

**THE SURREY COUNTY COUNCIL
VARIOUS ROADS IN THE BOROUGH OF ELMBRIDGE
(CONSOLIDATION AND REVOCATION
OF RESIDENTS' ON-STREET PARKING PLACES) ORDER 2021**

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SURREY COUNTY COUNCIL in exercise of their powers under Sections 32 35 36 45 46 49 51 and 53 of and Part IV of Schedule 9 to the Road Traffic Regulation Act 1984 (hereinafter called "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 hereby make the following Order:-

PART I
GENERAL

Citation and commencement

1 THIS Order may be cited as "The Surrey County Council Various Roads in the Borough of Elmbridge (Consolidation and Revocation of Residents' On-Street Parking Places) Order 2021" and shall come into operation on 11 December 2021

Interpretation

2 (1) In this Order except where the context otherwise requires the following expressions shall have the meanings hereby respectively assigned to them -

"agents" means any person or persons authorised by or on behalf of the Council to supervise and/or enforce any parking place

"Borough Council" means the Elmbridge Borough Council

"business" means an organisation occupying non-residential premises which is liable for an individual Business Rate and which organisation uses such premises for business purposes only

"Business Parking Permit" means a Business Parking Permit issued by the Borough Council pursuant to the provisions of Article 37

"Business Parking Permit holder" means a person to whom a business parking permit has been issued

"business premises" has the same meaning as in Regulation 1 of Part II of Schedule 3 of The Town and Country Planning (Control of Advertisements) Regulations 1982 (S. I. 1982/666)

"business user" means a person who occupies business premises for business purposes the postal address of which is within the roads or lengths of roads specified in column 2 of the Second Schedule

"carer" means a person who looks after another person who is either elderly disabled or in ill health and is unable to manage and/or cope by themselves without assistance

"Carer's Parking Permit" means a Carer's Parking Permit issued by the Borough Council under the provisions of Article 32

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

"cashless parking facility" means a parking facility which a resident may pay for by phone

or via the internet

"cashless parking device" is a device displayed on the windscreen of a vehicle which when scanned by a hand held device used by a civil enforcement officer provides information on the hand held device of a cashless parking transaction for that vehicle and that vehicle's eligibility to park in a parking place

"cashless parking system" is a computer based system that holds information on cashless parking transactions which may include the type of permit or ticket, period of validity, end of period of validity, vehicle registration mark and the location at which the cashless parking transaction is valid

"cashless parking transaction" is a cashless resident parking permit or a cashless resident's visitor's parking permit or a cashless Operational Parking Permit or a cashless carer's parking permit or a cashless Business Parking Permit or a cashless waiver certificate or a cashless parking place suspension certificate

"civil enforcement officer" has the same meaning as in Section 76 of the traffic Management Act 2004

"Council" means Surrey County Council or its appointed agents

"community care personnel" means persons who are employed by or who are members of an official carers' organisation operating through Surrey County Council or the National Health Service

"disabled person's badge" has the same meaning as in the Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000 (S.I. 2000 No. 682)

"disabled person's vehicle" means a motor vehicle being driven by a disabled person or being used for the carriage of a disabled person or disabled persons

"doctor" means a registered medical practitioner who is a fully registered person within the meaning of the Medical Act 1983 who holds a licence to practice under that Act

"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

"electronic communications apparatus" has the same meaning as in paragraph 1 of Schedule 2 to the Telecommunications Act 1984 and Sections 106 and 151 of the Communications Act 2003

"enactment" means any enactment whether public general or local and includes any order bye-law rule regulation scheme or other instrument having effect by virtue of an enactment

"goods" means goods of any kind whether animate or inanimate and

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

"goods vehicle" means a motor vehicle the maximum gross weight of which does not exceed 5 tonnes and which is constructed or adapted for use for the carriage of goods or

burden of any description and is not drawing a trailer

"hand held device" is a device used by a civil enforcement officer which is updated from time to time with information from the cashless parking system on valid and invalid (expired) virtual parking transactions

"maximum gross weight" has the same meaning as in Schedule 1 of the Traffic Signs Regulations and General Directions 2021 (S.I. 2021 No. 362)

"medical personnel" means doctors nurses healthcare and community visitors and other categories of medical personnel operating through Surrey County Council or the National Health Service or private healthcare organisations who make house visits

"motor cycle" "motor vehicle" and "invalid carriage" have the same meanings as in Section 136 of the Act

"nurse" means in relation to a nurse or a midwife a nurse or midwife who is registered in the register maintained under Article 5 of the Nursing and Midwifery Order 2001 (S.I. 2002 No. 1771)

"one-way road" means a highway in which the driving of vehicles otherwise than in one direction is prohibited

"Operational Parking Permit" means an Operational Parking Permit issued by the Borough Council under the provisions of Article 31

"owner" has the same meaning as defined in sub-section (1) of Section 92 of the Traffic Management Act 2004

"parking disc" has the same meaning as in the Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England and Wales) Regulations 2000 (S.I. 2000 N0 683)

"parking permit" or "permit" without more means a residents parking permit or as the case may be an Operational Parking Permit or as the case may be a Carer's Parking Permit or as the case may be a residents' visitor's parking permit or as the case may be a Business Parking Permit

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

"parking place" means the area on a highway designated as a street parking place by this Order

"parking space" means a space in the parking place which is provided for the leaving of vehicles

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

"permitted hours" means the hours identified as such in the key relating to the Plans

"Plans" means the drawings listed in the Third Schedule created and retained by the

Council for the purpose of this Order the drawing number of each of those drawings being given in the first column of that Schedule

"postal packets" has the same meaning as in Sub-section (1) of Section 125 of the Postal Services Act 2000

"resident" means a person whose usual place of abode is at premises the postal address of which is in any road or part of a road specified and described in Column 2 of the table forming the First Part or the Second Part of The First Schedule

"resident's parking permit" means a Resident Parking permit issued by the Borough Council pursuant to the provisions of Article 20

"residents' parking place" means the area of highway authorised to be used as a parking place for the leaving during the permitted hours of such vehicles as display in the manner specified in Article 25 or in the manner specified in Article 29 or in the manner specified in paragraph (7) of Article 31 or Article 36 or Article 39 a valid permit issued in respect of that vehicle as applicable

"resident's visitor's parking permit" means a resident's visitor's parking permit issued by the Council pursuant to the provisions of Article 27

"road" includes part of a road and has the same meaning as in Section 142 of the Act

"service charge" means any charge payable to the service provider (in addition to the appropriate fee payable in accordance with the provisions of Articles 20(7) 27(6) 33 and 37(3) for drivers of vehicles using the discretionary cashless parking facility

"service provider" is the company which administers the cashless parking facility

"shared use parking place" means the area of highway authorised to be used as a parking place for the leaving during the permitted hours of such vehicles as specified in Article 6

"street parking place" has the same meaning as in Section 142 of the Act

"the 1986 Regulations" means the Removal and Disposal of Vehicles Regulations 1986 (S.I. 1986/183)

"traffic sign" means a sign of any size colour and type prescribed or authorised under or having effect as though prescribed or authorised under Section 64 of The Act

"trailer" has the same meaning as in Section 136 of the Act and includes a trailer any part of which is superimposed on the drawing vehicle

"usual place of abode" means premises where a person ordinarily resides and shall not include premises where a person is occupying with other persons in circumstances where those premises have separate residential accommodation for each person but with shared bathroom and/or kitchen facilities

"valid permit" means a resident's parking permit or a resident's visitor's parking permit or an operational parking permit or a carer's parking permit or a business parking permit issued and used in accordance with the provisions of this Order

"virtual parking permit" or "virtual permit" means a parking permit issued by the service provider to a resident or business or carer or any medical personnel or resident's visitor but where no cashless parking device is issued

"virtual parking transaction" can be a virtual permit virtual resident's parking permit virtual resident's visitor's parking permit a virtual Operational Parking Permit a virtual Business Parking Permit a virtual waiver certificate a virtual carers parking permit or a virtual parking place suspension certificate

"visitor" means a person who is visiting a resident and who is not ordinarily resident or resident at that resident's usual place of abode being premises the postal address of which is in the road specified and described in Column 2 of the table forming Part I or Part II of the First Schedule

"Waiver Certificate" means a certificate issued on behalf of the Council for the purposes of paragraph (c) of Article 7 or paragraph (c) of Article 8 or sub-paragraph (j) of paragraph (1) of Article 14 permitting a specified vehicle to wait in special circumstances on a length or lengths of roads where the waiting of that vehicle would otherwise be restricted or prohibited

(2) For the purpose of this Order a vehicle shall be regarded as displaying -

(a) a disabled person's badge in the prescribed manner when -

(i) the badge is exhibited thereon on the dashboard or fascia of the vehicle or

(ii) where the vehicle is not fitted with a dashboard or fascia the badge is exhibited in a conspicuous position on the vehicle so that the front of the badge is clearly legible from the outside of the vehicle

(b) a parking disc in the relevant position if -

(i) the disc is exhibited on the dashboard or fascia of the vehicle or

(ii) where the vehicle does not have a dashboard or fascia the disc is exhibited in a conspicuous position on the vehicle so that when marked to show the quarter-hour period during which a period of waiting began that period is clearly legible from the outside of the vehicle

(3) Any reference in this Order to a numbered Article Part Schedule or Section shall unless the context otherwise requires be construed as a reference to the Article Part Schedule or Section bearing that number in this Order

(4) 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

(5) For the purposes of sub-paragraph (i) of paragraph (4) of Article 11 and of Article 14 a vehicle and any trailer drawn thereby shall be deemed to be a single vehicle

PART II

DESIGNATION OF RESIDENTS' ON-STREET PARKING PLACES

Designation of such parking places

- 3 EACH area on a highway comprising of -
- (i) the lengths of carriageway of the roads specified in Column 3 of the table in the First Part of the First Schedule and identified on the plans as a residents' parking place and bounded on one side of that length by the edge of the carriageway and having a width throughout of not less than 1.8 metres and/or
 - (ii) the area of highway comprising those lengths of the carriageway specified and described in column 3 of the table in the Second Part of the First Schedule to this Order and indicated on the plans as a residents' parking place
- is hereby designated as a residents' parking place

Vehicles for which such parking places are designated

- 4 THE residents' parking places may be used subject to the provisions of this Order for the leaving during the permitted hours of such vehicles
- (i) as display in the manner specified in Article 25 or Article 29 or in paragraph (7) of Article 31 or Article 36 of Article 39 (if applicable) a valid permit issued in respect of that vehicle OR
 - (ii) as have a valid cashless parking device displayed in a conspicuous position behind the windscreen of the vehicle in a manner where it can be read by the hand held device OR
 - (iii) as have been recorded by the hand held device as having a valid virtual permit in which case no parking permit or cashless parking device needs to be displayed on the vehicle

PROVIDED THAT nothing in this Article shall apply to a disabled person's vehicle which displays in the relevant position or in the prescribed manner a disabled person's badge issued by any local authority which may be left in the residents' parking place free of any charge imposed by this Order and without any limit on the period of time that that disabled person's vehicle may be left in the aforesaid residents' parking place

PART III

DESIGNATION OF SHARED USE PARKING PLACES

Designation of such parking places

- 5 EACH area on a highway comprising the length of carriageway of a road specified in Column 3 of the table in the First Part of the First Schedule and identified on the plans for use by such classes of vehicles as are specified in Article 6 and unless otherwise so specified bounded on one side of that length by the edge of the carriageway and having a width throughout of not less than 1.8 metres is hereby designated as a shared use parking place

Vehicles for which such parking places are designated

- 6 EACH shared use parking place identified on the plans may be used subject to the provisions of this Order for the leaving during the permitted hours of such vehicles only -
- (a) as are passenger vehicles goods vehicles motorcycles or invalid carriages or
 - (b) (i) as display in the manner specified in Article 25 or Article 29 or in paragraph (7) of Article 31 or Article 36 of Article 39 (if applicable) a valid permit issued in respect of that vehicle OR
 - (ii) as have a valid cashless parking device displayed in a conspicuous position behind the windscreen of the vehicle in a manner where it can be read by the hand held device OR
 - (iii) as have been recorded by the hand held device as having a valid virtual permit in which case no parking permit or cashless parking device needs to be displayed on the vehicle

PROVIDED THAT nothing in this Article shall apply to a disabled person's vehicle which displays in the relevant position or in the prescribed manner a disabled person's badge issued by any local authority which may be left in the residents' parking place free of any charge imposed by this Order and without any limit on the period of time that that disabled person's vehicle may be left in the aforesaid shared use parking place

Period for which a vehicle may be left in such a parking place

- 7 WITHOUT prejudice to the provisions of Article 14 no person shall cause any vehicle to be left in a shared use parking place identified on the plans during the permitted hours for longer than the maximum period permitted for waiting specified in relation to that parking place as identified on the key relating to the plans:-

PROVIDED THAT nothing in this Article shall apply to -

- (a) a disabled person's vehicle which displays in the relevant position or in the prescribed manner a disabled person's badge issued by any local authority

and/or

- (b) (i) as display in the manner specified in Article 25 or Article 29 or in paragraph (7) of Article 31 or Article 36 of Article 39 (if applicable) a valid permit issued in respect of that vehicle OR
 - (ii) as have a valid cashless parking device displayed in a conspicuous position behind the windscreen of the vehicle in a manner where it can be read by the hand held device OR
 - (iii) as have been recorded by the hand held device as having a valid virtual permit in which case no parking permit or cashless parking device needs to be displayed on the vehicle
- (c) such vehicles as display a valid waiver certificate issued by a person duly authorised by the Council to wait in accordance with the terms and conditions prescribed by the said certificate either -
 - (i) in a prominent position behind the windscreen so that it is facing forwards and can be entirely and easily seen from the front of the vehicle OR
 - (ii) a cashless parking device displayed in a conspicuous position behind the windscreen of the vehicle in a manner where it can be read by the hand held device OR
 - (iii) the vehicle has been recorded by the hand held device as having a valid cashless waiver certificate in which case no certificate of cashless parking device needs to be displayed on the vehicle

PROVIDED THAT a Waiver Certificate may be cancelled at any time at the sole discretion of the Council and shall thereupon immediately cease to be valid and that a notification of such cancellation shall be sent by post to the holder of the certificate at any address which the Council believes to be that person's address and the certificate shall forthwith be surrendered to the Council

Interval before a vehicle may again be left in such a parking place

- 8 WITHOUT prejudice to the provisions of Article 14 no vehicle which has been taken away from a parking space (where such parking space is provided) in a shared use parking place identified on the plans during the permitted hours shall until the expiration of the period of time as is identified on the key on the said plans from the time it was taken away again be left in that parking place during the permitted hours:-

PROVIDED THAT nothing in this Article shall apply to such vehicles -

- (a) as display in the manner specified in Article 25 or Article 29 or in paragraph (7) of Article 31 or Article 36 of Article-39 (if applicable) a valid permit issued in respect of that vehicle OR

- (ii) as have a valid cashless parking device displayed in a conspicuous position behind the windscreen of the vehicle in a manner where it can be read by the hand held device OR
 - (iii) as have been recorded by the hand held device as having a valid virtual permit in which case no parking permit or cashless parking device needs to be displayed on the vehicle
- (b) a disabled person's vehicle which displays in the relevant position or in the prescribed manner a disabled person's badge issued by any local authority
- (c) such vehicles as display a valid waiver certificate issued by a person duly authorised by the Council to wait in accordance with the terms and conditions prescribed by the said certificate either -
 - (i) in a prominent position behind the windscreen so that it is facing forwards and can be entirely and easily seen from the front of the vehicle OR
 - (ii) a cashless parking device displayed in a conspicuous position behind the windscreen of the vehicle in a manner where it can be read by the hand held device OR
 - (iii) the vehicle has been recorded by the hand held device as having a valid cashless waiver certificate in which case no certificate of cashless parking device needs to be displayed on the vehicle

PROVIDED THAT a Waiver Certificate may be cancelled at any time at the sole discretion of the Council and shall thereupon immediately cease to be valid and that a notification of such cancellation shall be sent by post to the holder of the certificate at any address which the Council believes to be that person's address and the certificate shall forthwith be surrendered to the Council

PART IV

SUPPLEMENTARY PROVISIONS

RELATING TO RESIDENTS' AND SHARED USE PARKING PLACES

Manner of standing/waiting in a parking place

- 9 THE driver of a vehicle standing in a parking place during the permitted hours in accordance with the provisions of this Order or waiting in a parking place during the permitted hours in accordance with sub-paragraphs (1)(e) (f) (g) (h) (i) or (j) of Article 14 shall cause it so to stand or wait so that:-
- (a) in the case of a parking place in relation to which special provisions as to the manner of standing of a vehicle in that parking place are identified on the plans so as to be in accordance with those provisions

-
- (b) in the case of any other parking place specified in the third column of the table in the First Part of the First Schedule to this Order -
- (i) if the said parking place is not in a one-way road that the left or near side or right or off side of the vehicle is parallel to the edge of the carriageway nearest to the vehicle or
 - (ii) if the said parking place is in a one-way road that the left or near side of the vehicle is adjacent to the left-hand edge of the carriageway or that the right or off side of the vehicle is adjacent to the right-hand edge of the carriageway and
 - (iii) that the distance between the edge of the carriageway and the nearest wheel of the vehicle is not more than 300 millimetres
- (c) in the case of any parking place specified in the third column of the table in the Second Part of the First Schedule to this Order –
- (i) that the vehicle does not obstruct in any way whatsoever the passing and re-passing of all traffic (including pedestrians) on the highway which comprises the parking place or any part thereof and
 - (ii) the vehicle is adjacent to the edge of the carriageway on the side of the highway on which the vehicle is waiting
- (d) every part of the vehicle is within the limits of a parking space and/or a parking place
- (e) that no part of the vehicle obstructs any vehicular means of ingress to or egress from any premises adjacent to the side of the road on which the vehicle is waiting

PROVIDED THAT in relation to paragraphs (b) and (d) of this Article any person causing or permitting a vehicle to wait in a parking place by virtue of the provisions of sub-paragraph (1)(e) (f) (g) (h) (i) or (j) of Article 14 where if the length of the vehicle precludes compliance with these paragraphs that person shall cause the vehicle to wait so that the longitudinal axis of the vehicle is parallel to the edge of the carriageway nearest to the vehicle and the distance between the said edge and the nearest wheel of the vehicle is not more than 300 millimetres

Alteration of position of a vehicle in a parking place

- 10 WHERE any vehicle is standing in a parking place in contravention of the provisions of Article 9 a police constable in uniform or a civil enforcement officer or a person duly authorised by the Council may alter or cause to be altered the position of the vehicle in order that its position shall comply with those provisions
-

Power to suspend the use of a parking place

- 11 (1) A duly authorised civil enforcement officer or police constable in uniform or a person under the instructions (whether general or specific) of the Chief Officer of Police or a person duly authorised by the Council may suspend the use of a parking place or any part thereof 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 demolition or excavation operations the maintenance improvement or reconstruction of the highway or the cleansing of gullies in or adjacent to the parking place the laying erection alteration or repair in or adjacent to the parking place of any sewer or of any main pipe or apparatus for the supply of gas water or electricity or of any electronic communications apparatus or the placing maintenance or removal of any traffic sign
 - (c) for the convenience of occupiers of premises adjacent to the parking place on any occasion of the removal of furniture to or from one office or dwelling-house adjacent to the parking place from or to a depository or another office or dwelling-house
 - (d) on any occasion on which it is likely by reason of some special attraction that any road will be thronged or obstructed or
 - (e) for the convenience of occupiers of premises adjacent to the parking place at times of weddings or funerals or on other special occasions
- (2) Subject to paragraph (1) of this Article a police constable in uniform or a civil enforcement officer or any person duly authorised by the Council 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
- (3) On the suspension of the use of a parking place or any part thereof in accordance with the provisions of this Article the person authorising or causing such suspension shall place or cause to be placed in or adjacent to that parking place or that part thereof as the case may be a traffic sign or traffic signs indicating that the waiting by vehicles is prohibited
- (4) No person shall cause or permit any vehicle to wait in a parking place or part thereof during such period as there is in or adjacent to that parking place or that part thereof a traffic sign or traffic signs placed in pursuance of paragraph (3) of this Article:
-

PROVIDED THAT nothing in this paragraph shall apply -

- (i) in respect of any vehicle being used for fire brigade ambulance or police purposes or any vehicle which is waiting for any reason specified in Article 14(1)(b) (d) or (e) or
- (ii) to anything done with the permission of the person suspending the use of the parking place or part thereof in pursuance of paragraph (1) of this Article or a police constable in uniform or a civil enforcement officer acting in the exercise of lawful authority

Restriction on the use of a parking place or a vehicle in a parking place

12 DURING the permitted hours no person shall use any parking place or any vehicle while it is in a parking place in connection with the sale or offering or exposing for sale of any goods to any person in or near the parking place or in connection with the selling or offering for sale of his skill in handicraft or his services in any other capacity:

PROVIDED THAT nothing in this Article shall prevent the sale of goods from a vehicle –

- (a) if the vehicle is one which may wait in a parking place in accordance with Article 4 and the goods are immediately delivered at or taken into premises adjacent to the vehicle from which the sale is effected or
- (b) if the vehicle is one to which the provisions of Article 14(1)(h) or (i) apply

13 THE driver of a motor vehicle using a parking place shall stop the engine as soon as the vehicle is in position in the parking place and shall not start the engine except when about to change the position of the vehicle in or to depart from the parking place

Restriction on waiting by a vehicle in a parking place

14 (1) Notwithstanding the foregoing provisions of this Order any vehicle may wait during the permitted hours anywhere in any part of a parking place if the use of that part has not been suspended and if:

- (a) the vehicle is waiting for a period not exceeding two minutes or such longer period as a police constable in uniform or a civil enforcement officer acting in accordance with lawful authority may approve to enable a person to board or alight from the vehicle or load thereon or unload therefrom his personal luggage:

PROVIDED THAT if the said person is a person suffering from any disability or injury which seriously impairs his ability to walk or who is blind the vehicle may wait for as long as may be necessary to enable that person to board or alight from the

vehicle or load thereon or unload therefrom his personal luggage

- (b) the driver is being prevented from proceeding by circumstances beyond his control or to such waiting being necessary in order to avoid an accident
 - (c) the vehicle is being used for fire brigade ambulance or police purposes or not being a passenger vehicle a motor cycle or an invalid carriage is being used in the service of a local authority in pursuance of statutory powers or duties provided that in all the circumstances it is reasonably necessary in the exercise of such powers or in the performance of such duties for the vehicle to wait in the place in which it is waiting
 - (d) the vehicle is waiting only for so long as may be necessary to enable it to be used in connection with the removal of any obstruction to traffic
 - (e) the vehicle is waiting:
 - (i) while postal packets addressed to premises adjacent to the parking place in which the vehicle is waiting are being unloaded from the vehicle or having been unloaded therefrom are being delivered or
 - (ii) while postal packets are being collected from premises or posting boxes adjacent to the parking place in which the vehicle is waiting or having been so collected are being loaded thereon
 - (f) the vehicle not being a passenger vehicle a motor cycle or an invalid carriage is waiting only for so long as may be reasonably necessary to enable it to be used for any purpose specified in Article 11 (1)(b)
 - (g) the vehicle is in actual use in connection with the removal of furniture to or from one office or dwelling-house adjacent to the parking place in which the vehicle is waiting from or to a depository or another office or dwelling-house
 - (h) in any other case the vehicle is waiting for the purpose of delivering or collecting goods or loading or unloading the vehicle at premises adjacent to the parking place in which the vehicle is waiting and the vehicle does not wait for such purpose for more than twenty minutes or for such longer period as a police constable in uniform or a civil enforcement officer may approve or
 - (i) goods are being sold or offered or exposed for sale from the vehicle by a person who is licensed by the Council or the Borough Council to sell goods from a stationary vehicle on a pitch situated in the parking place
 - (j) vehicle is displaying a valid waiver certificate issued by a person duly authorised by the Council to wait in accordance with the terms and conditions prescribed by the said certificate either -
 - (i) in a prominent position behind the windscreen so that it is facing
-

forwards and can be entirely and easily seen from the front of the vehicle OR

(ii) a cashless parking device displayed in a conspicuous position behind the windscreen of the vehicle in a manner where it can be read by the hand held device OR

(iii) the vehicle has been recorded by the hand held device as having a valid cashless waiver certificate in which case no certificate of cashless parking device needs to be displayed on the vehicle

PROVIDED THAT a waiver certificate may be cancelled at any time at the sole discretion of the Council and shall thereupon immediately cease to be valid and that a notification of such cancellation shall be sent by post to the holder of the certificate at any address which the Council believes to be that person's address and the certificate shall forthwith be surrendered to the Council

- (2) No charge shall be payable in respect of any vehicle waiting in a residents' parking place or a shared use parking place in accordance with the foregoing provisions of this Article and a valid parking permit need not be displayed on that vehicle
- (3) Except as provided by this Order the driver or person in charge of a vehicle shall not cause or permit a vehicle to wait in a parking place during the permitted hours

Movement of a vehicle in a parking place in an emergency

15 ANY person duly authorised by the Council a police constable in uniform or a civil enforcement officer may move or cause to be moved in case of emergency to any place he thinks fit any vehicle left unattended in a parking place

Removal of a vehicle from a parking place

16 (1) When a vehicle is left in a parking place in contravention of any of the provisions contained in this Order a person authorised in that behalf by the Council or a police constable in uniform or a civil enforcement officer may remove the vehicle or arrange for it to be moved from that parking place

BUT PROVIDED THAT civil enforcement officers shall not exercise the powers in this Article other than in accordance with the 1986 Regulations

(2) Where it appears to the Council or a police constable in uniform that a vehicle left in a parking place has been abandoned a civil enforcement officer or a police constable in uniform may in such manner as they consider necessary for the purpose remove the vehicle or arrange for it to be moved from that parking place:

PROVIDED THAT where the Council or a police constable in uniform propose to move such a vehicle which in the opinion of the Council or the Chief Constable is in such a condition that it ought to be destroyed then they shall not less than twenty-four hours before removing it cause to be affixed to the vehicle a notice stating that they propose to remove it for destruction at the end of that period

17 WHEN a person authorised by the Council or a police constable in uniform or a civil enforcement officer removes or makes arrangements for the removal of a vehicle from a parking place by authority of Article 16 he shall except in the case of a vehicle which in the opinion of the Council or the Chief Constable is in such condition that it ought to be destroyed make such arrangements as may be deemed reasonably necessary for the safe custody of the vehicle

Charges for the removal and storage of a vehicle from a parking place

18 WHERE a vehicle is removed by the Council or a police constable in uniform from a parking place in pursuance of Article 16 there shall be payable to the Council or the Chief Constable pursuant to Section 102 of the Act and the Removal, Storage and Disposal of Vehicles (Prescribed Sums and Charges etc.) Regulations 1989 charges for the removal storing and disposal of the said vehicle in accordance with the provisions of the said Regulations

Placing of traffic signs etc

19 THE Council shall -

- (a) place and maintain a traffic sign or traffic signs indicating the limits of a parking space and/or each parking place and
- (b) place and maintain in or in the vicinity of each parking place referred to in
 - (i) Article 3 of this Order a traffic sign or traffic signs indicating that such parking place may be used during the permitted hours for the leaving only of the vehicles specified in Article 4 and
 - (ii) Article 5 of this Order a traffic sign or traffic signs indicating that such parking place may be used during the permitted hours for the leaving only of the vehicles specified in Article 6 and
- (a) carry out such other work as is reasonably required for the purposes of the satisfactory operation of a parking place

PART V – PARKING PERMITS

SECTION I - RESIDENTS' PARKING PERMITS

Application for and issue of a resident's parking permit

- 20 (1) (a) Any resident who is the owner of a vehicle of the following class that is to say a passenger vehicle or a goods vehicle or a motor cycle or who uses the vehicle with the permission of the owner of such a vehicle on a regular basis in the course of his employment may apply to the Borough Council in accordance with the following provisions for the issue to him of a resident's parking permit or a virtual resident's parking permit in respect of that vehicle
- (b) The number of residents' parking permits that may be issued by the Council or Borough Council in respect of each separate place of abode shall be calculated as the sum of the number of vehicles registered to residents therein minus the total number of off-street parking spaces available to that place of abode

PROVIDED that where the Council or Borough Council is of the opinion that the off-street parking space is large enough for the leaving of a motor car or goods vehicle or any number of those vehicles or a combination thereof but cannot be used for that purpose due to alternative use being made of that space by any member of the household then the Borough Council may count the number of such off-street parking spaces in the calculation for the total number of residents' parking permits to be issued to any resident of that particular place of abode

- (2) At premises where there are more than one resident applications from the residents will be treated on the basis that paragraph (1) of Article 20 shall apply to the first resident who applies
- (3) The Council may at any time require an applicant for a parking permit or any parking permit holder to produce to an officer of the Council such evidence in respect of an application for a parking permit made to them as they may reasonably call for to verify any particulars or information given to them or in respect of any parking permit issued by them to that person as they may reasonably call for to verify that the parking permit is valid
- (4) Upon receipt of an application duly made -
- (a) under the provisions of paragraph (1) of this Article in respect of the first nominated vehicle the Council upon being satisfied that the applicant is a resident and is the owner of a vehicle of the classes specified in paragraph (1) of this Article may in its absolute discretion issue to the applicant therefor one resident's parking permit the parking permit being for the leaving without time limit during the permitted hours in such residents' parking place or shared use
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parking place within the lengths of roads in column 3 of the table forming the First Part or the Second Part of the First Schedule as relates to the usual place of abode of the applicant as indicated in column 2 of the said table of the vehicle to which such parking 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

(b) under the provisions paragraph (1) of this Article in respect of the second or other subsequent nominated vehicle (where applicable) the Council upon being satisfied that the applicant is a resident and is the owner of a vehicle of the classes specified in paragraph (1) of this Article may in its absolute discretion issue to the applicant therefor one parking permit the parking permit being for the leaving without time limit during the permitted hours in such residents' parking place or shared use parking place in the lengths of roads in column 3 of the table forming the First Part or the Second Part of the First Schedule as relates to the usual place of abode of the applicant as indicated in column 2 of the said table 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

(5) Notwithstanding the foregoing provisions of paragraph (1) of this Article the Council shall not in any circumstances issue a parking permit to any resident which would be valid for any period during which any other parking permit issued to that resident by the Council and/or the Borough Council for the leaving of a vehicle in a street parking place pursuant to the provisions of any other enactment is valid

(6) If the Council is either unable or decides not to issue a parking permit to an applicant therefor any remittance paid shall be refunded to the said applicant

(7) The fee referred to in paragraph (1) of this Article payable to the Council shall be the sum of -

(a) fifty pounds in respect of a parking permit issued under the provisions of paragraph (4) of this Article in respect of the first nominated vehicle which subject to the provisions of this Order shall be valid for a period of twelve months running from any day of the month on which the parking permit first becomes valid

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- (b) seventy-five pounds in respect of a parking permit issued under the provisions of paragraph 4 of this Article in respect of the second or other subsequent nominated vehicle which subject to the provisions of this Order shall be valid for a period of twelve months running from any day of the month on which the parking permit first becomes valid
- (8) It is hereby stated by the Council that -
- (a) the issuing of a parking permit to a parking permit holder does not guarantee that any parking space within the residents' parking place or shared use parking place will be available for use by the parking permit holder aforesaid during the permitted hours and
 - (b) the parking permit remains at all times whilst it is issued to a parking permit holder the property of the Council

Surrender withdrawal and validity of parking permits

- 21 (1) A parking permit holder may surrender a parking permit or cashless parking device to the Council at any time and shall surrender it to the Council on the occurrence of any one of the events set out in paragraph (3) of this Article or in accordance with the provisions of paragraph (5) of this Article
- (2) The Council may by notice in writing served on a parking permit holder by sending the same by the recorded delivery service to that person at the address shown by that person on the application for the parking permit or cashless parking device or at any other address believed to be that person's place of abode withdraw a parking permit if it appears to the Council that any one of the events set out in paragraph (3)(a) (b) (d) (e) (f) or (g) of this Article has occurred and that person shall surrender the parking permit or cashless parking device to the Council 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 parking permit holder ceasing to be a resident
 - (b) the parking permit holder ceasing to be the owner of the vehicle in respect of which the parking permit was issued
 - (c) the withdrawal of the parking permit by the Council under the provisions of paragraph (2) of this Article
 - (d) the vehicle in respect of which the parking permit was issued being adapted or used in such a manner that it is not a vehicle of a class specified in paragraph (1) of Article 20
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- (e) the parking permit having been obtained by fraud and/or deception or as a result of incorrect material information supplied by the applicant therefor
 - (f) the parking permit bearing a letter other than that indicated by the Council pursuant to the provision of paragraph (1) of Article 2 relating to a parking permit
 - (g) the issue of a duplicate parking permit by the Council pursuant to the provisions of Article 22
 - (h) the parking permit ceasing to be valid pursuant to the provisions of paragraph (4) of this Article
- (4) Without prejudice to the foregoing provisions of this Article a parking permit shall cease to be valid at the expiration of the period stated thereon or on the occurrence of any one of the events set out in paragraph (3) of this Article whichever is the earlier
- (5) Where a parking permit is issued pursuant to paragraph (4) of Article 20 to any person upon receipt of a cheque and the cheque is subsequently dishonoured the parking permit shall cease to be of any effect and the Council shall by notice in writing served on the person to whom such parking permit or cashless parking device was issued by sending the same by the recorded delivery service to him at the address shown by that person on the application for the parking permit or at any other address believed to be that person's place of abode require that person to surrender the parking permit to the Council within 48 hours of the receipt of the afore-mentioned notice

Application for and issue of duplicate parking permits

- 22 (1) If a parking permit or cashless parking device is mutilated or torn or accidentally defaced or the figures or particulars thereon have become illegible or the colour of the parking permit has become altered by fading or otherwise the parking permit holder shall either surrender it to the Council or apply to the Council for the issue to him of a duplicate parking permit and the Council upon receipt of the parking permit shall issue a duplicate parking permit so marked and upon such issue the first mentioned parking permit shall become invalid
- (2) If a parking permit or cashless parking device is lost or destroyed the parking permit holder may apply to the Council for the issue to him of a duplicate parking permit and the Council upon being satisfied as to such
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loss or destruction shall issue a duplicate parking permit so marked and upon such issue the first mentioned parking permit shall become invalid

- (3) The provisions of this Order shall apply to a duplicate parking permit and an application therefor as if it were a parking permit or as the case may be an application therefor
- (4) The duplicate permit remains at all times while it is issued to a permit holder the property of the Council
- (5) The charge for the issue of a duplicate parking permit shall be fifteen pounds for each duplicate parking permit issued pursuant to paragraph (1) or paragraph (2) of this Article

Application for the re-issue of a residents parking permit upon a change of vehicle with a different registration mark

23 WHERE a resident or a parking permit holder applies for the issue of a further resident's parking permit due to that resident or that parking permit holder changing the vehicle in respect of which the original resident's parking permit was issued so that the original resident's parking permit no longer bears the registration mark of the vehicle in respect of which that original resident's parking permit was first issued under the provisions of paragraph (4) of Article 20 then the original resident's parking permit shall be surrendered to the Council or the Borough Council and immediately a further resident's parking permit will be issued to that resident or parking permit holder bearing the registration mark of the new vehicle

PROVIDED THAT there shall then be payable to the Council or the Borough Council a sum of fifteen pounds for the issue of that further resident's parking permit which shall be valid for the remainder of the period stated on the original resident's parking permit under the provisions of paragraph (b) of Article 24

Form of parking permits

24 A parking permit shall either –

- (1) Be in writing and shall include the following particulars:-
 - (a) the registration mark of the vehicle in respect of which the parking permit has been issued and
 - (b) the period during which subject to the provisions of paragraph (4) of Article 21 the parking permit shall remain valid and
 - (c) an indication that the parking permit has been issued by the Borough Council and
 - (d) the word "Resident Parking Permit" and the appropriate letter identifying the
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roads or lengths of roads in which the permit is valid

- (2) Be a cashless parking device OR
- (3) Be a virtual Resident's parking permit

Display of parking permits

25 AT all times during which a vehicle of a class specified in Article 20 is left in a resident parking place during the permitted hours a valid resident parking permit shall either -

- (a) be displayed on the vehicle in respect of which it was issued on the front or near side of the vehicle so that all the particulars on the resident parking permit are readily visible from the front or near side of the vehicle OR
- (b) be a cashless parking device displayed in a conspicuous position on the windscreen of the vehicle in a manner where it can be read by the handheld device OR
- (c) be a Virtual Parking Permit that is recorded by the hand held device in respect of a vehicle

PROVIDED THAT in respect of a vehicle which is validated by the hand held device as having a valid Virtual Resident Parking Permit, no permit or cashless parking device needs to be displayed on that vehicle

AND PROVIDED THAT no such parking permit or cashless parking device or virtual parking permit need be so displayed if the vehicle is waiting in such a parking place pursuant to the provisions of Article 14 or is displaying in the manner specified in Article 29 or paragraph (7) of Article 31 or Article 36 or Article 39 (if applicable) a valid parking permit issued in respect of that vehicle or is a disabled person's vehicle which displays in the relevant position or in the prescribed manner a disabled person's badge issued by any local authority

Refund of fee paid in respect of a parking permit

- 26
- (1) A resident's parking permit holder who surrenders a parking permit to the Council before the parking permit becomes valid shall be entitled to a refund of the fee paid in respect thereof
 - (2) A parking permit holder who surrenders a parking permit to the Council after the parking permit has become valid shall be entitled to a refund of part of the charge paid in respect thereof calculated in accordance with the provisions of the next following paragraph
 - (3) The part of the charge which is refundable under the provisions of the last foregoing paragraph shall be calculated as one-twelfth of the sum paid in
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respect thereof in respect of each complete month of the period specified thereon as the period during which it shall be valid which remains unexpired at the time when the permit is surrendered to the Council

SECTION II - RESIDENTS' VISITORS' PARKING PERMITS

Application for and issue of a resident's visitor's parking permit

- 27 (1) Any resident may apply to the Council for the issue of a resident's visitor's parking permit or virtual permit for the leaving without time limit during the permitted hours in a parking space (where such parking space is provided) in a residents' parking place or a shared use parking place of a vehicle of a class referred to in paragraph (1) of Article 20 owned by and/or being used by a visitor and any application for such a resident's visitor's parking permit or virtual permit shall be made on a form issued by and obtainable from the Council and shall include the particulars and information required by such form to be supplied and shall be accompanied by a remittance for the appropriate fee in respect of a resident's visitor's parking permit or virtual permit hereinafter specified
- (2) The Council may at any time require an applicant for a resident's visitor's parking permit or any resident's visitor's parking permit holder to produce to an officer of the Council such evidence in respect of an application for a resident's visitor's parking permit made to them as they may reasonably call for to verify any particulars or information given to them or in respect of any resident's visitor's parking permit issued by them to that person as they may reasonably call for to verify that the resident's visitor's parking permit is valid
- (3) Upon receipt of an application duly made under the foregoing provisions of this Article and the appropriate fee specified in paragraph (6) of this Article the Council upon being satisfied that the applicant is a resident may in its absolute discretion issue to the applicant therefor one resident's visitor's parking permit the parking permit aforesaid being for the leaving without time limit during the prescribed hours in a parking space (where such parking space is provided) in any residents' parking place or shared use parking place indicated in column 3 of the table in the First Part or the Second Part of the First Schedule as relates to the usual place of abode of the applicant as indicated in column 2 of the said table of a vehicle owned by and/or being used by a person visiting the applicant therefor
- PROVIDED THAT subject to the provisions of paragraph (4) of this Article the Council may in its absolute discretion vary the number of residents'
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visitors' parking permits that are issued at any one time in respect of a particular place of abode and may require the production and/or surrender of a used residents' visitor's parking permit or used residents' visitors' parking permits before issuing a further such permit

- (4) Subject to paragraph (3) of this Article the number of residents' visitors' parking permits issued in respect of each separate place of abode shall not exceed one hundred and twenty in each calendar year
- (5) If the Council is either unable or decides not to issue a resident's visitor's parking permit to an applicant therefor any remittance paid shall be refunded to the said applicant
- (6) The fee referred to in paragraph (3) of this Article payable to the Council in respect of a residents' visitor's parking permit shall be two pounds for each such parking permit and that the resident's visitor's parking permit shall be valid for a period of one day only
- (7) No refund shall be payable by the Council in respect of any unused residents' visitors' parking permits or any such parking permits which are or have been lost or destroyed by the resident to whom those residents' visitors' parking permits have been issued or which residents' visitors' parking permits have been mutilated or torn or accidentally defaced in any way whatsoever whilst those residents' visitors' parking permits have been issued to a resident and are actually held by that resident for the time being
- (8) For the avoidance of doubt it is hereby stated by the Council that -
 - (a) the issuing of a resident's visitor's parking permit to a resident does not guarantee that any parking space within the residents' parking place or shared use parking place will be available for use by the visitor to that resident during the permitted hours and
 - (b) the resident's visitor's parking permit remains at all times whilst it is issued to the resident the property of the Council

Form of residents' visitor's parking permits

28 A resident's visitor's parking permit shall either –

- (a) be in writing and shall include the following particulars -
 - (i) a space for the insertion of the registration mark of the vehicle on which the resident's visitor's parking permit is to be displayed on and used
 - (ii) an indication that the resident's visitor's parking permit has been issued by the Borough Council
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- (iii) a figure stating the number of the resident's visitor's parking permit
 - (iv) in accordance with column 1 of the table forming the First Part or Second Part of the First Schedule the letter indicating the Area for which resident's visitor's parking permit applies
 - (v) a space for the insertion of a set of figures and/or words indicating the days of the month and the calendar year when the resident's visitor's parking permit may be used OR
- (b) be a cashless parking device OR
 - (c) be a virtual parking permit

Display of residents' visitors' parking permits

29 AT all times during which a vehicle of a class referred to in Article 20(1) is left in a parking place during the permitted hours in accordance with the said Article a valid resident's visitor's parking permit shall either -

- (a) be displayed on the vehicle in respect of which it is to be used on the front or near-side of the vehicle so that all the particulars on the resident's visitor's parking permit are readily visible from the front or near-side of the vehicle OR
- (b) be a cashless parking device displayed in a conspicuous position on the vehicle in a manner where it can be read by the handheld device
- (c) be a virtual parking permit that is recorded by the hand held device in respect of a vehicle

PROVIDED THAT a vehicle is validated by the hand held device as having a valid Virtual resident's visitor's parking permit no permit or cashless parking device needs be displayed on that vehicle

AND PROVIDED THAT no such resident's visitor's parking permit cashless parking device or virtual parking permit is required if the vehicle is waiting in a residents only or shared use parking place pursuant to the provisions of Article 14 or is displaying in the manner specified in Articles 25 or 31 or 36 or 39 (if applicable) a valid parking permit issued in respect of that vehicle or is a disabled person's vehicle which is displaying in the relevant position or in the prescribed manner a disabled person's badge issued by any local authority

Validation of residents' visitors' parking permits

30 A resident's visitor's parking permit shall be validated by the resident to whom it has been issued or by the visitor by whom it is to be used by indicating by whatever means provided on that resident's visitor's parking permit the date of the day of the month and the

year on which that resident's visitor's parking permit is to be used and by marking on the resident's visitor's parking permit the registration mark of the vehicle in respect of which that resident's visitor's parking permit is to be used

PROVIDED THAT where validation of the permit is required to be written such validation shall be completed in permanent pen

AND PROVIDED THAT where a cashless parking device or Virtual Parking Permit is validated by the hand held device no such resident's visitor's parking permit is required to be displayed

SECTION III

OPERATIONAL PARKING PERMITS

Application for and issue of an operational parking permit

- 31 (1) ANY person falling within the definition of medical personnel or community care personnel in Paragraph (1) of Article 2 of this Order may apply to the Borough Council for the issue of an operational parking permit for the leaving during the permitted hours of either a passenger vehicle or a goods vehicle and belonging to or being used by a person visiting a resident whose usual place of abode is at premises the postal address of which is specified in Column 2 of the table forming the First Part or the Second Part of the First Schedule in the course of medical or community care duties at those premises and any such application shall be made in accordance with formal guidance issued by and obtainable from the Borough Council and shall include the particulars and information required by such guidance to be supplied and the Borough Council may in its absolute discretion issue an operational parking permit to such categories of medical or community care personnel
- (2) THE Borough Council may at any time require an applicant therefor or an operational parking permit holder to produce to an Officer of that Council such evidence in respect of an application for an operational parking permit made to them as they may reasonably call for to verify any particulars or information given to them or in respect of any operational parking permit issued by them to that person as they may reasonably call for to verify that the operational parking permit is valid
- (3) UPON receipt of an application duly made under the foregoing provisions of this Article and upon being satisfied that the applicant is employed as one of the specific categories of medical or community care personnel and is either the owner of either a passenger vehicle or a goods vehicle or a person authorised by the owner of such a vehicle the Borough Council may in its
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absolute discretion issue to the applicant therefor one operational parking permit for the leaving without time limit and free of charge during the permitted hours in a residents' parking place or shared use parking place in any road or length of road indicated in column 3 of the table in the First Part or the Second Part the First Schedule as relates to the usual place of abode of the applicant as indicated in column 2 of the said table of a vehicle belonging to or being used by medical or community care personnel visiting a resident in the course of their duties

- (4) IN any respect not specifically mentioned in Paragraphs (1), (2), (3), (5) and (6) of this Article the procedure validity and terms of use of an operational parking permit shall be the same as the procedure validity and terms of use of a resident's parking permit and this Paragraph shall be construed accordingly
- (5) NO charge shall be payable in respect of an operational parking permit which subject to the provisions of this Order shall be valid for a period of twelve months
- (6) An operational parking permit shall either –
- (a) be in writing and shall include the following particulars:-
 - (i) the registration mark of the vehicle in respect of which the operational parking permit has been issued
 - (ii) the period during which the operational parking permit shall remain valid
 - (iii) an indication that the operational parking permit has been issued by the Borough Council
 - (iv) the words "Operational Parking Permit" and an indication of which area to which the permit shall apply OR
 - (b) be a cashless parking device displayed in a conspicuous position on the vehicle in a manner where it can be read by the handheld device OR
 - (c) apply to a vehicle that has been recorded by the hand held device as having a valid virtual parking permit
- (7) AT all times during which a vehicle of a class specified in Paragraph (1) of this Article is left in any resident only parking place or shared use parking place identified in the plans during the permitted hours a valid operational parking permit shall either –
- (a) be displayed on the vehicle in respect of which it was issued on the front or nearside of the vehicle so that all the particulars on the parking permit are readily visible from the front or nearside of the vehicle OR
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- (b) be a cashless parking device displayed in a conspicuous position on the vehicle in a manner where it can be read by the handheld device
- (c) be a virtual parking permit that is recorded by the hand held device in respect of the vehicle

PROVIDED THAT a vehicle is validated by the hand held device as having a valid Virtual operational parking permit, no permit or cashless parking device needs be displayed on that vehicle

AND PROVIDED THAT no such operational parking permit or cashless parking device or virtual parking permit is required if the vehicle is waiting in such a parking place pursuant to the provisions of Article 14 or is displaying in the manner specified in Articles 25 or 29 or 36 or 39 (if applicable) a valid parking permit issued in respect of that vehicle or is a disabled person's vehicle which is displaying in the relevant position or in the prescribed manner a disabled person's badge issued by any local authority

SECTION IV

CARERS' PARKING PERMITS

Application for and issue of a Carer's Parking Permit

32 (1) ANY person –

- (a) who is resident or ordinarily resident at any premises the postal address of which is in the roads and lengths of roads specified and described in the First Part or the Second Part of the First Schedule and
- (b) is housebound and
- (c) in need of regular short term visits from carers or community care personnel

may apply to the Borough Council for the issue of a Carer's Parking Permit or a virtual carer's parking permit for the leaving in any residents only parking place or any shared use parking place situated within Resident Area Specified in column 3 of the table in the First Part of Second Part of the First Schedule during the permitted hours of either a passenger vehicle or goods vehicle and belonging to or being used by a person visiting that resident at those premises to carry out carer's duties and any such application shall be made either electronically or on a form issued by and obtainable from the Borough Council and shall include the particulars and information required to be supplied and the Borough Council may in its absolute discretion issue a Carer's Parking Permit to such carers or community care personnel

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- (2) THE Borough Council may at any time require an applicant for a carer's parking permit or a carer's parking permit holder to produce to an officer of that Council such evidence in respect of an application for a carer's parking permit made to them as they may reasonably call for to verify any particulars or information given to them or in respect of any carer's parking permit issued by them to that person as they may reasonably call for to verify that the carer's parking permit is valid
- (3) UPON receipt of an application duly made under the foregoing provisions of this Article and upon being satisfied that the applicant is housebound and in need of such short term visits by carers or community care personnel and that the carer or the community care personnel is or are either the owner of either a passenger vehicle or goods vehicle or a person authorised to use such a vehicle by the owner thereof the Borough Council may in its absolute discretion issue to the applicant therefor one carer's parking permit for the leaving without time limit and free of charge during the permitted hours in any parking space (where such parking space is provided) in any residents' parking place or shared use parking place in a road or length of road in column 3 of the table in the First Part or the Second Part of the First Schedule as relates to the usual place of abode of the applicant as indicated in column 2 of the said table of a vehicle belonging to or being used by a person visiting that resident as a carer or as community care personnel in the course of their duties

PROVIDED THAT the Carer's Parking Permit is only valid in respect of any resident's premises that are situated in the roads or parts of the roads specified and described in the First Part or the Second Part of the First Schedule

- (4) IN any respect not specifically mentioned in paragraphs (1), (2) and (3) of this Article and Articles 33 to 36 the procedure validity and terms of use of a Carer's Parking Permit shall be the same as the procedure validity and terms of use of a Residents' Parking Permit and this paragraph shall be construed accordingly

Fee to be paid in respect of a Carer's Parking Permit

- 33 THE fee payable to the Borough Council in respect of a Carer's Parking Permit shall be ten pounds per permit which subject to the provisions of this Order shall be valid for a period of twelve months

Refund of the fee paid in respect of a Carer's Parking Permit

34 (1) A Carer's parking permit holder who surrenders their carer's parking permit to the Borough Council before the said parking permit becomes valid shall be entitled to a refund of the fee paid in respect thereof

(2) a carer's parking permit holder who surrenders their carer's parking permit to the said Borough Council after the said parking permit has become valid shall not be entitled to a refund

Form of Carer's Parking Permit

35 A Carer's Parking Permit shall either –

- (a) be in writing and shall include the following particulars –
 - (i) a serial number identifiable in the office of issue
 - (ii) the words "CARER"
 - (iii) the period during which the carer's parking permit shall remain valid
 - (iv) an indication that the carer's parking permit has been issued by the Borough Council
 - (v) the words "Resident Area" and the letter of the Resident Area indicated in column 1 of the First Part or Second Part of the First Schedule OR
- (b) be a cashless parking device OR
- (c) be a virtual parking permit

Display of Carer's Parking Permit

36 AT all times during which a passenger vehicle or a goods vehicle which is being used for the purposes specified in paragraph (1) of Article 32 is left in a residents' only or shared use parking place identified on the plans during the permitted hours a valid carer's parking permit shall either –

- (a) be displayed on the vehicle in respect of which it is to be used on the front or near-side of the vehicle so that all the particulars on the Carer's Parking Permit are readily visible from the front or near-side of the vehicle OR
- (b) be a cashless parking device displayed in a conspicuous position on the vehicle in a manner where it can be read by the handheld device OR
- (c) be a Virtual Parking Permit that is recorded by the hand held device in respect of a vehicle

PROVIDED THAT a vehicle is validated by the hand held device as having a valid virtual carer's parking permit, no permit or cashless parking device needs be displayed on that vehicle

AND PROVIDED THAT no such carer's parking permit, cashless parking device or virtual parking permit is required if the vehicle is waiting in such a parking place pursuant to the provisions of Article 14 or is displaying in the manner specified in Articles 25 or 29 or 31 or 39 (if applicable) a valid parking permit issued in respect of that vehicle or is a disabled person's vehicle which is displaying in the relevant position or in the prescribed manner a disabled person's badge issued by any local authority

SECTION V

BUSINESS PARKING PERMITS

Application for and issue of a Business Parking Permit

- 37 (1) Any business user who is the owner of a vehicle of the following class that is to say a passenger vehicle a goods vehicle a motor-cycle or an invalid carriage that is essential to the business user's business may apply to the Borough Council for the issue of a business parking permit or a virtual business permit in respect of that vehicle and any such application shall be made either electronically or on a form issued by and obtainable from the Borough Council and shall include the particulars and information required by such form to be supplied
- (2) The Council may at any time require an applicant for a business parking permit or a business parking permit holder to produce to an officer of the council such evidence in respect of an application for a business parking permit made to them as they may reasonably call for to verify any particulars or information given to them or in respect of any business parking permit issued by them to as they may reasonably call for to verify that the business parking permit is valid
- (3) On receipt of an application duly made under the foregoing provisions of this Article the Borough Council upon being satisfied that the applicant is a business user and is the owner of a vehicle of the class specified in paragraph (1) of this Article shall issue to the applicant therefor upon receipt of the fee of two hundred and fifty pounds for the first 12 months from the date of operation of this Order or the fee of three hundred and fifty pounds following that 12 month period one Business Parking Permit and a protective cover for the display therein of that Business Parking Permit the Business Parking Permit being for the leaving during the permitted hours in a parking space (where such parking space is provided) in a residents' only parking place or shared use parking place situated on any road or part of a road specified in column 3 of the table forming the Second Schedule and
-

the postal address of the business premises occupied by the aforesaid business user being within the roads or parts of the roads specified in column 2 of the aforesaid part of the table to which such business parking permit relates by the owner of such vehicle or by any person using such vehicle with the consent of the owner

PROVIDED THAT the Council shall not issue a business parking permit to any business user which would be valid during any period during which -

- (a) any two other business parking permits issued to that business user are or would be valid or
- (b) any residents' parking permit issued to that business user and relating to the vehicle in question is or would be valid

AND PROVIDED ALSO THAT officers of the Borough Council have the absolute discretion to permit the issue of extra business parking permits where it is considered special circumstances exist

- (4) It is hereby stated by the Council that -
 - (a) the issuing of a business parking permit to a business parking permit holder does not guarantee that any parking space within any parking place will be available for use by the business parking permit holder aforesaid during the permitted hours and
 - (b) the business parking permit remains at all times whilst it is issued to a business parking permit holder the property of the Council

Form of a Business Parking Permit

38 A business parking Permit shall either –

- (a) be in writing and shall include the following particulars: -
 - (i) the registration mark of the vehicle in respect of which the business parking permit has been issued and
 - (ii) the period during which subject to the provisions of paragraph (4) of article 40 the business parking permit shall remain valid and
 - (iii) an indication that the business Parking Permit has been issued by the Borough Council
 - (iv) the indicator specified in column 1 of the table in the Second Schedule OR
- (b) be a cashless parking device OR
- (c) be a virtual parking permit

Display of a Business Parking Permit

39 AT all times during which a vehicle of a class specified in paragraph (1) of Article 37 is left in a residents' only or shared use parking place during the permitted hours a valid Business Parking Permit shall either -

- (a) be displayed on the vehicle in respect of which it is to be used on the front or near-side of the vehicle so that all the particulars on the business parking permit are readily visible from the front or near-side of the vehicle or
- (b) be a cashless parking device displayed in a conspicuous position on the vehicle in a manner where it can be read by the handheld device or
- (c) be a virtual parking permit that is recorded by the hand held device in respect of a vehicle

PROVIDED THAT a vehicle is validated by the hand held device as having a valid virtual business parking permit, no permit or cashless parking device needs be displayed on that vehicle

AND PROVIDED THAT no such business parking permit, cashless parking device or virtual parking permit is required if the vehicle is waiting in such a parking place pursuant to the provisions of Article 10 or is displaying in the manner specified in Articles 25 or 29 or 31 or 35 a valid parking permit issued in respect of that vehicle or is a disabled person's vehicle which is displaying in the relevant position or in the prescribed manner a disabled person's badge issued by any local authority

Refund of fee paid in respect of a Business Parking Permit

- 40 (1) a business parking permit holder who surrenders a business parking Permit to the Council before the business parking permit becomes valid shall be entitled to a refund of the fee paid in respect thereof
- (2) a business parking permit holder who surrenders a business parking permit to the Council after the business parking permit has become valid shall be entitled to a refund of part of the fee paid in respect thereof calculated in accordance with the provisions of the next following paragraph
- (3) the part of the fee which is refundable under the provisions of the last foregoing paragraph shall be calculated as the sum of one-twelfth of the sum paid in respect thereof in respect of each complete month of the period specified thereon as the period during which it shall be valid which remains unexpired at the time when the business parking permit is surrendered to the Council

SECTION V - GENERAL

Saving with respect to the parking place

41 INsofar as any provision contained in PART II or PART III conflicts with a provision which is contained in any other enactment existing at the time when this Order comes into operation and which imposes or has the effect of imposing any restriction or prohibition on -

- (a) the waiting loading or unloading by vehicles and/or
- (b) the delivering or collecting of goods by vehicles
- (c) or grants an exemption from any such restriction or prohibition

then the provisions contained in PART II or PART III as applicable shall prevail

Saving with respect to other enactments

42 SUBJECT to the provisions contained in Article 32 the prohibitions restrictions and requirements imposed by this Order are in addition to and not in derogation of any prohibition restriction or requirement imposed by any other enactment and any exception or exemption from the provisions of this Order is without prejudice to the provisions of any other enactment

**PART VII
REVOCATION**

Revocation

43 WITHOUT prejudice to the validity of anything done or to any liability incurred in respect of any act or omission before the coming into force of this Order the Orders specified in the Third Schedule to this Order are hereby revoked in their entirety

FIRST SCHEDULE
ROADS OR PARTS OF ROADS FOR THE PURPOSE OF
THE ISSUE OF RESIDENT PARKING PERMITS

FIRST PART

Column 1: Area shown on permit	Column 2: Roads for the purpose of definition of residents	Column 3: Roads in which residents are entitled to park within residents' parking places or shared use parking places with correct permit
A	Hurst Grove Walton-On-Thames	Hurst Grove
B	Ashley Road 1-7 and 9 only High Street 64-70 evens only Walton-On-Thames	Ashley Road
C	Grange Court Walton-On-Thames	Grange Court
D	Betley Court 1-7 Danesfield Close Walton-On-Thames	Betley Court Danesfield Close
E	Windmill Lane, Alston Close, Howard Street, Winters Road 1-4 Thames Cottages Long Ditton/Thames Ditton	Windmill Lane, Alston Close, Howard Street, Winters Road
F	Holstein Avenue 2-40 (evens only) High Street, Weybridge Elmgrove Road Elmgrove Mews Oakdale Road No. 2 The Crescent Dorchester Road Gascoigne Road Nos 1-21 Monument Green Nos. 42-70 (even Nos) High Street Nos. 1-19 (odd Nos) Thames Street, Weybridge	Cedar Road Holstein Avenue Elmgrove Road Oakdale Road Dorchester Road Gascoigne Road
G	Riverbank Feltham Avenue Hurst Road (Nos 2 to 16 evens) Hardys Mews Ash Island East Molesey	Riverbank Feltham Avenue Hurst Road
K	Residents of 1-6 inclusive and Eastview House Faulkners Road, Hersham	Faulkners Road, Hersham
M	Matthew Arnold Close, Cobham	Matthew Arnold Close, Cobham
O	1-14 (inclusive) Jubilee Villas, Elford Cottage, Weston Green Road and Corner Cottage, Hampton Court Way, Thames Ditton	Weston Green Road, Thames Ditton

SECOND PART

Column 1: Area shown on permit	Column 2: Roads for the purpose of definition of residents	Column 3: Roads in which residents are entitled to park within residents' parking places or shared use parking places with correct permit
H	Thames Street Dale Road Harvey Road 44 Mayo Road 1-24 Bridge Street, Walton-On-Thames	Thames Street Dale Road Harvey Road, Walton-On-Thames
I	South Road Weybridge	South Road
J	Felcott Road Felcott Close Nos.145-159 Hersham Road, Hersham	Felcott Road and Felcott Close, Hersham
L	Anderson Road Cross Road Vale Court Flat 2 The Hall and Allendale in Vale Road Nos. 120, 140A, B and C and 142 Oatlands Drive Weybridge	Anderson Road, Cross Road and Vale Court, Weybridge
N	Broomfield Court, Weybridge	Broomfield Court, Weybridge

SECOND SCHEDULE

**ROADS OR PARTS OF ROADS FOR THE PURPOSE OF
THE ISSUE OF BUSINESS PARKING PERMITS**

Column 1: Indicator (shown on permit)	Column 2: Roads for the purpose of definition of business users	Column 3: Roads in which business users are entitled to park within marked bays with appropriate permit
Business Parking Permit G	Feltham Avenue Hurst Road Nos 2 to 16 evens Riverbank	Feltham Avenue Hurst Road Riverbank

Drawing No	Date Drawn	Rev' n	Date Rev'd	Rev' n	Date Rev'd	Rev' n	Date Rev'd	Rev' n	Date Rev'd
3282/ELM/Y09	12/21								
3282/ELM/Y10	12/21								
3282/ELM/Y11	12/21								

FOURTH SCHEDULE

Revocations

1. The Surrey County Council (Various Roads in Elmbridge) (Residents' On-Street Parking Places) Order 2014
2. The Surrey County Council (Various Roads in Elmbridge) (Residents' On-Street Parking Places) Order 2014 (Amendment No. 1) Order 2015
3. The Surrey County Council (Various Roads in Elmbridge) (Residents' On-Street Parking Places) Order 2014 (Amendment No. 2) Order 2016
4. The Surrey County Council (Various Roads in Elmbridge) (Residents' On-Street Parking Places) Order 2014 (Amendment No. 4) Order 2017
5. The Surrey County Council (Various Roads in Elmbridge) (Residents' On-Street Parking Places) Order 2014 (Amendment No. 5) Order 2018
6. The Surrey County Council (Various Roads in Elmbridge) (Residents' On-Street Parking Places) Order 2014 (Amendment No. 6) Order 2019
7. The Surrey County Council (Various Roads in Elmbridge) (Residents' On-Street Parking Places) Order 2014 (Amendment No. 7) Order 2019

Executed as a Deed by Surrey County Council on 7 December 2021

EXECUTED AS A DEED by affixing)
 THE COMMON SEAL of SURREY)
 COUNTY COUNCIL in the presence)
 of and attested by:-)



[Handwritten signature in blue ink]

Authorised Signatory

SURREY COUNTY COUNCIL

DATE: 7 DECEMBER 2021

Number in Sealing Register:

Ordered to be Sealed by: 30960

Elmbridge Local Committee

14 July 2021 Item 10

ROAD TRAFFIC REGULATION ACT 1984

SECTIONS 32 35 36

45 46 49 51 AND 53

AND PART IV OF SCHEDULE 9

**SURREY COUNTY COUNCIL
VARIOUS ROADS IN THE
BOROUGH OF ELMBRIDGE
(CONSOLIDATION AND REVOCATION
OF RESIDENTS' ON-STREET
PARKING PLACES)
ORDER 2021**
