

NORTHAMPTONSHIRE COUNTY COUNCIL

THE NORTHAMPTONSHIRE COUNTY COUNCIL
(FORFAR STREET, NORTHAMPTON)
(PROHIBITION OF WAITING AND PERMIT HOLDERS PARKING PLACES)
(EXPERIMENTAL) ORDER 2005

Northamptonshire County Council ("the Council") in exercise of their powers under Sections 1, 2, 3, 4, 9, 32, 35 and 45 to 53 of the Road Traffic Regulation Act 1984 ("the Act"), Part IV of Schedule 9 of the Act and the Road Traffic Act 1991 and of all other enabling powers and after consultation with the chief officer of police in accordance with Part III of Schedule 9 to the Act, hereby makes the following Order:-

Part I

Implementation, Citation and Definitions

1. This Order having been made on 25th August 2005 shall come into operation for all purposes on the 1st September 2005 and shall be cited as:
"The Northamptonshire County Council (Forfar Street, Northampton) (Prohibition of Waiting and Permit Holders Parking Places) (Experimental) Order 2005".
2. This Order is made for the purpose of a general scheme of traffic control in the areas stated in Schedule 1 to this Order.
3. (1) In this Order except where the context otherwise requires the following expressions have the meanings hereby respectively assigned to them:

"accessway": means a length of road sufficient to enable a vehicle to have access to and egress from land or premises in or adjacent to a parking place.

"authorised officer" means a parking attendant or a person duly authorised by the Council for the purposes of this Order

"business permit": means a permit issued by the Council to a business whose postal address is wholly within the areas stated in Schedule 1 of this Order to park a vehicle in a parking place as specified in Schedule 3 to this Order.

"business permit holder": means a business to which a business permit has been issued under Part IV of this Order.

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

"disabled person's badge": has the same meaning as in the Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000

“disabled person’s vehicle” means a vehicle displaying in the relevant position a disabled persons badge and which is a vehicle which, immediately before or after any period of waiting allowed has been or is to be driven by a disabled person or has been or is to be used for carrying disabled persons as passengers

“driver”: in relation to a vehicle waiting in a parking place or a permit holders parking place means the person driving the vehicle at the time it was left in the parking place or permit holders parking place.

“goods” include postal packets as defined by Section 87 of the Post Office Act 1953, cash or other valuable securities.

“goods vehicle”: means a motor vehicle without a trailer which is constructed or adapted for use for the carriage of goods of any description.

“motor car” has the same meaning as in section 136 of the Act.

“motor cycle” has the same meaning as in Section 136 of the Act.

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

“parking attendant” has the same meaning as defined in section 63A of the Act

“parking place”: means a length of road authorised to be used as a parking place by this Order.

“parking space and parking bay”: means a space or bay in a parking place which is provided for the parking of a vehicle of the classes as specified in Schedule 3 of this Order.

“penalty charge” has the same meaning as defined in sections 66 and 82 (1) of the Road Traffic Act 1991 payable by virtue of Schedule 3 to the Road Traffic Act 1991 and a

“penalty charge notice” means a notice showing the information required by section 66 (3) of the Road Traffic Act 1991.

“permit”: means a permit issued under Part IV of this Order.

“permit holder”: a person to whom a permit has been issued under Part IV of this Order.

“permit holders parking place” means an area in a highway designated as a parking place by Article 26 of this Order.

“prescribed hours”: means the period between 8.00 am and 10.00 pm inclusive, Monday to Saturday, except in respect to a visitors permit where the prescribed hours are between 10.00 am and 10.00 pm inclusive, Monday to Saturday, any such day referred to in this paragraph not being Christmas Day, Good Friday or a Bank Holiday being a public holiday.

“relevant position” means

- (a) in the case of a vehicle fitted with a front windscreen the disabled persons badge or permit is exhibited thereon with the obverse side facing forwards on the near side of and immediately behind the windscreen and

- (b) in the case of a vehicle not fitted with a front windscreen the disabled persons badge or permit is exhibited in a conspicuous position on the front or nearside of the vehicle.

“resident”: means a person whose usual residence is at premises the postal address of which is in any street or part of a street described in Schedule 1 of this Order.

“telecommunications apparatus” has the same meaning as in the Telecommunications Act 1984.

“traffic sign”: means a sign of any size, colour and type prescribed or authorised under or having effect as though prescribed or authorised under Section 64 of the Act.

“traffic warden”: means a traffic warden employed by a police authority in pursuance of Section 95 of the Act.

“visitors permit”: means a permit issued to a resident for use by a resident’s visitor in a permit holders parking place.

“visitor’s permit holder”: means a person to whom a visitor’s permit has been issued in accordance with the provisions of Article 29 of this Order.

- (2) Any reference in this Order to any enactment shall be construed as a reference to that enactment as amended by any subsequent enactment.
- (3) The Interpretation Act 1978 shall apply to the interpretation of this Order as it applies to the interpretation of an Act of Parliament.
4. The restrictions imposed by Part III of this Order shall be in addition to and not in derogation of any restriction or requirement imposed by any regulations made or having effect as if made under the Act or by or under any other enactment.
5. (i) Where a vehicle, having been left in a parking place, remains there at the beginning of the prescribed hours, then the vehicle shall be treated for the purposes of Part III of this Order as if it had arrived in the parking place at the beginning of the prescribed hours.
- (ii) Save where loading/unloading restrictions are in operation or on an accessway a disabled persons vehicle which displays in the relevant position a disabled persons badge may be left in the length of roads referred to in Article 6 for no longer than three hours.

Part II

Waiting of Vehicles

6. Save as provided in Article 7 of this Order, no person shall cause or permit any vehicle to wait along those lengths of road as specified in schedule 2.
7. (1) Nothing in Article 6 of this Order shall render it unlawful to cause or permit any vehicle to wait in the lengths of roads referred to in that Article

- (a) for so long as may be necessary to enable a person to board or alight from the vehicle, or to load therefrom his personal baggage;
 - (b) for so long as may be necessary to enable the vehicle, if it cannot conveniently be used for such purpose in any other road, to be used in connection with any wedding or funeral or any building operation or demolition, the removal of any obstruction to traffic, the maintenance, improvement or reconstruction of any road, or the laying, erection, alteration or repair in or near any road of any sewer or any main, pipe or apparatus for the supply of gas, water or electricity, or of any telecommunications apparatus.
 - (c) for so long as may be necessary to enable the vehicle to be loaded or unloaded while the vehicle is in actual use in connection with the removal of furniture from such premises to a depository or to such premises from a depository, except that no vehicle shall wait for any such purpose unless notice is given not less than twenty-four hours in advance to the police and their consent is obtained;
 - (d) if the vehicle is being used for fire brigade purposes, or is an ambulance, or is a vehicle in the service of a local authority or police force in either case being used in pursuance of statutory powers or duties;
 - (e) if the vehicle is a disabled persons vehicle which displays in the relevant position a disabled person's badge, and a parking disc (on which the driver, or other person in charge of the vehicle, has marked the time at which the period of waiting began) to wait in any of the lengths of road referred to in the said Article for a period not exceeding 3 hours (not being a period separated by an interval of less than 1 hour from a previous period of waiting by the same vehicle on the same length of road on the same day)
 - (f) if the vehicle is waiting in the road while postal packets addressed to premises adjacent to that road are being unloaded from the vehicle, or, having been unloaded therefrom are being delivered or while postal packets are being collected from premises or posting boxes in or adjacent to that road;
 - (g) if the vehicle is waiting in any case where the person in control of the vehicle is required by law to stop, or is obliged to do so in order to avoid an accident, or is prevented from proceeding by circumstances outside his control;
 - (h) if the vehicle is so waiting upon the direction or with the permission of a police officer in uniform or of a traffic warden or is a vehicle used by persons displaying in the relevant position a permit issued by the Council.
- (2) Nothing in Article 6 of this Order shall render it unlawful to cause or permit any vehicle to wait for the purpose of enabling goods to be loaded onto or unloaded from the vehicle.

Part III

Authorisation and Use of Parking Places

8. Each of the parts of the roads specified in Schedule 3 of this Order is either (a) designated as a permit holders parking place to be used by permit holders or (b) authorised to be used as a parking place subject to the following provisions of this Order during the prescribed hours for such vehicles or classes of vehicles and in such positions as are specified in relation to that part in the said Schedule provided that no such vehicle may wait in any part of a parking place that is an access way.

9. Nothing in Article 8 of this Order shall restrict the power of the Council, (to close any parking place) preventing obstruction of the streets, by order on the occasion of any public procession, rejoicing or illumination, or where the streets are thronged or liable to be obstructed.

10. Where in Schedule 3 of this Order a permit holders parking place or 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 during the prescribed hours unless

- (a) it is of the specified class or
- (b) it is in the position specified in Schedule 3 of this Order

11. Where a figure is specified in Column 6 of Schedule 3 of this Order in relation to any area of carriageway described in Column 2 of the said Schedule there shall at all times be a part or parts of the said area of a total length in metres not less than that figure and of width equal to the width of the said area in which there shall be no parking space or part of a parking space.

12. The Council shall:-

- (a) cause the limits of each parking place and where necessary each parking space in such designated parking places to be indicated on the carriageway by placing and maintaining thereon the appropriate traffic signs;
- (b) place and maintain on or in the vicinity of each parking place appropriate traffic signs;
- (c) carry out such other work as is reasonably required for the purposes of the satisfactory operation of a parking place

13. The driver of a vehicle shall not permit it to wait in a parking place for longer than the maximum period specified in Schedule 3 of this Order.

14. When a vehicle has left a parking place specified in Schedule 3 of this Order as limiting the use to 2 hours or less, the driver thereof shall not within one hour after its leaving permit it to wait again upon that parking place.

15. Nothing in Article 10 of this Order shall apply to a vehicle being used by a doctor, nurse or midwife on an emergency visit to patients at their homes or is a vehicle used by other persons displaying in the relevant position a permit issued by the Council.

16. A driver of a vehicle shall not use a parking place when, for preventing obstruction of the streets, the Council, 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.

17. The driver of a motor vehicle using a parking place shall stop the engine as soon as the vehicle is in 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.

18. 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 skills or services.

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

- (a) if the vehicle is a motor car, a goods vehicle or a motor cycle 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 19 of this Order apply.

Restriction of waiting of vehicles in Parking Places

19. (1) Notwithstanding the foregoing provisions of this Order, any vehicle may wait during the prescribed hours anywhere on the carriageway in a parking place (other than a parking place or part of a parking place the use of which has been suspended, under Article 22 of this Order) for so long as may be necessary if:-

- (a) the vehicle is waiting to enable a person to board or alight from the vehicle;
- (b) the vehicle is waiting owing to the driver being prevented from proceeding by circumstances beyond his control or to such waiting being necessary in order to avoid an accident;
- (c) the vehicle is a vehicle used for police, fire brigade or ambulance purposes; or a vehicle (other than a passenger vehicle) in the service of a local authority which is being used in pursuance of statutory powers or duties;
- (d) the vehicle is waiting to enable it to be used in connection with the removal of any obstruction to traffic;
- (e) the vehicle is in the service of or employed by the Post Office and is waiting 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 while postal packets are being collected from premises or posting boxes adjacent to the parking place in which the vehicle is waiting, or is in use in connection with the servicing of telephone kiosks adjacent to the parking places;
- (f) the vehicle is waiting to enable it to be used for any purpose specified in Article 22(1)(b) of this Order;
- (g) the vehicle is in actual use in connection with the removal of furniture from an office or house to another or the removal of furniture from such premises to a depository or to such premises from a depository.

20. Where any vehicle is standing in a parking place in contravention of the provision of Articles 10, 13 and 16 of this Order a traffic warden an authorised officer or a police officer may alter or cause to be altered the position of the vehicle in order that its position shall comply with those provisions.

Removal of Vehicles in Parking Places and Restricted Roads in emergencies

21. A police officer in uniform or a traffic warden or an authorised officer may cause to be moved any vehicle left in a parking place or any length of road specified in schedule 2 to any place he thinks fit.

Power to Suspend Use of Parking Places

22. (1) Any person authorised in writing by the Council may suspend 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) for the purpose 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 telecommunications apparatus or traffic sign;
 - (c) for the convenience of occupiers of premises adjacent to the parking place on any occasion of the removal of furniture from one office or dwellinghouse to another or the removal of furniture from such premises to a depository or to such premises from a depository.
 - (d) on any occasion on which it is likely by reason of some special attraction that any street will be thronged or obstructed; or
 - (e) for the convenience of occupiers of premises adjacent to the parking place at times of weddings or funerals, or on other special occasions.
- (2) A police officer in uniform may suspend for not longer than twenty-four hours the use of a parking place or any part thereof whenever he considers such suspension reasonably necessary for the purpose of facilitating the movement of traffic or promoting its safety.
- (3) Any person suspending the use of a parking place or any part thereof in accordance with the provisions of paragraph (1) or paragraph (2) of this Article shall thereupon place or cause to be placed in or adjacent to that parking place or the part thereof the use of which is suspended a traffic sign indicating that waiting by vehicles is prohibited.
- (4) No person shall cause or permit a vehicle to be left in any parking place or part of a parking place during such period as there is in or adjacent to that parking place or part of a parking place a traffic sign placed in pursuance of paragraph (3) of this Article:

Provided that nothing in this paragraph shall render it unlawful to cause or permit any vehicle being used for fire brigade, ambulance or police purposes or any vehicle being used for any purpose specified in Article 22(1) (b), (d) or (e) of this Order to be left in the parking place or part of a parking place during any such period, or to any other vehicle so left if that vehicle is left with the permission (i) of the persons suspending the use of the parking place or the part thereof in pursuance of paragraph (1) of this Article, (ii) of a police officer in uniform or (iii) of a traffic warden or authorised officer.

Contravention Charges and Removal/Immobilisation

23. (1) Subject to the proviso hereto, where a traffic warden or authorised officer is of the opinion that any of the provisions of this Order have been contravened or not complied with in respect of a vehicle left in a parking place or any length of road as specified in schedule 2, he may immobilise, remove or cause to be removed the vehicle, and, where it is so removed, he

shall make such arrangements as may be reasonably necessary for the safe custody of the vehicle:-

Provided that when a vehicle is waiting in a parking place in contravention of the provision of Article 10 of this Order, an authorised officer may alter or cause to be altered the position of the vehicle in order that its position shall comply with that provision.

- (2) If a vehicle is left in a parking place or any length of road as specified in schedule 2 in contravention of Articles 5(ii), 6,8,10,13,14,16,17,18,22(4),25, or 44 a penalty charge shall be payable. The period for which a vehicle may be left in a parking place during the prescribed hours after the penalty charge has been incurred shall not exceed one hour.
 - (3) In the case of a vehicle in respect of which a penalty charge is payable a penalty charge notice showing the information required by section 66 (3) of the Road Traffic Act 1991 may be issued by a parking attendant in accordance with the requirements of the Road Traffic Act 1991.
 - (4) The penalty charge shall be paid to the Council by cheque or such other method deemed appropriate by the Council which shall be delivered or sent by post to the Council at the address instructed on the penalty charge notice and in accordance with the instructions on that notice.
24. (1) Any person removing a vehicle or altering its position by virtue of Articles 21 and 23 may do so by towing or driving the vehicle or in such other manner as he may think necessary and may take such measures in relation to the vehicle as he may think necessary to enable him to remove it or alter its position as the case may be.
- (2) Should a vehicle be removed or immobilised by a traffic warden or authorised officer in accordance with Article 23 of this Order a recovery charge and/or release fee will be payable before the vehicle is released.

Nothing contained in this Order shall restricted the powers of a traffic warden or parking attendant pursuant to powers contained in or regulations made under sections 100 to 106 inclusive of the Act in removing/immobilising a vehicle contravening a provision of this Order.

Manner of Standing in Parking Places

25. Every vehicle left in a parking place in accordance with the foregoing provisions of this Order shall so stand:-

- (a) in the case of a parking place in relation to which special provisions as to the manner of standing of vehicles in that place are specified in column 3 of Schedule 3 to this Order, so as to be in accordance with those provisions:
- (b) so that every part of the vehicle is within the limits of a parking place or space where indicated.

Part IV

Designation and Use of Parking Places

26. Each of the parts of the roads specified in Column 2 of Schedule 3 of this Order specified for use of permit holders is designated to be used as a resident's, visitors and business parking place ("permit holders parking place") for such classes of vehicles, in such positions and on such days as are specified in, and subject to the following provisions of this Order.

27. Each permit holders parking place may be used, subject to the provisions of this Order, for the leaving during the prescribed hours of such vehicles which display in the manner specified in Article 44 of this Order a valid permit issued by the Council in respect of that vehicle provided that no such vehicle may by virtue of this Article wait in any part of a permit holders parking place which is an access way.

28. The limits of each permit holders parking place and the limits of any accessway in a permit holders parking place shall be indicated by the Council on the carriageway by the appropriate traffic signs.

29(i)(a) Residents Permit

Any resident who is either the owner or in charge of a vehicle of the following classes, namely, a motor car or a motor cycle may apply to the Council for the issue of a permit for the leaving of that vehicle in a permit holders parking place.

(b) Visitors Permit

Any resident aged 17 years or over may apply to the Council for the issue of one visitor's permit for the leaving during the prescribed hours in the permit holders parking places specified a vehicle of the following classes that is a motor car or a motor cycle belonging to or on hire or lease to any person visiting that resident.

(ii) Any application shall be made on a form issued by and obtainable from the Council and shall include the full information required by such form.

(iii) Such application shall be accompanied by the relevant charge appropriate in respect of the permit for which application is being made.

(iv) The Council may at any time require an applicant for a permit or a permit holder to produce to an officer of the Council such evidence in respect of an application for a permit as they may reasonably require to verify any particulars or information given to them or in respect of any permit issued by them as they may reasonably require to verify that the permit is valid.

30. On receipt of an application made in accordance with Article 29 of this Order, the Council shall upon being satisfied that either,

(a) the applicant is a resident and the owner of a vehicle of a type specified in Article 29 or

(b) the applicant is a resident aged 17 years or over and shall issue to the applicant one permit and one protective cover for the display of the permit for the leaving during the prescribed hours in any permit holders parking place to which such permit relates by the owner of the vehicle or by any such person using such vehicle with the consent of the owner, provided that the Council shall not

issue a permit to any resident which would be valid for any period during which any other permit issued to that resident is or would be valid to be displayed within a vehicle during the prescribed hours.

Form of Permits

31. A permit shall be in writing and shall include the following particulars:-

- (a) the registration mark of the vehicle in respect of which a residents permit has been issued;
- (b) the period during which, subject to the provisions of Part IV of this Order the permit shall remain valid;
- (c) an authentication that the permit has been issued by the Council;
- (d) the hours during which the vehicle in respect of which the permit has been issued may be left in a parking place; and
- (e) an indication that the charge appropriate to the period during which the permit shall remain valid has been paid to the Council.

32. A permit holder may surrender a permit to the Council at any time and shall surrender a permit to the Council on the occurrence of any one of the events set out in Article 34.

33. The Council may, by notice in writing served on the permit holder by sending the same by the recorded delivery service to the permit holder at the address shown by that person on the application for the permit or at any other address believed to be that person's place of abode, withdraw a permit if it appears to the Council that any one of the events set out in Article 34(a) (b) or (d) has occurred and the permit holder shall surrender the permit to the Council within 48 hours of the receipt of the aforementioned notice.

34. The events referred to in the foregoing provisions of Article 33 are:-

- (a) the permit holder ceasing to be resident;
- (b) the permit holder ceasing to be the owner of the vehicle in respect of which the permit was issued;
- (c) the withdrawal of such permit by the Council under the provisions of Article 33;
- (d) the vehicle in respect of which such permit was issued being adapted or used in such a manner that it is not a vehicle of the class specified in Article 29 of this Order
- (e) the issue of a duplicate permit by the Council under the provisions of Article 40 of this Order

35 (1) A permit shall cease to be valid at the expiration of the period specified thereon (which period shall be that in respect of which payment has been made) or on the events set out in Article 34 whichever is the earlier.

(2) Where a permit is issued to any person upon receipt of a cheque and the cheque is subsequently dishonoured, the permit shall cease to be of any effect and the Council shall by notice in writing served on the person to whom such permit was issued by sending the same by the recorded delivery service to the permit holder at the address shown by that person on the application for the permit or at any other address believed to be that person's place of abode, require that person to surrender the permit to the Council within 48 hours of the receipt of the aforementioned notice.

Business Permits

36 (1) Any business whose postal address is wholly within the areas stated in Schedule 1 of this Order may apply to the Council for the issue of a business permit for the leaving during the prescribed hours in the permit holders parking place specified in Schedule 3 of a vehicle of a class specified in Article 29 belonging to or on hire or lease to or otherwise associated with that business and which is essentially needed in connection with the operation of the business.

(2) No business shall be eligible for a business permit in any case where the business has a garage or off-street parking at its premises or suitable alternative arrangements within reasonable distance of its premises for garaging or otherwise accommodating a vehicle associated therewith, unless in either case such garaging facilities can only accommodate one vehicle and the business requires more than one vehicle to be used in connection with its essential operation.

(3)(a) no business permit shall be valid for a period in excess of 12 months.

(b) the charge for each business permit shall be as in Article 41.

(c) no business shall be entitled to more than two business permits save at the sole discretion of a duly authorised officer of the Council.

(d) an application for a business permit shall be made on a form issued by and obtainable from the Council and shall include the particulars and information required by the form to be supplied

(e) a duly authorised officer of the Council may at any time require an applicant for a business permit, or require a business to which a business permit has been issued, to produce such evidence in respect of any application for a business permit as may reasonably be required to verify that the business permit holder remains eligible for such permit

(4) On receipt of an application duly made in accordance with Article 36(d), the Council, upon:-

(a) being satisfied the applicant is a business within the area specified in Schedule 1;

(b) receipt of the charge for the business permit as specified therein;

(c) being satisfied that not more than one business permit had already been issued in respect of that business save where a duly authorised officer of the Council has exercised his sole discretion;

shall issue to the applicant one business permit for the leaving of a vehicle associated with that business in a permit holders parking place specified in Schedule 3 of this Order.

37(1) A business permit holder may surrender a business permit to the Council at any time and shall surrender a business permit to the Council on the occurrence of any one of the events set out in paragraph (3) of this Article.

(2) The Council may, by serving notice in writing on the permit holder, withdraw a permit if it appears to the Council that any of the events set out in sub-paragraphs (a), (b), (c) or (d) of paragraph (3) of this Article has occurred and the business permit holder shall surrender the permit to the Council within 48 hours of the receipt of the aforementioned notice.

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

- (a) the business ceasing to operate from an address within the area specified in Schedule 1;
 - (b) the business becoming ineligible for a business permit by virtue of paragraph (2) of Article 36 of this Order;
 - (c) the business ceasing to use a vehicle of a class specified in Article 29 of this Order;
 - (d) the issue of a duplicate business permit by the Council under the provisions of Article 40 of this Order;
 - (e) 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 or on the occurrence of any one of the events set out in sub-paragraphs (a), (b), (c) or (d) of paragraph (3) of this Article, whichever if the earlier.

38(1) A business permit shall be in writing and shall include the following particulars –

- (a) the period during which the business permit shall remain valid;
 - (b) an indication that the business permit has been issued by the Council.
- (2) At all times during which a vehicle authorised by this part of this Order is left in a permit holders parking place during the prescribed hours there shall be displayed in the relevant position on the vehicle a valid business permit.
- (3) Where a business permit has been displayed on a vehicle in accordance with the provisions of paragraph (2) of this Article, no person, not being the driver of the vehicle, shall remove the business permit from the vehicle unless authorised to do so by the business to which the business permit was issued.

39. If it appears to the Council that any of the provisions contained in this part of the Order are being abused or not being complied with in respect of the use of business permits, the Council may, in its absolute discretion withdraw the business permit by serving notice in writing on the business permit holder and the business permit holder shall surrender the business permit to the Council within 48 hours of the receipt of the aforementioned notice.

Application for and Issue of Duplicate Permits

- 40(1) If a permit is mutilated or defaced or the figures or particulars on it have become illegible or the colour of the permit has become altered by fading or otherwise, the permit holder shall surrender it to the Council and may apply to the Council for the issue to him of a duplicate permit and the Council, upon the receipt of the permit if such receipt is accompanied by an application for a duplicate permit shall issue a duplicate permit so marked.
- (2) If a permit is lost or destroyed, the permit holder may apply to the Council for the issue to him of a duplicate permit and the Council, upon being satisfied as to such loss or destruction, shall issue a duplicate permit so marked.
- (3) The provisions of this Order shall apply to a duplicate permit and an application for a duplicate as if it were a permit or, as the case may be, an application therefor.

Amount of Charge at Parking Place

41. The charge in connection with the issue of a permit for the leaving of a vehicle in any permit holders parking place during the prescribed hours shall in respect of a:-

- (i) residents permit be £25.00 per annum
temporary residents two month permit be £5.00 (with a maximum of two issued)
- (ii) business permit be £250.00 per annum.

There shall be no charge in respect of a visitors permit.

Payment of the Charge in Connection with the Issue of Permits

42. The charge in respect of the issue of a permit for the leaving of a vehicle in a permit holders parking place shall be payable in accordance with the provisions of Article 29 or 36 of this Order.

Refund of the Charge in Connection with the Issue of Permits

43.(1) A permit holder who surrenders a permit to the Council before the permit becomes valid shall be entitled to a refund of the charge paid in respect of the issue thereof.

(2) A permit holder who surrenders a permit to the Council after the permit has become valid shall be entitled to a refund of that part of the charge paid in respect of the issue of the permit as is attributable to the period from the receipt by the Council of the surrendered permit to the expiry of the period for which the permit was issued.

Display of Permits

44. At all times during which a vehicle is left in a permit holders parking place during the prescribed hours there shall be displayed on the front or near side of the vehicle a valid permit issued in respect of that vehicle so that all the particulars referred to in Articles 31 or 38 of this Order are readily visible from the front or near side of the vehicle.

Restriction on the Removal of Permits and Notices

45. Where a permit has been displayed on a vehicle in accordance with the provisions of Article 44 of this Order, no person, not being the driver of the vehicle, shall remove the permit from the vehicle unless authorised to do so by the driver of the vehicle.

Exemptions for Non-Permit Holders

46. Notwithstanding the provisions of Article 26 of this Order the following vehicles may be left during the prescribed hours in a permit holders parking place and any such vehicle shall be exempt from the payment of any charge specified in this Order:-

- (1) If the vehicle properly bears in the relevant position a disabled persons badge and is a disabled persons vehicle then such a vehicle which is so exempted from the payment of any charge

shall stand in the parking space in accordance with the provisions of Article 26 of this Order and wholly within the limits of that space.

(2) A vehicle waiting to enable it to be used in connection with posting or removing advertising material in the form of posters on or from, or cleaning windows or chimneys in, premises adjacent to the parking place in which the vehicle is waiting; or

(3) In any other case the vehicle is waiting for the purpose of delivering or collecting goods including, so far as a Bank is concerned, cash or other valuables or valuable securities, or loading or unloading the vehicle at premises adjacent to the permit holders parking place in which the vehicle is waiting and the vehicle (not being a goods vehicle) does not wait for such purpose for more than thirty minutes or for such longer period as a police officer in uniform or a traffic warden or authorised officer may authorise, or, being a goods vehicle, does not so wait for more than thirty minutes or such longer period as aforesaid if it is in any part of a permit holders parking place.

(4) Except as provided in the foregoing provisions of this Article, the driver of a vehicle shall not cause or permit the vehicle to wait in a permit holders parking place during the prescribed hours.

(5) Nothing in the foregoing provisions of this Article 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 Act or by or under any other enactment.

THE COMMON SEAL of)
THE NORTHAMPTONSHIRE COUNTY)
COUNCIL was hereunto affixed)
on the 25th August 2005)
in the presence of:-)

Head of Legal Services
(The Officer appointed for this purpose)

SCHEDULE 1 – “STATED AREA”

ZONE “F” – ST JAMES AREA

The stated area includes the highways referred to in this schedule.

Road

Abbey Street

Alma Street
 Argyle Street
 Bowden Road
 Bruce Street
 Dundee Street
 Elgin Street
 Fife Street
 Forfar Street
 Glasgow Street
 Harlestone Road (1-71a odd numbers only)
 Harlestone Road (95 and 97)
 Lincoln Road
 Melbourne Road
 Sandhill Road
 Sharman Road
 Spencer Street
 St James' End (1-9 odd numbers only-)
 St James' Road (even numbers 92-144)
 Weedon Road (even numbers up to number 60, odd numbers up to 119)

SCHEDULE 2 – PROHIBITION OF WAITING

Forfar Street	North	From a point 14 metres north-east of its junction with Glasgow Street for a distance 8 metres north-east.
Forfar Street	North	From a point 33 metres north-east of its junction with Glasgow Street for a distance 7 metres north-east.
Forfar Street	North	From a point 52 metres north-east of its junction with Glasgow Street for a distance 5 metres north-east.

Forfar Street	North	From a point 89 metres north-east of its junction with Glasgow Street for a distance 8 metres north-east
Forfar Street	North	From a point 109 metres north-east of its junction with Glasgow Street for a distance 7 metres north-east
Forfar Street	North	From a point 131 metres north-east of its junction with Glasgow Street for a distance 5 metres north-east
Forfar Street	North	From a point 154 metres north-east of its junction with Glasgow Street for a distance 9 metres north-east
Forfar Street	North	From a point 184 metres north-east of its junction with Glasgow Street to the junction of Harlestone Road
Forfar Street	South	From its junction with Harlestone Rd for a distance of 9 metres South West
Forfar Street	South	From a point 23 metres north-east of its junction with Glasgow Street for a distance 10 metres north-east.

SCHEDULE 3

Areas on highways designated as parking places

Number of parking place	Each area described below in this column, being an area forming part of the carriageway of a specified highway, is a designated parking place	Position in which vehicle may wait	Class of vehicle	Waiting limit
1	Forfar Street – north side From its junction with Glasgow Street for a distance of 14 metres north-east.	In single line parallel to kerb	Motorcars & Motor Cycles	Permit holders only
2	Forfar Street – north side From a point 22 metres north-east of its junction with Glasgow Street for a distance 11 metres north-east.	In single line parallel to kerb	Motorcars & Motor Cycles	Permit holders-only

3	Forfar Street – north side From a point 40 metres north-east of its junction with Glasgow Street for a distance 12 metres north-east	In single line parallel to kerb	Motorcars & Motor Cycles	Permit holders only
4	Forfar Street – north side From a point 57 metres north-east of its junction with Glasgow Street for a distance 32 metres north-east	In single line parallel to kerb	Motorcars & Motor Cycles	Permit holders only
5	Forfar Street – north side From a point 97 metres north-east of its junction with Glasgow Street for a distance 12 metres north-east	In single line parallel to kerb	Motorcars & Motor Cycles	Permit holders only
6	Forfar Street – north side From a point 116 metres north-east of its junction with Glasgow Street for a distance 15 metres north-east.	In single line parallel to kerb	Motorcars & Motor Cycles	Permit holders only
7	Forfar Street – north side From a point 136 metres north-east of its junction with Glasgow Street for a distance 18 metres north-east.	In single line parallel to kerb	Motorcars & Motor Cycles	Permit holders only
8	Forfar Street – north side From a point 163 metres north-east of its junction with Glasgow Street for a distance 21 metres north-east	In single line parallel to kerb	Motorcars & Motor Cycles	Permit holders only
9	Forfar Street – south side From a point 9 metres South-west of its junction with Harlestone Rd for a distance 17 metres South-west.	In single line parallel to kerb	Motorcars & Motor Cycles	Permit holders only
10	Forfar Street – south side From its junction with Fife Street for a distance of 110 metres South-west.	In single line parallel to kerb	Motorcars & Motor Cycles	Permit holders only