROOK STREET
CLAREMONT STREET
JOHN STREET
MONTAGUE STREET
NOTTINGHAM TERRACE
SPA BUILDINGS
ST RUMBOLD STREET
VINE STREET

Zone 2B

LINDUM TERRACE

Zone 3A

ANCASTER AVENUE

Zone 3B

GREETWELL CLOSE

GREETWELL PLACE

Zone 4A

WEST BIGHT

WESTGATE

Zone 4B

OCCUPATION ROAD
WILLIS CLOSE

UPPER LONG LEYS ROAD

Zone 4C

BARRATTS CLOSE
GREETWELL GATE
ST GILES AVENUE

EASTGATE (Nettleham Road to Langworthgate)
LANGWORTH GATE
ST LEONARDS LANE

Zone 4D

CECIL STREET

Zone 4E

ALBANY STREET
MILL ROAD
WALDECK STREET

BURTON ROAD(Nos. 82-182 even only)
TURNER STREET
YARBOROUGH ROAD (Nos. 205-233 odd only)

Zone 5A

ALFRED STREET

GAUNT STREET

Residents Parking Zones in the Town of Louth

Zone 1A

ASWELL STREET (from Newmarket to Kidgate only)

KIDGATE (from Aswell Street to Lee Street only)

LEE STREET

NEWMARKET (properties 1-21 odd numbers only)

SCHEDULE 3 PAY AND DISPLAY PARKING PLACES

In the Town of Boston

Location of Parking Place	Position in which vehicles may wait	Classes of vehicles	Days of designation of parking Place	Times of use of parking Place	Hours of operation of charges	Maximum Period of waiting during charge hours	Parking Charges
Market Place	Wholly within the marked bay	All vehicles not exceeding 3020Kg	Every Day including Bank Holidays	Every Day except Wednesday, Saturday or any other Market days	9am to 9pm	1 hour	60 pence for 30 minutes £1.40 for 1 hour £1.00 Sundays and Evenings only
Pump Square	Wholly within the marked bay	All vehicles not exceeding 3020Kg	Every Day including Bank Holidays	Every Day including Bank Holidays	9am to 9pm	2 hours	£1.40 for 1 hour £2.20 for 2 hours £1.00 Sundays and Evenings only
South Square	Wholly within the marked bay	All vehicles not exceeding 3020Kg	Every Day including Bank Holidays	Every Day including Bank Holidays	9am to 9pm	9 hours	£1.70 for 2 hours £2.20 for 3 hours £2.70 for 4 hours £3.70 over 4 hours £1.00 Sundays and Evenings only
Station Approach	Wholly within the marked bay	All vehicles not exceeding 3020Kg	Every Day including Bank Holidays	Every Day including Bank Holidays	9am to 9pm	9 hours	60 pence for 2 hours £1.20 for 3 hours £1.70 for 4 hours £2.50 over 4 hours £1.00 Sundays and Evenings only

Wide Bargate	Wholly within the marked bay	All vehicles not exceeding 3020Kg	Every Day including Bank Holidays	Every Day including Bank Holidays	9am to 9pm	2 hours	£1.40 for 1 hour £2.20 for 2 hours £1.00 on Sundays and Evenings only
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In the Town of Louth

Location of Parking Place	Position in which vehicles may wait	Classes of vehicles	Days of designation of parking Place	Times of use of parking Place	Hours of operation of charges	Maximum Period of waiting during charge hours	Parking Charges
Market Place	Wholly within the marked bay	Motor Cars Motor Cycles, Invalid Carriages only	Every Day including Bank Holidays	Monday Tuesday and Thursday only	8am to 6pm	30 minutes	50 pence

SCHEDULE 2

Fees and Charges for permit parking

In the City of Lincoln

Private Residents

1st Residents permit £26.00

1st Annual Visitor permit £26.00

Subsequent Residents or visitor permit £52.00

Maximum of 3 permits per household

Low emission vehicles as identified in groups A-C of the DVLA rates for vehicle road tax receive a 50% discount on the above rates.

Business Permits £52.00

Maximum 3 permits per business and only issued to businesses with no off street parking within the zones

Residents of Houses in Multiple Occupation

Residents or Annual Visitors Permit £52.00

Maximum 3 per property

Daily Visitor Permits £17.00 for a book of ten.

Maximum 10 books per year.

In the Town of Louth

Residents and Business permit £40.00

Maximum one permit per household

Daily Visitor Permits £10 per book of ten

DATED

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**LINCOLNSHIRE COUNTY COUNCIL
(PROHIBITION AND RESTRICTION OF WAITING AND LOADING AND PARKING PLACES)
(CIVIL ENFORCEMENT AND CONSOLIDATION) ORDER 20**

R A Wills
Executive Director (Communities)
County Offices
Lincoln