

THE OXFORDSHIRE COUNTY COUNCIL (NORTHWAY, HEADINGTON)
(PARKING ZONE AND WAITING RESTRICTIONS)
ORDER 2007

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COUNTY SOLICITOR
OXFORDSHIRE COUNTY COUNCIL

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THE OXFORDSHIRE COUNTY COUNCIL (NORTHWAY, HEADINGTON)
(PARKING ZONE AND WAITING RESTRICTIONS)
ORDER 2007

The Oxfordshire County Council ("the Council") in exercise of its powers under Sections 1(1), 2(1), 2(2), 4(2), 32(1), 35(1), 37, 45, 46, 49(4) and 53 of and Part IV of Schedule 9 to the Road Traffic Regulation Act 1984 ("the Act") and of all enabling powers, and after consultation with the Chief Officer of Police in accordance with Part III of Schedule 9 to the Act, make the following Order:-

PART 1
GENERAL

Citation and Commencement

1. This Order shall come into operation on 8 January 2007 and may be cited as "The Oxfordshire County Council (Northway Headington) (Parking Zone and Waiting Restrictions) Order 2007".

General Scheme of Traffic Management

2. This Order is made by virtue of Section 37 of the Act for a general scheme of traffic management in respect of the area stated in Schedule 1 to this Order.

Definitions

3. In this Order, except where the context otherwise requires, the following expressions have the following meanings:-

"Access Way" means a length of footway, cycle track or verge which has been lowered to meet the level of the carriageway for the purpose of assisting vehicles entering or leaving the carriageway across the footway, cycle track or verge;

"Business" means any trade or profession conducted from premises whose address is listed in Part A of Schedule 4 and which are wholly or principally used or adapted for use for those purposes, such premises being listed in either a local or central non-domestic rating list;

"business operation" means the operation of a business for business purposes and for the avoidance of doubt does not include commuting.

"Business Permit" means a permit issued by the Council to a Business under the provisions of Part VIII of this Order to park a vehicle, subject to the provisions of this Order, in the Permit Parking Places or without time limit in the Timed Parking Places specified in Part B of Schedule 3 to this Order;

"Business Permit Holder" means a Business to which a Business Permit has been issued under the provisions of Part VIII of this Order;

"Carers Permit Order" means the City of Oxford and the Parish of North Hinksey (Carers Permit) Order 1999 as amended from time to time;

"Controlled Length" means a length of road where waiting is not permitted as indicated by a Traffic Sign/Marking

"Disabled Person's Badge" has the meaning given to it in the Local Authorities' Traffic Orders (Exemption for Disabled Persons) (England) Regulations 2000;

"Disabled Persons' Parking Place" means the disabled persons' parking places (as defined in the Disabled Persons' Parking Places Order) which are set out in Schedule 1 to the Disabled Persons' Parking Places Order;

"Disabled Persons' Parking Places Order" means the Oxfordshire County Council (Disabled Persons' Parking Places – Oxford) Order 2002 as amended from time to time;

"Disabled Person's Vehicle" means a vehicle lawfully displaying
(a) in the Relevant Position a Disabled Person's Badge or
(b) a Recognised Badge;

"Driver" in relation to a vehicle waiting in Parking Place, means the person driving the vehicle at the time it was left in the Parking Place;

"Goods" includes cash or other valuable securities and 'delivering' and 'collecting' in relation to any Goods includes checking the Goods for the purpose of their delivery or collection and taking orders and collecting payment for any Goods (in association with their delivery or collection);

"Home" means a Property which is either a home for older people (including a nursing home for older people) or a communal home or hostel for nurses;

"Hotel Visitors' Permit" means a permit issued by the Council to a hotel or guesthouse under the provisions of Part IX of this Order to park a vehicle, subject to the provisions of this Order, in the Permit Parking Places or without time limit in the Timed Parking Places specified in Part B of Schedule 3 to this Order;

"Hotel Visitors' Permit Holder" means a hotel or guesthouse to which a Hotel Visitors' Permit has been issued under the provisions of Part IX of this Order;

"including" means including without limitation or prejudice to the generality of any preceding description, defining term, phrase or word(s) and "include" will be construed accordingly;

"index linked" means adjusted as provided in Schedule 6 to this Order

"Large Vehicle" means a vehicle other than a Permitted Vehicle whose maximum gross weight (as defined in Regulation 4 of the Traffic Sign Regulations and General Directions 2002) does not exceed 3.5 tonnes and which is:-

- (a) [a passenger vehicle being a vehicle constructed or adapted for the carriage of not more than 12 passengers exclusive of the driver and their effects not drawing a Trailer; or
- (b) a dual purpose vehicle as defined in regulation 3 of the Road Vehicles (Construction and Use) Regulations 1986; or]
- (c) a light goods vehicle being any motor vehicle or Trailer which is constructed or adapted for the carriage of goods of any description

"Large Vehicle (Permitted)" means a Large Vehicle in respect of which a current residents' permit has been issued further to the provisions of Part VI of this Order

"Motor Cycle" means a mechanically propelled vehicle with fewer than four wheels of which the weight unladen does not exceed 410 kilogrammes;

"Parking Attendant" means a person authorised by the Council under Section 63A of the Act to supervise and enforce the restrictions imposed by this Order;

"Parking Disc" has the meaning given in the Local Authorities' Traffic Orders (Exemption for Disabled Persons) (England) Regulations 2000;

"Parking Place" means a length of road authorised to be used as a parking place by Parts III – V of this Order and thereby comprises any Timed Parking Place and any Permit Parking Place;

"Parking Space" means a space in a Parking Place which is provided for the leaving of a Permitted Vehicle subject to the provisions of this Order;

"Penalty Charge" means a penalty charge as specified in Schedule 3 to the Road Traffic Act 1991 and set by the Council under the provisions of Section 74 of that Act (as substituted by the Road Traffic (Permitted Parking Areas and Special Parking Areas) (the City of Oxford and Parish of North Hinksey) Order 1996 as amended) in accordance with guidance given by the Secretary of State for Transport and which is to be paid in the manner described in the Penalty Charge Notice;

"Penalty Charge Notice" means a notice issued by a Parking Attendant pursuant to the provisions of Section 66 of the Road Traffic Act 1991 (as applied and modified by the aforementioned Order);

"Permit Parking Place" means any length of road specified in Part C of Schedule 4 to this Order (but excluding any Restricted Road) which is authorised to be used as a parking place, subject to the provisions of this Order, by a Permitted Vehicle which displays in the Relevant Position a valid Residents' Permit, a valid Temporary Permit, a valid Business Permit, a valid Visitors' Permit or a valid Hotel Visitors' Permit;

"Permit Parking Space" means a space in a Permit Parking Place which is provided for the leaving of a Permitted Vehicle subject to the provisions of this Order;

"Permitted Vehicle" means

- (a) any vehicle whose maximum gross weight (as defined in Regulation 4 of the Traffic Sign Regulations and General Directions 2002) does not exceed 2.25 tonnes, whose height does not exceed 2 metres, whose length does not exceed 5 metres and whose width does not exceed 2 metres and which is:-
 - (i) a passenger vehicle, being a vehicle constructed or adapted for the carriage of not more than twelve passengers exclusive of the driver and their effects and not drawing a Trailer; or
 - (ii) a dual purpose vehicle, as defined in Regulation 3 of the Road Vehicles (Construction and Use) Regulations 1986; or
 - (iii) a light goods vehicle, being any motor vehicle or Trailer which is constructed or adapted for the carriage of goods of any description
- (b) a Motor Cycle

"Postal Packets" means a letter, parcel, packet or other article transmitted by post;

"Prescribed Hours" means:-

- (a) in relation to any length of road specified in Part A of Schedule 3 the period between 8.00 a.m. and 6.30 p.m. on Mondays to Saturdays inclusive (excluding Christmas Day, Good Friday and bank holidays);
- (b) in relation to any length of road specified in Part B of Schedule 3 the period between 8.00 a.m. and 6.30 p.m. on Mondays to Fridays inclusive (excluding Christmas Day, Good Friday and bank holidays);
- (c) in relation to any length of road specified in Part B of Schedule 4, the period between 9.00am and 5.00pm on Mondays to Fridays inclusive (excluding Christmas Day, Good Friday and bank holidays);

"Property" means a property the postal address of which is within the list of addresses in Part A of Schedule 4 to this Order and for the avoidance of doubt:-

- (a) each flat comprised in a block of flats constitutes a single Property;

- (b) any house or flat divided into or let out as bed sitting room or rooms constitutes a single Property; and
- (c) each school, college, hotel, hostel or guest house constitutes a single Property only;

"Recognised Badge" has the meaning given in Section 21A of the Chronically Sick and Disabled Persons Act 1970

"Registered Owner/Keeper" means:-

- (a) the person whose name appears in the vehicle registration document of the vehicle and in whose name the vehicle is registered at the Driver and Vehicle Licensing Agency, or
- (b) a person who has established to the satisfaction of the Council that he has the permanent use of a specified vehicle and that the person whose name appears in the vehicle registration document of the vehicle and in whose name the vehicle is registered at the Driver and Vehicle Licensing Agency is his employer;
- (c) a person who has established to the satisfaction of the Council that he has an arrangement with a vehicle leasing business for the lease for a minimum period of 12 months of a specified vehicle and that the person whose name appears in the vehicle registration document of the vehicle and in whose name the vehicle is registered at the Driver and Vehicle Licensing Agency is that vehicle leasing business;
- (d) a person who has established to the satisfaction of the Council that he has the permanent use of a specified vehicle, that his employer for whom he works full-time has an arrangement with a vehicle leasing business for the lease of that vehicle and that the person whose name appears in the vehicle registration document of the vehicle and in whose name the vehicle is registered at the Driver and Vehicle Licensing Agency is that vehicle leasing business, provided always that where such circumstances apply if the person works part-time only then at the absolute discretion of the Council such person may be treated as a Registered Owner/Keeper for the purposes of this Order.

"Relevant Position" means:-

- (a) in respect of a Disabled Person's Badge, displayed in the manner prescribed by Regulation 12 of the Disabled Person's (Badges for Motor Vehicles) (England) Regulations 2000;
- (b) in respect of a Parking Disc displayed in the manner described in Regulation 4 (2) of the Local Authorities' Traffic Orders (Exemption for Disabled Persons) (England) Regulations 2000;
- (c) in respect of a Residents' Permit, Temporary Permit, Business Permit, Visitors' Permit or Hotel Visitors' Permit, displayed on a vehicle so that

the permit is readily visible and legible from the front or nearside of the vehicle.

"Resident" means a person who has as his usual place of abode a property, the postal address of which is within the list of addresses in Part A of Schedule 4 to this Order and who has established this to the satisfaction of the Council;

"Resident (Short-term)" means a person who is temporarily resident for work purposes at a Property, the postal address of which is within the list of addresses in Part A of Schedule 4 to this Order and who has established this to the satisfaction of the Council and for the avoidance of doubt a Resident (Short-term) does not include a person who is resident for study purposes. A Resident (Short-term) is a Resident for the purposes of Part VI and Part VII of this Order

"Residents' Permit" means a permit issued by the Council to a Resident under the provisions of Part VI of this Order to park, subject to the provisions of this Order, the vehicle in respect of which the permit has been issued, in the Permit Parking Places or without time limit in the Timed Parking Places specified in Part B of Schedule 3 to this Order

"Residents' Permit Holder" means a Resident to whom a Residents' Permit has been issued under the provisions of Part VI of this Order;

"Restricted Road" means any road or length of road specified in Schedule 2 to this Order;

"road" means a road or any part of a road;

"Temporary Permit" means a permit issued by the Council to a Resident under the provisions of Article 29 of this Order to park, subject to the provisions of this Order, the vehicle in respect of which the permit has been issued, in the Permit Parking Places or without time limit in the Timed Parking Places specified in Part B of Schedule 3 to this Order.

"Timed Parking Place" means any length of road specified in Part A or Part B of Schedule 3 to this Order which is authorised to be used further to Part III of this Order as a parking place by a Permitted Vehicle, subject to the provisions of this Order;

"Traffic Sign/Marking" means any object, device, line or mark for conveying to traffic on roads or any specified class of traffic warnings, information, requirements, restrictions or prohibitions as specified in Section 64 of the Act;

"Trailer" means a vehicle drawn by a mechanically propelled vehicle intended or adapted for use on roads;

"Universal Service Provider" has the meaning given in Sections 4(3) and (4) of the Postal Services Act 2000;

"vehicle" means a motor vehicle being a mechanically propelled vehicle intended or adapted for use on roads

"Visitors' Permit" means a permit issued by the Council to a Resident under the provisions of Part VII of this Order to enable a person visiting the Resident to park a Permitted Vehicle, subject to the provisions of this Order, in the Permit Parking Places or without time limit in the Timed Parking Places specified in Part B of Schedule 3 to this Order;

"Visitors' Permit Holder" means a Resident to whom a Visitors' Permit has been issued under the provisions of this Order.

Interpretation

4. (1) Any reference in this Order to the Council includes any person (including any body corporate) authorised to act on behalf of the Council.
- (2) Any reference in this Order to any enactment (meaning any act and any subordinate legislation as defined in the Interpretation Act 1978) shall be construed as a reference to that enactment as amended or replaced by any subsequent enactment.
- (3) Words importing the masculine gender shall also include the feminine gender and words in the singular include the plural and vice versa.
- (4) The restrictions imposed by this Order shall be in addition to and not in derogation from any restriction or requirement imposed by any other enactment.
- (5) Any reference in this Order to a numbered Article or Schedule shall, unless the context otherwise requires, be construed as a reference to a numbered Article or Schedule bearing that number in this Order.
- (6) Headings are inserted for convenience and shall not affect the construction or interpretation of this Order.

PART II **NO WAITING**

Restrictions on Waiting

5. Save as provided in Articles 6 and 7 of this Order, no person is to cause or permit any vehicle to wait in any Restricted Road at any time except upon the direction or with the permission of the Council, a Parking Attendant or a police constable in uniform.

Exemption from Waiting Restrictions

6. Nothing in Article 5 of this Order will apply to any vehicle waiting in any Restricted Road, for so long only as may be necessary if:-
- (1) the vehicle is waiting for the purpose of loading or unloading Goods at premises situated on or adjacent to that road;

- (2) the vehicle is waiting to enable a person to board or alight from the vehicle;
- (3) the vehicle is a police vehicle and being used for police purposes;
- (4) the vehicle is an ambulance being used for ambulance purposes;
- (5) the vehicle is in the service of the fire brigade and being used for fire brigade purposes;
- (6) the vehicle is in the service of a local authority and being used for carrying out statutory functions;
- (7) the vehicle is in the service of or employed by a Universal Service Provider while being used for the purpose of loading, unloading, delivering or collecting Postal Packets at premises or post boxes adjacent to that road;
- (8) the vehicle is waiting while any gate or other barrier at the entrance to premises to which the vehicle requires access or from which it has emerged is being opened or closed, if it is not reasonably practicable for the vehicle to wait otherwise than in a Restricted Road while such gate or other barrier is being opened or closed;
- (9) the vehicle is waiting because 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;
- (10) the vehicle is being used in connection with any of the following and cannot conveniently be so used without waiting in a Restricted Road:
 - (a) undertaking any building operation, demolition or excavation in that road;
 - (b) removing any obstruction to traffic in or adjacent to that road;
 - (c) undertaking works in relation to that road or to a traffic sign, road lighting or street furniture at or adjacent to that road;
 - (d) undertaking works in relation to a sewer or water main or in relation to the supply of gas, electricity, water or communication services in or adjacent to that road;
 - (e) a funeral associated with premises at or adjacent to that road and is a hearse or other official vehicle of an undertaker

Provided that the person in control of the vehicle must move it on the instruction of a police constable in uniform, wherever that police constable considers this necessary for the purpose of preventing obstruction.

7. Nothing in Article 5 of this Order will apply to any vehicle waiting in any Restricted Road if the vehicle is a Disabled Person's Vehicle which displays lawfully in the Relevant Position a Disabled Person's Badge and is waiting for a period not exceeding 3 hours subject to the conditions that:-

- (1) the period of exempted waiting does not begin less than 1 hour after a previous period of exempted waiting by the same vehicle in the same road on the same day; and
- (2) a Parking Disc is displayed in the Relevant Position on the vehicle marked to show the quarter hour period during which the period of exempted waiting began

Provided that the person in control of the vehicle must move it on the instruction of a police constable in uniform, whenever that police constable considers this necessary for the purposes of preventing obstruction.

PART III
GENERAL PARKING PLACES – TIME LIMITED

Authorisation of Timed Parking Places

8. Each of the lengths of road specified in Parts A and B of Schedule 3 to this Order is authorised to be used, subject to the provisions of Part III IV and V of this Order, as a parking place for Permitted Vehicles.

Restrictions on Waiting

9. No person is to cause or permit a vehicle to wait in a Timed Parking Place unless:
- (1) it is a Permitted Vehicle; and
 - (2) for any Permitted Vehicle other than a Motor Cycle it is parked in position in a single line with the whole nearside or offside of the vehicle adjacent to the kerb unless otherwise stated in Parts A and B of Schedule 3 to this Order, and for a Motor Cycle it is parked so that it is perpendicular to the kerb; and
 - (3) it is entirely within the limits of the Timed Parking Place as marked for Permitted Vehicles.

Time Restriction on Waiting.

10. Save as provided in Articles 12, 17 and 18 (Exemptions), no person is to cause or permit any vehicle to wait during the Prescribed Hours, except upon the direction or with the permission of a Parking Attendant, the Council or a police constable in uniform.:-
- (1) in any Timed Parking Place specified in Part A of Schedule 3 to this Order:-
 - (a) for a period longer than one hour, or
 - (b) if a period of less than one hour has elapsed since the termination during the Prescribed Hours of the last period of parking (if any) of the vehicle in the same Parking Place
 - (2) in any Timed Parking Place specified in Part B of Schedule 3 to this Order:-
 - (a) for a period longer than two hour, or
 - (b) if a period of less than two hour has elapsed since the termination during the Prescribed Hours of the last period of parking (if any) of the vehicle in the same Parking Place

11. Where a vehicle, having been left in a Timed Parking Place, remains there at the beginning of the Prescribed Hours, then the vehicle will be treated for the purposes of this Part III of this Order as if it had arrived in the Parking Place at the beginning of the Prescribed Hours.

Exemptions - Permits

12. Nothing in Article 10 will apply to a vehicle waiting in a Timed Parking Place specified in Part B of Schedule 3 to this Order if the vehicle displays in the Relevant Position a valid Residents' Permit, a valid Temporary Permit a valid Visitors' Permit, a valid Business Permit or a valid Hotel Visitors' Permit.

Marking of Timed Parking Places

13. The limits of each Timed Parking Place will be indicated by the Council by placing on the carriageway and in the vicinity the appropriate Traffic Signs/Markings
14. The provisions contained in Part IV of this Order will apply to Timed Parking Places.

PART IV **GENERAL PROVISIONS AS TO USE AND** **MANAGEMENT OF PARKING PLACES**

Restrictions on Use

15. The Driver of a vehicle using a Parking Place must stop the engine as soon as the vehicle is in position in the Parking Place, and must not start the engine except when about to change the position of the vehicle in or to depart from the Parking Place.
16. No person is to use any vehicle while it is in a Parking Place, in connection with the sale of any article to any person in or near it or in connection with the selling or offering for hire of his skills or services.

Exemptions – General Permitted Use

17. Nothing in Article 10 (time restriction on waiting in a Timed Parking Place) or Article 23(3) (permit parking only in a Permit Parking Place) will apply to a vehicle waiting in a Parking Place for so long only as may be necessary if:-
 - (1) the vehicle is waiting for the purpose of loading or unloading Goods at premises situated on or adjacent to that Parking Place;
 - (2) the vehicle is waiting to enable a person to board or alight from the vehicle;
 - (3) the vehicle is a police vehicle being used for police purposes;
 - (4) the vehicle is an ambulance being used for ambulance purposes;
 - (5) the vehicle is in the service of the fire brigade and being used for fire brigade purposes;
 - (6) the vehicle is in the service of a local authority and being used for carrying out statutory functions;

- (7) the vehicle is in the service of or employed by a Universal Service Provider while being used for the purpose of loading, unloading, delivering or collecting Postal Packets at premises or posting boxes adjacent to that Parking Place;
- (8) the vehicle is waiting while any gate or other barrier at the entrance to premises to which the vehicle requires access or from which it has emerged is being opened or closed, if it is not reasonably practicable for the vehicle to wait otherwise than in a Parking Place while such gate or other barrier is being opened or closed;
- (9) the vehicle is waiting because 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;
- (10) the vehicle is being used in connection with any of the following purposes and cannot conveniently be so used without waiting in a Parking Place:
 - (a) undertaking any building operation, demolition or excavation in that Parking Place;
 - (b) removing any obstruction to traffic in or adjacent to that Parking Place;
 - (c) undertaking works in relation to that Parking Place or to a traffic sign, road lighting or street furniture at or adjacent to that Parking Place;
 - (d) undertaking works in relation to a sewer or water main or in relation to the supply of gas, electricity, water or communication services adjacent to that Parking Place;
 - (e) a funeral associated with premises at or adjacent to that Parking Place and is a hearse or other official vehicle of an undertaker

Provided that the person in control of the vehicle must move it on the instruction of a police constable in uniform, whenever that police constable considers this necessary for the purpose of preventing obstruction.

Disabled Person's Vehicles – Permitted Use

- 18. Nothing in Article 10 (time restriction on waiting in a Timed Parking Place) or Article 23(3) (permit parking only in a Permit Parking Place) will apply to a vehicle if it is a Disabled Person's Vehicle which lawfully displays in the Relevant Position a Disabled Person's Badge.

Contractors' Permits

- 19. Where the Council, in the exercise of its discretion further to Article 10 or Article 23, agrees to authorise the use of any Parking Place by a contractor undertaking any demolition, excavation building or maintenance operations or repair works at premises in the area stated in Schedule 1 to this Order the charge for such authorisation from (and including) 16 June 2007 will be £15 index linked for any period not exceeding a week.

Removal and Moving of Vehicles

- 20. (1) Where the Council, a Parking Attendant or a police constable in uniform is of the opinion that any of the provisions contained in Parts III

– IX of this Order have been contravened or not complied with in respect of a vehicle left in a Parking Place, he may:-

- (a) alter or cause to be altered the position of the vehicle to comply with the provisions; or
 - (b) remove or cause to be removed the vehicle from the Parking Place and, where it is so removed, he will make such arrangements as may be reasonably necessary for the safe custody of the vehicle.
- (2) The Council, a police constable in uniform or a Parking Attendant may, in case of emergency, move or cause to be moved to any place he thinks fit, any vehicle left in a Parking Place.
- (3) Any person authorised to remove a vehicle or alter its position by virtue of Article 20(1) or 20(2) 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.

Suspension of Use of a Parking Place

21. (1) The Council, a Parking Attendant or a police constable in uniform may suspend the use of a Parking Place or any part of it 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;
 - (c) for works to the road or a traffic sign in or adjacent to the Parking Place;
 - (d) for works in relation to any sewer or water main, or in relation to the supply of gas, water, or electricity or any communications services in or adjacent to the Parking Place;
 - (e) for the convenience of occupiers of premises adjacent to the Parking Place on any occasion or the removal of furniture or household effects to or from a shop, office or other premises;
 - (f) on any occasion on which it is likely by reason of some special attraction that any road will be thronged or obstructed; or
 - (g) for the convenience of occupiers of premises adjacent to the Parking Place at times of weddings or funerals, or on other special occasions.
- (2) Any person suspending the use of a Parking Place or any part of it in accordance with the provisions of Article 21(1) is to thereupon place or cause to be placed in or adjacent to that Parking Place or the part of it the use of which is suspended, a Traffic Sign Marking indicating that waiting by vehicles is prohibited.
- (3) Save as provided in Article 21(4), no person is to cause or permit a vehicle to wait in any Parking Place or part of a Parking Place during any period when there is in or adjacent to that Parking Place or part of it a Traffic Sign Marking placed pursuant to Article 21(2).

- (4) Nothing in Article 21(3) will apply to any vehicle waiting for so long on y as may be necessary:-
- (a) if the vehicle is being used for the relevant purpose or eventuality specified in Article 21(1) (b) (building works), 21(1) (c) (road works), 21(1) (d) (works to services), 21(1) (e) (furniture removal) or 21(1) (g) (wedding or funeral) for which use of the Parking Place (or part of it) was suspended;
 - (b) to enable a person to board or alight from a vehicle;
 - (c) if a vehicle is being used for police fire or ambulance purposes;
 - (d) if the vehicle is waiting while any gate or other barrier at the entrance to premises to which the vehicle requires access or from which it has emerged is being opened or closed, if it is not reasonably practicable for the vehicle to wait otherwise than in that Parking Place or part of it while such gate or other barrier is being opened or closed;
 - (e) the vehicle is waiting because the person in control of it is required by law to stop or is obliged to do so to avoid an accident or is prevented from proceeding by circumstances outside his control; or
 - (f) the vehicle is being used for any other purpose and the prior permission of the Council, a police constable in uniform or a Parking Attendant has been obtained.

Provided that the person in control of the vehicle must move it on the instruction of a police constable in uniform whenever that police constable considers this necessary for the purpose of preventing obstruction.

PART V

PERMIT PARKING PLACES

Permit Parking Places

22. Each of the lengths of road specified in Part C of Schedule 4 to this Order, excluding:-
- (1) any parts which may reasonably be used by a vehicle to get to or from any road; and
 - (2) any Controlled Length,
- is authorised to be used, subject to the provisions of Parts IV to IX of this Order, as a parking place for any Permitted Vehicle or Large Vehicle (Permitted) which displays in the Relevant Position on the vehicle a valid Residents' Permit a valid Temporary Permit, a valid Visitors' Permit, a valid Business Permit or a valid Hotel Visitors' Permit.

Restrictions on Waiting

23. No person is to, cause or permit any vehicle to wait in any Permit Parking Place during the Prescribed Hours, except upon the direction or with the permission of a Parking Attendant, the Council or a police constable in uniform, unless:-

- (1) it is a Permitted Vehicle or a Large Vehicle (Permitted); and
- (2) for any vehicle other than a Motor Cycle it is parked in a position in a single line with the whole nearside or offside of the vehicle parallel to the kerb unless otherwise stated in Part C of Schedule 4 to this Order, and for a Motor Cycle it is parked so that it is perpendicular to the kerb; and
- (3) every part of the vehicle is on the carriageway; and
- (4) the distance between the edge of the carriageway/kerb and the nearest wheel of the vehicle is not more than 30 centimetres; and
- (5) no part of the vehicle or a trailer drawn by it remains at rest on a road in such a position or in such condition or in such circumstances as to be likely to obstruct free passage along a road or cause danger to other persons using the road; and
- (6) save as provided in Articles 17 and 18 (Exemptions), there is displayed in the Relevant Position on the vehicle at all times during which the vehicle is left in the Permit Parking Place during the Permitted Hours a valid Residents' Permit or a valid Temporary Permit in respect of that vehicle, a valid Visitors' Permit, a valid Business Permit or a valid Hotel Visitors' Permit provided that this requirement to display a permit does not apply to a Motor Cycle

24. The provisions of Part IV of this Order will apply to Permit Parking Places

PART VI

RESIDENTS' PERMIT SCHEME

Application

25. (1) Any Resident who is the Registered Owner/Keeper of a Permitted Vehicle may apply to the Council for the issue of a Residents' Permit for the leaving of that vehicle, subject to the provisions of this Order, during the Permitted Hours in a Permit Parking Place.
- (2) Any Resident who at the date of this Order:-
- (a) occupies any of the properties listed in Part B of Schedule 4; and
 - (b) is the Registered Owner/Keeper of a Large Vehicle may apply to the Council for the issue of a Residents Permit for the leaving, subject to the provisions of this Order, during the Permitted Hours in a Permit Parking Place of a Large Vehicle of which that Resident is the Registered Owner/Keeper. Such resident may not apply for the issue of a Residents' Permit for a Large Vehicle if he ceases to occupy the Property which he occupies at the date of this Order.

Permit Terms

26. (1) No Residents' Permit will be valid for a period in excess of 12 months, save that during the first year of operation of this Order the Council may, in its discretion, issue Residents' Permits which are valid for a period of up to 18 months.

- (2) (a) Subject as provided in Article 26 (2) (b) the Council will fix a day when all Residents' Permits will cease to be valid.
- (b) The Council will fix the day when a Residents' Permit issued to a Resident (Short-term) will cease to be valid.
- (3) No more than one Residents' Permit which is valid will be issued to any Resident.
- (4) Subject as provided in Articles 26 (5) and 26 (6), the charge for each Residents' Permit valid at any time from (and including) 16 September 2007 shall be as follows:
 - (a) £40 per annum index linked for a permit to be issued to a Resident where no more than one other Residents' Permit, which is valid at the same time, has been issued to a Resident at the same Property as the applicant.
 - (b) £80 per annum index linked for a permit to be issued to a Resident where two other Residents' Permits, which are valid at the same time, have been issued to Residents at the same Property as the applicant.
 - (c) £120 per annum index linked for a permit to be issued to a Resident where three or more other Residents' Permits, which are valid at the same time, have been issued to Residents at the same Property as the applicant.
- (5) The charge for each Residents' Permit valid at anytime from (and including) 16 September 2007 shall be £40.00 per annum index linked where the Resident's usual place of abode is a Home.
- (6) Where a Residents' Permit is issued for a period of 11 months or less or for a period of more than 12 months the charge will be $\frac{1}{12}^{\text{th}}$ of the relevant annual charge multiplied by the number of months (rounded up to the nearest whole number) for which the permit is valid"

Application Process

27. (1) An application for a Residents' Permit must be made on a form issued by and obtainable from the Council and include the particulars and information required by such form and must be accompanied by a remittance for the appropriate charge specified in Article 26.
- (2) The Council may require an applicant for a Residents' Permit to produce such evidence in respect of his application as it may reasonably require to verify any particulars or information given to it.
- (3) Subject as provided in Article 27(5), if the Council is satisfied
- (a) that the applicant is a Resident; and
 - (b) that the Resident is the Registered Owner/Keeper of a Permitted Vehicle; and
 - (c) that the appropriate charge specified in Article 26 has been paid and the information and particulars required to be supplied by the application form have been supplied to the satisfaction of the Council, and the Council is satisfied generally as to the completed application form
- then the Council will issue to the applicant one Residents' Permit for the leaving, subject to the provisions of this Order, of the Permitted Vehicle to which such Residents' Permit relates in a Permit Parking Place

- (4) Subject to provided in Article 27(5) if the Council is satisfied
 - (a) that the applicant is a Resident who occupies a Property listed in Part B of Schedule 4 and who at the date of this Order occupied such Property; and
 - (b) that the Resident is the Registered Owner/Keeper of a Large Vehicle; and
 - (c) that the appropriate charge specified in Article 26 has been paid and the information and particulars required to be supplied by the application form have been supplied to the satisfaction of the Council, and the Council is satisfied generally as to the completed application form

then the Council will issue to the applicant one Residents' Permit for the leaving, subject to the provisions of this Order, of the Large Vehicle to which such Residents' Permit Relates in a Permit Parking Place

- (5) The Council will not issue a Residents' Permit if
 - (a) a Residents' Permit which remains valid has been issued to the applicant
 - (b) during the period of three months prior to the application a Residents' Permit issued to the applicant was withdrawn by the Council further to Article 29 (5)
- (6) The Council may at any time require a Residents' Permit Holder to produce such evidence in respect of any Residents' Permit or as applicable any Temporary Permit as it may reasonably require to verify that the permit is valid and/or that the Residents' Permit Holder remains eligible for such permit.

Permit Formalities

28. A Residents' Permit will include the following particulars:-
 - (1) the registration mark of the vehicle for which the Residents' Permit has been issued;
 - (2) the period during which, subject to the provisions of Article 29 of this Order, the Residents' Permit will remain valid;
 - (3) an indication that the Residents' Permit has been issued by the Council; and
 - (4) the zonal designation NW.

Temporary Permit

29. (1) A Residents' Permit Holder may surrender a Residents' Permit temporarily and receive in return a Temporary Permit for the period during which his Residents' Permit is temporarily surrendered.
- (2) There will be no charge for such a Temporary Permit.
- (3) This facility will be available where the Council is satisfied that the vehicle for which the Residents' Permit has been issued is off road and that the Resident to whom the Residents' Permit was issued has the use of another Permitted Vehicle during this period.
- (4) A Temporary Permit will cease to be valid on the same day as the Residents' Permit ceases to be valid
- (5) All references in Articles 28 30 (except 30(3)(b)) and 31 to a Residents' Permit shall be construed as referring to a Residents' Permit and/or as applicable a Temporary Permit

Surrender and Withdrawal of Residents' Permit – Validity of Residents' Permit.

30. (1) A Residents' Permit Holder may surrender a Residents' Permit to the Council at any time.
- (2) A Residents' Permit will cease to be valid on the earliest of the following:-
- (a) the expiration of the period specified on the permit;
 - (b) the occurrence of any of the events specified in Article 30(3);
 - (c) as provided in Article 30(6).
- (3) A Residents' Permit Holder must surrender a Residents' Permit to the Council on the occurrence of any of the following events:-
- (a) the Residents' Permit Holder ceasing to be a Resident;
 - (b) the Residents' Permit Holder ceasing to be the Registered Owner/Keeper of the vehicle in respect of which the Residents' Permit was issued;
 - (c) the vehicle in respect of which the Residents' Permit was issued being adapted or used in such a manner that it ceases to be a Permitted Vehicle;
 - (d) the issue of a replacement Residents' Permit.
 - (e) if the Residents' Permit is in respect of a Large Vehicle the Residents' Permit Holder ceasing to occupy a Property listed in Part B of Schedule 4
- (4) If it appears to the Council that any one of the events specified in Article 30(3) has occurred, the Council may by written notice, addressed to the Residents' Permit Holder and sent by first class post to or delivered to the address shown by him on his application for the Residents' Permit or to any other address believed to be that person's place of abode, withdraw a Residents' Permit and the Residents' Permit Holder must surrender the Residents' Permit to the Council within 3 days of the date of posting or as applicable delivery of such notice.
- (5) If it appears to the Council that any one of the provisions contained in Parts IV, V or VI of this Order is being or has been abused (including the provision of inaccurate information in connection with an application for a Residents' Permit, the sale or attempted sale of the permit or the alteration or attempted alteration of the permit) or is not being complied with in respect of the use of a Residents' Permit or application for it the Council may by giving notice as provided in Article 30(4) withdraw a Residents' Permit and the Residents' Permit Holder must surrender the Residents' Permit to the Council within 3 days of the date of posting or as applicable delivery of such notice.
- (6) Where a notice is given further to Article 30(5) the Residents' Permit issued to the Residents' Permit Holder will cease to be valid at the end of the third day following the day of posting or as applicable delivery of the notice.
- (7) Where a Residents' Parking Permit is surrendered to the Council for any of the reasons specified in Article 30 (3) other than Article 30 (3) (d) (issue of replacement) and this takes place more than one month before its expiration date the Council will make a refund to the Residents' Parking Permit Holder equal to $1/12^{\text{th}}$ of the annual charge paid multiplied by the number of months (rounded down to the nearest whole number) until its expiration but there will be no refund of the charge for a permit withdrawn or surrendered further to Article 30 (5)

Replacement Permits

31. (1) A Residents' Permit will become invalid if it is mutilated or accidentally defaced or the figures or particulars on it have become illegible or the colour of the Residents' Permit has become altered by fading or otherwise, and the Residents' Permit Holder will either surrender it to the Council or apply to the Council for the issue of a replacement Residents' Permit by completing the application form obtainable from the Council.
- (2) A Residents' Permit will become invalid if it is lost or destroyed and the Residents' Permit Holder may apply to the Council for the issue of a replacement Residents' Permit and the Council, upon being satisfied as to such loss or destruction, will issue a replacement Residents' Permit so marked.
- (3) The provisions of this Part of this Order will apply to a replacement Residents' Permit or an application for it as if it were an original Residents' Permit or as the case may be an application for it save that no charge will be payable for a replacement permit

PART VII **VISITORS' PERMIT SCHEME**

Application

32. Any Resident of the age of 17 years or more may apply to the Council for the issue of a Visitors' Permit for the leaving, subject to the provisions of this Order, during the Prescribed Hours in a Permitted Parking Place of a Permitted Vehicle belonging to or on hire or lease to a person visiting that Resident.

Permit Terms

33. (1) No person is to cause or permit a Visitors' Permit to be displayed in a vehicle, when the vehicle is parked in a Parking Place, unless that vehicle belongs to or is on hire or lease to a person visiting the Visitors' Permit Holder and that visit is the primary purpose for so parking the vehicle.
- (2) Subject as provided in Article 33 (4) any Resident of the age of 17 years or more is entitled to up to 2 blocks of Visitors' Permits (with each block containing 25 days worth of Visitors' Permits comprising 5 sheets with each sheet containing 5 permits) during each year(commencing on 16 September).
- (3) (a) The first block of Visitors' Permits issued to a Resident during each such year will be free of charge.
- (b) The charge for the second block of Visitors' Permits issued to a Resident during each such year valid at any time from 9and including) 16 September 2007 is £15 index linked but this shall be reduced to nil where the Council is satisfied that the Resident is aged 70 years or older.
- (c) The charge for any additional discretionary Visitors' Permits is 60 pence per permit index linked but the Council may waive the charge and shall waive the charge where the Resident is aged

70 years or more.

- (4) A Resident (Short-term) of the age of 17 years or more is entitled to up to 25 days worth of Visitors' Permits which will be free of charge.

Application Process

34. (1) An application for a Visitors' Permit must be made on a form issued by and obtainable from the Council and include the particulars and information required by such form
- (2) The Council may require an applicant for a Visitors' Permit to produce such evidence in respect of an application as it may reasonably require to verify any particulars or information given to it.
- (3) Subject as provided in Article 34(4), if the Council is satisfied that the applicant is a Resident of the age of 17 years or more and the information and particulars required to be supplied by the application form have been supplied to the satisfaction of the Council and the Council is satisfied generally as to the completed application form, the Council will issue to the applicant a block of 25 days worth of blank Visitors' Permits.
- (4) The Council will not issue a Visitors' Permit if, during the period of six months prior to the application or such lesser period as the Council in its discretion may decide, a Visitors' Permit issued to the applicant was withdrawn by the Council further to Article 36(5).
- (5) No Resident (Short-term) will be entitled to more than 25 days worth of Visitors' Permits and no other Resident will be entitled to an initial allocation of more than 25 days worth of Visitors' Permits within the first 6 month period of any year (calculated from the date of issue of the initial allocation of Visitors' Permits) followed by an allocation of a further 25 days' worth of Visitors' Permits in the following 6 month period.
- (6) When one block of 25 days worth of blank Visitors' Permits has been used up no further Visitors' Permits will be issued until a further application form has been completed and submitted to the Council with a remittance for the appropriate charge specified in Article 33(3) and the Council is satisfied with it as provided in Article 34(3).
- (7) The Council may in its absolute discretion issue to a Resident more than the equivalent of 50 days worth of Visitors' Permits in any year if it is satisfied, upon consideration of such supporting evidence as the Council may require, that to do so would be appropriate in the circumstances and the Council may waive the charge for any such additional discretionary Visitors' Permits.
- (8) The Council may at any time require a Visitors' Permit Holder to produce such evidence in respect of any Visitors' Permits issued by the Council as may reasonably be required to verify their validity and/or that he remains eligible for the permits.

Permit Formalities

35. (1) A sheet of Visitors' Permits will include the following particulars:-
 - (a) the period during which, subject to the provisions of Article 36 of this Order, the sheet may be used

- (b) an indication that the sheet of Visitors' Permit has been issued by the Council; and
- (c) the zonal designation NW
- (2) A single sheet of Visitors' Permit must be displayed in the Relevant Position and must not be cut or defaced in any way
- (3) Subject as provided in Article 35(4) a Visitors' Permit will be valid up to midnight of the day when it is validated provided that it is validated by the Visitors' Permit Holder, or by a person authorised by him, by writing in ink in the first available section on the face of the sheet of Visitors' Permits the registration mark of the vehicle on which it is displayed, and the date on which it is left (being the validation date) and that no other writing or marks appear in that section
- (4) The Council may revise Visitors' Permits so that each Visitors' Permit will be valid for a period of up to 24 hours from the validation time provided that it is validated by the Visitors Permit Holder, or by a person authorised by him, by writing in ink in the first available section on the face of the sheet of Visitors' Permits (or by such other means as the Council may direct) the time of day the vehicle is left in the Parking Space using the 24 hour clock (being the validation time) and the date on which it is left (being the validation date) and that no other writing or marks appear in that section.

Surrender and Withdrawal of Visitors' Permits - Validity of Visitors' Permits

- 36.
- (1) A Resident may surrender a Visitors' Permit to the Council at any time.
 - (2) A blank Visitors' Permit will cease to be valid on the earlier of the following:-
 - (a) the occurrence of any of the events specified in Article 36(3)
 - (b) as provided in Article 36(6).
 - (3) A Visitors' Permit Holder must surrender to the Council all Visitors' Permits issued to him on the occurrence of the following:-
 - (a) the expiration of the period as specified on the sheet of Visitors' Permits during which it may be used
 - (b) the Visitors' Permit Holder ceasing to be a Resident
 - (c) the issue of replacement Visitors' Permits.
 - (4) If it appears to the Council that any of the events specified in Article 35(3) has occurred, the Council may, by written notice addressed to the Visitors' Permit Holder and sent by first class post to or delivered to the address shown by him on his application for the Visitors' Permits or to any other address believed to be that person's place of abode, withdraw his Visitors' Permits and the Visitors' Permit Holder must surrender his Visitors' Permits to the Council with 3 days after the date of posting or as applicable delivery of such notice.
 - (5) If it appears to the Council that any one of the provisions contained in Parts IV, V or VII of this Order is being or has been abused (including the provision of inaccurate information in connection with an application for a Visitors' Permit, the sale or attempted sale of the permit or the alteration or attempted alteration of the permit) or is not being complied within respect of the use of a Visitors' Permit or application for it, the Council may by giving notice as provided in Article 36(4) withdraw the Visitors' Permits of a Visitors' Permit Holder and he must surrender his

- Visitors' Permits to the Council within 3 days of the date of posting or as applicable delivery of such notice.
- (6) Where notice is given further to Article 36(5) the Visitors' Permits issued to the Visitors' Permit Holder will cease to be valid at the end of the third day following the day of posting or as applicable delivery of the notice.
 - (7) On the surrender of any blank Visitors' Permit for which payment has been made the Council will issue a refund at the rate of 60p per blank Visitors' Permit save that there will be no refund of the charge paid for a permit withdrawn or surrendered further to Article 36(5).

Replacement Permits

- 37. (1) A sheet of Visitors' Permits will become invalid if it is mutilated or accidentally defaced or the figures or particulars on it have become illegible, and the Visitors' Permit Holder will either surrender it to the Council or apply to the Council for the issue of replacement Visitors' Permits by completing the application form obtainable from the Council.
- (2) The provisions of this Part of this Order will apply to a replacement sheet of Visitors' Permits or an application for them as if it were an original sheet of Visitors' Permit or as the case may be an application for it save that no charge will be payable for a replacement permit.

PART VIII **BUSINESS PERMITS' SCHEME**

Application

- 38. Any Business may apply to the Council for the issue of a Business Permit for the leaving, subject to the provisions of this Order, during the Permitted Hours in a Permit Parking Place of a Permitted Vehicle belonging to or on hire or lease to or otherwise associated with that Business when it is essential for the business operations of that Business to park there.

Permit Terms

- 39. (1) No person is to cause or permit a Business Permit to be displayed in a vehicle, when the vehicle is parked in a Permit Parking Place during the Permitted Hours unless it is essential for the vehicle to be parked there for the business operations of the Business Permit Holder.
- (2) A Business Permit may be valid for 3 months, 6 months or 12 months but no Business Permit will be valid for more than 12 months
- (3) The Council will fix a day when each Business Permit will cease to be valid.
- (4) The charge for each Business Permit will be
 - (a) £25.00 for 3 months;
 - (b) £50.00 for 6 months; and
 - (c) £100.00 for 12 monthsand the charge is payable on or before the issue of the permit.

- (5) (a) No Business will be eligible for a Business Permit unless the Council is satisfied that it is essential for the business operations of the Business to park a vehicle in the area stated in Schedule 1 to this Order.
- (b) No Business will be eligible for more than one Business Permit unless the Council is satisfied that it is essential for the business operations of the Business to park more than one vehicle in the area stated in Schedule 1 to this Order.
- (c) No Business will be eligible for more than two Business Permits which are valid at the same time

Application Process

40. (1) An application for a Business Permit must be made on a form issued and obtainable from the Council and must include the particulars and information required by the form and be accompanied by payment of the appropriate charge further to Article 39(4).
- (2) The Council may at any time require an applicant for a Business Permit to produce such evidence in respect of the application as may reasonably be required to verify any particulars or information given to the Council.
- (3) If the Council is satisfied that:-
- (a) the applicant is a Business;
 - (b) it is essential for the business operations of the applicant for a vehicle or vehicles belonging to or on hire or lease to or otherwise associated with it to park in the area stated in Schedule 1 to this Order; and
 - (c) the applicant is eligible for two Business Permits and has no more than one Business Permit which is valid, or the applicant is eligible for one Business Permit and it has no Business Permit which is valid
- And the information and particulars required by the application form have been supplied to the satisfaction of the Council, and the Council is satisfied generally with the completed application form, then, save as provided in Article 40(4), the Council will issue a Business Permit to the applicant:-
- (4) The Council will not issue
- (a) more than two Business Permits which are valid at the same time to any Business and in the case of a Business which is only eligible for one Business Permit further to Article 39(5) it will not issue more than one Business Permit which is valid at any time.
 - (b) a Business Permit to an applicant if during the period of three months prior to the application, any Business Permit issued to the applicant has been withdrawn by the Council further to Article 42(5).
- (5) The Council may at any time require a Business to which a Business Permit has been issued to produce such evidence in respect of any Business Permit as may reasonably be required to verify that the Business Permit Holder remains eligible for such permit and/or that the Business Permit is valid.

Permit Formalities

41. A Business Permit will include the following particulars:-

- (1) The period during which, subject always to the provisions of Article 42, the Business Permit remains valid.
- (2) An indication that the Business Permit has been issued by the Council.
- (3) The zonal designation NW.

Surrender and Withdrawal of a Business Permit - Validity of a Business Permit

42. (1) A Business may surrender a Business Permit to the Council at any time.
- (2) A Business Permit will cease to be valid on the earliest of the following:-
- (a) the expiration of the period shown on it;
 - (b) the occurrence of any of the events specified in Article 42(3) and as provided therein;
 - (c) as provided by Article 42(6);
- (3) (a) A Business must surrender all Business Permits issued to it on the happening of any of the following events:-
- (i) the Business ceasing to operate from an address specified in Part A of Schedule 4;
 - (ii) the Business ceasing to be eligible for any Business Permit by virtue of Article 39(5)(a)
- (b) A Business will surrender a Business Permit issued to it
- (i) on the issue of a replacement Business Permit;
 - (ii) if the Business has two Business Permits which are valid and it becomes eligible for one Business Permit only by virtue of Article 39(5)(b)
- (4) If it appears to the Council that any of the events specified in Article 42(3) has occurred, the Council may, by written notice addressed to the Business Permit Holder and sent by first class post to or delivered to the address shown by him on his application for the Business Permit or to the registered or principal office of the Business Permit Holder, withdraw a Business Parking Permit and the Business Permit Holder must surrender the Business Permit to the Council within 3 days of the date of posting or as applicable delivery of such notice.
- (5) If it appears to the Council that any of the provisions contained in Parts IV, V or VIII of this Order is being or has been abused (including the provision of inaccurate information in connection with an application for a Business Permit, the sale or attempted sale of the permit or the alteration or attempted alteration of the permit) or is not being complied within respect of the use of a Business Permit or application for it, the Council may by giving notice as provided in Article 42(4) withdraw a Business Permit and the Business Permit Holder must surrender the Business Permit to the Council within 3 days of the date of posting or as applicable delivery of such notice.
- (6) Where a notice is given further to Article 42(5) the Business Permit issued to the Business Permit Holder will cease to be valid at the end of the third day following the day of posting or as applicable delivery of the notice.

- (7) When a Business Permit is surrendered or withdrawn the Business Permit Holder is not entitled to any refund of the charge paid for the permit.

Records

43. A Business Permit Holder must keep written records of the use of the Business Permits issued to it by date of use, vehicle registration number of the vehicle in which the permit has been displayed and the business purpose relating to the parking of that vehicle and those records must be available for inspection by the Council at all reasonable times.

Replacement Permit

44. (1) A Business Permit will become invalid if it is mutilated or accidentally defaced or the figures or particulars on it have become illegible or the colour of the Business Permit has become altered by fading or otherwise, and the Business Permit Holder will either surrender it to the Council or apply to the Council for the issue of a replacement Business Permit by completing the application form obtainable from the Council.
- (2) The Business Permit will become invalid if it is lost or destroyed and the Business Permit Holder may apply to the Council for the issue of a replacement Business Permit and the Council, upon being satisfied as to such loss or destruction, will issue a replacement Business Permit so marked.
- (3) The provisions of this Part of this Order will apply to a replacement Business Permit or an application for it as if it were an original Business Permit or as the case may be an application for it.

PART IX

HOTEL VISITORS' PERMIT SCHEME

Application

- 45 Any hotel or guest house located at premises whose address is listed in Part A of Schedule 4 to this Order may apply to the Council for the issue of Hotel Visitors' Permits for the leaving, subject to the provisions of the Order during the Prescribed Hours in any Permitted Parking Place of a Permitted Vehicle belonging to or on hire or lease to a paying guest at the hotel or guest house.

Permit Terms

46. (1) No person is to cause or permit any Hotel Visitors' Permit to be displayed on a vehicle when it is parked in a Parking Place during the Prescribed Hours unless it belongs to or is on hire or lease to a paying guest at the hotel or guest house to whom the permit was issued
- (2) The charge for each Hotel Visitors' Permit will be £1 and the charge is payable on or before the issue of the permit.

Application Process

47. (1) An application for Hotel Visitors' Permits must be made on a form issued by and obtainable from the Council and must include the particulars and information required by the form and be accompanied by the appropriate charge further to Article 46(2).

- (2) The Council may at any time require an applicant for Hotel Visitor Permits to produce such evidence in respect of the application as may reasonably be required to verify any particulars or information given to the Council.
- (3) Save as provided in Article 47(4), if the Council is satisfied that the applicant is a hotel or guest house located at premises whose address is listed in Part A of Schedule 4 and the information and particulars required by the form have been supplied to the satisfaction of the Council and the Council is generally satisfied with the completed application form the Council will issue to the applicant the number of Hotel Visitors' Permits applied for.
- (4) The Council will not issue a Hotel Visitors' Permit if, during the period of six months prior to the application or such lesser time period as the Council may in its discretion decide, a Hotel Visitors' Permit issued to the applicant was withdrawn by the Council further to Article 50(5).
- (5) The Council may at any time require a Hotel Visitors' Permit Holder to produce such evidence in respect of any Hotel Visitors' Permit as it may reasonably require to verify that the permit is valid and/or that the Visitors' Permit Holder remains eligible for the permit.

Permit Formalities

48. (1) Each Hotel Visitors' Permit will include the following particulars :-
 - (a) an indication that the Hotel Visitors' Permit has been issued by the Council
 - (b) the zonal designation NW
- (2) Each Hotel Visitors' Permit will be valid for a period of up to 24 hours from when it is validated provided that it is validated by the Hotel Visitors' Permit Holder or by a person authorised by it by writing in ink on the permit the name of the hotel or guest house, the name of the road in which the permit is being used, the time of day the vehicle was parked there (being the validation time), the day of the week and date on which the permit is being used (being the validation date) and the registration number of the vehicle on which the permit is displayed.

Records

49. A hotel or guest house to which Hotel Visitors' Permits are issued must keep records of the allocation of permits by them by date of use, room number occupied by the paying guest and vehicle registration number of the vehicle in respect of which the permit is displayed and those records must be available for inspection by the Council at all reasonable times.

Surrender and Withdrawal of Hotel Visitors' Permits - Validity of Hotel Visitors' Permits

50. (1) A hotel or guest house may surrender its Hotel Visitors' Permits to the Council at any time.
- (2) A Hotel Visitors' Permit will cease to be valid on the earlier of the following:

- (a) the Hotel Visitors' Permit Holder ceasing to operate a hotel or guest house at premises whose address is listed in Part A of Schedule 4 ;
 - (b) as provided in Article 50(5).
- (3) If it appears to the Council that a Hotel Visitors' Permit Holder has ceased to operate a hotel or guest house at premises whose address is listed in Part A of Schedule 4 the Council may, by written notice, addressed to the hotel or guest house by first class post or delivery to the address shown on the application for the Hotel Visitors' Permit or any forwarding address, withdraw the Hotel Visitors' Permits of the Hotel Visitors' Permit Holder and the Hotel Visitors' Permit Holder must surrender its Hotel Visitors' Permits to the Council within 3 days of the date of posting or as applicable delivery of the notice.
- (4) If it appears to the Council that any of the provisions contained in Parts IV, V or IX of this Order is being or has been abused (including the provision of inaccurate information in connection with an application for a Hotel Visitors' Permit, the sale or attempted sale of the permit or the alteration or attempted alteration of the permit) or is not being complied with in respect of the use of a Hotel Visitors' Permit or application for it, the Council may, by giving notice as provided in Article 50(3), withdraw the Hotel Visitors' Permits of a Hotel Visitors' Permit Holder and the Hotel Visitors' Permit Holder must surrender its Hotel Visitors' Permits to the Council within 3 days of the date of posting or as applicable delivery of such notice.
- (5) Where notice is given further to Article 50(4) the Hotel Visitors' Permits issued to the Hotel Visitors' Permit Holder will cease to be valid at the end of the third day following the day of posting or as applicable delivery of the notice.
- (6) When a Hotel Visitors' Permit is surrendered or withdrawn the hotel or guest house is not entitled to any refund of the charge paid for the permit.

PART X
THE CITY OF OXFORD AND PART OF NORTH HINKSEY (CARERS PERMIT)
ORDER 1999

51. The Carers Permit Order is applied to this Order so that nothing in this Order will prohibit or restrict a vehicle from waiting in accordance with the provisions of that Order

PART XI
CONTRAVENTIONS OF THE ORDER

52. (1) If a vehicle is left at any time in contravention of a provision of this Order, a Penalty Charge will be payable.

- (2) 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 of the Road Traffic Act 1991 may then be issued by a Parking Attendant in accordance with the requirements of Section 66 of that Act.

PART XII
AMENDMENT OF ORDER(S)

- 53 (1) The City of Oxford (Various Streets Headington) (Waiting Prohibitions and Parking Places) Consolidation Order 1997 as amended by the City of Oxford (Headington West) (Controlled Parking Zone) Order 2000, the Oxfordshire County Council (Disabled Persons' Parking Places) Order 2002, the Oxfordshire County Council (Headington Central) (Controlled Parking Zone and Various Restrictions) Order 2005, the Oxfordshire County Council (Girdlestone Road) (Controlled Parking Zone and Waiting Restrictions) Order 2006 and the Oxfordshire County Council (Headington North East) (Controlled Parking Zone and Waiting Restriction) Order 200* ("the Various Streets Headington Order") is varied in the manner and to the extent specified in Part A of Schedule 5 to this Order.
- (2) The City of Oxford (Various Streets) (Waiting and Loading Restriction) Consolidation Order 1997 as amended by the City of Oxford (Various Streets) (Waiting and Loading Restriction) Consolidation (Variation No 2) Order 2001, the Oxfordshire County Council (Various Streets, Oxford) (Waiting and Loading Restriction) Consolidation (Variation No 3) Order 2002, the Oxfordshire County Council (Various Streets, Oxford) (Waiting and Loading Restriction) (Variation No 4) Order 2002, the Oxfordshire County Council (Various Streets) (Waiting and Loading Restriction) Consolidation (Variation No 5) Order 2003, the Oxfordshire County Council (Various Streets) (Waiting and Loading Restriction) Consolidation (Variation No 6) Order 2006, the Oxfordshire County Council (Sandhills, Various Roads) (Prohibition and Restriction of Waiting) Order 2004, the Oxfordshire County Council (Oxford, Horspath Road) (Prohibition and Restriction of Waiting) Order 2003, the Oxfordshire County Council (Summertown) (Controlled Parking Zone and Various Restrictions) Order 2004 and the Oxfordshire County Council (North Oxford) (Controlled Parking Zone and Various Restrictions) Order 2004 ("the Various Streets Oxford Order") is amended in the manner and to the extent specified in Part B of the Schedule to this Order

GIVEN UNDER the Common Seal of the Oxfordshire County Council this

fourth

day of

January

2007.

SCHEDULE 1

THE STATED AREA

Westland's Drive to Northern By Pass – From a point on the northwest highway boundary of Westland's Drive opposite the common property boundary of Nos. 83/85, the zone boundary proceeds southwest then northwest along the playing field boundary of the Northway Centre to the southern playing field access. It then follows the playing field eastern boundary in a northerly then northwest direction along the rear property boundaries of No 30 to 21 Dora Carr Close, then onto the rear property boundaries of No 37 to 43 Stockleys Road and the rear of the Stockleys Road garage block. It then proceeds north east then east along the rear property boundary of Nos. 72 to 2 Stockleys Road, touching the northeast end of Maltfield Road, along the rear property boundaries of No 26 Maltfield Road, Nos. 1 to 31 Borrowmead Road, continuing in a easterly direction until it reaches the kerbline of the Northern By Pass.

Northern By Pass to Dunstan Road – The boundary then follows the Northern by Pass kerbline in a south easterly direction for a distance of approximately 585 metres where it joins an extended field boundary line; 35 metres to the east of the Foxwell Drive highway boundary bend at its closest point. The zone boundary then continues along field boundaries, south southwest for a distance of 98 metres, east northeast for a distance of 38 metres, south southwest for a distance of 85 metres, east northeast for a distance of 43 metres, southwest for a distance of 70 metres, then south southeast for a distance of 62 metres, just north east of the rear property boundaries of Nos. 10 to 18 Dunstan Road, due south for a distance of 14 metres. It continues due east along the rear property boundary of No 8 Dunstan Road, then south southwest until it reaches the rear property boundary of No 6 Dunstan Road, and southeast and south southwest along that property boundary until it reaches Dunstan Road. It then proceeds along the Dunstan Road northern highway boundary until it reaches a point immediately east of Ethelred Court junction.

Dunstan Road to Westland's Drive – The boundary crosses Dunstan Road at this point until it reaches its southern kerbline. It then proceeds 24 metres southeast, then south southeast along the rear property boundaries of No 7 and No 7b Ethelred Court, east, south and northeast around the boundary of Yellow Wood, south west and west along the rear property boundaries of Nos. 1 to 4 Ethelred Court, then north east along the west property boundary of Nos. 4 and 5 Ethelred Court and then along the boundary the Cemetery, northwards and eastwards including its access onto Dunstan Road up to the west side of the steps adjacent to No 24 Ingle Close. It then continues southwest for a distance of 28 Metres then west and northwest along the rear property boundaries of Nos. 24 to 2 Ingle Close, then northeast down the northwest boundary of No2 Ingle Close to the Highway boundary of Saxon Way. It then follows the southwest highway boundary of Saxon Way to the northern corner of the Saxon Centre, then southwest to its eastern corner, along the frontage of the garages at the rear of No 89 Westland's Drive and along the common property boundary of Nos. 85/87 Westland's Drive to the highway boundary. It then proceeds north east up to the common property boundary of Nos. 83/85 then across Westland's Drive to the starting point.

SCHEDULE 2

RESTRICTED ROADS

(No waiting at any time Part II of the Order)

Road Name	Length of Road
1. Dunstan Road	<p>(a) North-east side; from a point 13 metres south of the point opposite the south-west kerbline of Halliday Hill to a point opposite the south-eastern highway boundary of Ethelred Court.</p> <p>(b) South-west side; from the south-eastern highway boundary of Ethelred Court to a point 25 metres south-east of the north-western side of the pedestrian access to numbers 33, 35 and 37 Dunstan Road.</p> <p>(c) South-west side; from a point 5 metres north-west of the north-western side of the pedestrian access to numbers 33, 35 and 37 Dunstan Road to a point 55 metres south-east of the south-eastern property boundary of number 1 Saxon Way.</p> <p>(d) South-west side, from a point 13 metres south of the south-west kerbline of Halliday Hill to a point 27 metres south-east of the south-eastern property boundary of number 1 Saxon Way.</p>
2. Elizabeth Place (formerly Redland Road)	Both sides; from the south-east kerbline of Westlands Drive for a distance of 15 metres to the south-east.
3. Ethelred Court	Both sides; from the south-west kerbline of Dunstan Road for a distance of 8 metres to the south-west.
4. Gouldland Gardens	Both sides; from the northern kerbline of Saxon Way for a distance of 10 metres northwards.

5 Ingle Close

- (a) North side; from a point 1 metre east of the common property boundary of numbers 13 and 15 Ingle Close eastwards to the eastern end of Ingle Close.
- (b) Eastern side; from the northern kerbline southwards to the south-eastern kerbline of the turning area of Ingle Close.
- (c) South-east side; from the eastern end of Ingle Close in a southern and western direction to the southern kerbline of the turning area of Ingle Close.
- (d) South side; from the south-eastern kerbline of Ingle Close westwards for a distance of 3 metres.

6 Maltfield Road

- (a) North-east side; from the north-western kerbline of Westlands Drive for a distance of 28 metres in a north-westerly direction.
- (b) North-east side; from a point 66 metres north-west of the north-western kerbline of Westlands Drive for a distance of 14 metres in a north-westerly direction
- (c) South-west side; from north-western kerbline of Westlands Drive for a distance of 23 metres in a north-westerly direction

7 Saxon Way

- (a) Both sides, from the south-east kerbline of Westlands Drive for a distance of 16 metres in a south-easterly direction.
- (b) North side; from a point 9 metres west of the north-western kerbline of Gouldland Gardens to a point 4 metres west of the point opposite the south-west kerbline of Ingle Close.
- (c) South side; from a point 6 metres west from the western kerbline of Ingle Close to a point 9 metres west of the point opposite the north-west kerbline of Gouldland Gardens.
- (d) Both sides; from the south-west kerbline of Dunstan Road for a distance of 8 metres westwards.

- 8 Westlands Drive
- (a) North-west side; from a point opposite the common property boundary of Nos. 83 and 85 Westlands Drive to a point 25 metres north-east of the point opposite the north-east kerbline of Elizabeth Place (formerly Redland Road).
 - (b) South-east side; from a point 25 metres north-east of the north-east kerbline of Elizabeth Place (formerly Redland Road) to a point 13 metres south-west of the south-west kerbline of Elizabeth Place (formerly Redland Road).
 - (c) South-east side; from a point 13 metres north-east of the north-east kerbline of Saxon Way to the common property boundary of Nos. 83 and 85 Westlands Drive.
- 9 Westlands Drive, the service road between Elizabeth Place (formerly Redland Road) and Saxon Way
- (a) North-west side; from the south-west kerbline of Elizabeth Place (formerly Redland Road) to the north-east kerbline of Saxon Way.
 - (b) South-east side; from the south-west kerbline of Elizabeth Place (formerly Redland Road) for a distance of 13 metres to the south-west.
 - (c) South-east side; from the north-east kerbline of Saxon Way for a distance of 13 metres to the north-east

SCHEDULE 3

PART A

1 hour waiting – no return within 1 hour

Mondays to Saturdays 8.00 am to 6.30 pm

(Part III of the Order)

LENGTHS OF ROAD IN THE CITY OF OXFORD: -

Description of Parking Place

- | | |
|---|---|
| 1. Westlands Drive,
the service road
between Elizabeth
Place (formerly
Redland Road) and
Saxon Way | south-east side, from a point 13 metres south-
west of the south-west kerblineline of Elizabeth Place
(formerly Redland Road) to a point 13 metres
north-east of the north-east kerblineline of Saxon
Way.. |
|---|---|

There are excluded from the above lengths of road any Disabled Persons' Parking
Places and any Controlled Lengths

SCHEDULE 3

PART B

2 hours waiting - no return within 2 hours and permit holders without time limit

Mondays to Fridays 8.00am to 6.30pm

(Part III of the Order)

LENGTHS OF ROAD IN THE CITY OF OXFORD: -

Description of Parking Place

- | | | |
|----|-----------------|---|
| 1. | Dunstan Road | (a) South-west side, from a point 27 metres south-east of the south-eastern property boundary of number 1 Saxon Way for a distance of 28 metres south-eastwards. |
| | | (b) South-west side, from a point 5 metres north-west of the north-western side of the pedestrian access to numbers 33, 35 and 37 Dunstan Road for a distance of 30 metres south-eastwards. |
| 2. | Maltfield Road | (a) North-east side; from a point 28 metres north-west the north-western kerblines of Westlands Drive for a distance of 38 metres in a north-westerly direction. |
| | | (b) North-east side; from a point 80 metres north-west of the north-western kerblines of Westlands Drive for a distance of 17 metres in a north-westerly direction |
| | | (c) South-west side; from a point 23 metres north-west of the north-western kerblines of Westlands Drive for a distance of 76 metres in a north-westerly direction |
| 3. | Westlands Drive | South-east side, from a point 13 metres south-west of the south-west kerblines of Elizabeth Place (formerly Redland Road) to a point 13 metres north-east of the north-east kerblines of Saxon Way. |

There are excluded from the above lengths of road any Disabled Persons' Parking Places and any Controlled Lengths

SCHEDULE 4

PART A

(Addresses which are eligible to apply for Permits)

- | | | |
|-----|-------------------|---|
| 1. | Alesworth Grove | The entire road. |
| 2. | Borrowmead Road | The entire road. |
| 3. | Broadhead Place | The entire road. |
| 4. | Dora Carr Close | The entire road. |
| 5. | Dunstan Road | All properties from the south-east boundary of No. 4 Dunstan Road to its junction with Foxwell Drive. |
| 6. | Ethelred Court | The entire road. |
| 7. | Foxwell Drive | The entire road. |
| 8. | Gorse Leas | The entire road. |
| 9. | Gouldland Gardens | The entire road. |
| 10. | Grunsell Close | The entire road. |
| 11. | Halliday Hill | The entire road. |
| 12. | Ingle Close | The entire road. |
| 13. | John Buchan Road | The entire road. |
| 14. | Maltfield Road | The entire road. |
| 15. | Meaden Hill | The entire road. |
| 16. | Milne Place | The entire road. |

- | | | |
|-----|-----------------|---|
| 17. | Plowman Tower | All addresses. |
| 18. | Saxon Way | The entire road. |
| 19. | Stainfield Road | The entire road. |
| 20. | Steep Rise | The entire road. |
| 21. | Stockleys Road | The entire road. |
| 22. | Sutton Road | The entire road. |
| 23. | Upway Road | The entire road. |
| 24. | Westlands Drive | The entire road except numbers 87 and 89 Westlands Drive. |

SCHEDULE 4

PART B

)Addresses which are eligible to apply for Permits for Large Vehicles

- | | | |
|-----------------|--------------------------------|-------------------------------------|
| <u>1</u> | <u>John Buchan Road</u> | <u>Numbers 10, 15 and 25</u> |
| <u>2</u> | <u>Stockleys Road</u> | <u>Number 14</u> |

SCHEDULE 4

PART C

Permit Parking Places

Mondays to Fridays 9.00am to 5.00pm

Column 1

Column 2

Number of Parking Place

Description of Parking Place

- | | |
|-----|---|
| 1. | Alesworth Grove; Both sides for its entire length. |
| 2. | Borrowmead Road; Both sides for its entire length. |
| 3. | Broadhead Place; Both sides for its entire length. |
| 4. | Ethelred Court, Both sides, between a point 8 metres south-west of the south-west kerbline of Dunstan Road up to and including the westernmost extremity of Ethelred Court. |
| 5. | Foxwell Drive; Both sides for its entire length. |
| 6. | Gorse Leas; Both sides for its entire length. |
| 7. | Gouldland Gardens; Both sides for its entire length. |
| 8. | Grunsell Close; Both sides for its entire length. |
| 9. | Halliday Hill; Both sides for its entire length. |
| 10. | Ingle Close; Both sides for its entire length. |
| 11. | John Buchan Road; Both sides for its entire length. |
| 12. | Maltfield Road; Both sides From a point 98 metres (measured along its centreline) north-west of the north-western kerbline of Westlands drive north-westwards for its remaining length. |
| 13. | Meaden Hill; Both sides for its entire length. |

14. Milne Place; Both sides for its entire length.
15. Elizabeth Place (formally Redland Road); Both sides between its junction with Gorse Leas and a point 15 metres south-east of the south-east kerblines of Westlands Drive.
16. Saxon Way; Both sides between its junction with Dunstan Road and a point 20 metres south-east of the south-east kerblines of Westlands Drive.
17. Stainfield Road; Both sides for its entire length.
18. Steep Rise; Both sides for its entire length.
19. Stockleys Road; Both sides for its entire length.
20. Sutton Road; Both sides for its entire length.
21. Upway Road; Both sides for its entire length.
22. Westlands Drive; Both sides from the south-west kerb-line of Maltfield Road to its junction with Borrowmead Road.

There are excluded from the above lengths of road any Disabled Persons' Parking Places and any Restricted Roads

SCHEDULE 5

PART A

Item 5 (Dunstan Road) of Schedule 3 to the Various Streets Headington Order is deleted

PART B


Items 88 (Sutton Road) and 98 (Westlands Drive) of Schedule 2 to the Various Streets Oxford Order are deleted.

SCHEDULE 6

Index Linking

1. Index linking will be undertaken by adjusting the relevant charge according to the fluctuation of the Retail Prices Index: monthly numbers of retail prices produced by the Office for National Statistics occurring between April 2007 and the most recently published figure at the month of March in the year in which the adjustment is undertaken, and rounding up (or down) to the nearest whole pound.
2. The relevant charge will be adjusted from 1 April of the year in which the indexation adjustment is undertaken.
3. The relevant charge will be subject to indexation adjustment no more than once every 3 years and the first adjustment will take place from April 2010 .

THE COMMON SEAL of THE OXFORDSHIRE
COUNTY COUNCIL was hereunto affixed
in the presence of :-



County Solicitor/Designated Officer



9.32/06