

**THE SURREY COUNTY COUNCIL
((VARIOUS ROADS IN SPELTHORNE)
(RESIDENTS' ON-STREET PARKING PLACES) ORDER 2010)
(AMENDMENT NO.7) ORDER 2016**

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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 ("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: -

Citation and commencement

- 1 THIS Order may be cited as "The Surrey County Council ((Various Roads in Spelthorne) (Residents' On-Street Parking Places) Order 2010) (Amendment No.7) Order 2016" and shall come into operation on 22 August 2016

Interpretation

2.
 - (1) In this Order "the Principal Order" means The Surrey County Council (Various Roads in Spelthorne) (Residents' On-Street Parking Places) Order 2010
 - (2) In this Order the expression "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
 - (3) 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
 - (4) Unless the context otherwise requires any expression used in this Order which is also used in the Principal Order shall have the same meaning as in that Order
- 3 WITHOUT prejudice to the validity of anything done or to any liability incurred in respect of any act or omission before the coming into operation of this Order the Principal Order shall have effect as though –
 - (a) for the Second Schedule to the Principal Order there was substituted the Second Schedule set out in the Schedule to this Order
 - (b) there was added to Part III Section IV of the Arrangement of Articles in the Principal Order immediately after Article 27 the following Articles -

"PART III

SECTION IVA

CARERS' PARKING PERMITS

Application for and issue of a Carer's Parking Permit..	..	..	..	27(a)
Fee to be paid in respect of a Carer's Parking Permit..	..	..	..	27(b)
Refund of fee paid in respect of a Carer's Parking Permit..	..	..	..	27(c)
Form of Carer's Parking Permit..	..	..	..	27(d)
Display of Carer's Parking Permit..	..	..	..	27(e)"

(c) The following Articles were inserted into the Principal Order immediately after Article 27

"PART III

SECTION IVA

CARERS' PARKING PERMITS

Application for and issue of a Carer's Parking Permit

27(a) (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 Column 2 of the table forming 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 for the leaving in any permit holders' parking place situated within a length of road specified in Column 3 of the table in 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 residents

(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 permit holders' parking place situated within a length of road specified in Column 3 of the table in the First Schedule 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 Column 2 of the table forming the First Schedule

- (4) IN any respect not specifically mentioned in paragraphs (1), (2) and (3) of this Article and Articles 27(b) and 27(c) 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

- 27(b) THE fee payable to the Borough Council in respect of a Carer's Parking Permit shall be ten pounds 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

- 27(c) (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

27(d) 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 Column of the table forming the First Schedule

Display of Carer's Parking Permit

27(e) 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 27(a) is left in any permit holders' parking place situated within a length of road specified in Column 3 of the table in the First Schedule during the permitted hours a valid Carer's Parking Permit shall 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"

(d) The following expressions and the meanings assigned to them were added to Article 2(1) of the Principal Order -

"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 27(a)

"Carers Parking Permit Holder" means a person to whom a carers parking

permit has been issued”

(e) the following expressions and the meanings assigned to them were substituted in Article 2(1) of the Principal Order -

““parking permit”, without more, means a residents’ parking permit or, as the case may be, a residents’ visitor’s parking permit or, as the case may be, an operational parking permit or, as the case may be, a carers parking permit

“parking permit holder” means a person to whom a residents’ parking permit or, as the case may be, a residents’ visitor’s parking permit or, as the case may be, an operational parking permit, or as the case may be, a carer parking permit has been issued”

SCHEDULE OVERLEAF

LIST OF PLANS

[illegible]

[illegible]

[illegible]

Executed as a Deed by Surrey County Council on 17 August 2016

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



A handwritten signature in black ink, appearing to read 'Janet Perry', with a large, stylized flourish at the end.

Authorised Signatory

SURREY COUNTY COUNCIL

No. IN SEALING
REGISTER

16584

ORDERED TO
BE SEALED

Spelthorne Local
Committee 27/7/15
ITEM 9

DATED 17 AUGUST 2016

ROAD TRAFFIC REGULATION

ACT 1984

SECTIONS 32 35 36 45 46 49 51

AND 53

AND PART IV OF SCHEDULE 9

**THE SURREY COUNTY
COUNCIL**

**((VARIOUS ROADS IN
SPELTHORNE)**

**(RESIDENTS' ON-STREET
PARKING PLACES)**

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