

**NORTH HERTFORDSHIRE DISTRICT COUNCIL
CONTROL OF PARKING
CONSOLIDATION ORDER**

North Hertfordshire District Council (hereinafter referred to as “the Council”), pursuant to arrangements made under Section 101 of the Local Government Act 1972 with the Hertfordshire County Council, and in exercise of the powers conferred by Sections 1(1), 2(1) to (3), 4(2) 32, 35 and 124 of and Part IV of Schedule 9 of the Road Traffic Regulation Act 1984 (“the Act of 1984”), as amended and the Road Traffic Act 1991 (“the Act of 1991”) and of all other powers them enabling and after consultation with the Chief Officer of Police in accordance with Part III of Schedule 9 to the Act of 1984 and with the Road Traffic Act 1991, hereby makes the following Order:-

PART I

CITATION AND INTERPRETATION

Citation

1. This Order shall come into operation on the 17th day of January 2005 and may be cited as the North Hertfordshire District Council Control of Parking Consolidation Order.
2. The North Hertfordshire District Council Control of Parking Consolidation Order Plans (“the Plans”) are incorporated into this Order.

Interpretation

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

“*ambulance*” has the same meaning as in the Vehicle Excise and Registration Act 1994;

“*authorised agent*” means the parking services contractor appointed by or duly authorised to act on behalf of the Council for the purposes of the supervision and enforcement of this Order;

“authorised officer” means the Director of Customer Services for the Council or any other officer of the Council to be designated by the Council;

“authorised parking place” means any parking place on a road authorised or designated by this Order;

“bus” has the same meaning as in Regulation 22 of the 1994 Regulations;

“business permit” means a permit issued to a business issued under the provisions of Articles 38 and 46;

“business permit holder” means a business to which a business permit has been issued under Article 38 and Article 46;

“carriageway” means a way constituting or comprised in a highway being a way (other than a cycle track) over which the public have a right of way for the passage of vehicles;

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

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

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

“enactment” means any enactment, whether public general or local, and includes any order, byelaw, rule, regulation, scheme or other instrument having effect by virtue of an enactment and any reference in this Order to any enactment shall be construed as a reference to that enactment as amended, applied, consolidated, re-enacted by or as having effect by virtue of any subsequent enactment;

"*goods*" means goods or burden of any description and includes postal packets of any description;

"*hackney carriage*" means a vehicle licensed under Section 37 of the Town Police Causes Act 1847, Section 6 of the Metropolitan Carriages Act 1869, or any similar enactment;

"*hackney carriage stand*" means an area of carriageway which is comprised within and indicated by road markings complying with diagram 1028.2 in Schedule 6 to the 2002 Regulations;

"*invalid carriage*" has the same meaning as in Section 136 of the Act of 1984;

"*loading*" means the loading or unloading of goods to or from a vehicle;

"*motor cycle*" has the same meaning as in Section 136 of the Act of 1984;

"*operational vehicle*" means a vehicle not exceeding 3.5 tonnes gross laden weight, owned and operated by a small business for the explicit use of making deliveries, collections, servicing or other business activity as the Council shall consider and approve;

"*owner*", in relation to a vehicle means the person who is named in the vehicle registration document as the registered keeper of a goods or passenger vehicle or the person who has the use of such a vehicle and who is entitled to use such a vehicle as though he/she were the registered keeper thereof;

"*parking attendant*" means a person authorised by or on behalf of the Council to supervise and enforce the restrictions imposed by this Order;

"*parking place*" means any area on a highway designated as a parking place for the leaving of vehicles by this Order;

"*penalty charge*" and "*reduced penalty charge*" means a charge set by the Council under the provisions of section 66 of the Road Traffic Act 1991 and with the approval of the Secretary of State for Transport which is to be paid to the Council within 28 days beginning with the date of the notice, or 14 days in the case of a reduced penalty charge, 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;

"*permit*" means a permit issued under the provisions of Articles 36 and 46;

"*Permit holder*" means a person to whom a Parking Permit or Visitors Permit has been issued or any business to which a Business Permit has been issued;

"*permitted hours*" means the hours identified on the plans attached to this Order;

"*relevant position*" in respect of: -

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

"*resident*" means a person whose usual place of abode is at premises the postal address of which is in a road or part of a road identified in Schedule 1 to this Order;

"*small business*" means a trade or profession whose space is 235 square metres or less with the same postal address as described in Schedule 1 to this Order;

“specified position” means:

- (a) in the case of the parking place in relation to which special provisions as to the manner of standing of a vehicle in that place are specified in the Plans attached to this Order, so as to be in accordance with those provisions;
- (b) in the case of any other parking place -
 - (i) if the parking place is not in a one-way street, that the left or near-side of the vehicle is adjacent to the left-hand edge of the carriageway;
 - (ii) that the distance between the edge of the carriageway and the nearest wheel of the vehicle is not more than 300 millimetres;
 - (iii) so that every part of a vehicle is within the limits of a parking place;
 - (iv) 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.

“specified hours” means the hours identified for parking places on the plans attached to this Order;

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

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

“Ticket” means a visitors ticket issued under the provisions of Articles 41 and 46;

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

“traffic sign” means a sign of any size, colour and type prescribed or authorised under the 2002 Regulations;

“vehicle” means a motor vehicle as defined in Section 136(1) of the Act of 1984;

“visitors permit” means a permit issued under the provisions of Articles 41 and 46; and

“waiver certificate” means a certificate duly issued on behalf of the Council by an Authorised Officer permitting a specified vehicle to wait in specified circumstances on a length or lengths of roads where the waiting of that vehicle would otherwise be prohibited.

4. Except where otherwise stated, any reference in this Order to a numbered Article or Schedule is a reference to the Article or Schedule bearing that number in this Order;
5. The Interpretation Act 1978 shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.

PART II

PROHIBITION AND RESTRICTION OF WAITING

Prohibition and restriction of waiting

6. Save as provided in Articles 7 to 11 no person shall, except upon the direction or with the permission of a police constable in uniform or a parking attendant, cause or permit any vehicle to wait on the roads or sides of the roads identified and for the periods identified (or, in the case of a road or side of road where limited waiting is permitted, otherwise than during the period identified) on the Plans attached to this Order.

Exemptions

7. Nothing in Article 6 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) a person to board or alight from the vehicle;
 - (b) the vehicle, if it cannot conveniently be used for such purpose in any other road, to be used in connection with any of the following operations, namely:-
 - (i) building, 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 apparatus kept or installed for the purposes of a telecommunications code system or of any telecommunications apparatus lawfully kept installed in any position;
- (c) the vehicle, if it cannot conveniently be used for such purposes in any other road, to be used in the service of a local authority or of a water authority in pursuance of statutory powers or duties;
- (d) 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;
- (e) the vehicle to be used for Fire and Rescue, Ambulance or Police purposes; or
- (f) the vehicle to be stationary 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
8. Nothing in Article 6 shall render it unlawful to cause or permit any vehicle
- (a) to wait upon an authorised parking place, or
 - (b) being a hackney carriage, to wait upon a hackney carriage stand.
9. Nothing in Article 6 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 roads, lengths of road or on any of the sides of road identified on the plans attached to this Order for a period not exceeding three hours (not being a period separated by an interval of less than one hour from a previous period of waiting by the same vehicle in the same length of road or on the same side of road on the same day);
- PROVIDED THAT, no vehicle shall so wait in any length of road at any time when a prohibition of waiting for the purpose of loading or unloading applies to that length of

road.

10. Nothing in Article 6 shall render it unlawful to cause or permit a vehicle which is displaying in the relevant position a valid waiver certificate and is waiting in accordance with the terms and conditions of the said certificate to wait in any of the roads, lengths of road or on any of the sides of road identified on the plans attached to this Order

Loading and unloading

11. Nothing in Article 6 shall prevent any person from causing or permitting a vehicle to wait in any restricted road for as long as may be necessary for the purpose of delivering or collecting goods or merchandise or loading or unloading the vehicle at premises adjoining that road if it cannot conveniently wait for any such purpose within the curtilage of those premises or in any other road:

PROVIDED THAT, unless notice is given at least five working days in advance to the Council and a waiver certificate is obtained, no vehicle shall so wait on any day and during such hours

- (i) in any part of a restricted road identified in the plans attached to this Order where loading and unloading is prohibited;
- (ii) in any other part of a restricted road for a period of more than 30 minutes during the restricted hours; or
- (iii) in any part of a restricted road during the restricted hours if a period of less than 1 hour has elapsed since the termination of the last period of waiting (if any) of the vehicle on that length of road.

Waiver certificates

12. The Council may issue a waiver certificate on receipt of written application with at least one working day notice and may impose terms and conditions as appropriate.
13. A waiver certificate may be cancelled at any time at the sole discretion of the Council and shall thereupon immediately cease to be valid. Notification of such cancellation shall be sent by post to the holder of the certificate at any address that the Council believes to be that person's address and the certificate shall forthwith be surrendered to the Council.

PART III

AUTHORISATION AND USE OF ON-STREET PARKING PLACES

Designation of parking places

14. The parts of the roads identified on the plans attached to this Order are authorised to be used, subject to the following provisions of this Order, as parking places for such classes of vehicles, in such positions and on such days and during such hours as identified on the Plans attached to this Order.

Use of parking places

15. Save as provided in Article 26 and identified in the Plans attached to this Order a parking place is described as available for vehicles of a specified class or in a specified position, the driver of a vehicle shall not permit it to wait in that parking place -
- (a) unless it is of the specified class; or
 - (b) in a position other than that specified.
16. Save as provided in Article 26 of this Order,
- (i) 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;
Provided that a 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) may wait in the parking place for a period not exceeding three hours (not being a period separated by an interval of less than one hour from the previous period of waiting by the same motor vehicle in the same length of road on the same day); and
 - (ii) when a vehicle has left a parking place after waiting thereon the driver thereof shall not within two hours after its leaving permit it to wait again upon that parking place.

17. Permits and Tickets shall only be valid for use in a parking place on a road identified for permit holders on the Plans attached to this Order.
18. A driver of a vehicle shall not use a parking place -
 - (a) so as unreasonably to prevent access to any premises adjoining the road, or the use of the road by any other persons, or so as to be a nuisance;
 - (b) when for preventing obstruction of the streets the Council shall by Order made on the occasion of any public procession, rejoicing or illumination or when the streets are thronged or liable to be obstructed have closed that parking place and exhibited notice of such closing on or near the parking place.
19. The driver of a motor vehicle using a parking place shall stop the engine as soon as the vehicle is in a position in the parking place, and shall not start the engine except when about to change the position of the vehicle in or to depart from the parking place.
20. Save as provided in Article 26 of this Order no person shall use a vehicle, while it is in a parking place, in connection with the sale of any article to persons in or near the parking place or in connection with the selling or offering for hire of his skill or services.
21. Nothing in Article 16 shall render it unlawful to cause or permit a vehicle which is displaying in the relevant position a valid waiver certificate and is waiting in accordance with the terms and conditions of the said certificate

Movement of vehicles in parking places

22. Subject to the proviso hereto, when a vehicle is left in a parking place in contravention of any of the provisions contained in Articles 15, 16 or 20 a person authorised in that behalf by the Council may remove the vehicle or arrange for it to be removed from that parking place:
Provided that when a vehicle is waiting in a parking place in contravention of the provision of Article 15(b), a person authorised in that behalf by the Council may alter or cause to be altered the position of the vehicle in order that its position shall comply with that provision.

23. A Police Constable in uniform or Parking Attendant may cause to be moved or removed any motor vehicle left in a parking place which is in a dangerous position or causing an unnecessary obstruction.
24. Any person removing a vehicle or altering its position by virtue of the last preceding Articles may do so by towing or driving the vehicle or in such other manner as he / she may think necessary and may take such measures in relation to the vehicle as he / she may think necessary to enable him to remove it or alter its position as the case may be.
25. When a person authorised by the Council removes or makes arrangements for the removal of a vehicle from a parking place by virtue of Article 22 or Article 23, he / she shall make such arrangements as may be reasonably necessary for the safe custody of the vehicle.
26. The provisions contained in Articles 15, 16 and 20 and the restrictions imposed by Article 6 of this Order shall not apply to any hackney carriage while waiting upon a hackney stand.

Placing of traffic signs

27. The Council shall:
 - a) indicate the limits of each parking place on the road;
 - b) place and maintain on or in the vicinity of each parking place appropriate traffic signs for indicating that the parking place may be used during the permitted hours only for vehicles or motorcycles displaying a valid Permit or Ticket; and
 - c) carry out such other work as is reasonably required for the purposes of the satisfactory operation of a parking place.

Power to suspend use of parking places

28. Any person authorised by the Council may suspend the use of a parking place whenever he / she considers such suspension reasonably necessary;
 - a) for the purpose of facilitating the movement of traffic or promoting its safety;

- b) for the purposes of any building operation, demolition or excavation in or adjacent to the parking place or the maintenance, improvement or reconstruction of the parking place or the laying, erection, alteration, removal 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 apparatus or traffic sign; or
 - c) for the convenience of occupiers of premises adjacent to the parking place or any occasion for the removal of furniture from one office or dwelling house to another place;
 - d) on any occasion on which it is likely by reason of some special attraction that any street will be thronged or obstructed;
 - e) for the convenience of occupiers of premises adjacent to the parking place at times of weddings or funerals or on other special occasions;
 - f) for the purpose of facilitating the cleansing of the parking place.
29. A Police Officer in uniform may suspend the use of a parking place for not longer than twenty four hours whenever he / she considers such suspension reasonably necessary for the purpose of facilitating the movement of traffic or promoting safety.
30. Any person suspending the use of a parking place in accordance with the provisions of Articles 28 or 29 shall place in or adjacent to that parking place a traffic sign indicating that waiting by vehicles is prohibited.

Restriction of use of motor vehicles at parking places

31. While any motor vehicle is in a parking place during the regulated hours, no person shall use the motor vehicle for the sale or in connection with the selling or offering for sale of any article, skill or service to any person.
32. Nothing in the preceding Article shall prevent the sale of goods from a vehicle if the goods are immediately delivered at or taken into premises adjacent to the vehicle from which the sale is effected; such vehicle to be permitted to wait in a parking place for no longer than 5 minutes.

Exemptions

33. Any motor vehicle may wait at any time in any parking place (other than one which has been suspended under Articles 28 or 29 of this Order) for so long as may be reasonably necessary if;
- a) the motor vehicle is waiting to enable a person to board or alight from the motor vehicle;
 - b) the motor vehicle is waiting to enable goods to be loaded or unloaded from the motor vehicle;
 - c) the motor vehicle is waiting owing to the driver being prevented from proceeding by circumstances beyond his control or to such waiting being necessary to avoid an accident;
 - d) the motor vehicle is a vehicle being used for police, fire and rescue or ambulance purposes, or a motor vehicle in the service of a local authority which is being used in pursuance of statutory powers or duties;
 - e) the motor vehicle is being used by community health personnel or carers on duty and displays an identification that the driver is employed as such;
 - f) the motor vehicle is waiting to enable it to be used in connection with the removal of any obstruction to traffic;
 - g) the motor vehicle is in the service of or employed by the Post Office and is waiting while postal packets addressed to the premises in the length of road in which the motor vehicle is waiting are being unloaded, being delivery or while postal packets are being collected from premises or posting boxes in the length of road in which the motor vehicle is waiting;
 - h) the motor vehicle (not being a passenger vehicle) is in actual use in connection with removal of furniture from one office or dwelling house to another or the removal of furniture from such premises to a depository or to such premises from a depository;
 - i) the vehicle is displaying in the relevant position a valid waiver certificate and is waiting in accordance with the terms and conditions of the said certificate
34. A motor vehicle which displays in the relevant position a disabled person's badge may wait in any of the lengths of roads designated as permit parking places in the Plans attached to this Order without time limit and without incurring any charge (if any).

35. Nothing in the foregoing provisions of the foregoing Articles shall be taken as authorising anything which would be a contravention of any regulations made or having effect as if made under section 25 or the 1984 Act.

PART IV

PERMITS

Qualification for a Parking Permit

36. Any resident whose postal address is included in Schedule 1 who is the owner of a vehicle the gross weight of which does not exceed 3.5 tonnes or a motor cycle may apply for a Parking Permit for each such vehicle in their ownership.

Form of Permit

37. A Parking Permit shall be in writing and shall include the following particulars:
- a) a serial number by which the Permit holder may be identified;
 - b) the registration mark of the vehicle for which the Parking Permit is issued;
 - c) the expiry date;
 - d) an authentication that the Parking Permit has been issued by the Council; and
 - e) an indication of the zone or street in which the permit is valid.

Qualification for a Business Permit

38. Any small business whose postal address is included in Schedule 1 may apply for one Business Permit provided that the business is the owner of operational vehicles.
39. A Business Permit shall be valid for two operational vehicles but shall only be used by one operational vehicle at a time.

Form of Permit

40. A Business Permit shall be in writing and shall include the following particulars:

- a) a serial number by which the Permit holder may be identified;
- b) the registration numbers of the two operational vehicles for which the Business Permit is issued;
- c) the expiry date;
- d) an authentication that the Business Permit has been issued by the Council; and
- e) an indication of the zone or street in which the permit is valid.

Qualification for a Visitors Permit or Tickets

41. Any resident whose postal address is included in SCHEDULE 1 may apply for one Visitors Permit. Only one Visitors Permit may be issued for that address, however a resident may apply for an unlimited number of books of Tickets.

Form of Permit

42. A Visitors Permit and Ticket shall be in writing and shall contain:
- a) a serial number by which the permit holder may be identified;
 - b) the expiry date;
 - c) an authentication that the Permit or Ticket has been issued by the Council; and
 - e) an indication of the zone or street in which the permit is valid.
43. A Ticket shall be in writing and shall contain:-
- a) a serial number by which the ticket holder may be identified;
 - b) the date of the day of use entered in ink by the resident;
 - c) the registration number of the vehicle in which it is displayed entered in ink by the resident;
 - d) an authentication that the Ticket has been issued by the Council; and
 - e) an indication of the zone or street in which the permit is valid.

Application for and issue of a Parking Permit, Business Permit, Visitors Permit or Tickets

44. Application for a Parking Permit, Business Permit, Visitors Permit or Tickets will be made on a form issued by and obtainable from the Council. The form must be completed and returned accompanied by a payment for the charge specified in Article 49.
45. The Council or authorised agent may at any time require an applicant for a permit or a permit holder to produce to an officer of the Council or authorised agent such evidence in respect of an application for a permit or any permit as they may reasonably require to verify the particulars or information given to them or to verify that the permit is valid.
46. On receipt of a properly completed application and fee where appropriate the Council shall issue to the appropriate applicant:
- (I) one Parking Permit per vehicle owned by the resident;
 - (II) one Business Permit per small business;
 - (iii) one Visitors Permit per address; and / or
 - (iv) the number of books of Tickets requested
- provided that the applicant qualifies for the Permit or Tickets.
47. Where a Parking Permit, Business Permit, Visitors Permit or book of Tickets is issued to any person or small business upon receipt of a cheque, which is subsequently dishonoured, the Parking Permit, Business Permit, Visitors Permit and/or Tickets shall immediately cease to be of any effect.
48. In the event of action under the preceding Article, the Council will serve notice by recorded delivery on the person to whom the Parking Permit, Business Permit, Visitors Permit and/or Tickets were issued to at the address shown by the applicant on the application form or at any other address believed to be the applicant's place of abode or small business, requiring that person to surrender the Parking Permit, Business Permit, Visitors Permit and Tickets to the Council within 48 hours of the receipt of the notice.

Amount of charge for Parking Permits, Business Permits, Visitors Permits and Tickets.

49. The charge for Parking Permit, Business Permit, Visitors Permit or Ticket shall be as specified in SCHEDULE 2.

50. The charge for a Parking Permit, Business Permit, Visitors Permit or book of Visitors Tickets may be amended by the Local Authority giving notice in writing that this Order has been varied to the Chief Officer of Police and shall publish notification of the variation of the charges in a local newspaper.

Surrender and withdrawal of a Parking Permit, Business Permit, Visitors Permit and Ticket

51. A Permit or Ticket holder may surrender the Permit or Ticket to the Council at any time and shall surrender the permit or ticket on occurrence of any one of the events set out in Article 52.
52. The Council may by notice served by recorded delivery on the Parking Permit, Business Permit, Visitors Permit or Ticket holder at the address shown by that person on the application form or at any other address believed to be that person's place of abode, withdraw a Parking Permit, Business Permit, Visitors Permit or Ticket if it appears to the Council that:-
- a) the Parking Permit, Visitors Permit or Ticket holder has ceased to be a resident at an address specified in SCHEDULE 1;
 - b) the Business Permit holder has ceased to operate at a postal address specified in SCHEDULE 1;
 - c) a Business or Parking Permit holder has ceased to be the owner of a vehicle or motorcycle for which a Business or Parking Permit was issued;
 - d) the vehicle or motorcycle in respect of which a Parking Permit was issued has been adapted or used in such a manner that it is no longer a vehicle for which a permit can be issued;
 - e) the details on the Permit or Ticket as described in previous Articles have been deliberately altered.

Validity of permits and tickets

53. A Parking Permit, Business Permit, Visitors Permit or Ticket shall only be valid for use in a parking place on a road identified for such use on the Plans attached to this Order.

54. A Visitors Permit or Ticket displayed on a vehicle in a parking place shall be valid only if immediately prior to being left in the parking place the vehicle on which the Visitors Parking Permit or Ticket is displayed was used for conveying a visitor to the usual place of abode of the resident to whom the Visitors Permit or Ticket was issued by the Council.
55. A Permit or Ticket will be valid only if displayed on a vehicle or a motorcycle in the relevant position.
56. A Permit shall cease to be valid at midnight on the specified expiry date or on the Council withdrawing the Permit by notice, whichever is the earlier.
57. A Ticket shall be valid for one day (from 12.01 a.m. to 12 midnight) on the date of the day of use specified in accordance with the provisions of Article 43.
58. The Council will not make any refund in respect of unused periods of validity for the surrender or withdrawal of a Permit or Ticket.

Application for and the issue of a duplicate permit

59. If a permit is mutilated or accidentally defaced or the figures or particulars on it have become illegible or the colour of the Permit has faded or altered, the Permit holder shall surrender it to the Council. If the Permit is accompanied by an application for a replacement Permit, a duplicate Permit shall be issued and the original Permit shall become immediately invalid.
60. If a Permit is lost or destroyed, the Permit holder may apply to the Council for the issue of a duplicate. If the Council is satisfied as to the loss or destruction of the Permit, a duplicate will be issued and the original Permit shall become immediately invalid.
61. If a Permit holder acquires a new vehicle or motorcycle the Permit holder shall surrender the original Permit to the Council and make an application for a new Permit and the original Permit shall become immediately invalid.

Display of Permit

62. Any vehicle left in a parking place for vehicles displaying a valid permit in accordance with the provisions of this order (other than a vehicle which is otherwise exempt) shall at all times display in the relevant position a valid permit issued in respect of that vehicle.

Restriction on the removal of Parking Permit, Business Permit, Visitors Permit and Ticket

63. Where a Permit or Ticket has been displayed on or attached to a motor vehicle in accordance with the provisions of Article 55 of this Order, no person other than the driver of the vehicle shall remove the Permit or Ticket from the motor vehicle unless authorised to do so by the driver of the motor vehicle.

PART V

DESIGNATED PARKING PLACES FOR DISABLED PERSONS' VEHICLES

64. The areas of land identified in the plans attached to this Order and therein designated "Disabled Badge Holders Only" may be used, subject to the provisions of this Order, as parking places for disabled persons' vehicles, in such positions as are identified on the Plans attached to this Order.
65. Where, within a parking place, there is a sign or surface marking which indicates that a parking bay is available only for a disabled person's vehicle, the driver of a vehicle shall not permit it to wait in the parking bay unless it is a disabled person's vehicle.

PART VI

CONTRAVENTION OF ORDER

Contravention

66. If a vehicle is left in a parking place during the permitted hours or in any road or length of road in contravention of any provision of this Order, a penalty charge shall be payable and/or the vehicle may be removed from that location.

67. In the case of a vehicle in respect of which a penalty charge is payable a Penalty Charge Notice showing the information required by the Road Traffic Act 1991 may then be issued by a parking attendant in uniform in accordance with section 66(1) of the said Act.

Penalty Charge Notice

68. In the case of vehicle in respect of which a penalty charge may have been incurred, it shall be the duty of a Parking Attendant to attach to the vehicle in a conspicuous position a notice which shall include the following particulars:
- (a) the registration mark of the vehicle or, where the vehicle is being used under a trade licence, the number of the trade plate carried by the vehicle;
 - (b) the grounds on which the Parking Attendant believes that a Penalty Charge is payable in respect of that vehicle;
 - (c) the amount of Penalty Charge required to be paid;
 - (d) that if the penalty charge is paid before the end of the period of 14 days beginning with the date of the notice, the amount of the penalty charge will be reduced by the specified proportion or amount;
 - (e) that if the penalty charge is not paid before the end of the 28 day period a Notice to Owner may be served by the Council on the person appearing to be the owner of the vehicle; and
 - (f) the address to which payment of the Penalty Charge must be sent.

Manner of payment of Penalty Charge

69. The penalty charge shall be paid to the Council within 28 days of the issue of the penalty charge notice either
- (a) by cheque, bankers' draft, money order or postal order delivered or sent by post so as to reach Parking Services at North Hertfordshire District Council, P.O. Box 227, Letchworth Garden City, SG6 3WK or as indicated on the penalty charge notice, or

- (b) by cheque, postal order, in cash by credit card or debit card in person at any North Hertfordshire District Council office which accepts such payments, or
- (c) by credit card or debit card over the phone using the number specified on the penalty charge notice, or
- (d) by internet using the North Hertfordshire District Council web site:

Provided that, if the said twenty eighth day falls upon a day on which the said Department or office is closed, the period with in which payment of the said charge shall be made to the Council shall be extended until 4.30pm on the next full day on which the said Department is open.

- 70. If the penalty charge is paid before the end of the period of 14 days beginning with the date of the notice, the amount of the penalty charge will be reduced by the specified proportion.
- 71. If the owner fails to pay the penalty charge by the end of the 28 day period, a notice to owner may be served; and if the charge is not paid within a further 28 days it may be increased by 50% on the issue of a charge certificate in accordance with the provisions of paragraph 6 of schedule 6 of the 1991 Act.
- 72. Continuing failure to pay the to pay the penalty charge may result in a judgement in the County Court against the owner to enable the Council to recover the payments due.
- 73. Where a parking attendant has removed or caused to be removed a vehicle in accordance with Article 22,
 - (a) he / she shall provide for the safe custody of the vehicle;
 - (b) the council shall be entitled to recover from the person responsible such charges in respect of the removal, storage and disposal of the vehicle as it might prescribe from time to time;
 - (c) the provisions of the 1984 Act as amended shall apply to the disposal of such vehicles removed by or on behalf of the Council pursuant to this article.
- 74. Nothing in Article 22 shall apply in respect of a vehicle displaying in a relevant position a valid disabled person's badge.

Restriction on removal of notices

75. Where a penalty charge notice has been attached to a vehicle in accordance with the provisions of Article 67 of this Order, no person, not being the driver of the vehicle, a police constable in uniform, a parking attendant or some other person duly authorised by the Council, shall remove the notice from the vehicle unless authorised to do so by the driver.

PART VII
REVOCATIONS

Revocations

76. All the traffic regulation orders imposing waiting prohibitions and restrictions and all street parking places orders as they relate to roads in the North Hertfordshire District area made prior to this Order are hereby revoked.

THE COMMON SEAL of NORTH HERTFORDSHIRE)
COUNTY COUNCIL was hereunto)
affixed this day of 2005)
in the presence of:-)

SCHEDULE 1**Roads and lengths of roads where residents and small businesses are eligible for
Parking Permits, Business Permits, Visitors Permits and Visitors Tickets****HITCHIN****ZONE A**

Benslow Rise	The full length
Benslow Lane	Nos. 47, 49, 59 and 61
Trevor Road	The full length
Walsworth Road	Nos. 90 to 110 inclusive

ZONE B

Hazelwood Close	The full length
Fells Close	The full length
Whinbush Road	The full length

ZONE C

Old Charlton Road	The full length
Tilehouse Street	Nos. 8 to 36 inclusive on the south side and Nos. 70 to 92 inclusive on the north side
Wratten Road	The full length

LETCHWORTH**ZONE A**

Broadwater Avenue	That length between the junctions of Station Way and Spring Road
Broadway	Numbers 78 and 80
Gernon Road	That length between Nos. 29 and 61 inclusive
Gernon Walk	On both sides of each part between Gernon Road and Meadow Way

Gorst Close	That length from Broadwater Avenue up to and including the turning head
Lytton Avenue	Those lengths between Gernon Road / Pixmore Way and Pixmore Way / Meadow Way
Meadow Way	That length between the junctions of Broadway and Lytton Avenue
Pixmore Way	That length between the junctions of Broadway and Lytton Avenue
Souberie Avenue	Those lengths between Broadway / South View and South View / Meadow Way
South View	That length between the junctions of Broadway and Lytton Avenue
Station Way	That length between the junctions of Bridge Road / Station Place and Burnell Rise
The Dale	That length between the junctions of Station Way and Broadwater Avenue
The Meads	That length between the junctions of Station Way and Broadwater Avenue
West View	That length between the junctions of Broadway and Spring Road
ZONE B	
Cowslip Hill	That length between Icknield Way and Rowan Crescent Nos. 81 to 101 and 78 to 94 inclusive
Icknield Way	Numbers 204 and 206
Nevells Road	That length between Bridge Road and Norton Way North
The Quadrant	That length between the junctions of Icknield Way and Nevells Road
ZONE C	Not used
ZONE D	
Birds Hill	That length between the junctions of Norton Way South and Pixmore Avenue
Hillshott	That length between Rushby Mead and Ridge Avenue, Nos. 4 to 30, 5 to 29 and Nos. 1, 2 and 3
Ridge Road	That length between Birds Hill and Ridge Avenue Nos. 2 to 74 and 1 to 37 inclusive

Rushby Mead	Those lengths between Birds Hill / Hillshott and the cul-de-sac immediately south of Hillshott
Rushby Walk	On both sides, the entire length from the junction with Rushby Mead

ROYSTON

ZONE A

Barkway Road	That length between its junctions with Barkworth Street and Beldam Avenue
Barkway Street	That length from Nos. 27 to 39 inclusive
Garden Lane	The full length of the street
Market Hill	The dwelling No 41
Prince Andrew's Close	The full length
Priory Lane	That length between the junctions with Market Hill and Barkway Street

ZONE B

Clark Road	The full length of the street
Gower Road	The full length
Kneesworth Street	The Granary, The Barfield Almshouses
Leete Place	The full length
Lower Gower Road	The full length of the street
Melbourn Street	Numbers 16 to 24 inclusive, 56 and 58
Mill Road	The full length of the street
Morton Street	The full length of the street
Old North Road	Those lengths from 3 to 53 inclusive and between the railway bridge and Orchard Road on the west side
Queens Road	The full length of the street
Queensway	The full length of the street
Serby Avenue	The full length of the street
Stamford Avenue	The full length of the street
The Green	Number 7
Victoria Crescent	The full length of the street

ZONE C

Hillside	Numbers 1 to 15 inclusive
Mounteagle	Numbers 1 to 15 inclusive
Sun Hill	Numbers 3 to 37 and 8 to 38 inclusive

SCHEDULE 2

Price of Permits and Tickets

Parking Permit for a vehicle	- £52 per permit per year
Parking Permit for a motor cycle	- Free
Business Permit	- £52 per permit per year
Visitors Permit	- £52 per permit per year
A book of ten Tickets	- £6.50 per book of 10 tickets