

NORTHAMPTONSHIRE COUNTY COUNCIL

ROAD TRAFFIC REGULATION ACT 1984

THE NORTHAMPTONSHIRE COUNTY COUNCIL

(SPRING BOROUGH AREA, NORTHAMPTON)

(PROHIBITION OF WAITING AND PERMIT HOLDERS PARKING PLACES)

ORDER 2006

NOTICE IS HEREBY GIVEN that the Northamptonshire County Council have made an Order under Sections 1, 2, 3, 4, 32, 35 and 45 to 53 and Schedule 9 of the Road Traffic Regulation Act 1984 ("the Act"). The general effect of the Order is to prohibit waiting and provide residents parking places in various roads as specified in the Schedule below.

A **COPY** of the Order, together with a plan showing the exact lengths of road to which it relates may be inspected at Northamptonshire Central Library, Abington Street, Northampton, during its normal working hours or at Riverside House, Riverside Way, Bedford Road, Northampton NN1 5NX during the hours of 9 am to 12 noon and 2 pm to 4 pm on Monday to Friday inclusive.

If you wish to question the validity of the Order or of any provisions contained in it on the grounds that it is not within the powers conferred by the Road Traffic Regulation Act 1984, or on the grounds that any requirement of that Act, or of any instrument made under it has not been complied with in relation to the Order, you may, within six weeks from the date of this Notice apply to the High Court for this purpose.

This Order will become effective on 31st March 2006.

Dated this 30th day of March 2006

VICTOR SMITH
Head of Legal Services
County Hall
NORTHAMPTON

PKG/0342

SCHEDULE

Althorp Street, Bath Street, Castle Hill, Castle Street, Castle Terrace, Chalk Lane, Compton Street, Cromwell Street, Crispin Street, Doddridge, Doddridge Street, Fitzroy Place, Fitzroy Terrace, Fort Place, Herbert Street, Little Cross Street, Lower Bath Street, Lower Cross Street, Lower Harding Street, Moat Place, Monks Pond Street, Phoenix Street, Pike Lane, Regent Street, Scarletwell Street, Spring Lane, St Andrew's Street, St Mary's Street, Tower Street, Upper Bath Street, Upper Cross Street.

NORTHAMPTONSHIRE COUNTY COUNCIL

**THE NORTHAMPTONSHIRE COUNTY COUNCIL
(SPRING BOROUGH'S AREA, NORTHAMPTON)
(PROHIBITION AND RESTRICTION OF WAITING
AND PERMIT HOLDERS PARKING PLACES)
ORDER 2006**

Northamptonshire County Council ("the Council") in exercise of their powers under Sections 1, 2, 3, 4, 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 the 23rd day of March 2006 shall come into operation for all purposes on the 31st day of March 2006 and shall be cited as:
"The Northamptonshire County Council (Spring Borough's Area, Northampton) (Prohibition and Restriction of Waiting and Permit Holders Parking Places) Order 2006".
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 means the person driving the vehicle at the time it was left in the 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 6.00 pm inclusive, Monday to Saturday, except in respect to a visitors permit where the prescribed hours are between 10.00 am and 6.00 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. (1) 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.

(2) Save as provided in Article 7 of this Order, no person shall cause or permit any vehicle to wait between the hours of 8.00 am and 6.00 pm, Monday to Saturday along those lengths of road as specified in schedule 4.

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 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 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 or 4 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 or 4, 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 or 4 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 place 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.

47. The following orders are hereby revoked in so far as they refer to the highways listed in schedule 1 to this order :-

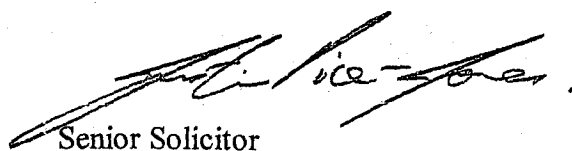
"NORTHAMPTON BOROUGH COUNCIL (VARIOUS AREAS) (GENERAL TRAFFIC CONTROL) ORDER 2001".

"NORTHAMPTON BOROUGH COUNCIL (VARIOUS AREAS) (GENERAL TRAFFIC CONTROL) (AMENDMENT NO. 23) ORDER 2003".

"NORTHAMPTON BOROUGH COUNCIL (VARIOUS AREAS) (GENERAL TRAFFIC CONTROL) (AMENDMENT NO. 25) ORDER 2003".

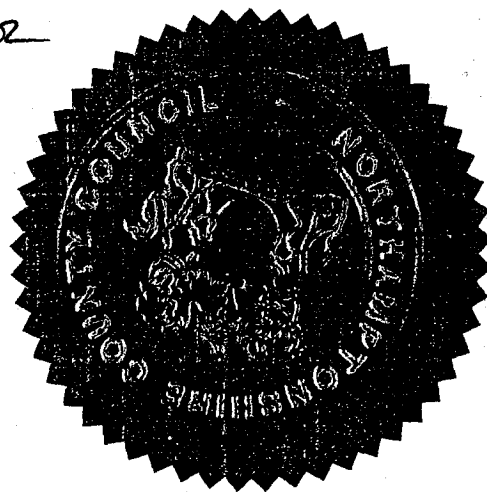
"NORTHAMPTON BOROUGH COUNCIL (VARIOUS AREAS) (GENERAL TRAFFIC CONTROL) (AMENDMENT NO. 32) ORDER 2003".

THE COMMON SEAL of
NORTHAMPTONSHIRE COUNTY
COUNCIL was hereunto affixed
on the 23rd day of March 2006
in the presence of:-


Senior Solicitor
(the Officer appointed for this purpose)

18/7/02
)
)
)
)
)





SCHEDULE 1 – “STATED AREA”

ZONE “G” – SPRING BOROUGH AREA

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

Althorp Street

Bath Street

Castle Hill

Castle Street

Castle Terrace

Chalk Lane

Compton Street

Cromwell Street

Crispin Street

Doddridge

Doddridge Street

Fitzroy Place

Fitzroy Terrace

Fort Place

Herbert Street

Little Cross Street

Lower Bath Street

Lower Cross Street

Lower Harding Street

Moat Place

Monks Pond Street

Phoenix Street

Pike Lane

Regent Street

Scarletwell Street

Spring Lane

St Andrew's Street

St Mary's Street

Tower Street

Upper Bath Street

Upper Cross Street

Compton Street	south	from its junction with Monks Pond Street for a distance of 9 metres east
Crispin Street	east	from its junction with Herbert Street for a distance of 15 metres south
		from a point 37 metres south of its junction with Herbert Street for a distance of 37 metres south
	west	from its junction with Scarletwell Street for a distance of 29 metres north
		from a point 59 metres north of its junction with Scarletwell Street for a distance of 23 metres north
Doddridge	east	from its junction with Marefair for a distance of 50 metres north
	west	from its junction with Marefair for a distance of 45 metres north
Doddridge Street	west	from its junction with St Mary's Street for a distance of 5 metres north
		from a point 21 metres north of its junction with St Mary's Street for a distance of 12 metres north
Fort Place	west	from a point 46 metres in a generally northerly direction from its western end north to its junction with Lower Bath Street
Herbert Street	north	from its junction with St Andrew's Road for a distance of 14 metres west
	south	from its junction with St Andrew's Street for a distance of 11 metres west
		from a point 42 metres west of its junction with St Andrew's Street for a distance of 19 metres west
		from a point 105 metres west of its junction with St Andrew's Street to its junction with Crispin Street
Little Cross Street	east	from its junction with Bath Street for a distance of 5 metres south
		from its junction with Castle Street for a distance of 10 metres north
	west	from its junction with Lower Bath Street to a point 5 metres south

		from its junction with Fitzroy Place for a distance of 6 metres north
Lower Bath Street	north	from its junction with Lower Cross Street for a distance of 12 metres west
		from a point 39 metres west of its junction with Lower Cross Street to a point 48 metres south of its junction with Scarletwell Street
	south	from a point 42 metres south of its junction with Scarletwell Street to its junction with Fort Place
Lower Cross Street	east	from its junction with Scarletwell Street for a distance of 3 metres south
	west	from its junction with Scarletwell Street for a distance of 12 metres south
		from its junction with Lower Bath Street for a distance of 10 metres north
Lower Harding Street	east	from its junction with Grafton Square for a distance of 26 metres south
		from a point 125 metres south of its junction with Grafton Square to its junction with Herbert Street
	west	from its junction with Spring lane for a distance of 17 metres south
		from its junction with Spring lane for a distance of 57 metres north
		from a point 7 metres north of its junction with Compton street to its junction with Grafton Square
Moat Place	east	from its junction with Lower Bath street to its southern end
	west	from its junction with Lower Bath street for a distance of 8 metres south
		from a point 61 metres south of its junction with Lower Bath Street to its southern end
Monks Pond Street	west	from its junction with Spring Lane for a distance of 9 metres north
		from a point 26 metres north of its junction with Spring Lane for a distance of 15 metres north

		from a point 67 metres north of its junction with Spring Lane to its northern end
Phoenix Street	south-east	from its junction with Castle Street to its junction with Castle Hill
Pike Lane	east	from its junction with St Mary's Street to its junction with Castle Street
	west	from its junction with St Mary's Street for a distance of 19 metres north
		from a point 29 metres south of its junction with Castle Street for a distance of 30 metres south (following the kerb line)
		from its junction with Castle Street for a distance of 4 metres south
Regent Street	north	from its junction with St Andrews Street eastwards for its entire length and into the north-eastern corner of the hammerhead
	south	from its junction with St Andrew's Street eastwards and southwards into the hammerhead then from the south-eastern corner for a distance of 11 metres northwards
	south-east	from a point 23 metres north-east of the south-eastern corner of the hammerhead for a distance of 9 metres north-eastwards
Scarletwell Street	north	from the west side of its junction with Upper Cross Street for a distance of 27 metres in a generally south-easterly direction
	south	from its junction with St Andrew's Road to a point 19 metres west of its junction with Lower Bath Street
		from a point 15 metres west of its junction with Lower Cross Street to a point 7 metres east of its junction with Lower Cross Street
		from its junction with Upper Cross Street for a distance of 10 metres west
Spring Lane	north	from its junction with Lower Harding Street for a distance of 14 metres west
	south	from its junction with St Andrew's Road to its junction with Lower Harding Street

St Andrew's Street	east	from its junction with Mayorhold to its junction with Grafton Street
	west	from its junction with Mayorhold for a distance of 96 metres north west
		from a point 121 metres north-west of its junction with Mayorhold to a point 42 metres south-west of its junction with Grafton Street
		from its junction with Grafton Street for a distance of 30 metres south-west
Tower Street	west	from its junction with Upper Bath Street for a distance of 47 metres north
Upper Bath Street	south	from its junction with Castle street for a distance of 9 metres west
		from a point 59 metres west of its junction with Castle Street for a distance of 5 metres west
Upper Cross Street	east	from its junction with Upper Bath Street for a distance of 27 metres north
	west	from its junction with Bath Street for a distance of 12 metres north
		from its junction with Scarletwell Street for a distance of 9 metres south

SCHEDULE 3

ZONE "G" – SPRING BOROUGH AREA

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	Minimum total length in metres within parking place not to be occupied by parking spaces
1	Bath Street south side from a point 9 metres east of its junction with Little Cross Street for a distance of 18 metres east	In single line parallel to kerb	Motorcars and Motor Cycles	Permit holders only	-
2	Castle Street east side from a point 12 metres south of the produced line of the west side of its junction with Upper Bath Street for a distance of 23 metres south	In single line parallel to kerb	Motorcars and Motor Cycles	Permit holders only	-
3	Castle Street east side from a point 42 metres south of the produced line of the west side of its junction with Upper Bath Street for a distance of 26 metres south	In single line parallel to kerb	Motorcars and Motor Cycles	Permit holders only	-
4	Castle Street north side from a point 10 metres east of its junction with Little Cross Street for a distance of 39 metres east	In single line parallel to kerb	Motorcars and Motor Cycles	2 hours	-
5	Castle Street north side from a point 76 metres east of its junction with Little Cross Street for a distance of 54 metres east	In single line parallel to kerb	Motorcars and Motor Cycles	Permit Holders Only	-
6	Castle Terrace west side from a point 6 metres south of its junction with Fitzroy Place for a distance of 33 metres	In single line parallel to kerb	Motorcars and Motor Cycles	Permit holders only	-

	south				
7	Chalk Lane east side from a point 14 metres south of its junction with Castle Hill for a distance of 32 metres south	In single line parallel to kerb	Motorcars and Motor Cycles	Permit holders only	-
8	Crispin Street west side from a point 29 metres north of its junction with Scarletwell Street for a distance of 30 metres north	In single line parallel to kerb	Motorcars and Motor Cycles	Permit holders only	-
10	Cromwell Street north side from a point 8 metres west of its eastern end for a distance of 45 metres south-west	In single line parallel to kerb	Motorcars and Motor Cycles	2 hours	-
11	Doddridge Street west side from a point 5 metres north of its junction with St Mary's for a distance of 16 metres north	Right angles to kerb	Motorcars and Motor Cycles	Permit holders only	-
12	Doddridge Street west side from a point 33 metres north of its junction with St Mary's for a distance of 27 metres north	In single line parallel to kerb	Motorcars and Motor Cycles	Permit holders only	-
13	Fitzroy Place south side from a point 2 metres east of its western end for a distance of 14 metres east	Right angles to kerb	Motorcars and Motor Cycles	Permit holders only	-
14	Fort Place east side from a point 7 metres north of its southern end for a distance of 30 metres north	In single line parallel to kerb	Motorcars and Motor Cycles	Permit holders only	-
15	Fort Place west side from a point 13 metres in a generally northerly direction from its southern end for a distance of 33 metres north	In single line parallel to kerb	Motorcars and Motor Cycles	Permit holders only	-
16	Herbert Street north side from a point 14 metres west of its junction with St Andrew's Road for a	Wholly within the bay	Motorcars and Motor Cycles	Permit holders only	-

	distance of 15 metres west				
17	Herbert Street north side from a point 40 metres west of its junction with St Andrew's Road for a distance of 12 metres west	Wholly within the bay	Motorcars and Motor Cycles	Permit holders only	-
18	Herbert Street north side from a point 57 metres west of its junction with St Andrew's Road to a point 17 metres east of its junction with Lower Harding Street	In single line parallel to kerb	Motorcars and Motor Cycles	Permit holders only	-
19	Herbert Street south side from a point 11 metres west of its junction with St Andrew's Road for a distance of 31 metres west	In single line parallel to kerb	Motorcars and Motor Cycles	Permit holders only	-
20	Herbert Street south side from a point 61 metres west of its junction with St Andrew's Road for a distance of 31 metres west	In single line parallel to kerb	Motorcars and Motor Cycles	Permit holders only	-
21	Little Cross Street west side from a point 5 metres south of its junction with Lower Bath Street for a distance of 32 metres south	Right angles to kerb	Motorcars and Motor Cycles	Permit holders only	-
22	Little Cross Street east side from a point 10 metres north of its junction with Castle Street for a distance of 35 metres north	In single line parallel to kerb	Motorcars and Motor Cycles	Permit holders only	-
23	Lower Bath Street north side from a point 12 metres west of its junction with Lower Cross Street for a distance of 27 metres west	In single line parallel to kerb	Motorcars and Motor Cycles	Permit holders only	-
24	Lower Bath Street north side from a point 32 metres south of its junction with Scarletwell Street for a distance of 16 metres south-east	In single line parallel to kerb	Motorcars and Motor Cycles	2 hours	

25	Lower Cross Street east side from a point 3 metres south of its junction with Scarletwell Street for a distance of 19 metres south	In single line parallel to kerb	Motorcars and Motor Cycles	Permit holders only	-
26	Lower Cross Street west side from a point 12 metres south of its junction with Scarletwell Street to a point 10 metres north of its junction with Lower Bath Street	In single line parallel to kerb	Motorcars and Motor Cycles	Permit holders only	-
27	Lower Harding Street east side from a point 57 metres south of its junction with Grafton street for a distance of 18 metres south	In single line parallel to kerb	Motorcars and Motor Cycles	2 hours	-
28	Lower Harding Street east side from a point 106 metres south of its junction with Grafton street for a distance of 19 metres south	In single line parallel to kerb	Motorcars and Motor Cycles	2 hours	-
29	Moat Place west side from a point 8 metres south of its junction with Lower Bath Street for a distance of 53 metres south	In single line parallel to kerb	Motorcars and Motor Cycles	Permit holders only	-
30	Pike Lane west side from a point 19 metres north of its junction with St Mary's Street for a distance of 12 metres north	In single line parallel to kerb	Motorcars and Motor Cycles	Permit holders only	-
31	Pike Lane west side from a point 4 metres south of its junction with Castle Street for a distance of 25 metres south	In single line parallel to kerb	Motorcars and Motor Cycles	Permit holders only	-
32	Scarletwell Street south side from a point 39 metres west of its junction with Lower Cross Street for a distance of 40 metres west	In single line parallel to kerb	Motorcars and Motor Cycles	Permit holders only	-
33	Scarletwell Street south side from a point 15	In single line parallel to kerb	Motorcars and Motor Cycles	2 hours	-

	metres west of its junction with Lower Cross Street for a distance of 12 metres west				
34	Scarletwell Street south side from a point 7 metres east of its junction with Lower Cross Street for a distance of 25 metres east	In single line parallel to kerb	Motorcars and Motor Cycles	Permit holders only	-
35	Spring lane north side from a point 72 metres east of its junction with Monks Pond Street to a point 14 metres west of its junction with Lower Harding Street	In single line parallel to kerb	Motorcars and Motor Cycles	Permit holders only	-
36	St Andrew's Street west side from a point 96 metres north-west of its junction with Mayorhold for a distance of 25 metres north	In single line parallel to kerb	Motorcars and Motor Cycles	2 hours	-
37	St Andrew's Street west side from a point 30 metres south of its junction with Grafton Street for a distance of 12 metres south	In single line parallel to kerb	Motorcars and Motor Cycles	2 hours	-
38	St Mary's Street north side from a point 24 metres west of its junction with Horsemarket for a distance of 26 metres west	Right angles to kerb	Motorcars and Motor Cycles	Permit holders only	-
39	Upper Bath Street south side from a point 9 metres west of its junction with Castle Street for a distance of 50 metres west	In single line parallel to kerb	Motorcars and Motor Cycles	Permit holders only	-
40	Upper Cross Street east side from a point 27 metres north of its junction with Upper Bath Street for a distance of 22 metres north	Right angles to kerb	Motorcars and Motor Cycles	Permit holders only	-
41	Upper Cross Street west side from a point 12 metres north of its	In single line parallel to kerb	Motorcars and Motor Cycles	2 hours	-

	junction with Bath Street for a distance of 28 metres north				
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SCHEDULE 4 – RESTRICTED WAITING

8.00 AM TO 6.00 PM MONDAY TO SATURDAY

ZONE “G” – SPRING BOROUGH AREA

<u>Road</u>	<u>Side</u>	<u>Length</u>
Althorp Street	east	from its junction with Tower Street for its entire length northwards and eastwards
	north	for its entire length
	west	from its junction with Tower Street for its entire length northwards and westwards
Castle Street	north	from a point 49 metres east of its junction with Little Cross Street for a distance of 27 metres east
Castle Terrace	east	from a point 8 metres south of its junction with Castle Street for a distance of 41 metres south
	west	from its junction with Fitzroy Place for a distance of 6 metres south
		from a point 39 metres south of its junction with Fitzroy Place to its junction with Chalk Lane
Chalk Lane	east	from a point 46 metres south of its junction with Castle Hill to its junction with St Mary’s Street
		from its junction with St Mary’s Street to its junction with Marefair
	west	from its junction with Castle Terrace to its junction with Marefair
Compton Street	north	from the highway boundary at its eastern end to the north-western end of Monks Pond Street
Crispin Street	east	from a point 15 metres south of its junction with Herbert Street for a distance of 22 metres south
Cromwell Street	east	from the north-eastern corner at its eastern end for a distance of 7 metres southwards
	north	from its eastern end for a distance of 8 metres westwards
		from a point 53 metres west of its eastern end to its junction with Regent Street

	south	from a point 12 metres west of its eastern end to its junction with Regent Street
Doddridge	east	from a point 50 metres north of its junction with Marefair for to its junction with St Mary's Street
	north	from its junction with Chalk Lane for its entire length eastwards
	south	from its junction with Chalk Lane for its entire length eastwards
	west	from its junction with St Mary's Street to a point 45 metres north of its junction with Marefair
Doddridge Street	east	from its junction with Castle Hill to its junction with St Mary's Street
Fitzroy Place	north	from its western end to its junction with Little Cross Street
	south	from its western end for a distance of 2 metres east from a point 16 metres east of its western end to its junction with Castle Terrace
Fort Place	east	from its southern end for a distance of 7 metres north from a point 37 metres north of its western end to its junction with Lower Bath Street
	west	from its southern end for a distance of 13 metres in a generally north-westerly direction
Herbert Street	north	from a point 29 metres west of its junction with St Andrew's Street for a distance of 11 metres west from a point 52 metres west of its junction with St Andrew's Street for a distance of 5 metres west from its junction with Lower Harding Street for a distance of 17 metres east
	south	from a point 92 metres west of its junction with St Andrew's Street for a distance of 13 metres west

St Mary's Street north from its junction with Horsemarket for a distance of 24 metres west

from a point 50 metres west of its junction with Horsemarket to its junction with Doddridge Street

from its junction with Doddridge Street to its junction with Chalk Lane

south from its junction with Chalk Lane to its junction with Horsemarket

Tower Street east from its junction with Upper Bath Street for its entire length northwards and eastwards

north for its entire length

west from a point 47 metres north of its junction with Upper Bath Street northwards and westwards to its north-western end

Upper Bath Street north from its junction with Upper Cross Street to its junction with Tower Street

from its junction with Tower Street for its eastern end