
THE BOROUGH OF READING
(CIVIL ENFORCEMENT AREA)
(RESIDENTS PARKING AND PAY AND DISPLAY)
(ELMHURST ROAD) ORDER 2021

The Reading Borough Council (hereinafter referred to as “the Council”) in exercise of the powers conferred by Sections 1(1), 2(1) to (3), 4(2), 32, 33, 35, 39, 45 and 46 of and Part IV of Schedule 9 to the Road Traffic Regulation Act 1984 (“the Act of 1984”), as amended and of all other powers thereunto enabling and after consultation with the Chief Officer of Police in accordance with Part III of Schedule 9 to the Act of 1984, hereby make the following Order:-

PART I

CITATION AND INTERPRETATION

1. This Order may be cited as The Borough of Reading (Civil Enforcement Area) (Residents Parking And Pay An Display) (Elmhurst Road) Order 2021 and shall come into operation on the 29th September 2021.

2. In this Order, except where the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them:-

“ambulance” has the same meaning as in the Vehicle Excise and Registration Act 1994;

“authorised agent” means the parking services contractor appointed by and acting on behalf of the Council for the purposes of the supervision and enforcement of this Order;

“authorised parking place” means any parking place on a road, authorised or designated by this Order;

“carriageway” means a way constituting or comprised in a highway being a way (other than a cycle track) over which the public have a right of way for the passage of vehicles;

“civil enforcement officer” has the same meaning as in section 76 of the Act of the Traffic Management Act 2004;

“disabled person's badge” has the same meanings as in the Local Authorities Traffic Orders (Exemption for Disabled Persons) (England) Regulations 2000;

“driver”, in relation to a vehicle waiting in a parking place or on a road or length of road, means the person driving the vehicle at the time it was left in that parking place or road or length of road;

"goods" means goods or burden of any description and includes postal packets of any description;

"goods vehicle" means a motor vehicle which is constructed or adapted for use for the carriage of goods or burden of any description and which does not exceed 5.30 metres in length or 2.25 metres in height;

"loading" means the loading or unloading of goods to or from a vehicle;

"motorcycle" and "invalid carriage" have the same meanings as in Section 136 of the Road Traffic Regulation Act of 1984;

"owner", in relation to a vehicle, has the same meaning as in Section 92(1) of the Act of 2004 or the person who has the use of such a vehicle in the course of his/her employment and is entitled to use such a vehicle as though he/she were the registered keeper thereof;

"parking place" has the same meaning given by section 79(7) of the Act of 2004;

"passenger vehicle" means a motor vehicle (other than a motorcycle or invalid carriage) not exceeding 5.30 metres in length and 2.25 metres in height and constructed or adapted for the carriage of passengers and their effects;

"permit" means a permit issued under the provisions of Part III;

"permit holder" means a person to whom a permit has been issued;

"permitted hours" means 24 hours Monday to Sunday unless otherwise stated in Article 5 to this Order;

"relevant position" in respect of: -

- (a) a parking permit, means
 - (i) in the case of a vehicle fitted with a front windscreen, that the badge or permit is exhibited thereon with the front facing forward on the nearside of and immediately behind the windscreen; or
 - (ii) the case of a vehicle not fitted with a front windscreen, that the badge or permit is exhibited on the front or nearside of the vehicle;
- (b) a disabled person's badge, in accordance with Section 12 of The Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000;

"resident" means a person whose usual place of abode is at premises the postal address of which is in a road or part of a road specified in Schedule 4;

"specified position" a vehicle left in a parking place during the permitted hours in accordance with the foregoing provisions of this Order shall cause it so to stand so that every part of a vehicle is within the limits of a parking place;

“the Act of 2004” means the Traffic Management Act 2004.

3. The prohibitions imposed by this Order shall be in addition to and not in derogation of any restriction, prohibition or requirement imposed by any Regulations or Orders made or having effect as if made under the Act of 1984, or by or under any other enactment.
4. Save where the contrary is indicated, any reference in this Order to:-
 - (a) a numbered Article or Schedule is a reference to the Article or Schedule bearing that number in this Order;
 - (b) this Order or another Order shall be construed as such a reference to this Order or, as the case may be, such other Order, as the same may have been or may from time to time be amended, varied or supplemented;
 - (c) a Statute or Regulation shall be construed as reference to such Statute or Regulations as the same may have been or may from time to time be amended or re-enacted.
 - (d) The requirements of any Article making reference to a numbered Schedule to this Order shall only have effect when a Schedule similarly numbered is appended to this Order.

PART II

AUTHORISATION AND USE OF PAY AND DISPLAY PARKING PLACES

5. The lengths of roads specified in Schedule 1 are authorised to be used:
 - (a) as pay and display on street parking places for the parking during the permitted hours inclusive in the length of road as detailed in Schedule 1 provided the driver, owner or passenger of the vehicle has paid the charges as specified in the said Schedule 2; AND
 - (b) the lengths of roads in Schedule 1, are authorised to be used as parking places for the parking during the permitted hours of a vehicle displaying in the relevant position a valid Residents Parking Permit issued by the Council;
6. The Council may:-
 - a. install, in such position or in the vicinity of a Pay and Display Parking Place as it may think fit, such ticket machines as are required by this Order for the purposes of that Pay and Display Parking Place; and
 - b. carry out such other work as is authorised by this Order or is reasonably required for the purpose of that Pay and Display Parking Place.
7. No person shall cause or permit any vehicle to be left in an on street parking place as authorised by Article 5, unless it is one of the following specified class of vehicles:
 - a. A vehicle displaying a disabled persons badge,

- b. dual purpose vehicle,
 - c. goods vehicle being less than 3.5 tonnes,
 - d. invalid carriage,
 - e. motor cycles,
 - f. motor tricycles, or a;
 - g. passenger vehicle.
8. Any vehicle left in a Pay and Display Parking Place shall be positioned as specified Schedule 1 to this Order.

No vehicle shall display a parking ticket which has been previously displayed on another vehicle.

9. The parking charges as detailed in Schedule 2 shall be payable in all cases for a vehicle left during the charging hours in a parking place specified in Schedule 1.
10. No vehicle which has been taken away from a parking place after the minimum charge had been incurred shall, until expiration shall again be left in that parking place during the charging hours return unless the minimum charge of as detailed in Schedule 2 is paid.
11. The parking charge payable shall be payable, on leaving of the vehicle in a parking place specified in Schedule 1 by the insertion in the ticket machine relating to the parking place in which the vehicle is left coins or other payment method as provided on site at the pay and display ticket machine. Where more coins than one are required, they shall be inserted in the ticket machine immediately one after the other.
12. Upon payment of the minimum charge for the vehicle, the driver thereof shall exhibit on that vehicle, in accordance with the provisions of Article 16, a parking ticket issued by a pay and display ticket machine.
13. The parking ticket must be purchased from a pay and display ticket machine at the locations, in relation to the street on which the parking place which is being used as provided by Schedule 3 to this Order.
14. The provisions of Articles 12 and 13 shall not apply where in relation to the lengths of roads as described by Schedule 1, where the driver is exempt from payment by the conditions of use of a permit.
15. The parking ticket referred to in Article 13 above shall be exhibited on the vehicle:-
- a) where the vehicle is fitted with a front glass windscreen extending across the vehicle to the near side facing forwards on the near side of the glass of such windscreen, behind the glass or

- b) where the vehicle is not fitted with a front glass windscreen on the near side of the vehicle facing towards the near side of the road

but in all cases so that the time shown on the ticket is clearly visible to a person standing at the kerbside of the vehicle.

16. Nothing in Articles 9 to 16 shall apply to a Disabled Persons Vehicle displaying a Disabled Person's Badge in accordance with Section 12 of The Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000.
17. No provision of this Order shall restrict the ability of the Council to close a parking place.

PART III

PERMITS

18. (1) Any resident, who is the owner of a vehicle of the following class, that is to say a passenger vehicle, a goods vehicle, an invalid carriage or a motorcycle may apply to the Council or an authorised agent for a permit for the parking of that vehicle in a parking place specified in paragraph (5) of this Article and any such application shall be made on a form issued by and obtainable from the Council or authorised agent and shall include the particulars and information required by such form to be supplied.
- (2) The Council or authorised agent may at any time require an applicant for a permit or a permit holder to produce to an officer of the Council or authorised agent such evidence in respect of an application for a permit as they may reasonably require to verify the particulars or information given to them or to verify that the permit is valid.
- (3) The Council or authorised agent upon being satisfied that the applicant a resident who is the owner of a vehicle of the class specified in paragraph (1) of this Article, shall issue to the applicant a Residents Parking Permit for the leaving during the permitted hours in a parking place of the vehicle to which such permit relates, by the owner or by any person using such vehicle with the consent of the owner (other than a person to whom such vehicle has been let for hire and reward);
- (4) A resident shall not be entitled to be in possession of more than one permit at any one occasion.
- (5) a Residents Parking Permit shall only be a valid for use in a parking place specified in Schedule 1 to this Order;
19. Notwithstanding the provisions contained in Article 19 the Council may also grant permits to such other persons as they may think fit.
20. (1) A permit holder, may surrender such permit to the Council or authorised agent at any time and shall surrender such permit to the Council or authorised agent on the occurrence of any one of the events set out in paragraph (3) of this Article.
- (2) The Council or authorised agent may, by notice in writing served on the permit holder

at the address shown by that person on the application for the permit or at any other address believed to be that person's residence, withdraw a permit if it appears to the Council or authorised agent that any one of the events set out in paragraph (3) of this Article has occurred and the permit holder shall surrender the permit to the Council or authorised agent within 48 hours of the receipt of the aforementioned notice.

(3) The events referred to in the foregoing provisions of this Article are:-

- (a) the permit holder ceasing to be a resident;
- (b) the permit holder ceasing to be the owner of the vehicle in respect of which the permit was issued;
- (c) the vehicle in respect of which such permit was issued being adapted or used in such a manner that it is not a vehicle of the class specified in Article 19(1);
- (d) the issue of a duplicate permit by the Council under the provisions of Article 15(4);
- (e) the expiry of the period for which the permit was issued;
- (f) where a permit is issued to any person upon receipt of a cheque and the cheque is subsequently dishonoured, the permit shall cease to be of any effect;

21. Without prejudice to the provisions of Article 21, a permit shall cease to be valid at the expiration of the period specified thereon:-

- (a) which period, in the case of a Residents or Doctors Permit, shall not exceed a period of twenty-three months from the end of the month during which it first became valid;

or on the occurrence of any one of the events set out in paragraph (3) of Article 21, whichever is the earlier.

22. (1) If a permit is accidentally mutilated or defaced or the figures or particulars thereon have become illegible or the colour of the permit has become altered by fading or otherwise, the permit holder shall surrender it to the Council or authorised agent and apply to the Council or authorised agent for the issue to him of a duplicate permit, whereupon Council or authorised agent, shall issue a duplicate permit so marked and upon such issue the original permit shall become invalid.
- (2) If a permit is lost or destroyed, the permit holder may apply to the Council or authorised agent for the issue to him of a duplicate permit and the Council or authorised agent upon being satisfied as to such loss or destruction, shall issue a duplicate permit so marked and upon such issue the permit shall become invalid.
- (3) All the provisions of this Order shall apply to a duplicate permit to the same extent as they applied to the original permit.

23. A permit shall be in writing and shall include the following particulars:-

- (a) the registration mark of the vehicle in respect of which the permit has been issued;
 - (b) the period during which, subject to the provisions of Article 21, the permit shall remain valid;
 - (c) an authentication that the permit has been issued by the Council;
 - (d) a code indicating the parking area for which the permit is valid.
24. At all times during which a vehicle is left in a parking place specified in Schedule 1 to this Order during the permitted hours, there shall be displayed in the relevant position a permit issued in respect of that vehicle valid for parking place.
25. When a permit has been displayed in accordance with the provisions of Article 24, no person other than a Police Constable in uniform, or a parking attendant shall remove such permit or notice from the vehicle unless authorised to do so by the driver of that vehicle.
26. Notwithstanding the foregoing provisions of this Order, the Council may at its discretion issue a discretionary Notice allowing a specific vehicle to wait in a road or a parking place during the hours of operation of any restriction or prohibition to the contrary.
27. A residents parking permit in relation to this Order shall only be issued to residents at the address' as listed in Schedule 4.
28. Nothing in these articles shall apply to a vehicle being used for fire brigade, ambulance or police purposes.

PART IV **REVOCATIONS**

29. The following items contained within orders detailed below shall be revoked:

BOROUGH OF READING (CIVIL ENFORCEMENT AREA) (WAITING RESTRICTIONS AND PAY AND DISPLAY) (HOSPITAL AND UNIVERSITY) ORDER 2016

Schedule 5

Elmhurst Road, East side

From a point 60m northeast of its junction with Redlands Road to a point 100m northeast of that point.

Elmhurst Road, East side

From a point 187m northeast of its junction with Redlands Road to a point 24m northeast of that point.

Elmhurst Road, East side

From a point 236m northeast of its junction with Redlands Road to a point 63m northeast of that point.

Elmhurst Road, East side

From a point 64m south of its junction with Upper Redlands Road to a point 39m south of that point.

Elmhurst Road, East side

From a point 25m south of its junction with Upper Redlands Road to a point 32m south of that point.

Elmhurst Road, West side

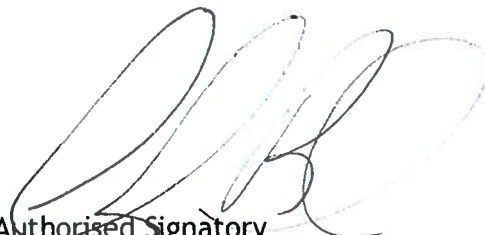
From a point 23m south of its junction with Upper Redlands Road to a point 47m south of that point.

Elmhurst Road, West side

From a point 12m northeast of its junction with Marlborough Avenue to a point 109m northeast of that point

THE COMMON SEAL of the READING)
BOROUGH COUNCIL was hereunto)
affixed this day of 15/9/21) ~~15th September 2021~~
in the presence of:-)

Minute	Min 46 Sub-Com Ed, Eg + NS .
Originator	PT
Seal No.	232 / 21
Checked	CS



Authorised Signatory

LIST OF SCHEDULES

1. Monday-Sunday 8am-8pm Pay and Display or Resident Permit holders only, at all the other times Permit Holders Only
2. Parking Charges
3. Location of Ticket Machines
4. List of Residents for the Issue of Parking Permits

SCHEDULE 1

Monday-Sunday 8am-8pm Pay and Display or Resident Permit holders only, at all the other times Permi Holders Only

Elmhurst Road, East side

From a point 60m northeast of its junction with Redlands Road to a point 100m northeast of that point.

Elmhurst Road, East side

From a point 187m northeast of its junction with Redlands Road to a point 24m northeast of that point.

Elmhurst Road, East side

From a point 236m northeast of its junction with Redlands Road to a point 63m northeast of that point.

Elmhurst Road, East side

From a point 64m south of its junction with Upper Redlands Road to a point 39m south of that point.

Elmhurst Road, East side

From a point 25m south of its junction with Upper Redlands Road to a point 32m south of that point.

Elmhurst Road, West side

From a point 23m south of its junction with Upper Redlands Road to a point 47m south of that point.

Elmhurst Road, West side

From a point 12m northeast of its junction with Marlborough Avenue to a point 109m northeast of that point.

SCHEDULE 2

PARKING CHARGES

Up to 30min	80p
Up to 1hr	£1.50
Up to 1hr 30min	£2.30
Up to 2hr	£3.00
Up to 2hr 30min	£3.80
Up to 3hr	£4.50
Up to 3hr 30min	£5.30
Up to 4hr	£6.00
Up to 6hr	£9.00
Up to 9hr 30min	£10.00
Up to 12hr	£12.00

SCHEDULE 3

LOCATION OF PAY AND DISPLAY TICKET MACHINE

Elmhurst Road

SCHEDULE 4

LIST OF RESIDENTS FOR THE ISSUE OF PARKING PERMITS

Zone 15R - Elmhurst Road

ROAD TRAFFIC REGULATION ACT 1984

BOROUGH OF READING

(CIVIL ENFORCEMENT AREA)

(RESIDENTS PARKING AND PAY AND DISPLAY)

(ELMHURST ROAD) ORDER 2021

M. Graham
Assistant Director of Legal and Democratic Services
Civic Offices
Bridge Street
Reading
RG1 2LU

PT/Legal/016493