

2003 No. *

The Medway (Parking Places) (Rainham) Order 2003

Made 2003

Coming into force 2003

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Schedules 1 to 3 (inclusive) - Areas on streets designated as parking places.

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Medway Council, having consulted the Chief Constable of Police, in exercise of the powers conferred by sections 1, 32, 37, 45, 46A, 51, 53, 61, 92 of the Road Traffic Regulation Act 1984(a), and of all other powers thereunto enabling, hereby make the following Order:-

PART I - PRELIMINARY

Citation and commencement

1. This Order may be cited as the Medway (Parking Places) (Rainham) Order 2003 and shall come into force on 2003.

Interpretation

2. 1) In this Order, unless the context otherwise requires:-

“authorised agent” means the parking services contractor appointed by and acting on behalf of the Council for the purposes of the supervision and enforcement of the provisions of this Order;

“business permit” means a permit issued under the provisions of Article 29;

“business permit holder” means a person to whom a business permit has been issued under the provisions of Article 29;

“business user” means a person who carries out business at any premises the postal address of which is in a street or part of a street specified in Schedule *;

“Council” means Medway Council;

“disabled person’s badge” and “disabled person’s vehicle” has the same meaning as in the Local Authorities’ Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000(b) as amended;

“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;

(a) 1984 c.27 - as amended by section 8 of and Part I of Schedule 5 to the Local Government Act 1985 (1985 c.51), section 168 of and Part II of Schedule 8 to the New Roads and Street Works Act 1991 (1991 c.22) and section 48 and 64 of and Schedule 4 to the Road Traffic Act 1991 (1991 c.40).

(b) S.I.2000/683

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

“goods carrying vehicle” means a motor vehicle which is constructed or adapted for use for the carriage of goods or burden of any description and is not drawing a trailer;

“motor cycle” and “invalid carriage” have the same meanings as in section 136 of the Road Traffic Regulation Act 1984;

“owner”, in relation to a vehicle, means the person by whom such a vehicle is kept and used;

“parking attendant” means a person in uniform authorised by or on behalf of the Council to enforce the provisions of this Order;

“parking disc” means a parking disc, issued by any local authority in connection with the issue of a disabled person’s badge, which complies with the requirements of the British Standard Specification for Parking Discs, is coloured orange and is capable of showing the quarter hour period during which a period of waiting begins;

“parking place” means any area on a highway designated as a parking place by this Order;

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

“penalty charge” means the charge set by the Council under the provisions of the Road Traffic Act 1991, with the approval of the Secretary of State for Transport, which is to be paid to the Council following the issue of a penalty charge notice;

“penalty charge notice” means a notice issued or served by a parking attendant pursuant to the provisions of section 66 of the Road Traffic Act 1991;

“permitted hours”, in relation to a parking place, means the period specified at the beginning of the Schedule relating to that parking place;

“professional visitors’ permit” means a permit issued under the provisions of Article 39;

“protective cover” means a protective cover issued by the Council under the provisions of Article 24(3)(b), Article 29(3)(b) or 38(3)(b);

“resident” means a person whose usual place of abode is at premises the postal address of which is in any street or part of a street in Medway specified in Schedule 4;

“residents’ permit” means a permit issued under the provisions of Article 24;

“residents’ permit holder” means a person to whom a permit has been issued under the provisions of Article 24;

“street” includes any part of a street;

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

“traffic sign” means a sign of any size, type and colour prescribed and authorised under, or as having effect as though prescribed or authorised under section 64 of the Road Traffic Regulation Act 1984;

“visitor” means a person who is visiting a resident and who has obtained a visitors’ permit from and with the permission of that resident;

“visitors’ permit” means a visitors’ permit issued under the provisions of Article 35.

- 2) 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.
- 3) Any reference in this Order to a numbered Article or Schedule shall, unless the context otherwise requires, be construed as a reference to the Article or Schedule bearing that number in this Order.

(a) 1984 c.12

- 4) For the purposes of this Order, a vehicle shall be regarded as displaying a disabled person's badge in the relevant position when it is so regarded for the purposes of the Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000.

PART II - DESIGNATION OF PARKING PLACES

Designation of parking places

3. Each area on a highway comprising the length of carriageway of a street specified in column 2 of Schedule 1, 2 or 3 and, unless otherwise so specified, bounded on one side of that length by the edge of the carriageway and having a width throughout of 1.83 metres, is designated as a parking place.

Number and situation of parking bays and parking spaces

4. The number and situation of such parking bays or, as the case may be, of such parking spaces in each parking place shall be as may be determined by the Council:

Vehicles for which parking places are designated

5.
 - 1) Each parking place may be used, subject to the provisions of this Order, for the leaving during the permitted hours of vehicles of the following class, that is to say, passenger vehicles, goods carrying vehicles, motor cycles or invalid carriages.
 - 2) Each parking place referred to in Schedule 1 may be used, subject to the provisions of this Order, for the leaving during the permitted hours of such vehicles of the class specified in paragraph (1) of this Article as display in the manner specified in Article 6(2) either a valid residents' permit, or a valid visitors' permit, a valid business permit or a valid professional visitors' permit;
 - 3) Each parking place referred to in Schedule 2 may be used, subject to the provisions of this Order, for the leaving during the permitted hours of the vehicles specified in paragraph (1) of this Article for a maximum period of 30 minutes with no return to that parking place within 30 minutes;
 - 4) Each parking place referred to in Schedule 1 may be used, subject to the provisions of this Order, for the leaving during the permitted hours of such vehicles of the class specified in paragraph (1) of this Article as display in the manner specified in Article 6(2) either a valid residents' permit, or a valid visitors' permit, a valid business permit, a valid professional visitors' permit, or another vehicle of that class which remains in that parking place for a maximum period of one hour with no return to that parking place within 2 hours.

Residents' permits, professional visitors' permits, visitors' permits or business permits to be displayed on vehicles left in certain parking places

6.
 - 1) At all times during which a vehicle is left in a parking place referred to in Schedule 1 during the permitted hours, the driver shall cause to be displayed on the front or near-side of the vehicle either a valid business permit, or a valid residents' permit, or a valid professional visitor's permit in a protective cover or a valid visitor's permit issued in respect of that vehicle, so that all the particulars on that business permit or on that residents' permit or on that visitors' permit or on that professional visitors' permit, as the case may be, are readily visible from the front or near-side of that vehicle;
 - 2) At all times during which a vehicle is left in a parking place referred to in Schedule 1 during the permitted hours, the driver shall cause to be displayed on the front or near-side of the vehicle either a valid business permit, or a valid residents' permit, or a valid professional visitor's permit in a protective cover or a valid visitor's permit issued in respect of that vehicle, so that all the particulars on that business permit or on that residents' permit or on that visitors' permit or on that professional visitors' permit, as the case may be, are readily visible from the front or near-side of that vehicle, or any other vehicle which remains at rest at that parking place for a maximum period of thirty minutes with no return to that parking place within thirty minutes;
 - 4) In this Article any reference to particulars on a resident's permit, shall be construed as those particulars referred to in Article 22, any reference to particulars on a business permit shall be construed as those particulars referred to in Article 27, any reference to particulars on a visitors' permit shall be construed as those particulars referred to in Article 31, and any reference to particulars on a professional visitors' permit shall be construed as those particulars referred to in Article 35.

Contravention in a parking place

7. If a vehicle is left in a parking place specified in column 2 of Schedule 1, 2 or 3 during the permitted hours without complying with the provisions of this Order, then a contravention shall be deemed to have occurred and a penalty charge shall be payable. A penalty charge notice showing the information required by section 66(3) of the Road Traffic Act 1991 may then be issued by a parking attendant in accordance with the requirements of section 66(1) of the Road Traffic Act 1991.

Removal of a vehicle from a parking place

8.
 - 1) Where a parking attendant is of the opinion that any of the provisions of this Order have been contravened or not complied with, they may remove or cause to be removed the vehicle from a parking place and where it is so removed, shall provide for the safe custody of the vehicle.
 - 2) Where a vehicle has been removed from a parking place in accordance with the provisions of paragraph (1) of this Article, a fee shall be payable to the Council in respect of the removal of that vehicle and a daily charge shall be payable in respect of the storage of that vehicle.

Alteration of position of a vehicle in a parking place

9. Where any vehicle is standing in a parking place in contravention of the provisions of Article 11(3) or 13, a parking attendant may alter or cause to be altered the position of the vehicle in order that its position shall comply with those provisions.

Movement of a vehicle in a parking place in an emergency

10. A parking attendant or a police constable in uniform may move or cause to be moved, in case of emergency, to any place they think fit, any vehicle left in a parking place.

Exemption for a disabled person's vehicle

11. 1) Notwithstanding the foregoing provisions of this Order, a disabled person's vehicle which displays in the relevant position a disabled person's badge issued by any local authority may be left in a parking bay or in a parking space without time limit, provided that the use of that parking bay or the use of that part of the parking space in which the vehicle is left has not been suspended, and no charge shall be incurred or payable in respect of that vehicle.
- 2) Notwithstanding the foregoing provisions of this Order, a disabled person's vehicle which displays in the relevant position a disabled person's badge and a disabled person's parking disc, issued by any local authority, may be left in any part of a parking place, or as the case may be, a parking space for an unlimited period, provided that the use of the parking place or the part of the parking place in which the vehicle is left has not been suspended.
- 3) Without prejudice to the generality of this Article, a disabled person's vehicle shall stand in a parking place in accordance with the provisions of Article 13 of this Order.

PART III - SUPPLEMENTARY PROVISIONS

Section 1 - General

Manner of payment of the penalty charge

12. 1) The penalty charge shall be paid to the Council in accordance with the instructions indicated on the penalty charge notice, either:-
- a) by cheque or postal order, which shall be delivered or sent by post to the address indicated in the penalty charge notice; or
 - b) in cash, which shall either be delivered in person or sent by registered post to the address indicated on the penalty charge notice; or
 - c) by any other accepted means which is agreed by the Council or authorised agent and the person or persons paying the penalty charge.

- 2) The penalty charge must be paid to the Council before the end of a period of twenty-eight days beginning with the date of the penalty charge notice.
- 3) If the penalty charge is paid to the Council before the end of a period of fourteen days beginning with the date of the penalty charge notice, the amount of the penalty charge shall be reduced in accordance with the provisions of section 66(3)(d) and (4) of the Road Traffic Act 1991.
- 4) For the purposes of this Article the penalty charge shall be taken to be paid when it is received at the office at the address indicated on the penalty charge notice and if the end of the period of twenty-eight days specified in paragraph (2) of this Article or the end of the period of fourteen days specified in paragraph (3) of this Article falls upon a day on which the said office is closed, the period within which payment of the penalty charge shall be made shall be extended until the time at which the said office closes on the next full day on which that office is open.

Manner of standing in a parking place

13. The driver of a vehicle waiting in a parking place during the permitted hours shall cause it so to stand:-
 - a) in the case of a parking place in relation to which special provisions as to the manner of standing of a vehicle in that parking place are specified in column 3 of Schedule 1, 2 or 3 as to be in accordance with those provisions;
 - b) in the case of any other parking place so that the longitudinal axis of the vehicle is parallel to the edge of the carriageway nearest to the vehicle;
 - c) in the case of a vehicle left in a parking place referred to in Schedule 1, 2 or 3 so that every part of the vehicle is within the limits of a parking space;
 - d) so that no part of the vehicle obstructs any vehicular means of ingress to or egress from any premises adjacent to the side of the road on which the vehicle is waiting;

For the purposes of the last foregoing sub-paragraph, the expression “premises” shall not include any premises to or from which any furniture is being removed by virtue of the provisions of paragraph (1)(g) of Article 16 or to or from which goods are being delivered or collected by virtue of the provisions of paragraph (1)(h) of that Article.

Power to suspend the use of a parking place

14. 1) The Chief of Police or any police officer above the rank of Chief Inspector may suspend the use of a parking place or any part thereof for a period not exceeding twenty-eight days whenever he considers such suspension necessary for maintaining the security of premises in the vicinity of that parking place.

- 2) At the expiration of the period of twenty-eight days mentioned in paragraph (1) of this Article, the suspension of the parking place or any part thereof shall be reviewed by the person who suspended it use and any continuation of the suspension that they consider necessary shall be notified to the Council and shall not exceed a further period of twenty-eight days without similar review.
- 3) Any person duly authorised by the Council may suspend the use of a parking place or any part thereof whenever they consider such suspension reasonably necessary:-
 - a) for the purpose of facilitating the movement of traffic or promoting its safety;
 - b) on any occasion on which it is likely, by reason of some special attraction or occurrence, that any street will be thronged or obstructed;
 - c) 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 of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity or of any telecommunication system or the placing, maintenance or removal of any traffic sign;
 - d) 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 dwelling-house adjacent to the parking place from or to a depository, or another office or dwelling-house;
 - e) for the convenience of occupiers of premises adjacent to the parking place at times of weddings or funerals, or on other special occasions.
- 4) 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 considers such suspension reasonably necessary;
 - a) for the purpose of facilitating the movement of traffic or promoting its safety;
 - b) on any occasion on which it is likely, by reason of some special attraction or occurrence, that any street will be thronged or obstructed.
- 5) On the suspension of the use of a parking place or any part thereof in accordance with the provisions of this Article, the person authorising or causing such suspension shall place or cause to be placed in or adjacent to that parking place or that part thereof, as the case may be, a traffic sign indicating that waiting by vehicles is prohibited.

- 6) No person shall cause or permit a vehicle to wait in a parking place or any part thereof at any time during which there is displayed in or adjacent to that parking place or that part thereof, as the case may be, a traffic sign placed in pursuance of paragraph (5) of this Article:

Provided that nothing in this paragraph shall apply:-

- a) in respect of any vehicle being used for ambulance, fire brigade or police purposes or any vehicle which is waiting for any reason specified in Article 16(1)(b), (d) or (e);
- b) to anything done with the permission of the person suspending the use of the parking place or part thereof in pursuance of paragraph (1) of this Article, or as the case may be, paragraph (3) of this Article, a police constable in uniform or a parking attendant.

Restriction on the use of a parking place

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

Provided that nothing in this Article shall prevent the sale or offering or exposing for sale of goods from a vehicle:-

- a) if the vehicle is a passenger vehicle, a goods carrying vehicle, a motor cycle 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; or
- b) if the vehicle is one to which the provisions of Article 16(1)(h) or (i) apply.

Restriction on waiting by a vehicle in a parking place

16. 1) Notwithstanding the foregoing provisions of this Order, any vehicle may wait during the permitted hours in any part of a parking place if the use of that part has not been suspended and if:-

- a) the vehicle is waiting for a period not exceeding two minutes or such longer period as a parking attendant may approve to enable a person to board or alight from the vehicle or load thereon or unload therefrom their personal luggage:

Provided that if the said person is a person suffering from any disability or injury which seriously impairs their ability to walk, or who is blind, the vehicle may wait for so long as may be necessary to enable that person to board or alight from the vehicle or load thereon or unload therefrom their personal luggage;

- b) the vehicle is waiting owing to the driver being prevented from proceeding by circumstances beyond their control or to such waiting being necessary in order to avoid an accident;
- c) the vehicle is being used for ambulance, fire brigade, coast guard or police purposes or, not being a passenger vehicle, is being used in the service of a local authority in pursuance of statutory powers or duties provided that in all the circumstances it is reasonably necessary in the exercise of such powers or the performance of such duties for the vehicle to wait in the place in which it is waiting;
- d) the vehicle is waiting only for so long as may be necessary to enable it to be used in connection with the removal of any obstruction to traffic;
- e) the vehicle is waiting:-
 - i) while postal packets addressed to premises adjacent to the parking place in which the vehicle is waiting are being unloaded from the vehicle or, having been unloaded therefrom, are being delivered; or
 - ii) while postal packets are being collected for loading on the vehicle from premises or posting boxes adjacent to the parking place in which the vehicle is waiting or, having been so collected, are being loaded thereon;
- f) the vehicle, not being a passenger vehicle, is waiting only for so long as may be necessary to enable it to be used for any purpose specified in Article 14(3)(c);
- g) the vehicle is in actual use in connection with the removal of furniture to or from one office or dwelling-house adjacent to the parking place from or to a depository, another office or dwelling-house;
- h) in any other case the vehicle is waiting for the purpose of delivering or collecting goods or loading or unloading the vehicle at premises adjacent to the parking place in which the vehicle is waiting and the vehicle does not wait for such purpose for more than twenty minutes or for such longer period as a parking attendant may approve;
- i) the vehicle is waiting, otherwise than in a parking bay or a parking space, while goods are being sold or offered or exposed for sale from the vehicle by a person who is licensed by the Council to sell goods from a stationary vehicle on a pitch situated in the parking place;
- j) the vehicle is waiting with the written consent of the Council or authorised agent and such conditions and requirements as they may impose are being complied with.

- 2) Except as provided by this Order, the driver or person in charge of a vehicle shall not cause or permit that vehicle to wait in a parking place during the permitted hours.
- 3) The driver of a vehicle waiting in a parking place by virtue of the provisions of paragraph (1) of this Article shall cause it so to stand in accordance with the provisions of Article 13.
- 4) Nothing in the foregoing provisions of this Order shall be taken as authorising anything which would be a contravention of any Regulations made or having effect as if made under section 25 of the Road Traffic Regulation Act 1984.

Placing of traffic signs, etc.

17. The Council shall:-

- a) place and maintain traffic signs indicating the limits of each parking place and each parking space;
- c) place and maintain in or in the vicinity of each parking place described in Schedule 3 signs indicating that such parking place may be used during the permitted hours for the leaving only of the vehicles specified in Article 5(2) or 5(3) respectively;
- d) place and maintain in or in the vicinity of each parking place described in Schedule 3, traffic signs indicating that such parking place may be used during the permitted hours for the leaving only of the vehicles specified in Article 5(3);
- e) carry out such other work as is reasonably required for the purposes of the satisfactory operation of a parking place.

Exemptions from the parking charge

18. 1) Notwithstanding the provisions of Articles 16 and 16, a vehicle which displays either a valid business permit, a valid residents' permit, a valid visitors' permit or a valid professional visitors' permit in accordance with the provisions of Article 6(2) in respect of that vehicle, may be left in a parking place referred to in Schedule 1 without time limit, provided that the use of that parking place has not been suspended; and
- 2) No parking charge shall be incurred or payable in accordance with the provisions of paragraph 19(1) of this Article, in respect of any vehicle referred to in paragraph 1 of this Article.

Section 2 - Residents' permits

Application for and issue of residents' permits

19. 1) A resident who is the owner of a vehicle of the class specified in Article 5(1), may apply to the Council or authorised agent for the issue of a residents' permit in respect of that vehicle and any such application shall be made on a form issued by and obtainable from the Council or authorised agent and shall include the particulars and information required by such form to be supplied.
- 2) The Council or authorised agent may at any time require an applicant for a residents' permit or a residents' permit holder to produce to an officer of the Council or a representative of the authorised agent such evidence in respect of an application for a residents' permit made to them as they may reasonably call for to verify any particulars or information given to them or in respect of any residents' permit issued by them as they may reasonably call for to verify that the residents' permit is valid.
- 3) Upon receipt of an application duly made under the foregoing provisions of this Article and upon receipt of the charge specified in paragraph (4) of this Article, the Council or authorised agent, upon being satisfied that the applicant is a resident and is the owner of a vehicle of the class specified in Article 5(1), shall issue to the applicant therefor:-
- a) one residents' permit for the leaving during the permitted hours in a parking bay or a parking space in any parking place referred to in Schedule 1 or 3 of the vehicle to which such residents' permit relates by the owner of such vehicle or any person using such vehicle with the consent of the owner other than a person to whom such vehicle has been let for hire or reward;
- b) one protective cover for the display therein of the residents' permit.
- 4) The charge referred to in paragraph (3) of this Article shall be fifteen pounds for a period of 12 months running from the date on which the residents' permit first becomes valid.

Surrender, withdrawal and validity of residents' permits

20. 1) A residents' permit holder may surrender a residents' permit to the Council or authorised agent at any time and shall surrender a residents' permit to the Council or authorised agent on the occurrence of any one of the events set out in paragraph (3) of this Article or in accordance with the provision of paragraph (5) of this Article.
- 2) The Council or authorised agent may, by notice in writing served on the residents' permit holder by sending the same by the recorded delivery service to the residents' permit holder at the address shown by that person on the application for the residents' permit or at any other address believed to be that person's place of abode, withdraw a residents' permit if it appears to the Council or authorised agent that any of the events set out in paragraph (3)(a), (3)(b) or (3)(d) of this Article has occurred and the residents' permit holder shall surrender the permit to the Council or authorised agent within 48 hours of the receipt of the afore-mentioned notice.

- 3) The events referred to in the foregoing provisions of this Article are:-
- a) the residents' permit holder ceasing to be a resident;
 - b) the residents' permit holder ceasing to be the owner of the vehicle in respect of which the residents' permit was issued;
 - c) the withdrawal of such residents' permit by the Council or authorised agent under the provisions of paragraph (2) of this Article;
 - d) the vehicle in respect of which such residents' permit was issued being adapted or used in such a manner that it is not a vehicle of the class specified in Article 5(1);
 - e) the issue of a duplicate residents' permit by the Council or authorised agent under the provisions of Article 20;
 - f) the residents' permit ceasing to be valid pursuant to the provisions of paragraph (4) of this Article.
- 4) Without prejudice to the foregoing provisions of this Article, a residents' 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 date on which it was issued), or on the occurrence of any one of the events set out in paragraph (3)(a),(3)(b), (3)(c), (3)(d) or (3)(e) of this Article, whichever is the earlier.
- 5) Where a residents' permit is issued to any person upon receipt of a cheque and the cheque is subsequently dishonoured, the residents' permit shall cease to be of any effect and the Council or authorised agent shall, by notice served on the person to whom such residents' permit was issued, by sending the same by the recorded delivery service to him or her at the address shown by that person on the application for the residents' permit or at any other address believed to be that persons' place of abode, require that person to surrender the residents' permit to the Council or authorised agent within 48 hours of the receipt of the afore-mentioned notice.

Application for and issue of duplicate residents' permits

21. 1) If a residents' permit is mutilated or accidentally defaced or the figures or particulars thereon have become illegible or the colour of the residents' permit has become altered by fading or otherwise, the residents' permit holder shall either surrender it to the Council or authorised agent or apply to the Council or authorised agent for the issue to them of a duplicate residents' permit and the Council or authorised agent, upon receipt of the residents' permit, shall issue a duplicate residents' permit, so marked, and upon such issue the residents' permit shall become invalid.

- 2) If a residents' permit is lost or destroyed, the residents' permit holder may apply to the Council or authorised agent for the issue to them of a duplicate residents' permit and the Council or authorised agent, upon being satisfied as to such loss or destruction, shall issue a duplicate residents' permit, so marked, and upon such issue the residents' permit shall become invalid.
- 3) The provisions of this Order shall apply to a duplicate residents' permit and an application therefor as if it were a residents' permit or, as the case may be, an application therefor.

Restriction on the removal of residents' permits

22. Where a residents' permit has been displayed in accordance with the provisions of Article 6(2), 6(3) or 6(5), no person not being the driver of the vehicle shall remove the residents' permit unless authorised to do so by the driver of the vehicle:

Provided that nothing in this Article shall apply to a parking attendant or a police constable in uniform or any other person removing the vehicle in pursuance of an arrangement made under regulations in pursuance of powers contained in sections 99, 100 and 101 of the Road Traffic Regulation Act 1984.

Form of residents' permits

23. A residents' permit shall be in writing and shall include the following particulars:-
- a) the registration mark of the vehicle in respect of which the residents' permit has been issued;
 - b) the period during which, subject to the provisions of Article 19(4), the residents' permit shall remain valid;
 - c) an indication that the residents' permit has been issued by the Council or authorised agent; and
 - d) an indication of the parking zone within which the residents' permit is valid.

Section 3 - Business permits

Application for and issue of business permits

24. 1) A business user who uses a vehicle of the class specified in Article 5(1) which:-
- a) is essential to the operation of a business carried out at any premises the postal address of which is in a street or part of a street specified in Schedule 4 to this Order; and
 - b) is used in the activity of the purchase and sale of goods or services in connection with the said business,

may apply to the Council or authorised agent 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 Council or authorised agent and shall include the particulars and information required by such form to be supplied.

- 2) The Council or authorised agent may at any time require an applicant for a business permit or a business permit holder to produce to an officer of the Council or a representative of the authorised agent such evidence in respect of an application for a business permit made to them as they may reasonably call for to verify any particulars or information given to them in respect of any business permit issued by them as they may reasonably call for to verify that the business permit is valid.
- 3) Upon receipt of an application duly made under the foregoing provisions of this Article and upon receipt of the charge specified in paragraph (4) of this Article, the Council or authorised agent, upon being satisfied that the applicant is a business user who uses a vehicle of the description specified in paragraph (1) of this Article, shall issue to the applicant therefor:-
 - a) one business permit for the leaving during the permitted hours in a parking space in any parking place referred to in Schedule 1 or 3 of the vehicle to which such business permit relates, by the business user or by any person using such vehicle with the consent of the business user, other than a person to whom such vehicle has been let for hire or reward;
 - b) one protective cover for the display thereof of the business permit.
- 4) The charge referred to in paragraph (3) of this Article shall be one hundred pounds in respect of a business permit which shall be valid for a period of twelve months running from the date on which the business permit first becomes valid.

Surrender, withdrawal and validity of business permits

24. 1) A business permit holder may surrender a business permit to the Council or authorised agent at any time and shall surrender a business permit to the Council or authorised agent on the occurrence of any one of the events set out in paragraph (3) of this Article or in accordance with the provision of paragraph (5) of this Article.
- 2) The Council or authorised agent may, by notice in writing served on the business permit holder by sending the same by the recorded delivery service to the business permit holder at the address shown by that person on the application for the business permit or at any other address believed to be that person's place of abode or business, withdraw a business permit if it appears to the Council or authorised agent that any of the events set out in paragraph (3)(a), (3)(b) or (3)(d) of this Article has occurred and the business permit holder shall surrender the business permit to the Council or authorised agent within 48 hours of the receipt of the afore-mentioned notice.
- 3) The events referred to in the foregoing provisions of this Article are:-
 - a) the business permit holder ceasing to be a business user;

- b) the business permit holder ceasing to be the user of the vehicle in respect of which the business permit was issued;
 - c) the withdrawal of such business permit by the Council or authorised agent under the provisions of paragraph (2) of this Article;
 - d) the vehicle in respect of which such business permit was issued being adapted or used in such a manner that it is not a vehicle of the class specified in Article 5(1);
 - e) the issue of a duplicate business permit by the Council or authorised agent under the provisions of Article 25;
 - f) the business permit ceasing to be valid pursuant to the provisions of paragraph (4) of this Article.
- 4) Without prejudice to the foregoing provisions of this Article, a business 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 date on which it was issued), or on the occurrence of any one of the events set out in paragraph (3)(a), (3)(b), (3)(c), (3)(d) or (3)(e) of this Article, whichever is the earlier.
- 5) Where a business permit is issued to any person upon receipt of a cheque and the cheque is subsequently dishonoured, the business permit shall cease to be of any effect and the Council or authorised agent shall, by notice served on the person to whom such business permit was issued by sending the same by the recorded delivery service to him or her at the address shown by that person on the application for the business permit or at any other address believed to be that person's place of abode or business, require that person to surrender the business permit to the Council or authorised agent within 48 hours of the receipt of the afore-mentioned notice.

Application for and issue of duplicate business permits

26. 1) If a business permit is mutilated or accidentally defaced or the figures or particulars thereon have become illegible or the colour of the business permit has become altered by fading or otherwise, the business permit holder shall either surrender it to the Council or authorised agent or apply to the Council or authorised agent for the issue to them of a duplicate business permit and the Council or authorised agent, upon receipt of the business permit, shall issue a duplicate business permit, so marked, and upon such issue the business permit shall become invalid.
- 2) If a business permit is lost or destroyed, the business permit holder may apply to the Council or authorised agent for the issue to them of a duplicate business permit and the Council or authorised agent, upon being satisfied as to such loss or destruction, shall issue a duplicate business permit, so marked, and upon such issue the business permit shall become invalid.

- 3) The provisions of this Order shall apply to a duplicate business permit and an application therefor as if it were a business permit or, as the case may be, an application therefor.

Restriction on the removal of business permits

27. Where a business permit has been displayed in accordance with the provisions of Article 6(2), 6(4) or 6(5), no person not being the driver of the vehicle shall remove the business permit unless authorised to do so by the driver of the vehicle:

Provided that nothing in this Article shall apply to a parking attendant or a police constable in uniform or any other person removing the vehicle in pursuance of an arrangement made under regulations in pursuance of powers contained in sections 99, 100 and 101 of the Road Traffic Regulation Act 1984.

Form of business permits

28. A business permit shall be in writing and shall include the following particulars:-
 - a) the registration mark of the vehicle in respect of which the business permit has been issued;
 - b) the period during which, subject to the provisions of Article 24(4), the business permit shall remain valid;
 - c) an indication that the business permit has been issued by the Council or authorised agent; and
 - d) an indication of the parking zone within which the business permit is valid.

Section 4 - Visitors' permits

Application for and issue of visitors' permits

29.
 - 1) A resident may apply to the Council or authorised agent for the issue of five or more visitors' permits in respect of a vehicle of the class specified in Article 5(1) and any such application shall be made on a form issued by and obtainable from the Council or authorised agent and shall include the particulars and information required by such form to be supplied.
 - 2) The Council or authorised agent may at any time require an applicant for a visitors' permit to produce to an officer of the Council or a representative of the authorised agent such evidence in respect of an application for a visitors' permit made to them as they may reasonably call for to verify any particulars or information given to them or in respect of any visitors' permit issued by them as they may reasonably call for to verify that the visitors' permit is valid.
 - 3) A visitors' permit shall be valid for one day only running from the beginning of the day on which it is validated by the resident.

Surrender, withdrawal and validity of visitors' permits

30. 1) A resident may surrender a visitors' permit to the Council or authorised agent at any time and shall surrender a visitors' permit to the Council or authorised agent on ceasing to be a resident.
- 2) The Council or authorised agent may, by notice in writing served on the resident by sending the same by the recorded delivery service to the address shown by that person on the application for the visitors' permit or at any other address believed to be that person's place of abode, withdraw all visitors' permits if it appears to the Council or authorised agent that the person has ceased to be a resident and they shall surrender the permits to the Council or authorised agent within 48 hours of the receipt of the afore-mentioned notice.

Restriction on the removal of visitors' permits

31. Where a visitors' permit has been displayed in accordance with the provisions of Article 6(1), 6(2) or 6(3), no person not being the driver of the vehicle shall remove the visitors' permit unless authorised to do so by the driver of the vehicle:

Provided that nothing in this Article shall apply to a parking attendant or a police constable in uniform or any other person removing the vehicle in pursuance of an arrangement made under regulations in pursuance of powers contained in sections 99, 100 and 101 of the Road Traffic Regulation Act 1984.

Form of visitors' permits

32. A visitors' permit shall be in writing and shall include the following particulars:-
- a) the registration mark of the vehicle in respect of which the visitors' permit has been validated, to be completed by either the visitor or the resident as the case may be;
 - b) the date on which the visitors' permit is valid, to be completed by either the visitor or the resident, as the case may be;
 - c) an indication that the visitors' permit has been issued by the Council or authorised agent; and
 - d) an indication of the parking zone within which the visitors' permit is valid.

Section 5 – Professional visitors’ permits

Application for and issue of professional visitors’ permits

33. 1) A resident may apply to the Council or authorised agent for the issue of a professional visitors’ permit in respect of medical or health care personnel visitors and any such application shall be made on a form issued by and obtainable from the Council or authorised agent along with a certificate signed by that person’s General Practitioner confirming the need for such visits, and shall include the particulars and information required by such form to be supplied.
- 2) The Council or authorised agent may at any time require an applicant for a professional visitors’ permit to produce to an officer of the Council or a representative of the authorised agent such evidence in respect of an application for a professional visitors’ permit made to them as they may reasonably call for to verify any particular information given to them or in respect of any professional visitors’ permit issued by them as they may reasonably call for to verify that the professional visitor’s permit is valid.
- 3) Upon receipt of an application duly made under the foregoing provisions of this Article and upon receipt of the charge specified in paragraph (4) of this Article, the Council or authorised agent, upon being satisfied that the applicant is a professional visitor who uses a vehicle of the description specified in paragraph (1) of this Article, shall issue to the applicant therefor:-
- a) one professional visitors’ permit for the leaving during the permitted hours in a parking bay or in a parking space in any parking place referred to in Schedule 1 or 3 of a vehicle to which such professional visitors’ permit relates, by the resident or by any person using such vehicle with the consent of the resident, other than a person to whom such vehicle has been let for hire or reward.
 - b) one protective cover for the display therein of the professional visitors’ permit.
- 4) The charge referred to in paragraph 3) of this Article shall be:-
- a) one hundred pounds in respect of a professional visitors’ permit issued to a general practitioner;
 - b) one hundred pounds in respect of a professional visitors’ permit issued to a carer;
 - c) fifteen pounds for a professional visitors’ permit issued to a resident; which shall be valid for a period of twelve months running from the date on which the professional visitors’ permit first becomes valid.

Surrender, withdrawal and validity of professional visitors' permits

34. 1) A professional visitors' permit holder may surrender a professional visitors' permit to the Council or authorised agent at any time and shall surrender a professional visitors' permit to the Council or authorised agent when medical or health care personnel visitors are no longer required, or the professional visitors' permit holder ceases to be a medical or health care personnel worker, or no longer provides medical or health care services to residents.
- 2) The Council or authorised agent may, by notice in writing served on the professional visitors' permit holder by sending the same by the recorded delivery service to the professional visitors' permit holder at the address shown by that person on the application for the professional visitors' permit or at any other address believed to be that person's place of abode, withdraw a professional visitors' permit if it appears to the Council or authorised agent that medical or health care visitors are no longer required and the professional visitors' permit holder shall surrender the professional visitors' permit to the Council or authorised agent within 48 hours of the receipt of the afore-mentioned notice.

Application for and issue of duplicate professional visitors' permits

35. 1) If a professional visitors' permit is mutilated or accidentally defaced or the figures or particulars thereon have become illegible or the colour of the professional visitors' permit has become altered by fading or otherwise, the professional visitors' permit holder shall either surrender it to the Council or authorised agent or apply to the Council or authorised agent for the issue to them of a duplicate professional visitors' permit and the Council or authorised agent, upon receipt of the professional visitors' permit, shall issue a duplicate professional visitors' permit, so marked, and upon such issue the professional visitors' permit shall become invalid.
- 2) If a professional visitors' permit is lost or destroyed, the professional visitors' permit holder may apply to the Council or authorised agent for the issue to them of a duplicate professional visitors' permit and the Council or authorised agent, upon being satisfied as to such loss or destruction, shall issue a duplicate professional visitors' permit, so marked, and upon such issue the professional visitors' permit shall become invalid.
- 3) The provisions of this Order shall apply to a duplicate professional visitors' permit and an application therefor as if it were a professional visitors' permit or, as the case may be, an application therefor.

Restriction on the removal of professional visitors' permits

36. Where a professional visitors' permit has been displayed in accordance with the provisions of Article 6(1) or 6(3), no person not being the driver of the vehicle shall remove the professional visitors' permit unless authorised to do so by the driver of the vehicle:

Provided that nothing in this Article shall apply to a parking attendant or a police constable in uniform or any other person removing the vehicle in pursuance of an

arrangement made under regulations in pursuance of powers contained in sections 99, 100 and 101 of the Road Traffic Regulation Act 1984.

Form of professional visitors' permits

37. A professional visitors' permit shall be in writing and shall include the following particulars:-
- a) the period during which, subject to the provisions of Article 32(4), the professional visitors' permit shall remain valid;
 - b) an indication that the professional visitors' permit has been issued by the Council or authorised agent; and
 - c) an indication of the parking zone within which the professional visitors' permit is valid.

Dated this day of 2003.

Give under the common seal of the Council this * day of * 2003.

THE COMMON SEAL OF
MEDWAY COUNCIL WAS
thereunto affixed in the
presence of

Dr. Richard Simmons
Director of Development and Environment

SCHEDULE 1 (see Article 4)

IN RELATION TO A PARKING PLACE REFERRED TO IN THIS SCHEDULE THE EXPRESSION “PERMITTED HOURS” MEANS THE PERIOD BETWEEN 8.00 A.M .AND 6.00 P.M. ON MONDAYS TO SATURDAYS INCLUSIVE, ANY SUCH DAY NOT BEING CHRISTMAS DAY, GOOD FRIDAY OR A BANK HOLIDAY.

PARKING PLACES IN WHICH A VEHICLE MAY BE LEFT DURING THE PERMITTED HOURS IF IT DISPLAYS A RESIDENTS PERMIT, A VISITORS PERMIT, A BUSINESS PERMIT OR A PROFESSIONAL VISITORS PERMIT.

No. of parking place	Designated parking place	Special manner of standing of vehicles
1	2	3
1.	BROWN STREET, the north side, from a point 0.5 metres east of the common boundary of Nos. 5 and 7 Brown Street to the common Boundary of Nos. 9 and 11 Brown Street.	-
2.	BROWN STREET, the north side, from a point 5.5 metres east of the common boundary of Nos. 9 and 11 Brown Street to a point 5.5 metres west of the common Boundary of Nos. 29 and 31 Brown Street.	-
3.	BROWN STREET, the north side, from a point 2 metres east of the common boundary of Nos. 29 and 31 Brown Street to the common Boundary of Nos. 51 and 53 Brown Street.	-
4.	BROWN STREET, the north side, from a point 5.5 metres east of the common boundary of Nos. 51 and 53 Brown Street to the common Boundary of Nos. 55 and 57 Brown Street.	-
5.	BROWN STREET, the north side, from a point 5.5 metres east of the common boundary of Nos. 55 and 57 Brown Street to a point 0.5 metres west of the common boundary of Nos. 59 and 61 Brown Street.	-

SCHEDULE 1 (continued)

No. of parking place 1	Designated parking place 2	Special manner of standing of vehicles 4
6.	BROWN STREET, the north side, from a point 20.5 metres west of the western kerb line of Suffolk Avenue westward for a distance of 5 metres.	-
7.	BROWN STREET, the south side, from the common boundary of Nos. 15 and 17 Brown Street to a point 17.5 metres west of the western kerb line of Holding Street.	-
8.	GRESHAM CLOSE, the west side, from a point 6.5 metres north of the northern kerb line of Longley Road northward for a distance of 27 metres.	-
9.	HOLDING STREET, the west side, from a point 19.5 metres north of the northern kerb line of Longley Road northward for a distance of 20 metres.	-
10.	HOLDING STREET, the west side, from a point 10.5 metres north of the common boundary of Nos. 5 and 7 Holding Street to the common Boundary of Nos. 19 and 21 Holding Street.	-
11.	HOLDING STREET, the west side, iii) from a point 13.5 metres south of the southern kerb line of Brown Street southward for a distance of 21 metres.	-

SCHEDULE 1 (continued)

No. of parking place 1	Designated parking place 2	Special manner of standing of vehicles 3
12.	QUINNELL STREET, the west side, from a point 16.5 metres north of the northern kerb line of High Street, Rainham (A2) northward for a distance of 6.5 metres.	-
13.	QUINNELL STREET, the west side, from a point 19 metres north of the northern kerb line of High Street, Rainham (A2) northward for a distance of 16.5 metres.	-
14.	QUINNELL STREET, the west side, from a point 29 metres north of the northern kerb line of High Street, Rainham (A2) to a point 8 metres south of the common boundary of Nos. 3 and 5 Quinnell Street.	-
15.	QUINNELL STREET, the west side, from a point 2.5 metres south of the common boundary of Nos. 3 and 5 Quinnell Street northward for a distance of 31 metres.	-
16.	QUINNELL STREET, the west side, from the common boundary of Nos. 9 and 11 Quinnell Street northward for a distance of 7 metres.	-
17.	QUINNELL STREET, the west side, from the common boundary of Nos. 13 and 15 Quinnell Street to a point 5 metres south of the common boundary of Nos. 23 and 25 Quinnell Street.	-
18.	QUINNELL STREET, the west side, from a point 0.5 metres north of the common boundary of Nos. 23 and 25 Quinnell Street to a point 6 metres south of the northern kerb line of Brown Street.	-

SCHEDULE 1 (continued)

19. QUINNELL STREET, the east side, from a point 17 metres north of the north kerb line of High Street, Rainham (A2) northward for a distance of 8 metres. -
20. QUINNELL STREET, the east side, from the common boundary of Nos. 4 and 6 Quinnell Street to a point 16.5 metres south of the southern kerb line of the unnamed service road which lies to the east of Quinnell Street. -
21. QUINNELL STREET, the east side, from a point 11 metres north of the northern kerb line of the unnamed service road which lies to the east of Quinnell Street northward for a distance of 10 metres. -
22. QUINNELL STREET, the east side, from the common boundary of Nos. 26 and 28 Quinnell Street to the common boundary of Nos. 21 and 23 Quinnell Street. -
23. QUINNELL STREET, the east side, b) the south side
from a point 5 metres west of the common boundary of Nos. 30 and 32 Quinnell Street to the common boundary of Nos. 38 and 40 Quinnell Street. -

SCHEDULE 2 (see Article 4)

IN RELATION TO A PARKING PLACE REFERRED TO IN THIS SCHEDULE THE EXPRESSION “PERMITTED HOURS” MEANS THE PERIOD BETWEEN 8.00 A.M .AND 6.00 P.M. ON MONDAYS TO SATURDAYS INCLUSIVE, ANY SUCH DAY NOT BEING CHRISTMAS DAY, GOOD FRIDAY OR A BANK HOLIDAY.

PARKING PLACES IN WHICH A VEHICLE MAY BE LEFT DURING THE PERMITTED HOURS IF IT DISPLAYS A RESIDENTS PERMIT, A VISITORS PERMIT, A BUSINESS PERMIT OR A PROFESSIONAL VISITORS PERMIT, OR TO ANY OTHER VEHICLE SPECIFIED IN ARTICLE 5(1) OF THIS ORDER FOR A MAXIMUM PARKING PERIOD OF 30 MINURES, WITH NO RETURN IN THIRTY MINUTES..

No. of parking place	Designated parking place	Special manner of standing of vehicles
1	2	3
24.	HIGH STREET, RAINHAM (A2), the north side, from a point 17.5 metres east of the eastern kerb line of Quinnell Street to a point 4.5 metres west of the common boundary of Nos. 21 and 23 High Street, Rainham.	-
25.	STATION ROAD, RAINHAM, the west side, from the common boundary of Nos. 1 to 3 and No. 5 Station Road to a point 16 metres south of the southern kerb line of Longley Road.	-
26.	STATION ROAD, RAINHAM, the west side, from a point 15 metres north of the northern kerb line of Longley Road to a point 16 metres south of the southern kerb line of Webster Road.	-
27.	STATION ROAD, RAINHAM, the east side, from a point 15.5 metres north of the northern kerb line of Hothfield Road northward for a distance of 20.5 metres.	-
28.	STATION ROAD, RAINHAM, the east side, from a point 18.5 metres south of the southern kerb line of Solomon Road southward for a distance of 15 metres.	-

SCHEDULE 3 (see Article 4)

IN RELATION TO A PARKING PLACE REFERRED TO IN THIS SCHEDULE THE EXPRESSION “PERMITTED HOURS” MEANS THE PERIOD BETWEEN 8.00 A.M .AND 6.00 P.M. ON MONDAYS TO SATURDAYS INCLUSIVE, ANY SUCH DAY NOT BEING CHRISTMAS DAY, FRIDAY OR A BANK HOLIDAY.

PARKING PLACES IN WHICH A VEHICLE MAY BE LEFT DURING THE PERMITTED HOURS IF IT DISPLAYS A RESIDENTS PERMIT, A VISITOR PERMIT, A BUSINESS PERMIT OR A PROFESSIONAL VISITORS PERMIT, OR TO ANY OTHER VEHICLE SPECIFIED IN ARTICLE 5(1) OF THIS ORDER FOR A MAXIMUM PARKING PERIOD OF 1 HOUR, WITH NO RETURN IN TWO HOURS.

No. of parking place 1	Designated parking place 2	Special manner of standing of vehicles 3
29.	HOLDING STREET, the east side, from a point 5.5 metres north of the common boundary of Nos. 20 and 22 Holding Street to the common boundary of Nos. 38 and 40 Holding Street.	-
30.	HOLDING STREET, the east side, from a point 4.5 metres north of the common boundary of Nos. 38 and 40 Holding Street to a point 0.5 metres north of the northern boundary of No. 48 Holding Street.	-
31.	HOLDING STREET, the east side, from a point 5 metres north of the northern boundary of No. 48 Holding Street to a point 15 metres south of the southern kerb line of Brown Street.	-
27.	HOLDING STREET, the east side, from a point 5 metres north of the northern boundary of No. 48 Holding Street to a point 15 metres south of the southern kerb line of Brown Street	-

SCHEDULE 4

STREETS OR PARTS OF STREETS FOR THE PURPOSE OF THE DEFINITION OF A RESIDENT OR A BUSINESS USER (see Article 2(1))

1. Brown Street
2. Gresham Close
3. High Street, Rainham, between Quinnell Street and Station Road.
4. Holding Street
5. Longley Road
6. Station Road, Rainham, between High Street, Rainham and Rainham Train Station