

NORWICH CITY COUNCIL
(NORTHERN CONTROLLED PARKING ZONE)
(MARLBOROUGH ROAD) (CITY CAR CLUB)
AMENDMENT TRAFFIC REGULATION ORDER 2011

The City Council of Norwich (“hereinafter referred to as the Council), pursuant to an agency arrangement with the Norfolk County Council under Section 101 of the Local Government Act 1972 and in exercise of Sections 1, 2 4, 32, 35, 45 and 46 of the Road Traffic Regulation Act 1984 and all other enabling powers hereby make the following Order: -

1. **Citation and Commencement**

This Order may be cited as the Norwich City Council (Northern Controlled parking Zone) (Marlborough Road) (City Car Club) Amendment Traffic Regulation Order 2011 and shall come into effect for all purposes on the 5th day of September 2011.

2. The Norwich City Council City Centre Controlled Parking Zone (South Western Controlled Parking Zone) Traffic Regulation Order, 1997 (as amended) (hereinafter called the “1997 Order”) is amended as specified in Articles 3 to 9 of this Order.

3. The following definitions are added to paragraph 2(4) of the 1997 Order:-

‘Car Club’ means a Car Club operator (including any person acting on behalf of such a club or organisation) providing shared cars locally for its members to use on a pre-booked basis, approved in writing by the Council for the purposes of this Order.

‘Car Club Parking Place’ means any part of a road specified in Schedule 108 to that Order.

‘Car Club Vehicle’ means a vehicle provided by a Car Club.

‘Car Club Parking Permit’ means a permit issued under Article 26 A of Section 4A of that Order.

‘Civil Enforcement Officer’ shall have the meaning as set out in Section 76 of the Traffic Management Act 2004.

4. The following definitions in paragraph 2(4) of the 1997 Order are amended:-

“Permit Parking times” means the times mentioned in Schedules 3, 4, 17 and 108 of that Order as times during which the lengths of road mentioned are permit holders parking places.”

5. Schedules 2 and 108 are amended as specified in Schedules 1 and 2 of this Order.
6. The following paragraph is added as Article 12 (8) of the 1997 Order:-

“No person shall cause or permit a vehicle to wait in the lengths of road mentioned in Schedule 108 (Car Club Parking Place at any time) unless there is displayed a valid Car Club Parking Permit issued in respect of that vehicle”.
7. The following Articles 5A, 7A and 8A are added after paragraphs 5, 7 and 8 of the 1997 Order

LOCATION OF CAR CLUB PARKING PLACES

- “5A Each area of public highway described in Schedule 108 of that Order are Car Club Parking Places and are operational 24 hours a day, seven days a week.”

USE OF CAR CLUB PARKING PLACE

- “7A A Car Club Parking Place may only be used for the parking of a Car Club Vehicle displaying a Car Club Parking Permit issued by the Council.”

PERMITS TO BE DISPLAYED ON VEHICLES LEFT IN CAR CLUB PARKING PLACES

- “8A When a vehicle is left in a Car Club Parking Place, there shall be displayed a valid Car Club Parking Permit issued in respect of that vehicle. The Car Club Parking Permit must be displayed attached to the nearside of the windscreen, outside the sweep of the windscreen wipers with the Car Club Parking Permit details clearly visible from the kerbside.”

8. Articles 9 and 10 of the 1997 Order are amended to read as follows: -

USE OF PERMIT HOLDERS' PARKING PLACES AND CAR CLUB PARKING PLACES

- “9. Any vehicle left in a Permit Holders Parking Place, or a Car Club Parking Place shall so stand: -
- (a) if the Permit Holders' Parking Place or the Car Club Parking Place is not on a one-way street, so that the left or nearside of the vehicle is adjacent to the left or nearside kerb;

(b) if the Permit Holders' Parking Place or Car Club Parking Place is in a one-way street, that the left or nearside of the vehicle is adjacent to the left or nearside kerb, or the right or offside of the vehicle is adjacent to the right-hand kerb;

(c) that every part of the vehicle is within the limits of the Permit Holders' Parking Place, or the Car Club Parking Place."

MOVEMENT OF VEHICLES IN
PERMIT HOLDERS' PARKING PLACES AND
CAR CLUB PARKING PLACES IN AN EMERGENCY

"10. A Police Constable in uniform, a Civil Enforcement Officer, or any person authorised by the Council may, in case of emergency, move or cause to be moved any vehicle left in a Permit Holders Parking Place or a Car Club Parking Place to any place they think fit."

9. Section Four A as detailed below is to be added after Section Four of the 1997 Order.

SECTION FOUR A – CAR CLUB PARKING PERMITS.
APPLICATION FOR ISSUE AND WITHDRAWAL OF A CAR CLUB
PARKING PERMIT FOR USE OF
CAR CLUB PARKING PLACES REFERRED TO IN SCHEDULE 108

"26 A (1) A Car Club may apply to the Council for the issue of a Car Club Parking Permit for the leaving of a Car Club Vehicle in a Car Club Parking Place and any such application shall be made in a form issued and obtainable from the Council and shall include the information required by such a form.

26 A (2) The Council will issue one Car Club Parking Permit in respect of each Car Club Parking Place.

26 A (3) The issue of a Car Club Parking Permit shall be subject to a charge as fixed from time to time by the Council.

26 A (4) The Council may refuse to issue a Car Club Parking Permit if within the previous three months prior to the date of application the Car Club has had a permit withdrawn under Article 26 A.

USE OF A CAR CLUB PARKING PERMIT

26 A (5) Subject to 26 A (6) below a Car Club Parking Permit shall be used solely to park a Car Club Vehicle in the space or spaces permitted by the Car Club Parking Permit.

- 26 A (6) In the event that the driver of a Car Club Vehicle is prevented from parking the Car Club Vehicle in the Car Club Parking Place permitted by the Car Club Parking Permit by any person authorised by the Council, a Police Officer, or a Civil Enforcement Officer, or by the obstruction of the Car Club Parking Place by other vehicles (whether authorised by this Order or not), the driver of the Car Club Vehicle may park it in any nearby Permit Holders Parking Place within the Zone specified in Schedule 108.

SURRENDER AND WITHDRAWAL
OF A CAR CLUB PARKING PERMIT

- 26 A (7) A Car Club being the holder of a Car Club Parking Permit may and on the occurrence of any of the events set out in paragraph 26 A (9) of this Article shall, surrender the permit to the Council.
- 26 A (8) The Council may by notice in writing delivered to the Car Club being the holder of the Car Club Parking Permit by leaving it at, or by sending it by post to the address shown by the Car Club on the application for the Car Club Parking Permit, or at any other address believed to be the Car Clubs premises –
- (i) demand the return of the permit if it appears to the Council that any one of the events set out in article 26(a)9 has occurred and the Car Club shall surrender the Car Club Parking Permit to the Council within 14 days of the delivery of such notice: or
 - (ii) if it appears to the Council that any of the events mentioned in article 26(a)9 have occurred that deem the Car Club Parking Permit to cease to be valid
- 26 A (9)
- (i) The Car Club ceases to be an operator approved by the Council
 - (ii) the issue of a duplicate or amended Car Club Parking Permit by the Council under the provisions of 26 A (11) of this Order
 - (iii) the Car Club breaching the terms of this Order
 - (iv) failure of the Car Club to supply any evidence required by the Council pursuant to paragraph (1) of Article 26 A (11)
 - (v) the issue of a permit on receipt of a cheque and the cheque subsequently being dishonoured

(vi) the Car Club providing incorrect information to obtain a Car Club Parking Permit

(vii) other actions or inactions deemed a misuse of a permit by the Council

26 A (10) A Car Club Parking Permit shall cease to be valid at the expiration of the period specified on the permit, or on the occurrence of any one or more of the events set out in paragraph (8) of this Article, or Article 26 B(2).

APPLICATION FOR AND ISSUE OF A DUPLICATE OR AMENDED
CAR CLUB PARKING PERMIT

26 B (1) The Council may at any time require a Car Club to supply to an officer of the Council such evidence in respect of any Car Club Parking Permit as it may require

26 B (2) 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 shall cease to be valid. The Car Club shall surrender it to the Council for a refund less an administration fee

26 B (3) If a Car Club Parking Permit is lost or stolen, the Car Club may apply to the Council for the issue of a duplicate Car Club Parking Permit, this being a Car Club Parking Permit expiring on the date of expiry of the permit it replaces. The Council, upon being satisfied as to such loss or theft, may issue a duplicate Car Club Parking Permit

26 B (4) The provisions of this Order and the Order specified in Article 1 of above shall apply to a duplicate Car Club Parking Permit and an application for a duplicate Car Club Parking Permit as if it were a Car Club Parking Permit, or, as the case may be, an application for a Car Club Parking Permit

26 B (5) The issue of a duplicate Car Club Parking Permit shall be subject to charge(s) if any, as fixed from time to time by the Council

26 B (6) If circumstances change so that the contents of a Car Club Parking Permit are no longer accurate the Car Club shall apply to the Council for that Car Club Parking Permit to be amended.”

10. Insofar as any provision of any previous Order conflicts with any provision of any previous Order relating to the lengths of road specified in the Schedule to this Order, that provision of this Order shall prevail.

Schedule 1

SCHEDULE 2 of the Northern CPZ	NO WAITING AT ANY TIME
---------------------------------------	------------------------

Marlborough Road

Delete the following reference:

Zone H	<p><u>South side</u></p> <p>From a point 3 metres west of the centre line of the access road alongside no.70 Marlborough Road to a point 5 metres east of the eastern back of highway line of Spencer Street</p>
---------------	--

Insert the following references:

Zone H	<p><u>South side</u></p> <p>From a point 7 metres east of the boundary of Nos. 68/70 Marlborough Road to a point 2 metres east of the western building line of No. 72 Marlborough Road</p> <p><u>South side</u></p> <p>From a point 6.5 metres east of the western building line of No. 72 Marlborough Road to a point 5 metres east of the eastern back of highway line of Spencer Street</p>
---------------	--

Schedule 2

SCHEDULE 108 of the Northern Controlled Parking Zone

SCHEDULE 108 CAR CLUB PARKING PLACE AT ANY TIME		
Zone	Designated Car Club Parking Place	Permit designation
T	<u>Marlborough Road</u> <u>South side</u> From a point 2 metres east of the western building line of No. 72 Marlborough Road for a distance of 4.5 metres in an easterly direction	10

THE CORPORATE SEAL of THE)
CITY COUNCIL OF NORWICH)
was hereunto affixed this 1st day)
of September 2011)

.....