



ROAD TRAFFIC REGULATION ACT 1984

**OXFORDSHIRE COUNTY COUNCIL (NORHAM MANOR, OXFORD)
(CONTROLLED PARKING ZONE) (VARIATION NO 2) ORDER 2007**

The Oxfordshire County Council ("the Council") in exercise of their powers under Sections 45 and 46 of and Part IV of Schedule 9 to the Road Traffic Regulation Act 1984 ("the Act") and 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 :-

1. This Order shall come into operation on 30 May 2007 and may be cited as the Oxfordshire County Council (Norham Manor, Oxford) (Controlled Parking Zone) (Variation No 2) Order 2007
2. In this Order, except where the context otherwise requires, the following expressions have the following meanings -
 - (1) 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
 - (2) Words importing the masculine gender shall also include the feminine gender and words in the singular include the plural and vice versa
3. The City of Oxford (Norham Manor) (Controlled Parking Zone) Order 1999 as amended ("the Norham Manor CPZ Order")as amended is amended in the manner and to the extent specified in the Schedule to this Order

GIVEN UNDER the Common Seal of the Oxfordshire County Council this
Mica day of April 2007

SCHEDULE

INDEX LINKING

1. In Article 3 the following definition is inserted:
"index linked" means adjusted as provided in Schedule 9 to this Order.
2. Schedule 9 is inserted as follows:

"SCHEDULE 9

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".*

Residents Parking Permits

1. In Article 3

(1) The definition of registered keeper is replaced by the following:

"registered 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 keeper for the purposes of this Order.**

(2) the following definitions are inserted:

"dwelling" means any house, flat or self contained accommodation but

does not include any college, hotel, hostel or guest house and for the avoidance of doubt any house or flat divided into or let out as bed sitting rooms or rooms constitutes a single dwelling

"resident (short-term)" means a person who is temporarily resident for work purposes at a dwelling, 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 IV of this Order

"temporary parking permit" means a permit issued by the Council to resident under the provisions of Article 21A 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 parking places designated further to Article 18 of this Order.

2. Article 19 (3) is inserted as follows:

"(3) The charge for each permit valid at anytime from and including 16 April 2008 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' parking permit which is valid at the same time has been issued to a resident at the same dwelling as the applicant
- (b) £80 per annum index linked for a permit to be issued to a resident where two other residents' parking permits which are valid at the same time have been issued to residents at the same dwelling as the applicant.
- (c) £120 per annum index linked for a permit to be issued to a resident where three or more other residents' parking permits which are valid at the same time have been issued to residents at the same dwelling as the applicant.

And where a residents' parking permit is issued for a period of 11 months or less the charge will be $1/12^{\text{th}}$ of the relevant annual charge multiplied by the number of months (rounded up to the nearest whole number) for which the permit is valid."

3. The following is inserted at the beginning of Article 29(5) instead of "no resident": "no resident (short-term) will be entitled to more than 25 days worth of visitors' permits and no other resident"
4. The following is inserted at the end of Article 21 (1) :
"and shall be accompanied by a remittance for the appropriate charge specified in Article 19 (3) of this Order".
5. In line 2 of Article 21 (3) the following is inserted after the word "Article":
"and the appropriate charge specified in Article 19 (3) of this Order".

6. Article 21A is inserted as follows:

- "21A (1) A permit holder may surrender a permit temporarily and receive in return a temporary parking permit for the period during which his permit is temporarily surrendered.
- (2) There will be no charge for a temporary parking permit.
- (3) *This facility will be available where the Council is satisfied that the vehicle for which the permit has been issued is off road and that the resident to whom the permit was issued has the use of another vehicle of a class defined in Article 18 during this period.*
- (4) A temporary parking permit will cease to be valid on the same day as the permit ceases to be valid
- (5) All references in Article 21(2) and in Articles 22 (except 22(3)(b)), 23, 24,25, 26 and 31 to a permit shall be construed as referring to a permit or as applicable a temporary parking permit
- (6) There is inserted after "resident's parking permit" in the definitions of "relevant position" in Article 3 and in Articles 18 and 19 (c) the following: "temporary parking permit" or as applicable " or temporary parking permit"

7. Article 22 (5) is inserted as follows:

"(5) *Where a permit is surrendered to the Council for any of the reasons specified in Part 4 of this Article other than Part 4 (d) (issue of duplicate) and this takes place more than one month before its expiration date the Council will make a refund to the permit holder equal to 1/12th of the annual charge paid multiplied by the number of months (rounded down to the nearest whole number) until its expiration*".

8. The following is inserted at the end of Article 23 (3):

"save that no charge will be payable for a duplicate permit"

Visitors' Parking Permits

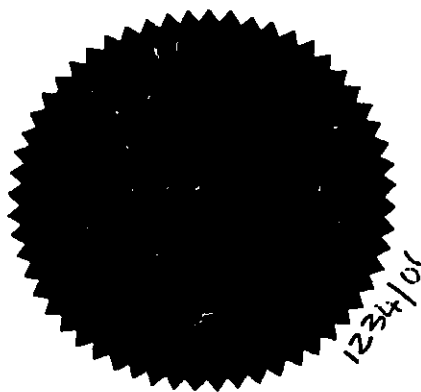
1. The following is inserted at the end of Article 21 (1)
"and the following charges shall apply:
- (a) The first allocation of visitors' permits (25 days worth) issued to a resident for use during a year (commencing on 16 April) will be free of charge.
- (b) *The charge for the second allocation of visitors' permits (25 days worth) issued to a resident for use during such year and valid at any time from and including 16 April 2008 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 valid at any time from and including 16 April 2008 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".
2. In line 1 of Article 29 (4) the following is inserted after the word "Article":
"and the appropriate charge specified in Part (1) of this Article".

3. The following is inserted at the beginning of Article 29(5) instead of "No resident": "No resident (short-term) will be entitled to more than 25 days worth of visitors' permits and no other resident"
4. Article 29 (6) is replaced by the following:
"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"
5. Article 29 (8) is inserted as follows:
"(8) 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"
6. The following is inserted at the end of Article 30
"provided that 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 resident, or by a person authorised by him, by writing in ink on the face of the visitors' permit (or by such other means as the Council may direct) the time of day the vehicle is left in a permit holders parking place 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 on the permit."
7. The following is added at the end of Article 31:
"and there will be no refund of the charge paid for a permit withdrawn or surrendered further to this Article"

Charging for Discretionary Permits for Contractors

- 1 In line 3 of Article 6(c) the words 'or adjacent to' are deleted
- 2 In line 2 of Article 8 the following is inserted after the words "a parking attendant":
", the Council"
- 3 Article 27 (v) is inserted as follows:
" (v) if this is permitted by a parking attendant, the Council or a police officer in uniform, and where the Council, in the exercise of such discretion, agrees to authorise the use of any permit holders' parking place by a vehicle in connection with works at premises in the area stated in Schedule 1 to this Order, from and including 16 June 2007 the charge for such authorisation will be £15 index linked".

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



1234/06

M. M. Graham

County Solicitor/Designated Officer