

**THE OXFORDSHIRE COUNTY COUNCIL (WEST OXFORD AND OSNEY  
MEAD)  
(CONTROLLED PARKING ZONE AND WAITING RESTRICTIONS)  
CONSOLIDATION ORDER 2009**

**ARTICLE 1**

Interpretation of this Order

1.1. The words used in this Order shall have the meanings assigned to them in this article.

1.2. "The Council" means the Oxfordshire County Council.

1.3. "This Order" means this Consolidation Order 2009.

**ARTICLE 2**

2.1. The following roads are hereby designated as Controlled Parking Zones:

2.2. The following roads are hereby designated as Waiting Restriction Zones:

2.3. The following roads are hereby designated as Waiting Restriction Zones:

2.4. The following roads are hereby designated as Waiting Restriction Zones:

**ARTICLE 3**

3.1. The following roads are hereby designated as Controlled Parking Zones:

3.2. The following roads are hereby designated as Waiting Restriction Zones:

3.3. The following roads are hereby designated as Waiting Restriction Zones:

3.4. The following roads are hereby designated as Waiting Restriction Zones:

3.5. The following roads are hereby designated as Waiting Restriction Zones:

**ARTICLE 4**

4.1. The following roads are hereby designated as Controlled Parking Zones:

4.2. The following roads are hereby designated as Waiting Restriction Zones:

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**THE OXFORDSHIRE COUNTY COUNCIL (WEST OXFORD AND OSNEY  
MEAD)  
(CONTROLLED PARKING ZONE AND WAITING RESTRICTIONS)  
CONSOLIDATION ORDER 2009**

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 other 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 19 January 2009 and may be cited as "The Oxfordshire County Council (West Oxford and Osney Mead) (Controlled Parking Zone and Waiting Restrictions) Consolidation Order 2009".

**General Scheme of Traffic Management**

2. This Order is made by virtue of Section 37 of the Act for a general scheme of traffic control 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;

"Bus" means:

- (a) a motor vehicle constructed or adapted to carry more than eight passengers (exclusive of the driver); or
- (b) a Local Bus not so constructed or adapted.

"Business" means any trade or profession conducted from premises whose address is listed in Part A (Section 1) of Schedule 6 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 IX of this Order 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 Parts C and D of Schedule 4;

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

"Civil Enforcement Officer" means a person authorised under Section 76 of the Traffic Management Act 2004 to undertake enforcement of parking contraventions (as defined in that Act) and a Parking Attendant is a Civil Enforcement Officer

"Clearway Hours" means the period between 7.30am and 9.30am and between 4.00pm and 6.30pm on Monday to Saturday

"Controlled Length" means a length of road where waiting is not permitted (as indicated by a Traffic Sign/Marking where requisite) further to any act, order regulation, bylaw or notice (other than a traffic regulation order) at such times and for so long only as the length of road is subject to such waiting prohibition or restriction;

"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 Places" means the disabled persons' parking places (as defined in the Disabled Persons' Parking Places Order) which are set out from time to time 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 2007 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 a Parking Place, means the person driving the vehicle at the time it was left in the Parking Place;

"General Parking Place" means any Timed Parking Place or any length of road specified in Part A of Schedule 4 to this Order which is authorised to be used further to Part III of this Order as a parking place subject to the provisions of this Order

"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);

"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 7 to this Order.

"Local Bus" means a Public Service Vehicle used for the provision of a local service (as defined in Section 2 of Transport Act 1985) not being an excursion or tour

"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 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, IV, and VI of this Order and thereby comprises any General Parking Place and any Permit Parking Place;

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

"Penalty Charge" means a penalty charge imposed further to Part 6 of the Traffic Management Act 2004 and set by Oxfordshire County Council further to paragraph 3 of Schedule 9 to that Act;

"Penalty Charge Notice" means a notice issued by a Civil Enforcement Officer pursuant to regulations made further to Part 6 of the Traffic Management Act 2004;

"Permit Parking Place" means any length of road specified in Part B, C or D of Schedule 6 to this Order 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 or a valid 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 transmissible by post;

"Prescribed Hours" means:-

- (a) in relation to any length of road specified in part A of Schedule 4 or Part B or C of Schedule 6, 24 hours of every day;
- (b) in relation to any length of road specified in Part B or C of Schedule 4 the period between 8.00 a.m. and 6.30 p.m. on Monday to Saturday inclusive (excluding Christmas Day, Good Friday and bank holidays);
- (c) in relation to any length of road specified in Part D of Schedule 4 or in Schedule 5 or in Part D of Schedule 6, the period between 8.00am and 6.30pm on Monday to Friday inclusive (excluding Christmas Day, Good Friday and bank holidays).

"Private Hire Vehicle" means a vehicle as described in section 80 of the Local Government (Miscellaneous Provisions) Act 1976 and licensed under Section 48 of that Act.

"Property" means a property the postal address of which is within the list of addresses in Part A of Schedule 6 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 rooms constitutes a single Property; and
- (c) each school, college, hotel, hostel or guest house constitutes a single Property only.

"PSV Parking Place" means any length of road specified in Schedule 5 to this Order which is authorised to be used further to Part V of this Order as a parking place for Public Service Vehicles subject to the provisions of this Order

"Public Service Vehicle" means, subject to the provisions in Section 1 of the Public Passenger Vehicle Act 1981, a vehicle (other than a tramcar) which:—

- (a) being a vehicle adapted to carrying more than 8 passengers, is used for carrying passengers for hire or reward; or
- (b) being a vehicle not so adapted is used for carrying passengers for hire or reward at separate fares in the course of a business of carrying passengers.

"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; or
- (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; or

- (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, or Visitors' Permit displayed on a vehicle so that the permit is readily visible and legible from the front or nearside of the vehicle.

"Renewal Date" means 1 June (or such other date as specified by the Council from time to time) in each year.

"Resident" means a person who has as his usual place of abode a Property; and who has established this to the satisfaction of the Council.

"Resident (Short-term)" means a person who is temporarily resident for work purposes for a minimum of a month at a Property, 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 VII and Part VIII of this order.

"Residents' Permit" means a permit issued by the Council to a Resident under the provisions of Part VII 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 Parts C and D of Schedule 4.

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

"Restricted Hours" means

- (a) in relation to any Restricted Road as specified in Part A of Schedule 3 to this Order, 24 hours of every day but excluding the Clearway Hours for any road specified in Schedule 2 to this Order
- (b) In relation to any Restricted Road as specified in Part B of Schedule 3 to this Order the period between 8.00am and 6.30pm on Monday to Saturday inclusive
- (c) In relation to any Restricted Road as specified in Part C of Schedule 3 to this Order the period between 8.00am and 6.30pm on Monday to Friday inclusive

"Restricted Road" means any road or length of road specified in Schedule 3 Monday to Friday inclusive to this Order but excluding any:-

- (a) Parking Place;
- (b) Controlled Length;
- (c) Disabled Persons' Parking Place;

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

"Taxi" means a vehicle licensed under section 37 of the of the Town Police Clauses Act 1847.

"Temporary Permit" means a permit issued by the Council to a Resident under the provisions of Article 38 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 Parts C and D of Schedule 4 to this Order.

"Timed Parking Place" means any length of road specified in Part B, C or D of Schedule 4 to this Order which is authorised to be used further to Part III of this Order as a parking place by a 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 mechanical 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 VIII 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 Parts C and D of Schedule 4;

"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**

5. Save as provided in Article 6 of this Order, no person is to cause or permit any vehicle to wait in any length of road specified in Schedule 2 to this Order during the Clearway Hours except upon the direction or with the permission of the Council, a Civil Enforcement Officer or a police constable in uniform
6. **Exemption from Clearway Restriction**

Nothing in Article 5 of this Order will apply to any vehicle waiting in any road specified in Schedule 2 to this Order for so long only as may be necessary if:-

- (1) the vehicle is a police vehicle being used for police purposes;
- (2) the vehicle is an ambulance being used for ambulance purposes;
- (3) the vehicle is in the service of the fire brigade being used for fire brigade purposes;
- (4) the vehicle is setting down or picking up a passenger including for the avoidance of doubt a Bus being used in the provision of a Local Service waiting at any bus stop in order to set down or pick up passengers or a Taxi or Private Hire Vehicle setting down or picking up a passenger
- (5) the vehicle is in the service of or employed by a Universal Service Provider or being used for the purpose of loading, unloading, delivering or collecting Postal Packets at premises or post boxes at or adjoining that road;
- (6) 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 road while such gate or other barrier is being opened or closed;
- (7) 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;

(8) the vehicle is being used in connection with any of the following and cannot conveniently be so used without waiting in that road:-

(a) removing any obstruction to traffic in or adjoining that road;

(b) undertaking urgent works in relation to that road or to a traffic sign, road lighting or street furniture at or adjoining that road;

(c) undertaking urgent works in relation to a sewer or water main or in relation to the supply of gas, electricity, water or communication services in or adjoining that road;

(d) a funeral associated with premises at or adjoining 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.

### **Restrictions on Waiting**

7. Save as provided in Articles 8 and 9 of this Order, no person is to cause or permit any vehicle to wait in any Restricted Road during the Restricted Hours except upon the direction or with the permission of the Council, a Civil Enforcement Officer or a police constable in uniform.

### **Exemption from Waiting Restrictions**

8. Nothing in Article 7 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 or for the collection of waste from premises situated at or adjoining 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 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 at or adjoining that road;
- (7) 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;
- (8) 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;
- (9) 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) removing any obstruction to traffic at or adjoining that road;
  - (b) undertaking works (including inspection) in relation to that road or to a traffic sign, street lighting or street furniture at or adjacent to that road;
  - (c) undertaking works (including inspection) in relation to a sewer or water main or in relation to the supply of gas, electricity, water or communication services in or adjoining that road;
  - (d) 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.

9. Nothing in Article 7 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**

#### **Authorisation of Parking Places – No time limit**

10. Each of the lengths of road specified in Part A, of Schedule 4 to this Order is authorised to be used, subject to the provisions of Part III, IV and VI of this Order, as a parking place for vehicles.

#### **Authorisation of Timed Parking Places**

11. Each of the lengths of road specified in Parts B, C and D of Schedule 4 to this Order is authorised to be used, subject to the provisions of Parts III, IV and VI of this Order, as a parking place for vehicles.

#### **Restrictions on Waiting**

12. No person is to cause or permit a vehicle to wait in a General Parking Place unless:
  - (1) it is parked with every part of the vehicle on the carriageway and so that it is entirely within the limits of the General Parking Place as marked; and
  - (2) for a Motor Cycle it is parked so that it is perpendicular to the kerb.

#### **Time Restriction on Waiting.**

13. Save as provided in Articles 15 and 19 (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 Civil Enforcement Officer, the Council or a police constable in uniform:—
  - (1) in any Timed Parking Place specified in Part B of Schedule 4 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 of the vehicle in the same Parking Place
- (2) in any Timed Parking Place specified in Part C or D of Schedule 4 to this Order:-
  - (a) for a period longer than two hours, or
  - (b) if a period of less than two hours has elapsed since the termination during the Prescribed Hours of the last period of parking of the vehicle in the same Parking Place
- 14. 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 Timed Parking Place at the beginning of the Prescribed Hours.

#### **Exemptions – Permits**

- 15. Nothing in Article 13 will apply to a vehicle waiting in a Timed Parking Place specified in Part C or D of Schedule 4 if the vehicle displays in the Relevant Position a valid Residents' Permit, a valid Temporary Permit, a valid Visitors' Permit or a valid Business Permit.
- 16. The provisions contained in Part IV of this Order will apply to General Parking Places.

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

#### **Restrictions on Use**

- 17. The Driver of a vehicle using a Parking Place or PSV 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.
- 18. 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 (save for the avoidance of doubt this prohibition does not apply to any vehicle while it is in a Parking Place and being used for collecting or delivering Goods).

## Exemptions – General Permitted Use

19. Nothing in Article 13 (time restriction on waiting in a General Parking Place) or Article 32 (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 or for the collection of waste from premises situated at or adjoining the road in which the Parking Place is located;
- (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 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 at or adjoining the road in which the Parking Place is located;
- (7) the vehicle is being used for the removal of furniture or effects to or from any shop, office or other premises adjoining the Parking Place and the furniture and effects cannot reasonably be removed outside the Permitted Hours (provided permission of the Council, a Civil Enforcement Officer or police officer in uniform has been obtained)
- (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) removing any obstruction to traffic in or adjoining the road in which the Parking Place is located;
  - (b) undertaking works (including inspection) in relation to that road or to a traffic sign, street lighting or street furniture at or adjoining that road;
  - (c) undertaking works (including inspection) in relation to a sewer or water main or in relation to the supply of gas,

electricity, water or communication services in or adjoining that road;

- (d) a funeral associated with premises at or adjoining 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**

20. Nothing in Article 13 (time restriction on waiting in a Parking Place) Article 26 (1) and 27 (restriction including time restriction on waiting in a PSV Parking Place) or Article 32 (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**

21. Where the Council, in the exercise of its discretion further to Article 31 or Article 32, agrees to authorise the use of any Permit Parking Place by a contractor undertaking any demolition, excavation or building or maintenance operations or repair works at premises in the area stated in Schedule 1 to this Order the charge for such authorisation will be £15 index linked for any period not exceeding a week.

#### **Removal and Moving of Vehicles**

22. (1) Where the Council, a Civil Enforcement Officer 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 or a PSV 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 or as applicable PSV 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 Civil Enforcement Officer may, in case of emergency, move or cause to be moved to any place he thinks fit, any vehicle left in a Parking Place or as applicable PSV Parking Place.

(3) Any person authorised to remove a vehicle or alter its position by virtue of Article 22(1) or 22(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/ PSV Parking Place**

(1) The Council, a Civil Enforcement Officer or a police constable in uniform may suspend the use of a Parking Place or as applicable a PSV 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 or as applicable PSV Parking Place;
- (c) for works to the road or a traffic sign in or adjacent to the Parking Place or as applicable PSV 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 or as applicable PSV Parking Place;
- (e) for the convenience of occupiers of premises adjacent to the Parking Place or as applicable PSV 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 or as applicable PSV Parking Place at times of weddings or funerals, or on other special occasions.

(2) Any person suspending the use of a Parking Place or as applicable PSV Parking Place or any part of it in accordance with the provisions of Article 23(1) is to thereupon place or cause to be placed in or adjacent to that Parking Place or as applicable PSV 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 23(4), no person is to cause or permit a vehicle to wait in any Parking Place or as applicable

PSV Parking Place or part of a Parking Place or as applicable PSV Parking Place during any period when there is in or adjacent to that Parking Place or as applicable PSV Parking Place or part of it a Traffic Sign/Marking placed pursuant to Article 23(2).

(4) Nothing in Article 23(3) will apply to any vehicle waiting for so long only as may be necessary:-

- (a) if the vehicle is being used for the relevant purpose or eventuality specified in Article 23(1) (b) (building works), 23(1) (c) (road works), 23(1) (d) (works to services), 23(1) (e) (furniture removal) or 23(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 as applicable PSV 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.

### **Marking of Parking Places**

24. The limits of each Parking Place and PSV Parking Place and the limits of any Access Way in a Permit Parking Place will be indicated by the Council on the carriageway in the vicinity by appropriate Traffic Signs/Markings.

**PART V**  
**PARKING PLACES FOR PUBLIC SERVICE VEHICLES**

**25. Authorisation of PSV Parking Places**

Each of the lengths of road specified in Schedule 5 to this Order is authorised to be used, subject to the Provisions of Part IV and Part V of this Order, as a parking place for any Public Service Vehicle.

**26. Restrictions on Waiting**

No person is to cause or permit a vehicle to wait in a PSV Parking Place unless:

- (1) it is a Public Service Vehicle or an exemption as provided in Article 20 or 28 applies; and
- (2) it is parked with every part of the vehicle on the carriageway and so that it is entirely within the limits of the PSV Parking Place as marked.

**27. Time Restriction on Waiting**

Save as provided in Articles 20 and 28 (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 Civil Enforcement Officer, the Council or police constable in uniform, in any PSV Parking Place:—

- (1) for a period longer than two hours, or
- (2) if a period of less than two hours has lapsed since the determination during the Prescribed Hours of the last period of parking of the vehicle in the same PSV Parking Place.

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

**28. Exemptions**

Nothing in Article 26 (1) (parking by Public Services Vehicles) or Article 27 (Time Restriction on Waiting) will apply to a vehicle waiting in a PSV Parking Place for so long as only may be necessary if:—

- (1) the vehicle is a police vehicle being used for police purposes;
- (2) the vehicle is an ambulance being used for ambulance purposes;

- (3) the vehicle is in the service of the fire brigade and being used for fire brigade purposes;
- (4) 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 controls;
- (5) the vehicle is being used in connection with any of the following purposes and whilst being so used it is necessary for the vehicle to wait in the PSV Parking Place:

(a) removing any obstruction to traffic;

(b) undertaking works in relation to a road or a traffic sign, street lighting or street furniture;

(c) undertaking works in relation to a sewer or water main or in relation to the supply of gas, electricity, water or communication services.

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 it necessary for the purpose of preventing obstruction]

29. The following provisions in Part IV of this Order will apply to PSV Parking Places [Articles 17 and 18 (Restriction on use) 20 (Disabled Persons Vehicles) 22 and 23 (Removing or Moving of Vehicles and suspension of use of a parking place).

## PART VI PERMIT PARKING PLACES

### 30. Permit Parking Places

(1) Each of the lengths of road specified in Parts B and C of schedule 6 to this Order is authorised to be used subject to the provisions of Part IV and Parts VI – IX as a parking place for any Permitted Vehicle which displays in the Relevant Position on the vehicle a valid Residents' Permit, a valid Temporary Permit, a valid Visitors' Permit or a valid Business Permit.

(2) Each of the lengths of road specified in Part D of schedule 6 to this Order is authorised to be used subject to the provisions of Part IV and Parts VI – IX as a parking place for any Permitted Vehicle which displays in the Relevant Position on the vehicle a valid Business Permit.



### **31. Restrictions on Parking – General**

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 Civil Enforcement Officer, the Council or a police constable in uniform unless:—

- (1) it is a Permitted Vehicle or an exemption as provided in Article 19 applies; and
- (2) in relation to any Permit Parking Place specified in Part B or Part D of Schedule 6 it is parked with every part of the vehicle on the carriageway and entirely within the limits of the Parking Place as marked, save that any Motor Cycle is to be parked so that it is perpendicular to the kerb;
- (3) in respect of any Permit Parking Place specified in Part C of Schedule 6 it is parked with the vehicle partly on the carriageway and partly on the footway (cobble area) and entirely within the limits of the Parking Place as marked save that any Motor Cycle is to be parked so that it is perpendicular to the kerb.

### **32. Restrictions on Parking – Permit Requirement**

- (1) Save as provided in Articles 19 and 20 (Exemptions), no person is to cause or permit any vehicle to wait in any Permit Parking Place specified in Part B or C of Schedule 6 to this Order during the Prescribed Hours, except upon the direction or with the permission of a Civil Enforcement Officer, the Council or a police constable in uniform, unless 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 Prescribed Hours a valid Residents' Permit in respect of that vehicle or a valid Temporary Permit in respect of that vehicle, a valid Visitors' Permit or a valid Business Permit provided that this requirement to display a permit does not apply to a Motor Cycle.
- (2) Save as provided in Articles 19 and 20 (Exemptions), no person is to cause or permit any vehicle to wait in any Permit Parking Place specified in Part D of Schedule 6 to this Order during the Prescribed Hours, except upon the direction or with the permission of a Civil Enforcement Officer, the Council or a police constable in uniform, unless 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 Prescribed Hours a valid Business Permit provided that this requirement to display a permit does not apply to a Motor Cycle

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

The provisions of Part IV of this Order will apply to Permit Parking Places in the following circumstances:

(a) where the vehicle is used for the purpose of the business of the permit holder;

(b) where the vehicle is used for the purpose of the business of the permit holder and the vehicle is used for the purpose of the business of the permit holder;

(c) where the vehicle is used for the purpose of the business of the permit holder and the vehicle is used for the purpose of the business of the permit holder;

(d) where the vehicle is used for the purpose of the business of the permit holder and the vehicle is used for the purpose of the business of the permit holder;

The provisions of Part IV of this Order will apply to Permit Parking Places in the following circumstances:

The provisions of Part IV of this Order will apply to Permit Parking Places in the following circumstances:

**PART VII**  
**RESIDENTS' PERMIT SCHEME**

**Application**

34. 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 Prescribed Hours in a Permit Parking Place specified in Part B or C of Schedule 6

**Permit Terms**

35. (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 35(2)(b) the Council will fix the day when all Residents' Permits will cease to be valid.  
(b) The Council will fix the day when a Resident's Permit issued to a Resident (Short-term) will cease to be valid.
- (3) No more than one Residents' Permit which is valid at the same time will be issued to any Resident.
- (4) No more than two Residents' Permits in aggregate which are valid at the same time will be issued to the Residents at any Property.
- (5) Subject as provided in Article 35 (6), the charge for each Residents' Permit valid at anytime shall be £40 per annum index linked.
- (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  $1/12^{\text{th}}$  of the relevant annual charge multiplied by the number of months (rounded up to the nearest full number) for which the permit is valid.

**Application Process**

36. (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 35.
- (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.
- (4) Subject as provided in Article 36(4), 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) no more than one Residents' Permit which remains valid has been issued to another Resident at the Property where the applicant resides; and
- (d) that the appropriate charge specified in Article 35 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) The Council will not issue a Residents' Permit if:-
  - (a) a Residents' Permit which remains valid has been issued to the applicant; or
  - (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 39 (5)
- (5) 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**

37. A Residents' Permit or as applicable Temporary Permit will include the following particulars:-

- (1) the registration mark of the vehicle for which the Residents' Permit or as applicable Temporary Permit has been issued;
- (2) the period during which, subject to the provisions of Article 39 of this Order, the Residents' Permit or as applicable Temporary Permit will remain valid;
- (3) an indication that the Residents' Permit or as applicable Temporary Permit has been issued by the Council; and
- (4) the zonal designation 'WO'

## Temporary Permits

38. (1) A Residents may surrender his 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' temporarily 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.

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

39. (1) A Residents' Permit Holder may surrender a Residents' Permit or as applicable Temporary Permit to the Council at any time.
- (2) A Residents' Permit or as applicable Temporary 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 39(3);
- (c) as provided in Article 39(6).
- (3) A Residents' Permit Holder must surrender a Residents' Permit or as applicable Temporary 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 or as applicable Temporary 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 or as applicable Temporary Permit
- (4) If it appears to the Council that any one of the events specified in Article 39(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 as applicable Temporary Permit or to any other address believed to be that

person's place of abode, withdraw a Residents' Permit and/or as applicable Temporary Permit and the Residents' Permit Holder must surrender the Residents' Permit and/or as applicable Temporary 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, VI or VII of this Order is being or has been abused (including the provision of inaccurate information in connection with an application for a Residents' Permit or as applicable Temporary 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 as applicable Temporary Permit or application for it, the Council may by giving notice as provided in Article 39 (4) withdraw a Residents' Permit and/or as applicable Temporary Permit and the Residents' Permit Holder must surrender the Residents' Permit and/or as applicable Temporary 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 39 (5) the Residents' Permit and/or as applicable Temporary 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' Permit or as applicable Temporary Permit is surrendered to the Council for any of the reasons specified in Article 39 (3) other than Article 39 (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' 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 39 (5)

#### **Replacement Permits**

40. (1) A Residents' Permit or as applicable Temporary 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 or as applicable Temporary 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 or as applicable Temporary Permit and the Council, upon being satisfied as to such loss or destruction, will issue a replacement Residents' Permit or as applicable Temporary Permit so marked.

- (3) The provisions of this Part of this Order will apply to a replacement Residents' Permit or as applicable Temporary Permit or an application for it as if it were an original Residents' Permit or as applicable Temporary Permit or as the case may be an application for it save that no charges will be payable for a replacement permit.

## **PART VIII** **VISITORS' PERMIT SCHEME**

### **Application**

41. 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 Permit Parking Place specified in Part B and C of Schedule 6 of a Permitted Vehicle belonging to or on hire or lease to a person visiting that Resident.

### **Permit Terms**

42. (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 42 (4) any Resident of the age of 17 years or more is entitled to up to 2 allocations of Visitors' Permits (with each allocation containing 25 days worth of Visitors' Permits) during each year (commencing on the Renewal Date)
- (3) (a) The first allocation of Visitors' Permits issued to a Resident during each such year will be free of charge.  
(b) The charge for the second allocation of Visitors' Permits issued to a Resident during each such year 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.  
(d) 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.

