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NOTTINGHAM CITY COUNCIL
ROAD TRAFFIC REGULATION ACT 1984 AND TRAFFIC MANAGEMENT ACT 2004

NOTTINGHAM CITY COUNCIL (ST. ANN'S WAY AREA, ST. ANN'S, NOTTINGHAM)
(PROHIBITIONS AND RESTRICTIONS OF WAITING AND RESIDENTS' PARKING
PLACES) TRAFFIC REGULATION ORDER 2009 (TMP 6781)

Nottingham City Council ("the Council") in exercise of its powers under Sections 1, 2, 3, 4, 5, 32, 35, 35A(3), and Part IV of Schedule 9 of the Road Traffic Regulation Act 1984 ("the Act"), and by the virtue of Section 74 and paragraph 8 (4) of Schedule 8 of the Traffic Management Act 2004 ("the 2004 Act") and all other enabling powers, the City of Nottingham being a Civil Enforcement Area (CEA), and after consultation with the Chief Constable for the Nottinghamshire Police Authority in accordance with Part III of Schedule 9 to "the Act", hereby makes the following Order:-

COMMENCEMENT

This Order shall come into force for all purposes on the 30th day of **November 2009** and may be cited as "Nottingham City Council (St. Ann's Way Area, St. Ann's, Nottingham) (Prohibitions and Restrictions of Waiting and Residents' Parking Places) Traffic Regulation Order 2009".

ARRANGEMENT OF SECTIONS

Sections 3, 4 and 6 to 9 inclusive of Part I of this Order: - Not Allocated.

Part II of this Order: - Not Allocated.

Part III of this Order: - Not Allocated.

GENERAL – provisions applying to all parts of this Order.

DEFINITIONS – applying to all parts of this Order.

GENERAL PARAGRAPHS : RESIDENTS CONTROLLED ZONES - RESIDENTS' BUSINESS AND VISITORS' PARKING PERMITS

PART I

(Waiting and Parking Control)

Section 2 : Prohibition and Restriction of Waiting (Articles 3, 4 and 5)

Section 5 : Residents' Parking Places (Articles 27 to 40)

GENERAL

- G1. All lengths of road specified in this Order are lengths of road in the City of Nottingham.
- G2. The prohibitions and restrictions imposed by 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" as amended aforesaid or by or under any other enactment.
- G3. Any reference in this Order to any enactment shall be construed as a reference to that enactment as amended by any subsequent enactment.
- G4. In this Order where the context requires, the masculine includes the feminine and the neuter and vice versa, the singular includes the plural and vice versa.
- G5. In this Order heading are included for ease of reference only and shall not affect the interpretation or construction of the Order.
- G6. The Council has set penalty charge levels payable in respect of any parking contraventions specified in paragraph 4 of Schedule 7 of "the 2004 Act" and in accordance with The Civil Enforcement of Parking Contraventions (Guidelines on Levels of Charges) (England) Order 2007 SI 2007/3487
- G7. The Council will take enforcement action in respect of parking contraventions as follows: -
1. in accordance with The Civil Enforcement of Parking Contraventions (England) General Regulations 2007 SI 2007/3483 and for this purpose it may use an "Approved Device" as defined in The Civil Enforcement of Parking Contraventions (Approved Devices) (England) Order 2007 SI 2007/3486
 2. the Council's Civil Enforcement Officers (CEO) shall wear uniform when exercising the functions specified in Regulation 2 of The Civil Enforcement (Wearing of Uniform) (England) Regulations 2007 SI 2007/3485 namely giving notification of a Penalty Charge, immobilising a vehicle and removal of parked and abandoned vehicles
 3. the Council will comply with the provisions relating to representation and appeals specified in The Civil Enforcement of Parking Contraventions (England) Representations and Appeals Regulations 2007 SI 2007/3482

4. the Council's CEO will remove vehicles left on a road in a Civil Enforcement Area in accordance with The Removal and Disposal of Vehicles (Amendment) (England) Regulations 2007 SI 2007/3484
- G8. A further Penalty Charge shall be payable for each additional day or part of a day during which the vehicle is left in contravention of any prohibitions or restrictions imposed by this Order. Any additional penalty is to be paid in the manner detailed in G7 (1) of this Order.
- G9. A CEO or a person under his direction removing a vehicle or altering its position by virtue of this Order 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.
- G10. When a CEO or a person under his direction who is also authorised by the Council, removes or makes arrangements for the removal of a vehicle from a highway by virtue of this Order, he shall make such arrangements as may be reasonably necessary for the safe custody of the vehicle.
- G11. If a vehicle or permit holder contravenes any prohibition, restriction or provisions of this Order or conditions of a Restricted Access Permit or a Dispensation permit or Disabled Person's Badge, then a CEO may issue a PCN in line with G7 (1)
- G12. **CONFLICT PROVISION;** in case of conflict between the provision of this Order and those of the '2004 Act' and subordinate legislation made under its authority, then that legislation takes priority over the provisions of this Order.

DEFINITIONS

In this Order the following words and phrases (where used) have the meanings ascribed to them as follows:-

- D1 "Additional Parking Charges" means penalty charges, being charges made by the Council under the provisions of Regulation 3 and 4 of The Civil Enforcement of Parking Contraventions (Guidelines on levels of Charges) (England) Order 2007 SI 2007/3487 for the removal, storage and disposal of vehicles and charge in respect of the release of a vehicle from an immobilisation device fixed under Section 79 of "the 2004 Act".
- D2 "Authorised Officer" means a person authorised by or on behalf of the Council to supervise any parking place.
- D3 "Bus" has the same meaning as in Regulation 22 of the Traffic Signs Regulations and General Directions.
- D4 "Bus Lane" means any length of road specified in this Order and bounded by delineating road markings as prescribed under regulations for use as a Bus Lane.

- D5 "Bus Only Street" and "Bus Gate" means any length of road specified in this Order and delineated by road markings and signs as prescribed in the Traffic Signs Regulations and General Directions.
- D6 "Bus Stop Area" means any area of carriageway of a road (which is specified and intended for the waiting of a local bus) which is comprised within and indicated by a road marking complying with either diagram 1025.1 or 1025.3 in Schedule 6 to the Traffic Signs Regulations and General Directions.
- D7 "Bus Stop Clearway Hours" means the hours specified in Column 3 of Schedule 6 of Part I, in relation to a length of road.
- D8 "Business, Dispensation and Visitors Parking Permit" means a permit issued under established criteria governing the issue of such permits as determined by the Traffic Manager and as amended from time to time.
- D9 "Business, Dispensation and Visitors Parking Permit Holder" means a person to whom a permit has been issued under established criteria governing the issue of such permits as determined by the Traffic Manager and as amended from time to time.
- D10 "Business, Dispensation and Visitors Parking Permit User" means a person using a permit for the purpose specified in General Paragraphs: Residents Controlled Zones Residents', Business, Dispensation and Visitors' Parking Permits, as appropriate.
- D11 "Car" means a mechanically propelled vehicle, not being a motor cycle or invalid carriage, which is constructed itself to carry a load or passengers.
- D12 "Carriageway" means a way constituting or comprised in a highway being a way (other than a cycle track) over which the public have a right of way for the passage of vehicles.
- D13 "Civil Enforcement Officer" has the same meaning as that ascribed to it in Section 76 of "the 2004 Act".
- D14 "Cycle Lane" means a length of road specified in this Order as a Cycle Lane and bounded by delineating road markings as prescribed under Regulations.
- D15 "Director" means the Nottingham City Council's Director of Environment and Regeneration.
- D16 "Disabled Person's"
- (1) "Disabled Person's Vehicle" means a vehicle displaying a valid Disabled Person's Badge.
 - (2) "Disabled Person's Badge" has the same meaning as in The Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000.

- D17 "Dispensation Permit" means a valid permit that has been issued in accordance with Traffic & Parking's criteria after the receipt of the "Dispensation Permit Charge" in respect of any vehicle for the purpose of exemption from the provisions of this Order imposed under Section 45(2) of "the Act".
- D18 "Dispensation Permit Charge" shall be an amount set by the Traffic Manager (as defined by Section 17 (2) of "the 2004 Act") and amended from time to time in accordance with Section 45(2)(b) of "the Act".
- D19 "Dual Purpose Vehicle" has the same meaning as in Regulation 3(1) of the Motor Vehicles (Construction and Use) Regulations 1978.
- D20 "Electronic Communications" has the same meaning as in Schedule 2, paragraph 1 of the Telecommunications Act 1984 as amended.
- D21 "Entrance Clearway" means any area of carriageway or a road which is comprised within and indicated by a road marking complying with diagram 1027.1 in Schedule 6 to the Traffic Signs Regulations and General Directions.
- D22 "Entrance Clearway Hours" means the hours specified in Column 3 of Schedule 8 of Part I, in relation to a length of road.
- D23 "Footway" means a way constituting or comprised in a highway a way (other than a cycle track) over which the public have a right of way for the passage of pedestrians.
- D24 "Footway Loading Area" means any length of footway intended for loading or unloading purposes.
- D25 "Goods" means articles and property of any description, including postal packets of any kind that have been purchased and are ready for collection, provided that it would be unreasonable for an individual to carry such Goods, further than a reasonable distance for the purpose of loading them into a vehicle.
- D26 "Goods Vehicle" has the same meaning as that ascribed to it in Section 192(1) of the Road Traffic Act 1988.
- D27 "Hirer" is as defined in Regulation 5 of SI 2007/3483.
- D28 "Immobilisation Device" has the same meaning as in Section 104 (9) of "the Act" of 1984.
- D29 "Junction" means (in the Schedules to this Order) for measurement purposes only: The point where the prolongation of two kerblines intersect (measurements are taken along the line of kerb for the said length of road unless otherwise stated).
- D30 "Lay-By" means any area of carriageway lying at the side of the main carriageway for the parking, loading or waiting of vehicles.

- D31 "Loading Vehicle" means a vehicle which is being used to enable goods to be loaded or unloaded provided that when the aforementioned purposes have been completed the vehicle must immediately proceed out of that length of road.
- D32 "Local Bus" has the same meaning as that ascribed to it in Regulation 4 of the Traffic Signs Regulations and General Directions.
- D33 "Main Carriageway" means any carriageway used primarily by through traffic, includes any carriageway of a slip road, but excludes any lay-by or footway loading area.
- D34 "Motor Cycle" has the same meaning as in Section 136 of "the Act".
- D35 "One-Way Street" means a highway in which vehicles are prohibited at all times from proceeding in any other than one direction.
- D36 "Owner" in relation to a vehicle, means the registered keeper of that vehicle namely the person for the time being shown in the register as registered keeper in the Register kept in accordance with Section 21 Vehicle Excise and Registration Act 1994.
- D37 "Parking Disc" is defined in accordance with Regulation 8(5) of the Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000 and means:
- a device which is:
- (1) 125 millimetres square and coloured blue, if issued on or after 1 April 2000 or orange, if issued before that date;
 - (2) has been issued by a Local Authority and has not ceased to be valid; and
 - (3) is capable of showing the quarter hour period during which a period of waiting has begun.
- D38 "Parking Permit" means a permit issued by the Council that is valid for use in any Parking Place subject to conditions.
- D39 "Parking Place" means (subject to Sections 3, 4 and 5 of Part I) any area of highway authorised by this Order to be used as a parking place, bay or space. In relation to an off street parking area, shown edged in red on the map in Appendix B and specified in Column 1 of Schedule 9 of Part I and provided by the Council in pursuant to Section 32(1) of "the Act" for the purpose of vehicle parking.
- D40 "Parking Ticket" means a ticket issued by a ticket machine or issued by an authorised officer at the parking place.

- D41 "Passenger Vehicle" means a motor vehicle other than a motorcycle constructed solely for the carriage of passengers and their effects and adapted to carry not more than 8 passengers exclusive of the owner/hirer, and not drawing a trailer.
- D42 "Pedal Cycle" means a cycle (which has the same meaning as that ascribed to it in Section 192 of the Road Traffic Act 1988).
- D43 "Penalty Charge" means a charge payable in accordance with Regulation 4 of the Civil Enforcement of Parking Contraventions (England) General Regulations 2007 SI 2007/3483 in respect of a parking contravention specified in paragraph 4 of Schedule 7 of "the 2004 Act".
- D44 "Penalty Charge Notice" means a notice issued by a Civil Enforcement Officer pursuant to the provisions of Regulation 8 to SI 2007/3483.
- D45 "Permit" means a permit issued under established criteria governing the issue of such permits as determined by the Traffic Manager and as amended from time to time.
- D46 "Permit Holder" means a person to whom a permit has been issued under established criteria governing the issue of such permits as determined by the Traffic Manager and as amended from time to time.
- D47 "Permit Area" means a parking place, bay or space designated for the use of permit holders as defined in this Order.
- D48 "Permitted Motor Vehicle" means a passenger vehicle, a dual purpose vehicle, a goods vehicle not exceeding a maximum unladen weight of 3 tonnes, a motorcycle or a vehicle displaying a valid Disabled Person's Badge.
- D49 "Police Vehicle" means a vehicle being used for police purposes or operating under the instructions of the Chief Constable for Nottinghamshire Police Authority.
- D50 "Prescribed Hours" has the meanings ascribed in each particular Part of this Order and shall be construed accordingly.
- D51 "Public Holidays" being Christmas Day, Good Friday and any Bank Holiday.
- D52 "Reduced Penalty Charge" means the discounted level of the penalty charge.
- D53 "Relevant National Authority" means the Secretary of State in respect to England.
- D54 "Relevant Position"
- (1) In relation to the display of a Disabled Person's Badge, has the same meaning as that ascribed to it in The Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000.

- (2) In the case of a vehicle fitted with a windscreen, a position on the inside surface of the windscreen or on the dashboard so that the date and time of issue or expiry (as appropriate) of the parking ticket or permit may be read by a CEO or Authorised Officer and shall cause the said ticket to be so exhibited at all times and on the part of the windscreen nearest the kerb.
- (3) In the case of a vehicle not fitted with a front windscreen, a conspicuous position on the vehicle so that the date and time of issue or expiry (as appropriate) of the parking ticket or permit may be read by a CEO or Authorised Officer and shall cause the said ticket to be so exhibited at all times and on the vehicle.

- D55 "Resident" means a person whose usual place of abode is premises the postal address of which is in any road or part of a road being a part of a Residents' Parking Zone described in Schedule 1 of Part I, or any person deemed to be a resident by the Council.
- D56 "Residents' Permit" means a permit issued under established criteria governing the issue of such permits as determined by the Traffic Manager and as amended from time to time.
- D57 "Residents' Permit Holder" means a person to whom a permit has been issued under established criteria governing the issue of such permits as determined by the Traffic Manager and as amended from time to time.
- D58 "Residents' Parking Permit User" means a person using a permit for the purpose specified in the General Paragraphs: Residents Controlled Zones Residents' Business, Dispensation and Visitors' Parking Permits, as appropriate.
- D59 "Residents' Parking Place or Bay" means any part of a road specified in Article 27 of Part I.
- D60 "Residents' Parking Space" means a space in a Residents' Parking Place or Bay, which is provided for the leaving of a vehicle of the classes specified in Article 29 of Part I.
- D61 "Restricted Access Permits" means a permit, which has been issued under established criteria governing the issue of such permits as determined by the Traffic Manager and as amended from time to time.
- D62 "Restricted Road" (save as the context requires in Part I of this Order) means any road or part of a road specified in Schedule 1 of Part I.
- D63 "Road" means the area between two highway boundaries excluding any defined footway loading area or lay-by.
- D64 "Road Marking" means a traffic sign consisting of a line or mark or legend on a road.

- D65 "Solo Motor Cycle" means a motor cycle without a sidecar and having two wheels.
- D66 "Taxi" means in England and Wales, a vehicle licensed under Section 37 of the Town Police Clauses Act 1847.
- D67 "Taxi Clearway Hours" means the hours specified in Column 3 of Schedule 7 of Part I, in relation to a length of road.
- D68 "Taxi Rank" means an area of carriageway reserved for use by taxis waiting to pick up passengers.
- D69 "The reserved car park system" means the system that allows parking by parking permit holders only as specified in Column 4 of Schedule 9 of Part I.
- D70 "Ticket Machine" means an apparatus of a type and design generally or specifically approved by the Secretary of State for Transport, being an apparatus designed as a means to indicate on a parking ticket the time at which a vehicle arrived and the time at which it ought to leave or one or other of those times.
- D71 "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".
- D72 "Traffic Signs Regulations and General Directions" means the Traffic Signs Regulations and General Directions 2002 as amended from time to time.
- D73 "Tramcar" has the same meaning as in the Greater Nottingham Light Rapid Transit Act 1994.
- D74 "Tramway" has the same meaning as in the Greater Nottingham Light Rapid Transit Act 1994.
- D75 "Valid Parking Ticket" means a ticket displayed in a relevant position where the paid for time and date, at a pay and display parking place, has not expired.
- D76 "Vehicle" means:-
- (1) a mechanically propelled vehicle, intended or adapted for use on the road;
 - (2) a pedal cycle in actual use for the purpose of cycling.

Notes:-

In the Schedules to this Order all times and days are inclusive.

In Schedules 1 to 8 of Part I to this Order, each length of road specified in Column 2 and itemised by number in Column 1 shall be related only to the specified instructions, times and exemptions (given opposite under Columns 3, 4, 5 and 6) relating to that number.

GENERAL PARAGRAPHS : RESIDENTS CONTROLLED ZONES - RESIDENTS', BUSINESS, DISPENSATION AND VISITORS' PARKING PERMITS

- A. Nothing in this Order shall make it unlawful for any person to leave a vehicle in a Residents' Parking Space provided that:-
- (1) an appropriate and valid Residents', Business, Dispensation or Visitors Parking Permit (hereinafter also referred to as "Permit") is displayed, by a Residents', Business, Dispensation or Visitors Parking Permit User in the relevant position;
 - (2) the use of the Residents' Parking Space has not been suspended; OR
 - (3) it is waiting with the permission of a Police Constable in uniform or is of one or more of the categories B4, E2 and I, specified in Appendix A of this Order.
- B. A Permit shall only be issued for the purpose of allowing a visitor (being a Visitors Parking Permit User) to leave a vehicle in a Residents' Parking Space whilst visiting a resident or business within the Controlled Parking Zone to which the Permit relates. Each Permit shall only be valid for use in the Zone and Permit Area specified in respect of the Permit.
- C. A Permit shall be issued by the Traffic Manager in accordance with the criteria of issue of such permits as determined by the Traffic Manager from time to time.
- D. Whilst a vehicle is in a Residents' Parking Space, that vehicle shall be subject to the provisions (as to the position in which vehicles are to wait in a Residents' Parking Space) contained in this Order and the Residents', Business, Dispensation, Visitors Parking Permit User shall ensure that the vehicle complies with those provisions.
- E. A Residents', Business, Dispensation, Visitors Parking Permit Holder shall be subject to provisions contained in the established criteria and conditions of issue for Permits as determined by the Traffic Manager and as amended from time to time in relation to:
- (1) Surrender of a Permit;
 - (2) Revocation of a Permit;
 - (3) Issue of a duplicate Permit.

PART I

PART I, SECTION 1 : CONTROLLED PARKING ZONES, RESIDENTS' PARKING ZONES AND PRESCRIBED HOURS

In this Part of this Order, each road or length of road specified in Column 2 of Schedule 1 to Part I of this Order is a Restricted Road, within the Zone described in Column 3 and numbered in Column 1, during the prescribed hours specified in Column 4 in relation to that Zone provided that: where a length of road is specified in Schedule 2 to Part I of this Order, that length of road shall not be a Restricted Road.

In this Part of this Order, "Prescribed Hours" means the hours (in relation to a particular road or roads) specified in Column 4 of Schedule 1 to Part I of this Order.

In this Part of this Order, each Permit shall only be valid for use in the Zone or part of a Zone specified in respect of the Permit.

1. Subject to the provisions of Article 2, General Paragraphs A to E and Sections 2, 3, 4, and 5 of Part I of this Order no person shall cause or permit any vehicle to wait during the prescribed hours in any restricted road.
2.
 - (1) Subject to Section 2 and the provisions in Article 1 of this Part of this Order, nothing shall apply to any vehicle which is waiting with the permission of a Police Constable in uniform or is of one or more of the categories A, B1, B4, B5, C, E1, E2, F1, F3, I and K1 specified in Appendix A of this Order.
 - (2) Nothing in Article 1 of this Part of this Order shall apply to an authorised Hackney Carriage Stand/Taxi Rank whilst the particular Stand/Rank is delineated by the appropriate traffic signs and/or road markings.
 - (3) Nothing in Article 1 of this Order shall apply to any Bus waiting at any of the following points, being sites which have current written authorisation, given by the Director for the following purposes:-
 - (a) Crew Relief Points;
 - (b) Bus Timing Points;
 - (c) Bus Stands;
 - (d) Bus Turning Points; and
 - (e) Bus Termination Points.

PART I, SECTION 2 : PROHIBITIONS AND RESTRICTIONS OF WAITING

3.
 - (1) Save as provided in Paragraph 3(2) of this Article, no person shall except with the direction or with the permission of a Police Constable in uniform, cause or permit any vehicle to wait in any of the lengths of road specified in Column 2 of Schedule 2 to Part I of this Order during the times specified in Column 3 of that Schedule.

- (2) Nothing in Paragraph 3(1) of this Article shall apply to any vehicle which is in one or more of the categories specified, in Column 4 of Schedule 2 to Part I of this Order, in relation to each length of road specified in Column 2 of that Schedule.
- (3) Nothing in Paragraph 3(1) of this Article shall apply to:-
- (a) An authorised Hackney Carriage Stand, or
 - (b) A Disabled Persons' Parking Place, or
 - (c) A Doctor Parking Place, or
 - (d) A Pedal Cycle Parking Place, or
 - (e) Any other Parking Place provided under the provisions of "the Act", or
 - (f) A Bus Stop Area during the Bus Stop Clearway Hours, or
 - (g) A Taxi Rank during the Taxi Clearway Hours, or
 - (h) The area of road within the limits of a Pedestrian Crossing (including its road markings)

whilst the particular Place, Stand, Area or Rank (a) is delineated by the appropriate traffic signs and road markings, or (b) where waiting is otherwise in accordance with the provisions of this Order.

- (4) Nothing in this Paragraph 3(1) of this Article shall apply to any Bus waiting at any of the following points, being sites which have current written authorisation, given by the Director for the purposes of:-
- (a) Crew relief points;
 - (b) Bus timing points;
 - (c) Bus Stands;
 - (d) Bus turning points; and
 - (e) Bus termination points.
4. In Column 4 of Schedule 2 to Part I of this Order, the reference letters (where used) categorise and have the meanings as ascribed to them as contained in Appendix A of this Order.
5. In Appendix A of this Order "Authorised Vehicle" means:- Not allocated.

PART I, SECTION 5 : AUTHORISATION AND USE OF RESIDENTS' PARKING PLACES

27. (1) Subject to General Paragraphs A to E of Part I to this Order (where applicable), each area of highway described in Schedule 5 to Part I of this Order shall be Residents' Parking Place.
- (2) Where a letter is specified in Column 3 of Schedule 5 to Part I of this Order then a vehicle shall only be left in that Parking Place if it displays a valid Permit for that Permit Area.
28. Nothing in Article 1 of this Order shall apply so as to prevent any vehicle displaying a valid permit (for a residents' parking place), issued by the Council, in the manner specified in Article 31 of this Order, from waiting in a Residents' Parking Place, Bay or Space.
29. Each Resident's Parking Space may be used, subject to the provisions of this Part of this Order, for the leaving during the prescribed hours of any such vehicles displaying in the manner specified in Article 31 of this Order, a valid permit (for a residents' parking place) issued by the Council in respect of that vehicle.
30. (1) Any resident who is either the owner/hirer or the primary user of a passenger vehicle, a dual purpose vehicle, goods vehicle, or a motor cycle, may apply to the Council for the issue of a residents' permit for the leaving of that vehicle and any such application shall be made on a form issued by and obtainable from the Council and shall include the information required by such form.
- (2) The Council may at any time require an applicant for a permit to produce to an Officer of the Council such evidence in respect of an application for a permit made to it as it may require to verify any information given to it.
- (3) On receipt of an application made under the foregoing provisions of this Article, the Council upon being satisfied that the applicant is a resident and is the owner/hirer of a vehicle of one of the classes specified in Paragraph 30(1) of this Article, may issue to that applicant a permit for the leaving during the prescribed hours in a Residents' Parking Space in any Residents' Parking Place of the vehicle to which such permit relates by the owner of such vehicle or by any person using such vehicle with the consent of the owner other than a person to whom such vehicle has been let for hire or reward.
31. At all times during which the vehicle is left in a Residents' Parking Space during the prescribed hours pursuant to this Part of this Order there shall be displayed on the front nearside of the vehicle a valid permit (for a residents' parking place) issued in respect of that vehicle so that all the particulars referred to in Article 35 of this Order are readily visible from the front nearside of the vehicle.

32. (1) The owner/hirer of a motor vehicle shall position the vehicle such that it is wholly within the limits of a parking place or, within the limits of a parking space which is delineated within that parking place, by signs and road markings specified under the Traffic Signs Regulations and General Directions.
- (2) The owner/hirer of a motor vehicle shall leave that vehicle in a parking place:-
- (a) if the parking place is not in a one-way street, so that the left or near side of the vehicle is adjacent to the left-hand edge of the carriageway;
 - (b) if the parking place is in a one-way street, so that the left or near side of the vehicle is adjacent to the left-hand edge of the carriageway or that the right or off side of the vehicle is adjacent to the right-hand edge of the carriageway;
 - (c) where the parking spaces are at an angle to the kerb, so that the vehicle stands within the limits of a parking space.
33. (1) A permit holder may surrender the permit to the Council at any time and shall surrender the permit to the Council on the occurrence of any of the events set out in Paragraph 33(3) of this Article.
- (2) The Council may, by notice in writing delivered to the permit holder by leaving it at or by sending it by first class post to the address shown by that person on the application for the permit or at any other address believed to be that person's residence (A) withdraw a permit if it appears to the Council that any one of the events set out in Paragraph 33(3)(a), (b) or (c) of this Article has occurred and the permit holder shall surrender the permit to the Council within one week of the delivery of such notice; (B) deem a permit to cease to be valid.
- (3) The events referred to in the foregoing provisions of this Article are:-
- (a) the permit holder ceasing to be a resident;
 - (b) the permit holder ceasing to be either the owner/hirer or the primary user of the vehicle in respect of which the permit was issued;
 - (c) 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 any of the classes specified in Article 30 of this Order;
 - (d) the issue of a duplicate permit by the Council under the provisions of Article 34 of this Order;

- (e) failure by a permit holder to supply any evidence required of him pursuant to Paragraph 33(5) of this Article.
 - (4) A 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 Paragraph 33(3) of this Article, whichever is the earlier.
 - (5) The Council may at any time require a permit holder to supply to an Officer of the Council such evidence in respect of any permit issued by it as it may require.
34. (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 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 Article 30 of this Order shall apply to a duplicate permit and an application for a duplicate permit as if it were a permit, or as the case may be, an application therefore.
35. A permit shall be in writing and shall include the following particulars:-
- (a) the registration mark of the vehicle in respect of which the permit has been issued;
 - (b) the period during which, subject to the provisions of Article 33(3) of this Order, the permit shall remain valid;
 - (c) an authentication that the permit has been issued by the Council.
36. Where a permit has been displayed on a vehicle in accordance with the provisions of Article 31 of this Order, no person, not being the Owner of the vehicle, shall remove the permit from the vehicle unless authorised to do so by the Owner of the vehicle.
37. A Police Constable in uniform or a CEO may, in the case of an emergency, move or cause to be moved any vehicle left in a Parking Place to any place he thinks fit.
38. (1) Any person authorised by the Council may suspend the use of a Residents' Parking Place or part thereof by an Order 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 electronic communications apparatus or traffic sign;
 - (c) on any occasion on which it is likely of some special attraction of any public procession, rejoicing or illumination or when streets are thronged or liable to be obstructed;
 - (d) for any reason/occasion considered necessary by the Director as determined from time to time;
 - (e) for the convenience of occupiers of premises adjacent to the Parking Places at times of weddings or funerals or on other special occasions.
- (2) Any person suspending the use of a Parking Place or any part thereof in accordance with the provisions of Paragraph 38(1) of this Article shall thereupon place or cause to be placed, in or adjacent to that Residents' Parking Place or the part thereof the use of which is suspended, a Traffic Sign indicating that waiting by vehicles is prohibited.
- (3) For so long as a Traffic Sign prohibiting waiting is displayed in accordance with Paragraph 38(2) of this Article no person shall cause or permit a vehicle to be left in that Residents' Parking Place or that part of a Residents' Parking Place.
39. The owner/hirer 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.
40. No person shall cause any vehicle to be used, while it is in a parking place, in connection with the sale of any article to persons in or near the parking place or in connection with the selling or offering for hire of his skill or services.

APPENDIX AND SCHEDULES

Appendix A.

Schedules 3, 4 and 6 to 9 inclusive to Part I of this Order: - Not Allocated

Schedules to Part II of this Order: - Not Allocated.

Schedules to Part III of this Order: Not Allocated

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APPENDIX A

STANDARD EXEMPTIONS

- "A" Means a vehicle, which is being used to enable persons to board or alight from that vehicle.
- "B1" Means any vehicle which is, if it cannot be used for such purposes in any other length of road, being used in connection with the maintenance, improvement or reconstruction of any of the lengths of road so referred to or the laying, erection, alteration or repair in or near any of the lengths of road of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity or of any telecommunications apparatus.
- "B2" Means any vehicle, which is, if it cannot be used for such purposes in any other length of road, to be used in connection with the maintenance or other works of any railway level crossing, which crosses the length of road referred to.
- "B3" Means a Royal Mail liveried vehicle engaged in the collection and/or delivery of letters in accordance with the statutory provisions as defined in the Postal Services Act 2000. This paragraph shall not apply during any times specified in Column 5 of Part 1 Schedule 2.
- "B4" Means any vehicle, which is, if it cannot be used for such purposes in any other length of road, being used in connection with the removal of any obstruction to traffic.
- "B5" Means any vehicle, which is, if it cannot be used for such purposes in any other length of road, being used in connection with any building operation or demolition.
- "B6" Means any vehicle, which is being used by Statutory Undertakers for emergency works.
- "C" Means any vehicle, which is, if it cannot be used for such purposes in any other road, being used or is to be used in the service of a Local Authority or Water Authority in pursuance of statutory powers or duties.
- "D1" Means a bus.
- "D2" Means a bus in a bus lane.
- "E1" Means any vehicle being used for Police, Fire Brigade or Ambulance purposes where the restriction would be likely to hinder the use of that vehicle in fulfilling that emergency purpose, and is making use of both visual and/or audible warning devices, and which is taking all reasonable precautions.

- "E2" Means any Police, fire or ambulance vehicle, which is being used for either police, fire or ambulance purposes where the restriction would be likely to hinder the use of that vehicle in fulfilling that purpose, and which is taking all reasonable precautions.
- "E3" Means any vehicle being used for police, fire or ambulance purposes.
- "F1" Means any vehicle which is being used to enable goods to be loaded or unloaded, (during times specified in Column 3 of Part 1 Schedule 2) at premises to which access may only be gained by proceeding in that length of road provided that when the aforementioned purposes have been completed the vehicle must immediately proceed out of that length of road. This paragraph shall not apply during any times specified in Column 5 of Part 1 Schedule 2.
- "F2" Means any vehicle, which is being used to gain access to off-street garaging.
- "F2a" Means any vehicle, which is being used to gain access from off-street garaging or parking.
- "F3" Means any vehicle being used to take on petrol at a petrol station.
- "G" Means any vehicle which is, if it cannot be used for such purposes in any other length of road, proceeding so as to avoid a legitimate obstruction in connection with the maintenance, improvement or reconstruction of any of the lengths of road so referred to or the laying, erection, alteration or repair in or near any of the lengths of road of any sewer, main, pipe or apparatus for the supply of gas, water or electricity or of any telecommunications apparatus.
- "H" All Vehicles.
- "I" Means any vehicle in respect of which a current valid Dispensation Permit has been issued by the Director in accordance with the City Council's Policies and established criteria and is being used in accordance with the conditions of issue. This paragraph shall not apply during any times specified in Column 5 of Part 1 Schedule 2.
- "J" Means any vehicle, other than a privately owned vehicle, which is being used as an official vehicle for the purpose of a wedding or funeral at a Church, place of worship, Registry Office or any other venue that holds a Civil Licence provided that where, in relation to a length of road, times are specified in Column 5 of the relevant Schedule, the vehicle does not wait in that length of road during those times.
- "K1" Means any vehicle which is a disabled person's vehicle which displays, in the relevant position, a disabled person's badge and a parking disc (on which the driver or person in charge of the vehicle has marked the time at which the period of waiting began) provided that the vehicle does not wait for a period 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) provided that where, in relation to the length of road, times are specified in Column 5 (when a Column 5 appears on the Schedule) of the relevant schedule, the vehicle does not wait in that length of road during those times.

- "K2" Means a disabled person's vehicle.
- "K3" Means any vehicle which is a disabled person's vehicle which displays, in the relevant position, a disabled person's badge, provided that where, in relation to a length of road, times are specified in Column 5 of the relevant Schedule, the vehicle does not wait in that length of road during those times.
- "L1" Means a pedal cycle.
- "M" Means a designated civic vehicle, provided that the vehicle does not wait for longer than one hour in that length of road, being the Old Market Square (Area).
- "N1" Means a licensed hackney carriage.
- "N2" Means a licensed hackney carriage waiting in a designated length of road, at a time and location specified in Part I Schedule 3.
- "N3" Means a licensed hackney carriage used to pick up or set down at a place or position defined (in relation to each particular item in the relevant Schedule) in Articles 5(2) and 13(2).
- "N4" Means a licensed wheelchair accessible hackney carriage (Taxi).
- "O" Not Allocated.
- "P" Means an Authorised Vehicle. Authorised Vehicle has the same meaning ascribed to it (in relation to each particular item in the relevant Schedule) in Article 5 of this Order.
- "Q" Means any vehicle which is being used to gain access to or egress from premises and land adjacent to that road (which access can only be gained by proceeding in the said length of road) provided that when the purposes, for which the aforementioned access has been required, have been completed the vehicle must immediately proceed out of that length of road.
- "R1" Means any vehicle in respect of which a current valid Restricted Access Permit has been issued by the Director in accordance with the City Council's Policies and established criteria and is being used in accordance with the conditions of issue.
- "R2" Means any vehicle in respect of which a current valid Restricted Access Permit has been issued by the Director in accordance with the City Council's Policies and established criteria and is being used in accordance with the conditions of issue, which also displays in the relevant position a current valid disabled person's badge.

- "R3" Means any vehicle in respect of which a current valid Restricted Access Permit has been issued by the Director in accordance with the City Council's Policies and established criteria and is being used in accordance with the conditions of issue, which is being used to enable goods to be loaded or unloaded provided that when the aforementioned purposes have been completed the vehicle must immediately proceed out of that length of road.
- "R4" Means any vehicle in respect of which a current Restricted Access Permit has been issued by the Director in accordance with the City Council's Policies, is a Market Trader and is being used in accordance with the conditions of use which is being used to enable goods to be continuously loaded or unloaded, within the prescribed hours, provided that when the aforementioned purposes have been completed the vehicle must immediately proceed out of that length of road, being the Market Place.
- "R5" Means any vehicle in respect of which a current Restricted Access Permit has been issued by the Director in accordance with the City Council's Policies, is a Market Trader or operating an attraction as part of a Special Event and is being used in accordance with the conditions of use which is being used to enable goods to be continuously loaded or unloaded, within the prescribed hours, provided that when the aforementioned purposes have been completed the vehicle must immediately proceed out of that length of road, being the Old Market Square (Area).
- "R6" Means any vehicle in respect of which a current Restricted Access Permit has been issued by the Director in accordance with the City Council's Policies, is a Market Trader or operating an attraction as part of a Special Event and is being used in accordance with the conditions of use which is being used as an integral part of a stall or attraction, within the prescribed hours, provided that when the aforementioned purposes have been completed the vehicle must immediately proceed out of that length of road, being the Old Market Square (Area).
- "S" Means a Goods Vehicle being used for the purpose of loading or unloading in the prohibited length of road provided that when the aforementioned purposes have been completed the vehicle must immediately proceed out of that length of road.
- "T1" Means a Tram Car.
- "T2" Means tram operator vehicles undertaking essential maintenance of the tram system.
- "T3" Means tram operator vehicles undertaking routine maintenance of the tram system.
- "U" Not Allocated.
- "V" Means any vehicle, being a purpose built or specially adapted security vehicle which by distinctive external markings and/or trade signs may be

easily identified as a security vehicle, operated by uniformed security personnel and which is being used for the purposes of delivery or collection of:-

(i) bullion, or

(ii) substantial quantities of money in the form of cash ,or

(iii) high value commodities.

"W1" Means a Private Hire Vehicle.

"W2" Not Allocated.

"W3" Means a licensed hackney carriage used to pick up or set down at a place or position defined (in relation to each particular item in the relevant Schedule) in Articles 5(3) and 13(3).

"X" Means any of the following vehicles: -

(a) a highway cleansing vehicle being used for highway cleansing purposes.

(b) or a gritting vehicle used to carry out its statutory duty.

(c) or an authorised tow away vehicle being used on behalf of the Highway Authority in pursuance of its statutory duty.

"Y" Not Allocated.

"Z1" Means any vehicle which is being used to cross over a "bus lane" in order to gain access to or egress from premises and/or any side road adjacent to that length of road over which the lane passes.

"Z2" Means any vehicle proceeding so as to avoid an accident.

PART I SCHEDULE 1

CONTROLLED PARKING / RESIDENTS PARKING ZONES AND PRESCRIBED HOURS

Column 1	Column 2	Column 3	Column 4
Item No.	Road or Length of Road	Zone Title	Prescribed Hours
1	BANGOR WALK NORTH	ST. ANNS WAY AREA	Mon-Sat 9am-5pm Except Public Holidays
2	BANGOR WALK SOUTH from a point 54 metres east of its junction with St Ann's Way in a northerly direction to its north-eastern extremity		
3	VICARAGE CLOSE (both sides) from a point 22.5 metres south-west of its junction with St Ann's Way in a south-westerly then south-easterly direction to its south-eastern extremity		
4	WELBECK CLOSE		

PART I SCHEDULE 2

PROHIBITIONS AND RESTRICTIONS OF WAITING

Column 1	Column 2	Column 3	Column 4	Column 5
Item No.	Length of Road	Duration	Exemptions Time Other	No Loading
1	<u>Vicarage Close</u> (the south-east side)			
(i)	from a point 18 metres south-west of its junction with St Ann's Way in a south-westerly direction then south-easterly direction following the kerbline for a distance of 20 metres	At Any Time	A, B1, B3, B4, B5, C, E1, E2, F1, I, K1	
2	<u>Vicarage Close</u> (the south-west and north-west side)			
(i)	from a point 33 metres south-west of its junction with St Ann's Way in a south-westerly direction then south-easterly direction following the kerbline for a distance of 17 metres	At Any Time	A, B1, B3, B4, B5, C, E1, E2, F1, I, K1	

PART I SCHEDULE 5
RESIDENTS PARKING PLACES

Column 1	Column 2	Column 3
Item No.	Length of Road	Permit Area
1	<u>Bangor Walk North</u> (the north-east side)	
(i)	from a point 6 metres north of the southern kerbline of of Bangor Walk North following the north-eastern kerbline in a north-westerly direction for a distance of 2.5 metres	A
2	<u>Bangor Walk North</u> (the north-west side)	
(i)	from a point 12 metres north-east of its junction with St Ann's Way in a north-easterly direction for a distance of 10 metres	A
3	<u>Bangor Walk South</u> (the south-east side)	
(i)	From a point 2 metres north east of the south-eastern kerbline of Bangor Walk South in a north-easterly direction for a distance of 10 metres	A
4	<u>Vicarage Close</u> (the north-west side)	
(i)	from a point 22.3 metres south-west of its junction with St Ann's Way in a south-westerly direction for a distance of 2.5 metres	A
5	<u>Welbeck Close</u> (the north-east side)	
(i)	from a point 9 metres south-east of its junction with St Ann's Way in a south-easterly direction for a distance of 10 metres	A

GIVEN under the COMMON SEAL)

of NOTTINGHAM CITY COUNCIL)

was dated this 14th day of October 2009)


Authorised Signatory



Nottingham City Council (St Ann's Way Area, St Ann's, Nottingham) (Prohibitions and Restrictions of Waiting and Residents' Parking Places) Traffic Regulation Order 2009 (TMP 6781)

Environment, Planning and Transportation Board
Dated 14 February 2002
Resolution No: 02/106