

WARWICKSHIRE COUNTY COUNCIL

ROAD TRAFFIC REGULATION ACT 1984

**THE WARWICKSHIRE COUNTY COUNCIL
(DISTRICT OF STRATFORD ON AVON) (CIVIL ENFORCEMENT AREA)
(WAITING RESTRICTIONS, ON STREET PARKING PLACES AND
RESIDENTS' PARKING) (CONSOLIDATION) ORDER 2008**

The Warwickshire County Council (hereinafter referred to as "the Council") in exercise of the powers conferred by Sections 1(1), 2(1) to (3), 4(2), 19, 32, 35, 45, 46, 47, 49, 53 and 124 of, and Part IV of Schedule 9 to, the Road Traffic Regulation Act 1984, (hereinafter referred to as "the 1984 Act") the Traffic Management Act 2004 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 1984 Act and with the Road Traffic Act 1991, hereby make the following Order:-

PART 1
CITATION AND INTERPRETATION

1. This Order shall come into operation on the 7th day of April 2008 and may be cited as The Warwickshire County Council (District of Stratford on Avon) (Civil Enforcement Area) (Waiting Restrictions, On Street Parking Places and Residents' Parking) (Consolidation) Order 2008.

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

"additional charge for parking" means the additional fee payable when applying to the Council for the suspension of a parking place in a pay & display area in accordance with Article 30(2) and being either ten pounds per day or forty pounds per week;

"administration fee" means the administration fee payable when applying to the Council for the suspension of a parking place in accordance with Article 30(2) of sixty pounds;

"authorised cab rank" means any area of carriageway which is comprised within and indicated by a road marking complying with diagram 1028.2 of Schedule 6 to the 2002 Regulations;

"bus" has the same meaning as in Regulation 22 of the 2002 Regulations;

"bus stop area" means any area of carriageway intended for the waiting of buses, which is comprised within and indicated by a road marking complying with either diagram 1025.1 or diagram 1025.3 and incorporating the words "Bus Stop" in Schedule 6 and a sign complying with diagram 975 of Schedule 6 to the 2002 Regulations;

"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;

"charge certificate" means a statement that the penalty charge has been increased by fifty percent in accordance with Regulation 21 of the 2007 Regulations;

"civil enforcement officer" means an individual employed by the Council (or on its behalf by Stratford on Avon District Council) in accordance with section 76 of the 2004 Act to enforce road traffic contraventions or a parking attendant appointed by the Council (or on its behalf by Stratford on Avon District Council) in accordance with section 63A of the 1984 Act to supervise and carry out enforcement in respect of this Order;

"delivering" and "collecting" in relation to any goods includes checking the goods for the purpose of their delivery or collection;

"disabled person's badge" has the same meaning as in The Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000;

"disabled person's parking place" means a road or length of road designated as a parking place by Article 20;

"disabled person's vehicle" has the same meaning as in The Motor Vehicles (Approval) (Amendment) Regulations 2004;

"doctor" is a person registered as a "fully registered medical practitioner" under the provisions of the Medical Act 1983;

"doctor's parking place" means a road or length of road designated as a parking place by Article 26;

"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;

"enactment" means any enactment, whether public general or local, and includes any order, byelaw, rule, regulation, scheme or other instrument having effect by virtue of an enactment and any reference in this Order to any enactment shall be construed as a reference to that enactment as amended, applied, consolidated, re-enacted by or as having effect by virtue of any subsequent enactment;

"enforcement authority" means Warwickshire County Council;

"footway" has the same meaning as in Section 329 of the Highways Act 1980;

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

"goods vehicle" means a motor vehicle which is constructed or adapted for use for the carriage of goods or burden of any description, and unless it is an articulated vehicle within the meaning of Section 38 of the Act, is not drawing a trailer;

"home carer" means a person employed by or on behalf of Warwickshire County Council Adult Health & Community Services Directorate to provide care in the home for a resident and to whom a home carer's permit has been issued;

"home carer's permit" means a permit issued to a home carer by Stratford on Avon District Council;

"immobilisation device" has the same meaning as in Section 104(9) of the Act of 1984;

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

"motor car", "motorcycle" "motor vehicle" and "invalid carriage" have the same meanings as in Section 136 of the Act of 1984;

"owner" in relation to a vehicle means the person by whom such vehicle is kept and used;

"parking disc" means a disc, issued by a local authority, 125 millimetres square coloured blue, and capable of showing the quarter hour period during which a period of waiting begins;

"parking place" means a road or length of road designated as a parking place by this Order;

"parking space" means a space within a parking place which is provided for the leaving of a vehicle and marked on the surface of the parking place by painted white lines which comply with the 2002 Regulations;

"passenger vehicle" means a motor vehicle (other than a motor cycle or invalid carriage) constructed solely for the carriage of passengers and their effects and adapted to carry not more than twelve passengers exclusive of the driver, and not drawing a trailer;

"pay & display area" means a parking place identified upon the plans as pay & display and for which a specified charge for parking is payable;

"penalty charge" means the charges set by the enforcement authority in accordance with the 2007 Order which are to be paid not later than the last day of the period of 28 days beginning with the date on which the penalty charge notice was served;

"penalty charge notice" means a notice served by a civil enforcement officer or by (or on behalf of) the enforcement authority in accordance with Regulations 9 or 10 of the 2007 Regulations;

"reduced penalty charge" means the charges set by the enforcement authority in accordance with the 2007 Order which are to be paid not later than the last day of the period of 14 days beginning with the date on which the penalty charge notice was served;

"permit" means a permit issued under the provisions of Article 31;

"permit controlled zone" means a zone described in Schedule 1 to this Order;

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

"plans" mean the plans attached to this Order and listed in Schedule 2;

"registered guest house" means a guest house which has been inspected and graded by The Heart of England Tourist Board or the AA or the RAC and is a member of South Warwickshire Tourism and is located within the town of Stratford-upon-Avon;

"relevant position" has the same meaning as in The Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000;

"resident" means a person whose usual residence is at premises the postal address of which is in permit controlled zone described in the Schedule 1 to this Order;

"specified charge for parking" means the fee of 50 pence for parking in a parking place in a pay & display area for a period not exceeding 30 minutes or the fee of £1.00 for parking in a parking place in a pay & display area for a period not exceeding 1 hour, or the fee of £1.50 for parking in a parking place in a pay & display area for a period not exceeding 1.5 hours or the fee of £2.00 for parking in a parking place in a pay & display area for a period not exceeding 2 hours in accordance with the provisions of this Order;

"Stratford on Avon District" in relation to this Order means the Stratford on Avon District as designated by the Road Traffic (Permitted Parking Area and Special Parking Area) (County of Warwickshire) (District of Stratford on Avon) Order 2004;

"temporary resident" means a person who is temporarily resident at a registered guest house;

"the 2002 Regulations" means the Traffic Signs Regulations and General Directions 2002;

"the 2004 Act" means the Traffic Management Act 2004;

"the 2007 Order" means The Civil Enforcement of Parking Contraventions (Guidelines on Levels of Charges) (England) Order 2007;

"the 2007 Regulations" means The Civil Enforcement of Parking Contraventions (England) General Regulations 2007;

"ticket machine" means apparatus or devices of a type and design approved by the appropriate Minister in accordance with Section 35(3) of the Act.

"traffic sign" means a sign of any size, colour and type prescribed or authorised pursuant to or having the effect as though prescribed or authorised pursuant to Section 64 of the Act of 1984;

3. Except where otherwise stated, any reference in this Order to a numbered Article or Schedule is a reference to the Article or Schedule bearing that number in this Order;
4. The prohibitions and restrictions 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 provided that:-
 - (a) in so far as any provision which imposes a restriction or prohibition on the waiting by vehicles other than buses in a bus stop area, or grants an exemption from such restriction or prohibition, conflicts with a provision contained in this Order, the provisions of that Order shall prevail; but
 - (b) in so far as any other provision which imposes a restriction or prohibition on the waiting by vehicles or grants an exemption from such restriction or prohibition, conflicts with a provision contained in this Order, the provisions of this Order shall prevail.
5. Save where the contrary is indicated, any reference in this Order to:-
 - (a) 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;
 - (b) 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.
6. The provisions of this Order shall not apply to an authorised cab rank.
7. Except where otherwise stated, in this Order where a length of road is identified on the plans as "no waiting", "limited waiting" or "clearway" that restriction shall extend from the centre of the carriageway to the back of any adjoining footway and verge.

PART II
PROHIBITION AND RESTRICTION OF WAITING

8. Save as provided within Article 11 of this Order no person shall, except in the case of an emergency upon the direction or with the permission of a police constable in uniform or a civil enforcement officer, cause or permit a vehicle to wait:-
- (a) in the lengths of road identified on the plans as "no waiting" during the periods identified on the plans; or
 - (b) in the case of a length of road identified on the plans as "limited waiting", for longer than the maximum period specified on the plans in relation to that length of road and provided that the number of hours specified on the plans for returning to wait in that length of road has elapsed since the termination of the last period of waiting (if any) by that vehicle on that length of road.
9. Save as provided within Articles 11(1)(c), (d), (e) and (h) no person shall, except in the case of an emergency upon the direction or with the permission of a police constable in uniform or a civil enforcement officer, or when the person in control of the vehicle is required by law to stop or is obliged to stop to avoid an accident or is prevented from proceeding by circumstances outside of his control, cause or permit a vehicle to wait in the lengths of road identified on the plans as a "clearway".
10. Save as provided within Articles 11(1)(c)(ii), (d) and (h) no person shall, except in the case of an emergency upon the direction or with the permission of a police constable in uniform or a civil enforcement officer, or when the person in control of the vehicle is required by law to stop or is obliged to stop to avoid an accident or is prevented from proceeding by circumstances outside of his control, cause or permit a vehicle to wait in the lengths of road identified on the plans as a bus stop area during the hours specified on the plans.
11. (1) Subject to the provisions of Article 30, nothing in Article 8 of this Order shall render it unlawful to cause or permit any vehicle to wait in any of the roads, lengths of roads or on the sides of road specified therein for so long as may be necessary:
- (a) to enable a person to board or alight from the vehicle;
 - (b) whilst the driver is actively loading goods on to or unloading goods from the vehicle (except on those lengths of road identified on the plans as "no loading" or during the periods identified on the plans (if any));
 - (c) to enable the vehicle, if it cannot conveniently be used for such purpose in any other road, to be used in connection with any of the following operations, namely:-
 - (i) building, industrial or demolition operations;
 - (ii) the removal of any obstruction to traffic;
 - (iii) the maintenance, improvement or reconstruction of the said lengths or sides of road; and
 - (iv) the laying, erection, alteration or repair in, or in land adjacent to the said lengths or sides of road of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity or of any telecommunications apparatus as defined in the Telecommunications Act 1984;

- (d) to enable the vehicle, if it cannot be conveniently be used for such purposes in any other road, to be used in the service of a local authority, water undertaker or a sewerage undertaker of the Environment Agency in pursuance of statutory powers or duties;
 - (e) to enable the vehicle of a universal service provider (as defined in Section 4(3) and (4) of the Postal Services Act 2000) to be used for the purposes of delivering and/or collecting mail;
 - (f) to enable the vehicle to take in petrol, oil, water or air from any garage situated on or adjacent to the said lengths or sides of road;
 - (g) to enable the vehicle to wait at or near to any premises situated on or adjacent to the said lengths or sides of road for so long as such waiting by that vehicle is reasonably necessary in connection with any wedding or funeral; or
 - (h) to enable the vehicle to be used for fire brigade, ambulance or police purposes;
- (2) Nothing in Article 8 of this Order shall render it unlawful to cause or permit a disabled person's vehicle which displays in the relevant position a disabled person's badge and a parking disc, on which the driver or other person in charge of the vehicle has marked the time at which the period of waiting began, to wait in any of the roads, lengths of road or on any sides of road identified on the plans where waiting is prohibited for a period not exceeding three hours (not being a period separated by an interval of less than one hour from a previous period of waiting by the same vehicle in the same length of road or on the same side of road on the same day). Provided that in respect of the roads identified on the plans when loading is permitted at all times or limited to certain times such period lies entirely within the period during which loading is permitted.
- (3) Nothing in Article 8 of this Order shall render it unlawful to cause or permit a disabled person's vehicle which displays in the relevant position a disabled person's badge to wait at the sides of the roads identified on the plans as "limited waiting".
- (4) Nothing in Articles 7 or 8 of this Order shall render it unlawful for a motor car or motor cycle to wait on a footway where such footway has been designated as a parking place under Article 12(1) of this Order and where such parking place is indicated by signs complying with Diagrams 668 and 668.2 or Diagrams 667 and 667.2 of the 2002 Regulations.

PART III
AUTHORISATION AND USE OF STREET PARKING PLACES

12. (1) Subject to the following provisions of Articles 13 to 19, the parts of roads identified on the plans as parking places for permit holders are authorised to be used as parking places in such positions, on such days and during such hours as identified on the plans, for vehicles displaying in the relevant position a permit for that parking place issued under the provisions of Article 31.
- (2) Subject to the following provisions of Articles 13 to 19, the parts of roads identified on the plans as a pay & display area are authorised to be used as parking places for vehicles in such positions, on such days and during such hours as identified on the plans, upon payment of the specified charge for parking in the manner set in this Order. Provided that no person shall, except in an emergency upon the direction of a police constable in uniform or a civil enforcement officer, cause or permit a vehicle to wait in a parking place in a pay & display area for longer than either the maximum period for waiting specified on the plans or until the expiration of the period for which the specified charge for parking has been paid, whichever occurs earlier.
- (3) Subject to the following provisions of Articles 13 to 19, the parts of the roads identified on the plans as parking places for vehicles (not being a parking place in a pay & display area, a parking place for permit holders only, a disabled person's parking place or a doctor's parking place) are authorised to be used as parking places for vehicles in such positions, on such days and during such hours as identified on the plans.
- (4) Subject to the following provisions of Articles 13 to 19, the parts of roads identified on the plans as "loading only" are authorised to be used as parking places for vehicles delivering or collecting goods, in such positions, on such days and during such hours as identified on the plans.
13. Every vehicle left in a parking place in accordance with this Order shall so stand so that every part of the vehicle is wholly within the limits of the parking space.
14. (1) Save as provided in Articles 18 and 19 of this Order, the driver of any vehicle parking that vehicle in a parking place in a pay & display area, shall pay the specified charge for parking on the leaving of the vehicle in the parking place by the insertion in the ticket machine relating to that parking place of a coin or coins of the appropriate denomination making up the full amount of the specified charge for parking for the entire period in which the vehicle is to be left in that parking place. Provided always that if the specified charge for parking is zero the driver of the vehicle obtains the appropriate ticket from the ticket machine relating to that parking place on the leaving of the vehicle in the parking place.
- (2) The driver of any vehicle parking that vehicle in a parking place in a pay & display area, shall place the ticket referred to in Article 14(1) above in the vehicle in respect of which it was issued, and shall ensure that the whole of the front of the ticket is clearly visible from the front of the vehicle during the entire period that the vehicle is parked in the parking place.
- (3) Any person who wilfully avoids or seeks to avoid, or assists in avoiding, the payment of the appropriate charge at any parking place shall be guilty of contravening this Order.

- (4) The driver of a vehicle parking that vehicle in a parking place in a pay & display area shall not, after obtaining the ticket referred to in Article 14(1) above, insert in the ticket machine an additional coin or coins for the purpose of obtaining a further ticket for that vehicle in that parking place.
15. (1) Save as provided in Articles 18 and 19 of this Order, the driver of a vehicle shall not permit it to wait in a parking place for longer than the maximum period permitted for waiting specified in relation to that parking place and as identified on the plans.
- (2) Save as provided in Articles 18 and 19 of this Order, where a vehicle has left a parking place, after waiting thereon the driver thereof shall not permit the vehicle to wait upon that parking place, or upon any other parking place in the same street, until the number of hours specified on the plans for not returning to wait in that parking place have elapsed following the termination of the last period of waiting (if any) by that vehicle on that parking place.
- (3) A driver of a vehicle shall not use a parking place so as unreasonably to prevent access to or egress from any premises adjoining the road, or the use of the road by any other persons, or so as to be a nuisance.
- (4) No person shall use a vehicle while it is in a parking place, in connection with the sale of any article to persons in or near the parking place or in connection with the selling or offering for hire of his skills or services.
16. The driver of a motor vehicle using a parking place shall stop the engine as soon as the vehicle is in a position in the parking place and shall not start the engine except when about to change the position of the vehicle or to depart from the parking place.
17. The driver of a vehicle shall not permit it to wait in a parking place provided for the parking of buses, which is comprised within and indicated by a road marking complying with diagram 1028.3 in Schedule 6 to the 2002 Regulations and incorporating the word "Buses", and indicated by a sign complying with diagram 661.1 of Schedule 2 to the 2002 Regulations, unless that vehicle is a bus.
18. Without prejudice to the provisions of Articles 12(2), 14, 15(1) and (2) of this Order, the following vehicles may be left in a parking place and any such vehicle shall be exempt from any specified charge for parking and any limitation on the period of waiting or return of the vehicle specified in this Order:-
- (a) an invalid carriage;
 - (b) a vehicle issued to a disabled person by the Department of Health in lieu of an invalid carriage;
 - (c) a vehicle which displays in the relevant position a disabled person's badge;
 - (d) a vehicle which displays in the relevant position a permit for that parking place issued under the provisions of Articles 31(2), 31(4), 31(6) or 31(8).

19. (1) Without prejudice to the foregoing provisions of this Order, any vehicle may wait anywhere on the carriageway in a parking place (unless the use the parking place or part thereof has been suspended under Article 30) for so long as may be necessary:-

- (i) to enable a person to board or alight from the vehicle;
- (ii) if the vehicle is waiting owing to the driver being prevented from proceeding by circumstances beyond his control or to such waiting being necessary in order to avoid an accident;
- (iii) if the vehicle is a vehicle used for police, fire brigade or ambulance purposes, or a vehicle (other than a passenger vehicle) in the service of a local authority which is being used in pursuance of statutory powers or duties;
- (iv) to enable it to be used in connection with the removal of any obstruction to traffic;
- (v) to enable it to be used for the purpose of delivering or collecting postal packets as defined in Section 125 of the Postal Services Act 2000;
- (vi) to enable it to be used in connection with posting or removing advertising material in the form of posters on or from, or cleaning windows or chimneys in, premises adjacent to the parking place in which the vehicle is waiting;
- (vii) whilst the driver of that vehicle is engaged in the activity of loading goods on to or unloading goods from that vehicle;
- (viii) if the vehicle is being used by a legally qualified general medical practitioner, a health visitor or a midwife when visiting premises near to the parking place to attend to a patient;
- (ix) if the vehicle is being used by a home carer when visiting premises near to the parking place to provide care in the home for a resident provided that the vehicle is left in a parking place identified on the plans as a parking place for residents permit holders and a home carer's permit is displayed on the vehicle in the relevant position;

and any such vehicle shall be exempt from any charge for parking. Provided always that the exemptions contained in this Article 19 shall not apply to a parking place described in Article 17 above.

(2) Nothing in the foregoing provisions of this Article shall be taken as authorising anything which would be a contravention of any regulations made or having effect as if made under Section 25 of the Act.

PART IV
AUTHORISATION AND USE OF PARKING PLACES
FOR DISABLED PERSONS' VEHICLES

20. Subject to the following provisions of Articles 21 to 25, the parts of roads identified on the plans as parking for disabled person's vehicles are authorised to be used as disabled person's parking places in such positions, on such days and during such hours as identified on the plans, for vehicles displaying in the relevant position a disabled person's badge.
21. Save as provided in Article 25, the driver of a vehicle shall not permit it to wait in a disabled person's parking place unless it is a disabled person's vehicle which displays in the relevant position a disabled person's badge.
22. (1) Save as provided in Article 25, driver of a vehicle shall not permit it to wait in a disabled person's parking place for longer than the maximum period permitted for waiting specified on the plans in relation to that parking place.
- (2) Save as provided in Article 25, where a vehicle has been left in a disabled person's parking place, after waiting thereon the driver shall not permit the vehicle to wait upon that disabled person's parking place, or upon any other disabled person's parking place in the same street, until the number of hours specified on the plans for not returning to wait in that disabled person's parking place have elapsed following the termination of the last period of waiting (if any) by that vehicle in that disabled person's parking place.
23. (1) The driver of a motor vehicle using a disabled person's parking place shall stop the engine as soon as the vehicle is in position and shall not start the engine except when about to change position of the vehicle or depart.
- (2) Every vehicle left in a disabled person's parking place in accordance with this Order shall stand so that every part of the vehicle is wholly within the limits of the parking space.
24. No person shall use a vehicle while it is in a disabled person's parking place, in connection with the sale of any article to persons in or near the disabled person's parking place or in connection with the selling or offering for hire of his skills or services.
25. Without prejudice to the provisions of Articles 20 and 21, any vehicle may wait anywhere on the carriageway in a disabled person's parking place (unless the use of disabled person's parking place or any part thereof has been suspended under Article 30) for so long as may be necessary for any of the reasons identified in Article 19.

PART V
AUTHORISATION AND USE OF PARKING PLACES
FOR DOCTORS

26. Subject to the following provisions of Articles 27 to 29, the parts of roads identified on the plans as parking for doctor's vehicles are authorised to be used as doctor's parking places in such positions, on such days and during such hours as identified on the plans, for vehicles displaying in the relevant position a permit issued under the provisions of Article 31(6).
27. (1) Save as provided in Article 29, the driver of a vehicle shall not permit it to wait in a doctor's parking place unless there is displayed on the front of the vehicle a valid permit issued in respect of that vehicle in accordance with Article 31(6).
- (2) The driver of a motor vehicle using a doctor's parking place shall stop the engine as soon as the vehicle is in position and shall not start the engine except when about to change position of the vehicle or depart.
- (3) Every vehicle left in a doctor's parking place in accordance with this Order shall stand so that every part of the vehicle is wholly within the limits of the parking space.
28. No person shall use a vehicle while it is in a doctor's parking place, in connection with the sale of any article to persons in or near the doctor's parking place or in connection with the selling or offering for hire of his skills or services.
29. Without prejudice to the provisions of Article 26, any vehicle may wait anywhere on the carriageway in a doctor's parking place (unless the use of doctor's parking place or any part thereof has been suspended under Article 30) for so long as may be necessary for any of the reasons identified in Article 19.

PART VI
SUSPENSION OF PARKING PLACES

30. (1) Any person authorised by the council may suspend the use of a parking place or any part thereof whenever he consider such suspension reasonably necessary for the purpose of facilitating the movement of traffic or promoting its safety.
- (2) Any person may apply to the Council for the suspension of a parking place or any part thereof for the purpose of:-
- (a) facilitating any building operation, demolition or excavation in or adjacent to the parking place, or the laying, erection, alteration, removal or repair in or adjacent to the parking place or of any sewer or main, pipe or apparatus for the supply of gas, water or electricity or of any telecommunications apparatus, telephone kiosk or traffic sign;
- (b) the convenience of occupiers or premises adjacent to the parking place on any occasion of the removal of furniture from one office or dwelling house to another or the removal of furniture from such premises to a depository or to such premises from a depository;

- (c) any occasion on which it is likely by reason of some special attraction that any street will be thronged or obstructed; or
- (d) the convenience of occupiers of premises adjacent to the parking place at times of weddings or funerals, or any other special occasions.

Provided always the suspension of such a parking place shall be at the Council's discretion and any such application shall be made on a form obtainable from the Council and shall be submitted to the Council together with the administration fee and, if the application relates to a parking place in pay & display area, the additional charge for parking.

- (3) A police constable in uniform may suspend for not longer than twenty-four hours the use of a parking place or any part thereof whenever he considers such suspension reasonably necessary for the purpose of facilitating the movement of traffic or promoting its safety.
- (4) Any person suspending the use of a parking place or any part thereof in accordance with the provisions of paragraphs (1), (2) or (3) of this Article shall thereupon place or cause to be placed in or adjacent to that parking place or the part thereof the use of which is suspended a traffic sign indicating that waiting by vehicles is prohibited.
- (5) No person shall cause or permit a vehicle to be left in any parking place during such period as there is in or adjacent to that parking place a traffic sign placed in pursuance of paragraph (4) of this Article.

Provided that nothing in this paragraph shall render it unlawful to cause or permit any vehicle being used for fire brigade, ambulance or police purposes or any vehicle being used for any purpose specified in Article 19(1)(ii), (iv) or (v) to be left in the parking place during any such period, or for any other vehicle so left if that vehicle is left with the permission of the persons suspending the use of that parking place or of a police constable in uniform or of a civil enforcement officer.

PART VII

PERMITS

- 31. (1) Any resident within a permit controlled zone who is the owner of a motor car or motor cycle may apply to the Council for the issue of a permit for the leaving of that vehicle in a parking place and any such application shall be made on a form issued by and obtainable from the Council and shall be accompanied by a remittance for such charge as provided by Article 32(1).
- (2) On receipt of an application made under the foregoing provision of this Article and the fee, the Council, upon being satisfied that the applicant is a resident and is the owner of a vehicle of the class specified in paragraph (1) of this Article, shall issue to that applicant one permit for the leaving of that vehicle in any parking place within the zone to which such permit relates by the owner of such vehicle 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 or reward. Provided that in respect of the residents of any one household there shall not be in force at any one time more than three permits issued under the provisions of paragraph (1) of this Article.
- (3) Any resident within a permit controlled zone may apply on such form, accompanied by such remittance as prescribed in Article 32(1), for the issue of a permit for use by visitors to the applicant's residence.

- (4) On receipt of an application made under the provisions of paragraph (3) of this Article and the fee, the Council shall issue to the applicant one permit for the leaving of any motor car or motor cycle in any parking place within the zone to which such permit relates by any visitor to the applicant's residence. Provided that in respect of the residents of any one household there shall not be in force at any time more than one permit issued under the provisions of paragraph (3) of this Article.
 - (5) A doctor who can justify the need for special parking arrangements close to a surgery or consulting rooms may apply to the Council for the issue of a permit for the leaving of each vehicle specified in the application in a parking place within a permit controlled zone or doctor's parking place and any such application shall be made on a form issued by and obtainable from the Council and shall be accompanied by a remittance for such charge as provided by Article 32(2).
 - (6) Upon receipt of an application duly made under the foregoing provision of this Article and the fee, the Council may issue to the applicant permits for the leaving in the parking place specified thereon of such vehicles specified in the application as they are satisfied are used by a doctor who has justified the need for special parking arrangements close to the surgery or consulting room shown on such application and to whom no suitable alternative parking facility is available.
 - (7) The proprietor of a registered guest house within a permit controlled zone may apply to the Council for the issue of a permit for use by a temporary resident for the leaving of a motor car or motor cycle in a parking place. Any such application shall be made on a form issued by and obtainable from the Council, and shall be accompanied by a remittance for such charge as provided by Article 32(3).
 - (8) On receipt of an application made under the foregoing provision of this Article and the fee, the Council shall issue to that applicant a permit for the leaving of any motor car or motor cycle in any parking place within the zone to which such permit relates by a temporary resident.
 - (9) The Clerk to Stratford on Avon Town Council may apply to the Council for the issue of a Zone SM permit for the leaving of a motor car or motor cycle in the parking place in the lay-by on Sheep Street adjacent to the Town Hall.
 - (10) On receipt of an application made under the foregoing provision of this Article, the Council may issue to the Clerk up to two permits for the leaving of any motor car or motor cycle in the parking place in Zone SM. Provided that there shall not be in force at any time more than two permits issued under the provisions of this Article.
 - (11) The Council may at any time require an applicant for a permit or a permit holder to produce to an officer of the Council such evidence as 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.
32. (1) The charge in connection with the issue of a permit under Articles 31(1) and 31(3) shall be twenty five pounds and shall be for a period of twelve months running from the beginning of the month in which the permit first becomes valid. Provided always that residents of a pensionable age and in receipt of housing or council tax benefits shall be entitled to a 50% reduction in the said charge in respect of the first permit issued to that resident.
- (2) The charge in connection with the issue of a permit under Article 31(5) shall be ten pounds and shall be for a period of twelve months running from the beginning of the month in which the permit first becomes valid.

- (3) The charge in connection with the issue of a permit under Article 31(7) shall be three pounds and the permit shall be valid for a period of twenty four hours commencing from the time when the permit is issued to a temporary resident.
33. (1) A permit holder may surrender a permit to the Council at any time and shall surrender a permit to the Council on the occurrence of any of the events set out in paragraph (3) of this Article in respect of a permit issued to a resident, paragraph (4) of this Article in respect of a permit issued to a doctor and paragraph (5) of this Article in respect of a permit issued to a proprietor of a registered guest house.
- (2) The Council 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 that any one of the events set out in paragraph (3), (4) or (5) of this Article has occurred and the permit holder shall surrender the permit to the Council within 48 hours of the receipt of such notice.
- (3) The events referred to in the foregoing provisions of this Article are, in respect of a permit issued to a resident:-
- (i) the permit holder ceasing to be a resident;
 - (ii) the permit holder ceasing to be the owner of the vehicle in respect of which the permit was issued;
 - (iii) 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 31(1);
 - (iv) the revocation of the designation of the parking place in respect of which the permit was issued;
 - (v) the issue of a duplicate permit by the Council under the provisions of Article 34;
 - (vi) the permit being used in such a manner which contravenes the provisions of this Order.
- (4) The events referred to in the foregoing provisions of this Article are, in respect of a permit issued to a doctor:-
- (i) the vehicle or any vehicle in respect of which the permit was issued ceasing to be used by a doctor who can justify the need for special parking arrangements close to the surgery or consulting room shown on the application for that permit;
 - (ii) the revocation of the designation of the parking place or doctor's parking place in respect of which the permit was issued;
 - (iii) the issue of a revised permit or a duplicate permit by the Council under the provision of Article 34;
 - (iv) the permit being used in such a manner which contravenes the provisions of this Order.

- (5) The events referred to in the foregoing provisions of this Article are, in respect of a permit issued to a registered guest house:-
- (i) the permit holder ceasing to be a proprietor of a registered guest house;
 - (ii) the revocation of the designation of the parking place in respect of which the permit was issued;
 - (iii) the permit being used in such a manner which contravenes the provisions of this Order.
- (6) A permit shall cease to be valid on the day following the expiry date specified thereon or on the occurrence of any one of the events set out in paragraphs (3), (4) or (5) of this Article, whichever is the earlier.
- (7) Where a permit is issued to any person upon receipt of a cheque or the cheque is subsequently dishonoured, the permit shall cease to be of any effect and the Council shall by notice in writing served on the person to whom such permit was issued by sending the same by the recorded delivery service to 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 place of residence, require that person to surrender the permit to the Council within 48 hours of the receipt of the aforementioned notice.
- (8) The Council may at any time require a permit holder to produce to an officer of the Council such evidence in respect of any permit issued by it that it may reasonably require.
34. (1) (a) A permit holder may at any time apply to the Council for a permit issued to him to be amended so as to relate to any other vehicle, in the case of a permit issued to a doctor, being a vehicle which is used by a doctor who is liable to be called of necessity to emergencies away from the surgery or consulting room shown on the application to the extent that the need for special parking arrangements can be justified.
- (b) Upon receipt of an application pursuant to paragraph (1)(a) of this Article and of the relevant permit, the Council may amend the permit accordingly, or to such extent as they think fit, or at their discretion issue a revised permit, and if a revised permit is so issued, the original permit shall become invalid and shall be surrendered to the Council.
- (2) If a permit is mutilated or accidentally defaced or the figures or particulars on it 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 and apply to the Council for the issue to him of a duplicate permit and the Council, upon receipt of the permit if such receipt is accompanied by an application for a duplicate permit, shall issue a duplicate permit so marked and upon such issue the original permit shall become invalid.
- (3) If a permit is lost or destroyed, the permit holder may apply to the Council for the issue to him of a duplicate permit and the Council upon being satisfied as to such loss or destruction, shall issue a duplicate permit so marked and upon such issue the original permit shall become invalid.
- (4) The provisions of this Order shall apply to a revised or duplicate permit to the same extent as they applied to the original permit.

35. (1) A permit holder who surrenders a permit to the Council before the permit becomes valid shall be entitled to a refund of the fee paid in respect of the issue thereof.
- (2) A permit holder who surrenders a permit to the Council after the permit has become valid shall be entitled to a refund of that part of the charge paid in respect of the issue of the permit as is attributable to the period from the receipt by the Council of the surrendered permit to the expiry of the period for which the permit is issued.
36. A permit shall be in writing and shall include the following particulars:-
- (1) in the case of a permit issued under the provisions of Article 31(2) the words "Resident's Parking Permit" and the registration mark of the vehicle in respect of which the permit has been issued;
- (2) in the case of a permit issued under the provisions of Article 31(4) the words "Visitor's Parking Permit";
- (3) in the case of a permit issued under the provisions of Article 31(6) the registration mark of the vehicle in respect of which the permit has been issued and the number of the parking place to which the permit relates;
- (4) in the case of a permit issued under the provisions of Article 31(8) the words "Temporary Resident's Parking Permit";
- (5) the date on which, subject to the provisions of Article 33(4), the permit expires;
- (6) an authentication that the permit has been issued by the Council;
- (7) a code identifying the parking places to which such permit relates in accordance with the zones specified in Schedule 1 to this Order.
37. At all times during which a vehicle is left in a parking place identified on the plans as a parking place for permit holders there shall be displayed on the front of the vehicle a valid permit issued in respect of that vehicle so that all the particulars referred to in Article 36 are readily visible from the front of the vehicle.
38. When a permit has been displayed in accordance with the provisions of Article 37 of this Order no person other than a civil enforcement officer shall remove such permit from the vehicle unless authorised to do so by the driver of that vehicle.

PART VIII

CONTRAVENTION OF ORDER

39. (1) If a vehicle is left in a parking place or is waiting in any road or length of road or on a footway in contravention of any provision of this Order, a penalty charge shall be payable and/or the vehicle may be removed from that location. Provided that when a vehicle is waiting and is not wholly within the limits of the parking space, a person authorised in that behalf by the Council may alter or cause to be altered the position of the vehicle in order that it is wholly within the limits of the parking space.
- (2) In the case of a vehicle in respect of which a penalty charge is payable, a penalty charge notice showing the information required by the Schedule to the 2007 Regulations may then be served by a civil enforcement officer in accordance with Regulation 9 of the 2007 Regulations or by (or on behalf of) the enforcement authority in accordance with Regulation 10 of the 2007 Regulations.

- (3) Save as provided in paragraph (5) of this Article, if a vehicle is left after a penalty charge notice has been served by a civil enforcement officer, a civil enforcement officer or a person acting under his direction may fix an immobilisation device to the vehicle and a notice in accordance with Regulation 12 of the 2007 Regulations and that vehicle shall only be released from the device on payment of the penalty charge, or as the case may be a reduced penalty charge, and the charge for release of the vehicle specified in Regulation 4 of the 2007 Order.
- (4) Save as provided in paragraph (5) of this Article, where a civil enforcement officer has removed or caused to be removed a vehicle in accordance with paragraph (1) of this Article:-
- (a) he shall provide for the safe custody of the vehicle;
 - (b) the enforcement authority shall be entitled to recover from the person responsible such charges in respect of the removal, storage, and disposal of the vehicle as prescribed in Regulation 3 of the 2007 Order;
 - (c) the provisions of the Act (as amended) shall apply to the disposal of any such vehicle removed by or on behalf of the Council pursuant to this Article.
- (5) Nothing in paragraphs (3) and (4) of this Article shall apply in respect of a vehicle displaying in the relevant position a valid disabled person's badge issued by any Local Authority.

PART VII

REVOCATION OF ORDERS

40. The following orders are hereby revoked:-

- (a) The Warwickshire County Council (District of Stratford on Avon) (Permitted Parking Area and Special Parking Area) (Waiting Restrictions and Street Parking Places) Consolidation Order 2004;
- (b) The Warwickshire County Council (District of Stratford on Avon) (Permitted Parking Area and Special Parking Area) (Waiting Restrictions and Street Parking Places) Consolidation (Variation No. 1) Order 2005;
- (c) The Warwickshire County Council (District of Stratford on Avon) (Permitted Parking Area and Special Parking Area) (Waiting Restrictions and Street Parking Places) Consolidation (Variation No. 2) Order 2006;
- (d) The Warwickshire County Council (District of Stratford on Avon) (Permitted Parking Area and Special Parking Area) (Waiting Restrictions and Street Parking Places) Consolidation (Variation No. 3) Order 2006;
- (e) The Warwickshire County Council (District of Stratford on Avon) (Permitted Parking Area and Special Parking Area) (Waiting Restrictions and Street Parking Places) Consolidation (Variation No. 4) (Part) Order 2007;
- (f) The Warwickshire County Council (District of Stratford on Avon) (Permitted Parking Area and Special Parking Area) (Waiting Restrictions and Street Parking Places) Consolidation (Variation No. 5) (Part) Order 2007;
- (g) The Warwickshire County Council (District of Stratford on Avon) (Permitted Parking Area and Special Parking Area) (Waiting Restrictions and Street Parking Places) Consolidation (Variation No. 6) Order 2008;

SCHEDULE 1
RESIDENTS' PARKING ZONES

**STREETS OR LENGTHS OF STREETS OR PREMISES IN DISTRICT OF
STRATFORD ON AVON FOR THE PURPOSE OF THE ISSUE OF PERMITS**

ZONES IN STRATFORD UPON AVON

ZONE S1

Albany Road
Wellesbourne Grove

ZONE S2

Great William Street
Mulberry Street
Shakespeare Street

ZONE S2 OR ZONE S3

Arden Street
Birmingham Road – between Arden Street/Clopton Road and Guild Street
Bridge Street
Greenhill Street
Guild Street
Henley Street
Meer Street
Union Street
Windsor Street
Wood Street

ZONE S3

Maidenhead Road – between Mayfield Avenue and Great William Street (including Adrians Court)
Mayfield Avenue
Mayfield Court

ZONE S4

John Street
Payton Street
Tyler Street

ZONE S5

Brewery Street

ZONE S6

Mansell Street

ZONE S7

Church Street
Ely Street
Rother Street
Scholars Lane

ZONE S7 OR ZONE S8

Chapel Lane
Chapel Street
High Street
Sheep Street
Southern Lane
Waterside

ZONE S8

Broad Street
Broad Walk
Bull Street
Cherry Street
Chestnut Walk
College Lane
College Street
Evesham Place
Grove Road
Holtom Street
Narrow Lane
New Broad Street
New Street
Old Town
Ryland Street
Sanctus Street
Trinity Street
West Street

ZONE S9

Evesham Road – south east side, between Sanctus Road and Seven Meadows Road.
Sanctus Road

ZONE S10

Orchard Way
Shottery Road – between Brookvale Road/The Willows and Evesham Road

ZONE S11

Arthur Road
Clopton Road – between Kendall Avenue and Vincent Avenue
Kendall Avenue
Percy Street

ZONE S12

Baker Avenue – between Drayton Avenue and Masons Road
Lodge Road

ZONE S13

Birmingham Road – north-east side, between numbers 84 and 112 Birmingham Road.

ZONE S14

Birmingham Road (property numbers 210, 212, 214, 216 and 218 only).

ZONE SM

Stratford Town Hall.

HENLEY IN ARDEN ZONE

Alne Close

Beaudesert Lane (including Beaudesert Place)

Birmingham Road (numbers 1, 3, 5 and 7 only)

De Montfort Court

High Street (including Beechcroft, The Coach Houses, Johnson Houses, The Old School, The White House and White House Mews)

The Horsefair

Johnson Place

Rose Avenue

School Road (Schoolhouse Mews only)

Station Road (between its junctions with High Street and Bear Lane only)

The Yew Trees

Warwick Road (numbers 206, 208, 210, 212, 214, 216, 218 and 220 only)

SHIPSTON ON STOUR ZONE

Church Street

Darlingscote Road (the property known as "Sundown" only)

Sheep Street

Telegraph Street (numbers 25, 27 and 29 only)

West Street

SCHEDULE 2
PLANS ATTACHED TO THIS ORDER

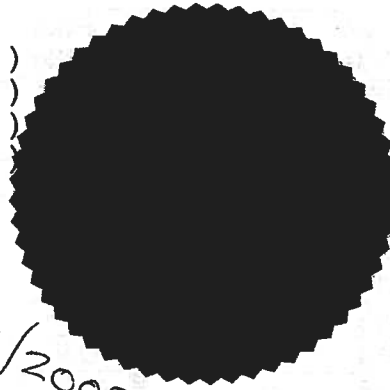
Plan Title	Revision No.	Plan Title	Revision No.	Plan Title	Revision No.	Plan Title	Revision No.
Overall Plan	0	GU71	0	HN36	0	IB16	0
Plan A	0	GV71	0	HN37	0	IB17	0
Plan B	0	GX19	0	HN38	0	IB73	0
Plan C	0	HC13	0	HN52	0	IB74	0
Plan D	0	HC14	0	HO34	0	IC16	0
Plan E	0	HD13	0	HO35	0	IC17	0
Plan F	0	HD14	0	HO36	0	IC73	0
Key	0	HD15	0	HO37	0	IC74	0
EP19	0	HE14	0	HO38	0	ID17	0
EQ19	0	HE15	0	HP33	0	ID74	0
EQ20	0	HF14	0	HP34	0	IE73	0
ER19	0	HF15	0	HP35	0	IE74	0
ER20	0	HG14	0	HP36	0	IE75	0
FU27	0	HG15	0	HP37	0	IF64	0
FV27	0	HJ34	0	HP38	0	IF73	0
FW26	0	HJ35	0	HP39	0	IF75	0
FW27	0	HK34	0	HQ33	0	IR28	0
FX26	0	HK35	0	HQ34	0	IR29	0
FX27	0	HK36	0	HQ35	0	IS29	0
FY26	0	HK37	0	HQ36	0	IS30	0
FY27	0	HK41	0	HQ37	0	IT30	0
FZ26	0	HL34	0	HQ38	0	IT31	0
FZ27	0	HL35	0	HQ39	0	IU30	0
FZ28	0	HL36	0	HR34	0	IV30	0
GA36	0	HL37	0	HR35	0	IW30	0
GE11	0	HL38	0	HR36	0	IX30	0
GF10	0	HL41	0	HR37	0	JS47	0
GF11	0	HM34	0	HR38	0	JS48	0
GG10	0	HM35	0	HR39	0	JT48	0
GG11	0	HM36	0	HR49	0	JU48	0
GH11	0	HM37	0	HS34	0	JV48	0
GI11	0	HM38	0	HS36	0		
GJ10	0	HM41	0	HS37	0		
GL12	0	HM49	0	HS39	0		
GM80	0	HM50	0	HS49	0		
GN80	0	HM52	0	HY72	0		
GN81	0	HM53	0	HZ72	0		
GO80	0	HN34	0	HZ73	0		
GO81	0	HN35	0	IA73	0		

GIVEN under the Seal of the Warwickshire County Council the 1st day of April 2008

The COMMON SEAL of the
Warwickshire County Council
was hereunto affixed in the
presence of:

HJ Board

Designated Officer



184/2008

DATED 1st April

 Traffic Penalty Charge Notice England and Wales 2008

24 JUL 2008

WARWICKSHIRE COUNTY COUNCIL

ROAD TRAFFIC REGULATION ACT 1984

THE WARWICKSHIRE COUNTY COUNCIL
(DISTRICT OF STRATFORD ON AVON)
(CIVIL ENFORCEMENT AREA)
(WAITING RESTRICTIONS, ON STREET
PARKING PLACES AND RESIDENTS' PARKING)
(CONSOLIDATION) ORDER 2008

