

**THE OXFORDSHIRE COUNTY COUNCIL
(OXFORD) (CUTTESLOWE & FIVE MILE DRIVE AREA)
(CONTROLLED PARKING ZONE AND WAITING RESTRICTIONS)
ORDER 2014**

CERTIFIED A TRUE COPY

N. Mawer

**COUNTY SOLICITOR
OXFORDSHIRE COUNTY COUNCIL**

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**THE OXFORDSHIRE COUNTY COUNCIL
(OXFORD) (CUTTESLOWE & FIVE MILE DRIVE AREA)
(CONTROLLED PARKING ZONE AND
WAITING RESTRICTIONS) ORDER 20****

The Oxfordshire County Council ("the Council") in exercise of its powers under Sections 1(1), 2(1), 2(2), 32(1), 35(1), 37, 45, 46, 49(4) and 53 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 may be cited as The Oxfordshire County Council (Oxford) (Cutteslowe & Five Mile Drive Area) (Controlled Parking Zone and Waiting Restrictions) Order 2014 and shall come into force on the 24th day of November 2014.

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;

"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, subject to the provisions of this Order, a Permitted Vehicle in respect of which the permit has been issued in the Permit Parking Places or without time limits in the Shared Use Parking Places specified in Parts B and C of Schedule 3;

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

"Car Club Parking Places" means the parking places designated by the Car Club Parking Places Order and reserved for the use of members of a car club using car club vehicles which display appropriate permits;

"Car Club Parking Places Order" means the Oxfordshire County Council (Car Club Parking Places Order – Oxford) Order 2010 as amended from time to time;

"Carers Permit Order" means the Oxfordshire County Council (Carers Permit) Order 2010 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);

"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 the Schedules to the Disabled Persons' Parking Places Order;

"Disabled Persons' Parking Places Order" means the Oxfordshire County Council (Disabled Persons' Parking Places – Oxford) Order 2010 as amended (or replaced) 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;

"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 hostel or home 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 Permitted Vehicle, subject to the provisions of this Order, in the Permit Parking Places or without time limit in the Shared Use Parking Places specified in Parts B and C of Schedule 3;

"Hotel Visitors' Permit Holder" means a hotel or guesthouse to which a Hotel Visitors' Permit has been issued under 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 5 to 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 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 IV and 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 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 4 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 in respect of that vehicle, a valid Temporary Permit in respect of that vehicle, a valid Business Permit in respect of that vehicle, 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 (excluding any attachments) according to the manufacturer's specification does not exceed 2 metres, whose length according to the manufacturer's specification does not exceed 5 metres and whose width according to the manufacturer's specification 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 Schedule 3 Parts A and B and Schedule 4 Part B, from 10.00 am to 5.00 pm daily

(b) in relation to any length of road specified in Schedule 4 Part C, from 10.00 am to 5.00 pm Monday – Friday (excluding Christmas Day, Good Friday and bank holidays)

(c) in relation to any length of road specified in Schedule 3 Part C and Schedule 4 Part D, from 10.00 am to 3.00 pm Monday – Friday (excluding Christmas Day, Good Friday and bank holidays)

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

"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, 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

"Renewal Date" means 1st September (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 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 Permitted Vehicle in respect of which the permit has been issued, in the Permit Parking Places or without time limit in the Shared Use Parking Places specified in Parts B and C of Schedule 3;

"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 length of road specified in Schedule 2 Part A, 24 hours of every day;
- (b) in relation to any length of road specified in Schedule 2 Part B, Monday to Friday 10am – 3pm;

"Restricted Road" means any road or length of road specified in Schedule 2 to this Order [but excluding any:

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

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

"Shared Use Parking Place" means any Timed Parking Place specified in Part B or C of Schedule 3 to this Order which is authorised to be used further to Part IV of this Order as a parking place by a vehicle, subject to the provisions of this Order;

"Street Trading Consent" means a street trading licence issued pursuant to Schedule 4 to the Local Government (Miscellaneous Provisions) Act 1982;

"Temporary Permit" means a permit issued by the Council to a Resident under the provisions of Article 30 of this Order to park, subject to the provisions of this Order, the Permitted Vehicle in respect of which the permit has been issued, in the Permit Parking Places or without time limit in the Shared Use Parking Places specified in Parts B & C of Schedule 3;

"Timed Parking Places" means any length of road specified in Part A, B or C of Schedule 3 to this Order which is authorised to be used further to Part

IV 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 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 the Resident, a person residing at the same Property as the Resident, a person visiting the Resident or a person visiting another person residing at the same Property as 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 Shared Use Parking Places specified in Parts B and C of Schedule 3;

"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 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.

Exemptions 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 in any of the following circumstances:
- (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 in 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 in or adjoining that road;
 - (b) undertaking works (including inspection) in relation to that road or to a traffic sign, street lighting or street furniture in 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 in 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.

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 PROVISIONS AS TO USE AND

MANAGEMENT OF PARKING PLACES

Restrictions on Use

8. 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.
9. No person is to use any vehicle while it is in a Parking Place
- (1) 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 waiting in a Parking Place where it is being used for collecting or delivering Goods or where the vehicle is being used for street trading further to and in accordance with a Street Trading Consent);
 - (2) for eating, cooking, sleeping or camping purposes.

Exemptions – General Permitted Use

10. Nothing in Article 17 (time restriction on waiting in a Timed Parking Place) or Article 24 (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 and for the avoidance of doubt this includes a Public Service Vehicle setting down or picking up a passenger;
- (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 Prescribed 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 Persons Vehicles – Permitted Use

11. Nothing in Article 17 (time restriction on waiting in a Timed Parking Place), or Article 24 (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

12. Where the Council, in the exercise of its discretion further to Article 24 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 £16 Index Linked for any period not exceeding a week.

Removal and Moving of Vehicles

13. (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 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 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.
- (3) Any person authorised to remove a vehicle or alter its position by virtue of Article 13(1) or 13(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

14. (1) The Council, a Civil Enforcement Officer 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 adjoining the Parking Place;
 - (c) for works to the road or a traffic sign in or adjoining 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 adjoining the Parking Place;
 - (e) for the convenience of occupiers of premises adjoining 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, activity or occasion that any road will be thronged or obstructed; or
 - (g) for the convenience of occupiers of premises adjoining 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 14(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 14(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 14(2).
- (4) Nothing in Article 14(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 14(1) (b) (building works), 14(1) (c) (road works), 14(1) (d) (works to services), 14(1) (e) (furniture removal) or 14(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 Civil Enforcement Officer 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 IV
TIMED PARKING PLACES (INCLUDING SHARED USE PARKING PLACES)

Designation of Parking Places

15. Each of the lengths of road specified in Parts A, B and C of Schedule 3 to this Order excluding;

- (1) any Restricted Road
- (2) any parts which may reasonably be used by a vehicle to get to or from any road;
- (3) any Access Way; and
- (4) any Controlled Length

is authorised to be used, subject to the provisions of Parts III and IV of this Order, as a parking place for vehicles.

Restrictions on Waiting - Position

16. No person is to cause or permit a vehicle to wait in a Timed Parking Place except upon the direction or with the permission of a Civil Enforcement Officer, the Council or a police constable in uniform unless:

- (1) 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 Parts A, B or C of Schedule 3 to this Order) and for a Motor Cycle it is parked so that it is perpendicular to the kerb; and
- (2) every part of the vehicle is on the carriageway and entirely within the limits of the Timed Parking Place as marked or an exemption as provided in Article 10 applies;

Time Restriction on Waiting during Prescribed Hours

17. Save as provided in Articles 10 and 11 (Exemptions) or unless there is compliance with Article 19, (Permit Parking) 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 in any Timed Parking Place specified:

- (1) In Schedule 3 Part A,
 - (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 Timed Parking Place.
- (2) In Schedule 3 Parts B and C,
 - (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 Timed Parking Place.

18. 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 Article 17 as if it had arrived in the Parking Place at the beginning of the Prescribed Hours.

Permit Parking

19. Nothing in Article 17 will apply to a vehicle waiting in a Shared Use Parking Place specified in Part B or C of Schedule 3 if the vehicle displays in the Relevant Position a valid Residents' Permit for that vehicle, a valid Temporary Permit for that vehicle, a valid Visitors' Permit, a valid Business Permit for that vehicle or a valid Hotel Visitors' Permit.

Motor Cycles

20. Nothing in Article 17 will apply to a Motor Cycle.

General

21. The provisions contained in Part III of this Order will apply to Timed Parking Places

PART V PERMIT PARKING PLACES

Permit Parking Places

22. Each of the lengths of road specified in Parts B, C and D of Schedule 4 to this Order excluding as set out below is authorised to be used during the Prescribed Hours subject to the provisions of Part III and Part V of this Order as a parking place for any Permitted Vehicle which displays in the Relevant Position on the vehicle a valid Residents' Permit for that vehicle, a valid Temporary Permit for that vehicle, a valid Visitors' Permit, a valid Business Permit for that vehicle or valid Hotel Visitors' Permit.

- (1) any Restricted Road
- (2) any parts which may reasonably be used by a vehicle to get to or from any road;
- (3) any Access Way; and
- (4) any Controlled Length

Restrictions on Parking – General

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 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 10 applies; 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 Schedule 4 to this Order) and for

a Motor Cycle it is parked so that it is perpendicular to the kerb, every part of the vehicle is on the carriageway, the distance between the edge of the carriageway/kerb and the nearest wheel of the vehicle is not more than 30 centimetres and no part of the vehicle 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;

Restrictions on Parking – Display of Permit

24. Save as provided in Articles 10 and 11 (Exemptions), no person is to cause or permit any vehicle to wait in any Permit Parking Place specified in Part B, C or D of Schedule 4 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, a valid Temporary Permit in respect of that vehicle, a valid Business Permit in respect of that vehicle, a valid Visitors' Permit or a valid Hotel Visitors' Permit provided that this requirement to display a permit does not apply to a Motor Cycle.

General

25. The provisions of Part III of this Order will apply to Permit Parking Places.

PART VI **RESIDENTS' PERMIT SCHEME**

Application

26. 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 Parts B, C and D of Schedule 4 or in a Shared Use Parking Place specified in Parts B and C of Schedule 3.

Permit Terms

27. (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 27(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 Residents at any Property at an address in Section 2 of Part A of Schedule 4
- (5) Subject as provided in Articles 27(6) and 27(7), the charge for each Residents' Permit shall be as follows:
 - (a) £50 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) £100 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 (and the circumstances set out in Article 27(4)(c) do not apply)
 - (c) £150 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.
- (6) Subject as provided in Article 27(7) the charge for each Residents' Permit shall be £50.00 per annum index linked where the Resident's usual place of abode is a Home.
- (7) 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 full number) for which the permit is valid.

Application Process

28. (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 27;
- (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 28(4), if the Council is satisfied:—
 - (a) that the applicant is a Resident provided always that where a vehicle is registered in the name of the applicant as provided in paragraph (a) of the definition of Registered Owner/Keeper the Council may conclude that the applicant is not a Resident if his address as recorded on the vehicle registration document is not the same address as the address of the

- applicant as specified in the application (being the address of a Property); and
- (b) that the Resident is the Registered Owner/Keeper of a Permitted Vehicle; and
 - (c) where the applicant resides at a Property listed in Section 2 of Part A of Schedule 4 that no more than one Residents' Permit which remains valid has been issued to another Resident at the Property where the applicant resides
 - (d) that the appropriate charge specified in Article 27 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) where the applicant resides at a Property listed in Section 2 of Part A of Schedule 4 more than one Residents' Permit which remains valid has been issued to other Residents at the Property where the applicant resides
 - (c) 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 31(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

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

- (1) the registration number 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 31 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 CW.

Temporary Permits

30. (1) A Resident 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.

31. (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 31(3);
 - (c) as provided in Article 31(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 31(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 III, 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 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 31(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 31(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 31(3) other than Article 31(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 31(5).

Replacement Permits

32. (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 or as applicable Temporary 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 or as applicable Temporary 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 VII

VISITORS PERMIT SCHEME

Application

33. 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 or a Shared Use Parking Place of a Permitted Vehicle belonging to or on hire or lease to the Resident or any other person residing at the same Property as that Resident or a person visiting that Resident or a person visiting another person residing at the same Property as that Resident.

Permit Terms

34. (1) No person is to cause or permit a Visitors' Permit to be displayed in a vehicle, when the vehicle is parked in a Permit Parking Place, during the Prescribed Hours unless that vehicle belongs to or is on hire or lease to a person visiting the Visitors' Permit Holder or other person residing at same property as the Visitors' Permit Holder and that visit is the primary purpose for so parking the vehicle or the vehicle belongs to or is on hire or lease to the Visitors' Permit Holder or a person residing at the same Property as that Visitors' Permit Holder.
- (2) Subject as provided in Article 34(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 £16 Index Linked but this shall be reduced to nil where the Council is satisfied that the Resident is aged 70 years or older.
- (a) The charge for any additional discretionary Visitors' Permits is 60 pence Index Linked per permit 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

35. (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 35(4), if the Council is satisfied that the applicant is a Resident of the age of 17 years or more, 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 an allocation of 25 day's worth of 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 37(5).
- (5)
 - (a) No Resident (Short-term) will be entitled to more than 25 days worth of Visitors' Permits,
 - (b) Subject as provided in Article 35(7), no other Resident will be entitled to more than an initial allocation of 25 days worth of Visitors' Permits during the first half of the year (calculated from the Renewal Date) followed by a second allocation of a further 25 days' worth of Visitors' Permits which shall not be issued until the second half of that year.
- (6) When one allocation of 25 days worth of 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 34(3) and the Council is satisfied with the application as provided in Article 35(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

36. (1) Visitors' Permits will include the following particulars:-

- (a) an indication that the Visitors' Permits have been issued by the Council; and
- (b) the zonal designation CW

and may specify the period during which, subject to the provisions of Article 37, the Visitors' Permits may be used.

- (2) A Visitors' Permit must be displayed in the Relevant Position and must not be cut or defaced in any way.
- (3) A Visitors' Permit will be valid for a period of up to twenty four 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 on the face of the Visitors' Permit (or by such other means as the Council may direct) the time of the day the vehicle is left in the Parking Space using the twenty four hour clock (being the validation time) and the date on which it is left (being the validation date) and that no other writing or mark appears on it.

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

37. (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 37 (3);
 - (b) as provided in Article 37(6).
- (3) A Visitors' Permit Holder must surrender to the Council all blank Visitors' Permits previously issued to him on the occurrence of the following:—
 - (a) the expiration of the period (if any) as specified on the Visitors' Permits;
 - (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 37(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 the Visitors' Permit Holder 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 within 3 days after 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 III, V or VII of this Order is being or has been abused (including the provision of inaccurate information in connection with an application for Visitors' Permits, the sale or attempted sale of a permit or the alteration or attempted alteration of a permit) or is not being complied with in respect of the use of a Visitors' Permit or application for it, the Council may by giving notice as provided in Article 37(4) withdraw the Visitors' Permits from a Visitors' Permit

Holder and the Visitors' Permit Holder 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 37(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 37(5).

Replacement Permits

38. (1) A Visitors' Permit 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 a replacement Visitors' Permit by completing the application form obtainable from the Council.
- (2) The provisions of this Part of this Order will apply to a replacement Visitors' Permit or an application for it as if it were an original 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

39. 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 Prescribed Hours in a Permit Parking Place or a Shared Use Parking Place of a Permitted Vehicle belonging to or on hire or lease to or otherwise associated with that Business (and whose registration number will be identified on the Business Permit) when it is essential for the Business Operations of that Business to park there.

Permit Terms

40. (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 Prescribed 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 months

and 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 Operation 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 Operation 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

41.
 - (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 40(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; and
 - (b) it is essential for the Business Operation 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) either 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
 - (d) the appropriate charge specified in Article 40(4) has been paid.

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 41(4), the Council will issue a Business Permit to the applicant.

- (4) The Council will not issue 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 43(5);
- (5) The Council will not issue 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 40(5) it will not issue more than one Business Permit which is valid at any time.
- (6) The Council may at any time require a Business Permit Holder to whom 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

42. A Business Permit will include the following particulars:

- (1) the registration number of the vehicle for which the Business Permit has been issued;
- (2) the period during which, subject always to the provisions of Article 43, the Business Permit remains valid;
- (2) an indication that the Business Permit has been issued by the Council;
- (3) the zonal designation CW.

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

43. (1) A Business Permit Holder 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 38(3) and as provided therein;
 - (c) as provided by Article 43(6);
- (3) (a) A Business Permit Holder 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 40(5)(a).
 - (b) A Business Permit Holder must surrender a Business Permit issued to it on the happening of any of the following events:
 - (i) the issue of a replacement Business Permit;
 - (ii) the Business ceasing to use the vehicle in respect of which the Business Permit was issued;
 - (iii) the vehicle in respect of which the Business Permit was issued being adapted or used in such a manner that it ceases to be a Permitted Vehicle.
 - (c) A Business Permit Holder must surrender a Business Permit issued to it if the Business has two Business Permits which are valid and it becomes eligible for one Business Permit only by virtue of Article 40(5)(b)
- (4) If it appears to the Council that any of the events specified in Article 43(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 the Business Permit Holder on his application for the Business Permit or to the registered or principal office of the Business Permit Holder, withdraw a Business Permit or as applicable all his Business Permits and the Business Permit Holder must surrender the Business Permit or as applicable all his Business Permits 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 III, 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 with in respect of the use of a Business Permit or application for it, the Council may by giving notice as provided in Article 43(4) withdraw a Business Permit(s) and the Business Permit Holder must surrender the Business Permit(s) 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 43(5) the Business Permit(s) 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.

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 a 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 Permit Parking Place or a Shared Use 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 is accompanied by the appropriate charge further to Article 46(2).
- (2) The Council may at any time require an applicant for Hotel Visitors' 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 provided always that the issue of such permits may be subject to 28 days prior notice.
- (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(4).
- (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 Hotel Visitors' Permit Holder remains eligible for the permit.

Permit Formalities

48.

- (1) Each Hotel Visitors' Permit will include the following particulars:-
 - (i) An indication that the Hotel Visitors' Permit has been issued by the Council;
 - (ii) The zonal designation CW.
- (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 allocated 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 Visitors' Permit Holder 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 Visitors' Permit Holder and sent 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' Permits 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 111, 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.

THE OXFORDSHIRE COUNTY COUNCIL (CARERS PERMIT) ORDER 2010

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 parking contravention (as-defined in the Traffic Management Act 2004) is committed in contravention of any of the provisions 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 may be issued by a Civil Enforcement Officer.

GIVEN UNDER the Common Seal of the Oxfordshire County Council

dated this 18th day of November 2014.

SCHEDULE 1

THE STATED AREA

From the northern kerb line of Five Mile Drive at its junction with Woodstock Road eastwards to the western property boundary of 84 Five Mile Drive, thence generally northwards to the southern property boundary of 1 Carey Close, thence northwards along the western property boundaries of 1-8 Carey Close, thence northwards to the western property boundary of 13 Lakeside, thence northwards along the western property boundaries of 15-61 Lakeside, thence eastwards along the northern property boundaries of 61 Lakeside and 92-110 Linkside Avenue, thence southwards along the eastern property boundaries of 22-90 Linkside Avenue and 2-6 Foxton Close and 26 Five Mile Drive, thence eastwards along the northern highway boundary of Five Mile Drive, thence northwards along the western highway boundary of Banbury Road, then westwards northwards and eastwards around the property boundary of 447 Banbury Road, thence northwards along the western highway boundary of Banbury Road to the City Boundary, thence eastwards across Banbury Road, thence southwards along the eastern highway boundary of Banbury Road, thence eastwards along the northern property boundaries of 570 Banbury Road and 1 Haslemere Gardens, thence southwards along the eastern property boundaries of 1-6 Haslemere Gardens, thence eastwards along the northern property boundaries of 1-35 Hayward Road, thence generally southwards along the eastern property boundaries of 35 & 36 Hayward Road and 41-49 & 38 Harbord Road, thence eastwards along the northern property boundaries of 1-40 Park Close thence southwards along the eastern property boundaries of 31-40 and 41-50 Park Close, thence southwards along the eastern property boundaries of 13-87 Pennywell Drive, 15 & 16 Sparsey Place, 15 & 16 Priors Forge and 10 Holt Weer Close, then southwards along the eastern highway boundary of Holt Weer Close, then westwards along the southern highway boundary of Holt Weer Close, thence northwards along the western kerb line of Templar Road, thence westwards and northwards along the southern and western kerb lines of Kendall Crescent, thence westwards along the southern kerb line of Harefields, thence southwards along the eastern property boundary of 38 Harefields, thence westwards along the southern property boundaries of 2-38 Harefields, thence southwards along the eastern property boundaries of 476-480 Banbury Road, thence westwards along the southern property boundary of 476 Banbury Road, thence westwards across Banbury Road, thence southwards along the western highway boundary of Banbury Road, thence westwards along the northern kerb line of Sunderland Avenue (main carriageway – also known as North Way), thence generally northwards to Five Mile Drive at its junction with Woodstock Road

SCHEDULE 2

PART A

NO WAITING AT ANY TIME

BANBURY ROAD

Both sides; from the junction with the A40 at the Banbury Road roundabout, to Oxford City boundary

CAREY CLOSE

Both sides, from the north-western kerb line of Five Mile Drive north-westward for a distance of 13 metres.

FIVE MILE DRIVE

- (a) the northwest side, from the Wolvercote roundabout to a point 20 metres north-east of the north-eastern kerb line of Carey Close;
- (b) the northwest side, from a point 17 metres south-west of the south-western kerb-line of Linkside Avenue to a point 12 metres north-east of the north-eastern kerb-line of Linkside Avenue;
- (c) the northwest side, from a point 6 metres south-west of the north-eastern property boundary of No 26 Five Mile Drive north-eastwards for a distance of 12 metres
- (d) the northwest side, from a point opposite the common property boundary of Nos 31 and 33 Five Mile Drive north-eastwards for a distance of 15 metres
- (e) the northwest side, from the junction with Banbury road south-east for a distance of 30 metres
- (f) the southeast side, from the junction with Banbury road south-east for a distance of 26 metres
- (g) the southeast side, from a point 21 metres south-west of the south-western kerb-line of Rotha Field Road to a point 21 metres north-east of the north-eastern kerb-line of Rotha Field Road.
- (h) the southeast side, from a point opposite the common property boundary of Nos 72 and 74 Five Mile Drive north-eastwards for a distance of 45 metres
- (i) the southeast side, from a point 44 metres south-west of a point opposite the common property boundary of Nos 72 and 74 Five Mile Drive south-eastwards to the Wolvercote roundabout.

FOXTON CLOSE

Both sides, from the eastern kerb line of Linkside Avenue eastwards for a distance of 10 metres

HARBORD ROAD

- (a) North side, from the eastern kerb line of Banbury Road eastwards for a distance of 142 metres
- (b) South side, from the eastern kerb line of Banbury Road eastwards for a distance of 24 metres
- (c) South side, from a point 40 metres east of the eastern kerb line of Banbury Road eastwards for a distance of 104 metres
- (d) Both sides, from the eastern property boundary of No 39 Harbord Road eastwards to the Cutteslowe Park entrance

HAREFIELDS

- (a) the north side, from the eastern kerb line of Banbury Road eastwards for a distance of 60 metres
- (b) the north side, from the common property boundary of Nos 57 and 59 Harefields eastwards for a distance of 40 metres
- (c) the north side, from a point 58 metres east of the eastern kerb line of Marriott Close eastwards for a distance of 10 metres
- (d) the north side, from a point 58 metres west of the western kerb line of Kendall Crescent westwards for a distance of 10 metres
- (e) the north side, from a point 21 metres west of the western kerb line of Kendall Crescent westwards for a distance of 11 metres
- (f) the south side, from a point 21 metres east of the eastern kerb line of Marriott Close westwards for a distance of 51 metres
- (g) the south side, from the eastern kerb line of Banbury Road eastwards to a point 7 metres west of the eastern property boundary of No 2 Harefields

HAYWARD ROAD

Both sides, from the common property boundary of Nos 33 and 35 Hayward Road eastwards to the end of the road

KENDALL CRESCENT

- (a) both sides from the western kerb line of Templar Road westwards for a distance of 10 metres (the southern junction)
- (b) the service road – both sides for the whole length
- (c) both sides from the western kerb line of Templar Road westwards for a distance of 8 metres (the northern junction)
- (d) the south side, from the eastern property boundary of No 1 Bourne Close eastwards for a distance of 27 metres
- (e) the north side, from the eastern property boundary of No 2 Bourne Close eastwards for a distance of 15 metres

LINKSIDE AVE.

- (a) both sides, from the northern kerb line of Five Mile Drive northwards for a distance of 16 metres
- (b) the east side, from a point 8 metres south of the southern kerb line of Foxton Close northwards for a distance of 21 metres

LOVELACE ROAD

- (a) east side, from a point 9 metres north of the northern kerb line of Templar Road southwards for a distance of 24 metres
- (b) both sides, from the eastern kerb line of Banbury Road eastwards for a distance of 18 metres

MARRIOTT CLOSE

Both sides, from the northern kerb-line of Harefields northwards for a distance of 10 metres

ROTHA FIELD ROAD

- (a) west side, from the south-eastern kerb line of Five Mile Drive south-eastward for a distance of 14 metres
- (b) east side, from the south-eastern kerb line of Five Mile Drive south-eastward for a distance of 15 metres

SUNDERLAND AVE

- (a) both sides, from the western junction with Northway eastwards for a distance of 56 metres

- (b) both sides, from the eastern junction with Northway westwards for a distance of 16 metres.

TALBOT ROAD

- (a) west side, from a point 15 metres south of the common property boundary of No's 2 and 4 Talbot Road southwards to its junction with Harbord Road
- (b) east side, from a point 14 metres south of the common property boundary of No's 1 and 3 Talbot Road southwards to its junction with Harbord Road

There are excluded from the above lengths of road any Disabled Persons Parking Place and any Car Club Parking Place.

SCHEDULE 2 **PART B**

NO WAITING Monday to Friday 10am to 3pm

FIVE MILE DRIVE

- (a) the south-east side, from a point 21 metres south-west of the south-western kerb-line of Rotha Field Road south-westwards for a distance of 175 metres
- (b) the south-east side, from a point 21 metres north-east of the north-eastern kerb-line of Rotha Field Road north-eastwards for a distance of 260 metres

LINKSIDE AVENUE

The east side, from a point 16 metres north of the northern kerb line of Five Mile Drive northwards for a distance of 35 metres

There are excluded from the above lengths of road any Disabled Persons Parking Place and any Car Club Parking Place.

SCHEDULE 3 **PART A**

One hour waiting - no return within One hour
Daily 10am to 5pm

KENDALL CRESCENT

- (a) the south side, from a point 8 metres west of the western kerb-line of Templar Road westwards for a distance of 36 metres
- (b) the east side, from a point 8 metres south of the southern kerb-line of Kendall Crescent southwards for a distance of 20 metres.

SCHEDULE 3
PART B

**Two hours waiting - no return within two hours and permit holders
without time limit - Daily 10am to 5pm**

HARBORD ROAD

The south side, from a point 22 metres east of the eastern kerb line of Banbury Road eastwards for a distance of 16 metres

KENDALL CRESCENT

The north side, from a point 8 metres west of the western kerb-line of Templar Road westwards for a distance of 52 metres.

SCHEDULE 3
PART C

**Two hours waiting - No return within two hours and permit holders
without time limit - Mondays to Fridays 10am to 3pm**

FIVE MILE DRIVE

- (a) the north-west side, from a point 20 metres north-east of the north-eastern kerb line of Carey Close north-eastwards for a distance of 92 metres;
- (b) the north-west side, from a point 12 metres north-east of the north-eastern kerb-line of Linkside Avenue north-eastwards for a distance of 62 metres;
- (c) the north-west side, from a point 6 metres north-west of the north-eastern property boundary of No 26 Five Mile Drive north-eastwards for a distance of 93 metres
- (d) the north-west side, from a point 30 metres south-west of the junction with Banbury Road south-westwards for a distance of 172 metres
- (e) the south-east side, from a point opposite the common property boundary of Nos 72 and 74 Five Mile Drive south-westwards for a distance of 44 metres

LINKSIDE AVENUE

The west side, from a point 16 metres north of the northern kerb line of Five Mile Drive northwards for a distance of 27 metres.

ROTHA FIELD ROAD

- (a) west side, from a point 14 metres south of the south-eastern kerb line of Five Mile Drive south-eastward for a distance of 26 metres
- (b) east side, from a point 15 metres south of the south-eastern kerb line of Five Mile Drive south-eastward for a distance of 26 metres.

SCHEDULE 4

PART A

ELIGIBLE PROPERTIES

Section 1

Banbury Road	Nos 417 – 447 (odd) and 476 – 570 (even)
Carey Close	All properties
Five Mile Drive	All properties
Foxton Close	All properties
Harbord Road	All properties
Haslemere Gardens	All properties
Hayward Road	All properties
Holt Weer Close	All properties
Kendall Crescent	All properties
Kirk Close	All properties
Lakeside	All properties
Linkside Avenue	All properties
Lovelace Road	All properties
Park Close	All properties
Pennywell Drive	All properties
Priors Forge	All properties
Riddell Place	All properties
Rotha Field Road	All properties
Sparsey Place	All properties
Sunderland Avenue (north side)	All properties
Talbot Road	All properties
Templar Road	All properties

Section 2

Harefields	All properties
Marriott Close	All properties

SCHEDULE 4
PART B

PERMIT PARKING PLACES 10am to 5pm EVERY DAY

Street
Banbury Road Service Rd o/s Nos 548-558 (even)
¹ Harbord Road
Haslemere Gardens
¹ Hayward Road
Holt Weer Close
¹ Lovelace Road
Park Close
Pennywell Drive
Priors Forge
Sparsey Place
¹ Talbot Road
¹ Templar Road

There are excluded from any length of road specified above any Restricted Road, Disabled Persons Parking Place, any Car Club Parking Place and any Controlled Length

¹ These roads include Restricted Road.

SCHEDULE 4
PART C

PERMIT PARKING PLACES 10am to 5pm MONDAY TO FRIDAY

Street
Harefields
Marriott Close
Kendall Crescent (between the southern junction with Templar Road and the northern flank wall of Nos. 8/10 Kendall Crescent)

There are excluded from any length of road specified above any Disabled Persons Parking Place, any Car Club Parking Place and any Controlled Length

SCHEDULE 4
PART D

PERMIT PARKING PLACES 10am to 3pm MONDAY TO FRIDAY

Street
¹ Carey Close
¹ Foxton Close
Kirk Close
¹ Linkside Avenue
¹ Rotha Field Road
¹ Sunderland Avenue (north side)

There are excluded from any length of road specified above any Restricted Road, Disabled Persons Parking Place, Car Club Parking Place and Controlled Length

¹ These roads include Restricted Road.

SCHEDULE 5

INDEX LINKING

1. Index Linking will be undertaken by adjusting the relevant charge according to the fluctuation of the Retail Price Index: monthly numbers of retail prices produced by the Office for National Statistics occurring between April 2010 and the most recently published figure at the month of March in the year in which the adjustment is undertaken, and rounding it up (or down) to the nearest whole pound.
2. The relevant charge will be adjusted from 1 April or such later date as the Council may specify 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 provided that the first adjustment will take place no earlier than April 2016.

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


County Solicitor / Designated Officer

