

**THE SURREY COUNTY COUNCIL**  
**PROSPECT PLACE (D3287) STAINES-UPON-THAMES**  
**IN THE BOROUGH OF SPELTHORNE**  
**(PERMIT HOLDERS' ON-STREET PARKING PLACE)**  
**(PERMIT ZONE) ORDER 2014**

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

## **PART I**

### **GENERAL**

#### **Citation and commencement**

1 THIS Order may be cited as "The Surrey County Council Prospect Place (D3287) Staines-Upon-Thames in the Borough of Spelthorne (Permit Holders' On-Street Parking Place) (Permit Zone) Order 2014" and shall come into operation on 27 October 2014

#### **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 prohibition and restriction on the waiting by vehicles and/or any parking place

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

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

"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

"Council" means Surrey County Council or its appointed agents

"credit card" has the same meaning as in paragraph (6) of Section 35A of the 1984 Act

"debit card" has the same meaning as in paragraph (6) of Section 35A of the 1984 Act

"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

"Borough Council" means Spelthorne Borough Council of Council Offices Knowle Green Staines-Upon-Thames Middlesex TW8 1XB or any person acting on behalf thereof

"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

"maximum gross weight" has the same meaning as in Regulation 4 of the Traffic Signs Regulations and General Directions 2002 (S.I. 2002 No. 3113)

"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 1984 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. 2002/1771)

"operational parking permit" means an operational parking permit issued by the Borough Council under the provisions of Article 27

"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 No. 683)

"parking permit", without more, means a parking permit or, as the case may be, a residents' visitor's parking permit or, as the case may be, an operational parking permit

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

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

"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

"penalty charge" has the same meaning as defined in Section 92 of the Traffic Management Act 2004

"penalty charge notice" has the same meaning as in the General Regulations

"permit holders' 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 21 or in the manner specified in Article 25 or in the manner specified in paragraph (7) of Article 27 a valid permit issued in respect of that vehicle

"permitted hours" in relation to the permit holders' parking place means the period between 08.00 a.m. and 18.30 p. m. on Mondays to Sundays inclusive

"plans" means the drawings listed in the Second Schedule 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

"registration mark" has the same meaning as in Section 31 of the Vehicles (Crime) Act 2001

"resident" means a person whose usual place of abode is at premises the postal address of which are situated in any length of road specified and described in the Second Part of The First Schedule to this Order

"resident's parking permit" means a resident's parking permit inter alia bearing only the relevant identifying letter in accordance with the provisions of Article 20 and issued by the Council or the Borough Council pursuant to the provisions of Article 16

"resident's visitor's parking permit" means a resident's visitor's parking permit bearing the relevant identifying letter in accordance with the provisions of Article 24 and issued by the Council or the Borough Council pursuant to the provisions of Article 23

"road" includes any part of a road and has the same meaning as in Section 142 of the 1984 Act

"street parking place" has the same meaning as in Section 142 of the 1984 Act

"the General Regulations" means The Civil Enforcement of Parking Contraventions (England) General Regulations 2007 (S.I. 2007/3483)

"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 1984 Act

"trailer" has the same meaning as in Section 136 of the 1984 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

"visitor" means a person who is visiting a resident and who is not ordinarily resident at that

resident's usual place of abode being premises the postal address of which is specified and described in the Second Part of The First Schedule to this Order

"Waiver Certificate" means a certificate issued on behalf of the Council for the purposes of paragraph (i) of Article 10 permitting a specified vehicle to wait in special circumstances on a length of road 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 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

(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) Any reference in this Order to a length of a road shall unless otherwise specified be construed as a reference to the whole width of that length of road

(6) For the purposes of sub-paragraph (i) of paragraph (4) of Article 7 and of Article 10 a vehicle and any trailer drawn thereby shall be deemed to be a single vehicle

## **PART II**

### **DESIGNATION OF A PERMIT HOLDERS' PARKING PLACE**

#### **Designation of such a parking place**

3 THE area of highway comprising that length of the carriageway of Prospect Place



(D3287) Staines-Upon-Thames specified and described in the First Part of the First Schedule is hereby designated as a permit holders' parking place

**Vehicles for which such a parking place is designated**

4 THE permit holders' parking place may be used subject to the provisions of this Order for the leaving during the permitted hours of such vehicles only as display in the manner specified in Article 21 or in the manner specified in Article 25 or in the manner specified in paragraph (7) of Article 27 a valid parking permit issued in respect of that 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 permit holders' 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 permit holders' parking place

**Manner of standing in such a parking place**

5 THE driver of a vehicle waiting in the permit holders' parking place during the permitted hours in accordance with the foregoing provisions of this Order shall cause it so to stand so that -

- (a) 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 said Permit holders' parking place or any part thereof and
- (b) the vehicle is adjacent to the edge of the carriageway on the side of the highway on which the vehicle is waiting and
- (c) the vehicle is left wholly within the limits of the said permit holders' parking place

**Alteration of position of a vehicle in such a parking place**

6 WHERE any vehicle is standing in the permit holders' parking place in contravention of the provisions of Article 5 a police constable in uniform or a civil enforcement officer 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 such a parking place**

7 (1) Subject to the following persons or organisations being able to exercise the function described below in this Article by virtue of legislation, a civil enforcement officer or a police constable in uniform, a person acting under the instructions (whether general or specific) of the Chief Officer of Police, or a person duly authorised by the Council or the Borough Council may suspend the use of the permit holders' 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 operation demolition or excavation adjacent to the permit holders' parking place the maintenance improvement or reconstruction of the highway or the cleansing of gullies in or adjacent to that parking place the laying erection alteration or repair in or adjacent to that parking place of any sewer or of any main pipe or apparatus for the supply of gas water or electricity or of any telecommunication system or the placing maintenance or removal of any traffic sign
- (c) for the convenience of occupiers of premises adjacent to the permit holders' parking place on any occasion of the removal of furniture to or from one office or dwelling-house adjacent to that parking place from or to a depository 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 permit holders' parking place at times of weddings or funerals or on other special occasions

(2) Subject as set out in sub-article (1) of this Article a police constable in uniform or a civil enforcement officer may suspend for not longer than twenty-four hours the use of the permit holders' 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 the permit holders' 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 the permit holders' parking place or any 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 10(1)(b) (d) or (e) or
- (ii) to anything done with the permission of the person suspending the use of that parking place or that 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 such a parking place or a vehicle in such a parking place**

8 DURING the permitted hours no person shall use the permit holders' parking place or any vehicle while it is in that parking place in connection with the sale or offering or exposing for sale of any goods to any person in or near the said 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 the permit holders' 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 10(1)(h) apply

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

**Restriction on waiting by a vehicle in such a parking place**

10 (1) Notwithstanding the foregoing provisions of this Order any vehicle may wait during the permitted hours anywhere in any part of the permit holders' 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 vehicle is waiting owing to the driver being prevented from proceeding by circumstances beyond his control or to such waiting being necessary in order to avoid an accident
- (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 permit holders' 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 for loading on the vehicle from premises or posting boxes adjacent to the permit holders' 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 7(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 permit holders' parking place in which the vehicle is waiting from or to a depository 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 permit holders' 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) the vehicle is displaying 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 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

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 specified in Section II and/or Section III and/or Section IV shall be payable in respect of any vehicle waiting in the permit holders' parking place in accordance with the provisions of paragraphs (a) to (h) inclusive of this Article and a valid parking permit need not be displayed on such a vehicle so waiting in the permit holders' parking place

(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 the permit holders' parking place identified in Part I of the First Schedule during the permitted hours

**Placing of traffic signs etc**

11 THE Council and/or its agents (if any) shall -

- (a) place and maintain in or in the vicinity of the permit holders' parking place 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
- (b) carry out such other work as is reasonably required for the purposes of the satisfactory operation of the permit holders' parking place

**PART III**

**SUPPLEMENTARY PROVISIONS**

**SECTION I - MOVEMENT OF AND/OR**

**REMOVAL OF VEHICLES FROM**

**THE PERMIT HOLDERS' PARKING PLACE**

**Movement of a vehicle in such a parking place in an emergency**

12 A civil enforcement officer or a police constable in uniform may move or cause to be moved in case of emergency to any place he thinks fit any vehicle left unattended in the permit holders' parking place

**Removal of a vehicle from such a parking place**

13 (1) When a vehicle is left in the permit holders' 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 Borough Council or a police constable in uniform that a vehicle left in the permit holders' 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 Borough Council or a police constable in uniform propose to move such a vehicle which in the opinion of the Borough Council or a police constable in uniform 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

14 WHEN a civil enforcement officer or a police constable in uniform removes or makes arrangements for the removal of a vehicle from the permit holders' parking place by authority of Article 13 he shall except in the case of a vehicle which in the opinion of the Borough Council or the police 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 such a parking place**

15 WHERE a vehicle is removed by the Council or a police constable in uniform from the permit holders' parking place in pursuance of Article 13 there shall be payable to the Council the Borough Council or the Surrey Police pursuant to Section 102 of the 1984 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

**SECTION II - RESIDENTS' PARKING PERMITS**

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

- 16 (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 may apply to the Borough Council in accordance with the following provisions for the issue to him of a 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 can not be used for that purpose due to alternative use being made of that space by any resident 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 is more than one resident applications from the residents will be treated on the basis that paragraph (1) of Article 16 shall apply to the first resident who applies and assuming that he is granted a resident's parking permit or resident's parking permits as appropriate no further applications from other residents will be considered
- (3) The Council or the Borough Council may at any time require an applicant for a resident's parking permit or any parking permit holder to produce to an officer of the Council or the Borough Council such evidence in respect of an application for a resident'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 parking permit issued by them to that person as they may reasonably call for to verify that the resident's 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 or the Borough 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 residents parking permit being for the leaving without time limit during the permitted hours in the permit holders' parking place 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 of paragraph (1) of this Article in respect of the second or other subsequent nominated vehicle (where applicable) the Council or the Borough 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 resident's parking permit being for the leaving without time limit during the permitted hours in the permit holders' parking place 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

- (5) Notwithstanding the foregoing provisions of paragraph (1) of this Article the Council or the Borough Council shall not in any circumstances issue a resident's 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 or the Borough Council is either unable or decides not to issue a resident's 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 or the Borough Council shall be the sum of fifty pounds for the first resident's parking permit and seventy five pounds for any subsequent resident's parking permit 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 resident's parking permit first becomes valid
- (8) It is hereby stated by the Council and/or the Borough Council that -
  - (a) the issuing of a resident's parking permit to a parking permit holder does not guarantee that any parking space within the permit holders' parking place will be available for use by the parking permit holder

aforesaid during the permitted hours and

- (b) the resident's parking permit remains at all times whilst it is issued to a parking permit holder the property of the Council or the Borough Council

**Surrender withdrawal and validity of parking permits**

- 17 (1) A parking permit holder may surrender a resident's parking permit to the Council or the Borough Council at any time and shall surrender it to the Council or the Borough 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 or the Borough 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 at any other address believed to be that person's place of abode withdraw a parking permit if it appears to the Council or the Borough Council that any one of the events set out in paragraph (3)(a) (b) (d) (e) or (f) of this Article has occurred and that person shall surrender the resident's parking permit to the Council or the Borough Council within 48 (forty-eight) hours of the receipt of the afore-mentioned 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 or the Borough 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 16

- (e) the resident's 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 resident's parking permit bearing a letter other than that indicated by the Council or the Borough Council pursuant to the provision of paragraph (1) of Article 2 relating to a residents parking permit
  - (g) the resident's 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 resident's 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 16 to any person upon receipt of a cheque and the cheque is subsequently dishonoured the resident's parking permit shall cease to be of any effect and the Council or the Borough Council shall by notice in writing served on the person to whom such resident's parking permit 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 resident's parking permit or at any other address believed to be that person's place of abode require that person to surrender the residents parking permit to the Council or the Borough Council within 48 (forty-eight) hours of the receipt of the afore-mentioned notice

**Application for and issue of duplicate residents' parking permits**

- 18 (1) If a resident's parking permit is mutilated or torn or accidentally defaced or the figures or particulars thereon have become illegible or the colour of the resident's parking permit has become altered by fading or otherwise the parking permit holder shall either surrender it to the Council or the Borough Council or apply to the Council or the Borough Council for the issue to him

of a duplicate resident's parking permit and the Council or the Borough Council upon receipt of the resident's parking permit shall issue a duplicate resident's parking permit so marked and upon such issue the first mentioned resident's parking permit shall become invalid

- (2) If a resident's parking permit is lost or destroyed the parking permit holder may apply to the Council or the Borough Council for the issue to him of a duplicate resident's parking permit and the Council or the Borough Council upon being satisfied as to such loss or destruction shall issue a duplicate resident's parking permit so marked and upon such issue the first mentioned residents parking permit shall become invalid
- (3) The provisions of this Order shall apply to a duplicate resident's parking permit and an application therefor as if it were a resident's parking permit or as the case may be an application therefor
- (4) The charge for the issue of a duplicate resident's parking permit shall be fifteen pounds for each duplicate resident's parking permit issued pursuant to paragraph (1) or paragraph (2) of this Article

**Application for the re-issue of a resident's parking permit upon a change of vehicle with a different registration mark**

19 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 16 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 20

**Form of residents' parking permits**

20 A resident's parking permit shall be in writing and shall include the following particulars:-

- (a) the registration mark of the vehicle in respect of which the resident's parking permit has been issued and
- (b) the period during which subject to the provisions of paragraph (4) of Article 17 the resident's parking permit shall remain valid and
- (c) an indication that the resident's parking permit has been issued by the Council and/or the Borough Council and
- (d) the letter "D" being the appropriate identifier for the permit zone

**Display of resident's parking permits**

21 AT all times during which a vehicle of a class specified in paragraph (1) of Article 16 is left in the permit holders' parking place during the permitted hours a valid resident's parking permit shall 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's parking permit are readily visible from the front or near side of the vehicle

PROVIDED THAT no such resident's parking permit need be so displayed if the vehicle is waiting in such a parking place pursuant to the provisions of Article 10 or Article 25 or paragraph (7) of Article 27

**Refund of fee paid in respect of a residents parking permit**

- 22
- (1) A parking permit holder who surrenders a resident's parking permit to the Council or the Borough Council before the resident's 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 resident's parking permit to the Council or the Borough 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 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 or the Borough Council

### **SECTION III - RESIDENTS' VISITORS' PARKING PERMITS**

#### **Application for and issue of a residents' visitors' parking permit**

- 23 (1) Any resident may apply to the Council or the Borough Council for the issue of a resident's visitor's parking permit for the leaving without time limit during the permitted hours in the permit holders' parking place of a vehicle of a class referred to in paragraph (1) of Article 16 owned by and/or being used by a visitor and any application for such a resident's visitor's parking permit shall be made on a form issued by and obtainable from the Council or the Borough 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 hereinafter specified
- (2) The Council or the Borough 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 or the Borough 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 or the Borough 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 permitted hours in the permit holders' parking place 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 or the Borough Council may in its absolute discretion limit the number of residents' 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 resident's visitor's parking permit or used residents' visitors' parking permits before issuing a further such permit

- (4) 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 or the Borough 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 or the Borough Council in respect of a resident's 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 or the Borough 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 and/or the Borough 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 Permit holders' 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 or the Borough Council

#### **Form of residents' visitor's parking permits**

24 A resident's visitor's parking permit shall be in writing and shall include the following particulars -

- (a) a space for the insertion of the registration mark of the vehicle in respect of which the resident's visitor's parking permit is to be displayed on and used
- (b) an indication that the resident's visitor's parking permit has been issued by the Council and/or the Borough Council
- (c) a figure stating the number of the resident's visitor's parking permit
- (d) the letter "D" being the appropriate identifier for the permit zone
- (e) a set of figures and/or words indicating the days of the month and the calendar year and/or years when the residents' visitor's parking permit may be used
- (f) a list indicating the names of each month of the year

### **Display of residents' visitors' parking permits**

25 AT all times during which a vehicle of a class referred to in paragraph (1) of Article 16 is left in the permit holders' parking place during the permitted hours pursuant to Article 23 a valid resident's visitor'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 residents' visitor's parking permit are readily visible from the front or near-side of the vehicle

PROVIDED THAT no such resident's visitor's parking permit need be so displayed if the vehicle is waiting in the permit holders' parking place pursuant to the provisions of Article 10 or Article 21 or paragraph (7) of Article 27

### **Validation of residents' visitors' parking permits**

26 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

## **SECTION IV**

### **PROVISIONS APPLYING TO THE ISSUE AND USE OF**

#### **OPERATIONAL PARKING PERMITS**

#### **Application for and issue of an operational parking permit**

27 (1) (a) ANY person falling within the definition of medical personnel or community care personnel in paragraph (1) of Article 2 may apply to the Council or the Borough Council for the issue of an operational parking permit for the leaving in the permit holders' parking place during the permitted hours of either a passenger vehicle or a goods vehicle belonging to or being used by a person attending in the course of medical or community care duties at any premises

the postal address of which is specified in the Second Part of the First Schedule to this Order and any such application shall be made in accordance with formal guidance issued by and obtainable from the Council or the Borough Council and shall include the particulars and information required by such guidance to be supplied and the Council or the Borough Council may in its absolute discretion issue an operational parking permit to such categories of medical or community care personnel

- (2) THE Council or the Borough Council may at any time require an applicant for an operational parking permit 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 personnel or community care personnel and is the owner of either a passenger vehicle or a goods vehicle or a person authorised by the owner of such a vehicle the Council or the Borough Council may in its 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 the permit holders' parking place identified in the First Schedule 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 be in writing and shall include the following particulars:-

- (a) a serial number identifiable in the office of issue
- (b) the registration mark of the vehicle in respect of which the operational parking permit has been issued PROVIDED THAT if the permit holder has the use of a pool vehicle from his/her employer then the said permit need not display the registration mark of a vehicle
- (c) the period during which subject to the provisions of paragraph (5) of this Article the operational parking permit shall remain valid
- (d) an indication that the permit has been issued by the Council or the Borough Council

(7) AT all times during which either a passenger vehicle or a goods vehicle which is being used only for the purposes specified in paragraph (1) of this Article is left in the permit holders' parking place during the permitted hours a valid operational parking permit shall be displayed on the vehicle in respect of which it was issued on the front or nearside of that vehicle so that all the particulars on the operational parking permit are readily visible from the front or nearside of the vehicle

PROVIDED THAT no such parking permit need be so displayed if the vehicle is waiting in the permit holders' parking place pursuant to the provisions of Article 10 Article 21 or Article 25

## **SECTION V - GENERAL**

### **Saving with respect to waiting restrictions**

28 WHERE within the permit holders' parking place any prohibition on the waiting by vehicles is imposed by any other enactment and traffic signs are placed indicating the effect of that and/or those prohibitions then that provision or those provisions (as the case may be)

shall prevail over all the provisions of this Order and no vehicle shall be left or shall wait in any area or areas of the parking place so affected by that prohibition or by those prohibitions on the waiting by vehicles -

PROVIDED THAT any exemption provided in any other enactment from the effect of that prohibition or any of those prohibitions on the waiting by vehicles specified above shall apply as stated in that other enactment as the case may be

**Saving with respect to other enactments**

29 SUBJECT to the provisions contained in Article 28 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 IV**  
**ENFORCEMENT**

**Contraventions**

30 IF a vehicle is left without complying with any of the requirements of this Order then a contravention will have occurred and a penalty charge shall be payable. A Penalty Charge Notice showing the information required by Section 78 of the Traffic Management Act 2004 or any Regulations made thereunder may then be issued by a Civil Enforcement Officer in accordance with the requirements of Section 78 of the Traffic Management Act 2004 or any Regulations made thereunder

**Notice of penalty charge**

31 IN the case of a vehicle in respect of which the penalty charge may have been incurred a civil enforcement officer may serve a penalty charge notice in accordance with the requirements of Regulation 9 or Regulation 10 of the General Regulations and which penalty charge notice shall comply respectively with the requirements of paragraph 1 or paragraph 2 of the Schedule to the General Regulations

### **Restriction on removal of Penalty Charge Notices**

32 WHERE a Penalty Charge Notice has been attached to a vehicle in accordance with the provisions of this Order no person not being the driver of the vehicle or a police constable in uniform or a civil enforcement officer shall remove that Notice from the vehicle unless authorised to do so by the driver

### **Manner of payment of penalty charge**

33 (1) The owner of a vehicle in respect of which the penalty charge has been incurred shall pay the penalty charge to the Borough Council EITHER by cheque or postal order which shall be delivered or sent by post so as to reach the Borough Council offices situate at Council Offices Knowle Green Staines-Upon-Thames Middlesex TW8 1XB or any other address so directed within twenty-eight days of the issue of the penalty charge OR in cash in person at the said Spelthorne Borough Council Offices not later than as aforesaid OR by credit card or debit card

(2) If the penalty charge is paid before the end of the period of fourteen days beginning with the date of the Notice the amount of the penalty charge will be reduced by the specified proportion

PROVIDED THAT in this paragraph "specified proportion" means such proportion applicable to all cases as may be determined by the Council

(3) If the owner fails to pay the penalty charge by the end of the twenty-eight day period a Notice to Owner may be served and if the charge is then not paid within a further period of twenty-eight days it may be increased by fifty per cent

If the fourteen or twenty-eight day periods referred to above fall on a day when the said Borough Council Offices are closed the period within which payment shall be made shall be extended until 4.30 p.m. on the next full day on which the said Borough Council Offices are open

## **FIRST SCHEDULE**

### **FIRST PART**

#### **PART OF ROAD FOR THE PURPOSE OF**

#### **PARKING BY PERMIT HOLDERS**

Prospect Place (D3287) Staines-Upon-Thames, that part which is shown as "Permit Holders Only – Zone D" on the plans

### **SECOND PART**

#### **SPECIFIED PREMISES FOR THE PURPOSE OF THE**

#### **ISSUE OF RESIDENTS' PARKING PERMITS**

All residential properties whose postal address is in Prospect Place (D3287) Staines-Upon-Thames

## LIST OF PLANS

Drawing No	Date Drawn	Rev'n	Date Revised	Rev'n	Date Revised	Rev'n	Date Revised	Rev'n	Date Revised	Rev'n	Date Revised	Rev'n	Date Revised	Rev'n	Date Revised	Rev'n	Date Revised
3282/SPEL/0100	04/06	A	02/07	B	01/08	C	10/09	D	07/11	E	12/12	F	02/14				
3282/SPEL/0101	03/05	A	04/06	B	01/08												
3282/SPEL/0102	03/05	A	04/06	B	02/07	C	01/08	D	07/11								
3282/SPEL/0103	03/05	A	04/06	B	01/08	C	02/14										
3282/SPEL/0104	03/05	A	04/06	B	01/08												
3282/SPEL/0105	03/05	A	04/06	B	01/08												
3282/SPEL/0106	03/05	A	04/06	B	01/08	C	07/11	D	02/14								
3282/SPEL/0107	03/05	A	04/06	B	01/08	C	07/11	D	12/12								
3282/SPEL/0108	03/05	A	04/06	B	01/08	C	12/12										
3282/SPEL/0109	03/05	A	04/06	B	01/08	C	12/12										
3282/SPEL/0110	03/05	A	04/06	B	01/08	C	07/11	D	02/14								
3282/SPEL/0111	03/05	A	04/06	B	01/08	C	10/09										
3282/SPEL/0112	03/05	A	04/06	B	02/07	C	01/08	D	10/09	E	07/11						
3282/SPEL/0113	03/05	A	04/06	B	01/08	C	07/11	D	12/12	E	02/14						
3282/SPEL/0114	03/05	A	04/06	B	01/08	C	10/09	D	07/11								
3282/SPEL/0115	03/05	A	04/06	B	02/07	C	01/08	D	10/09	E	12/12	F	02/14				
3282/SPEL/0116	03/05	A	04/06	B	01/08	C	10/09										
3282/SPEL/0117	03/05	A	04/06	B	02/07	C	01/08	D	10/09	E	07/11						
3282/SPEL/0118	03/05	A	04/06	B	02/07	C	01/08										
3282/SPEL/0119	03/05	A	04/06	B	02/07	C	01/08	D	10/09	E	07/11	F	12/12				
3282/SPEL/0120	03/05	A	04/06	B	02/07	C	01/08	D	10/09	E	07/11	F	12/12	G	02/14		
3282/SPEL/0121	03/05	A	04/06	B	02/07	C	01/08	D	10/09	E	07/11	F	12/12	G	02/14		
3282/SPEL/0122	03/05	A	04/06	B	02/07	C	01/08	D	10/09	E	07/11	F	11/12	G	12/12	H	02/14
3282/SPEL/0123	03/05	A	04/06	B	01/08	C	10/09	D	07/11	E	02/14						
3282/SPEL/0124	03/05	A	04/06	B	01/08												
3282/SPEL/0125	03/05	A	04/06	B	01/08												
3282/SPEL/0126	03/05	A	04/06	B	02/07	C	01/08										
3282/SPEL/0127	03/05	A	04/06	B	01/08	C	10/09	D	07/11	E	12/12	F	02/14				
3282/SPEL/0128	03/05	A	04/06	B	02/07	C	01/08	D	07/11	E	11/12	F	12/12				



3282/SPEL/0129	03/05	A	04/06	B	01/08	C	10/09	D	07/11	E	12/12						
3282/SPEL/0130	03/05	A	04/06	B	01/08	C	10/09	D	07/11								
3282/SPEL/0131	03/05	A	04/06	B	01/08	C	10/09	D	07/11								
3282/SPEL/0132	03/05	A	04/06	B	01/08												
3282/SPEL/0133	03/05	A	04/06	B	01/08	C	10/09	D	07/11								
3282/SPEL/0134	03/05	A	04/06	B	01/08	C	10/09	D	07/11								
3282/SPEL/0135	03/05	A	04/06	B	01/08	C	10/09										
3282/SPEL/0136	03/05	A	04/06	B	02/07	C	01/08	D	10/09	E	07/11						
3282/SPEL/0137	03/05	A	04/06	B	02/07	C	01/08	D	10/09	E	07/11	F	02/14				
3282/SPEL/0138	03/05	A	04/06	B	02/07	C	01/08	D	10/09	E	07/11						
3282/SPEL/0139	03/05	A	04/06	B	02/07	C	01/08	D	10/09	E	07/11	F	12/12				
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3282/SPEL/0141	03/05	A	04/06	B	01/08	C	10/09										
3282/SPEL/0142	03/05	A	04/06	B	01/08												
3282/SPEL/0143	03/05	A	04/06	B	02/07	C	01/08	D	10/09	E	07/11	F	02/14				
3282/SPEL/0144	03/05	A	04/06	B	02/07	C	01/08										
3282/SPEL/0145	03/05	A	04/06	B	01/08	C	10/09	D	07/11	E	12/12						
3282/SPEL/0146	03/05	A	04/06	B	01/08	C	10/09										
3282/SPEL/0147	03/05	A	04/06	B	01/08	C	10/09										
3282/SPEL/0148	03/05	A	04/06	B	01/08												
3282/SPEL/0149	03/05	A	04/06	B	01/08	C	12/12										
3282/SPEL/0150	03/05	A	04/06	B	01/08												
3282/SPEL/0151	03/05	A	04/06	B	01/08												
3282/SPEL/0152	03/05	A	04/06	B	01/08	C	10/09										
3282/SPEL/0153	03/05	A	04/06	B	01/08	C	10/09										
3282/SPEL/0154	03/05	A	04/06	B	01/08	C	10/09										
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3282/SPEL/0158	03/05	A	04/06	B	01/08	C	10/09										
3282/SPEL/0159	03/05	A	04/06	B	01/08												
3282/SPEL/0160	03/05	A	04/06	B	01/08												
3282/SPEL/0161	03/05	A	04/06	B	02/07	C	01/08										
3282/SPEL/0162	03/05	A	04/06	B	02/07	C	01/08										
3282/SPEL/0163	03/05	A	04/06	B	01/08												
3282/SPEL/0164	03/05	A	04/06	B	01/08	C	07/11										
3282/SPEL/0165	03/05	A	04/06	B	02/07	C	01/08	D	10/09	E	07/11	F	02/14				
3282/SPEL/0166	03/05	A	04/06	B	02/07	C	01/08	D	10/09	E	07/11	F	12/12	G	02/14		
3282/SPEL/0167	03/05	A	04/06	B	01/08	C	07/11										
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3282/SPEL/0170	04/06	A	01/08														
3282/SPEL/0171	04/06	A	01/08														
3282/SPEL/0172	04/06	A	01/08	B	10/09	C	07/11										



Executed as a Deed by Surrey County Council on 22 October 2014

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

*Joanna Motimer*

Authorised Signatory



DATED 22 OCTOBER 2014

**SURREY COUNTY COUNCIL**

No. IN SEALING  
REGISTER

11232  
ORDERED TO SPELTHORNE LOCAL COMMITTEE  
BE SEALED 17 MARCH 2014  
ITEM 11

**ROAD TRAFFIC REGULATION ACT 1984  
SECTIONS 32 35 36 45 46 49 51 AND 53**

**SURREY COUNTY COUNCIL  
PROSPECT PLACE (D3287)  
STAINES-UPON-THAMES  
IN THE BOROUGH  
OF SPELTHORNE  
(PERMIT HOILDERS'  
ON-STREET PARKING PLACE)  
(PERMIT ZONE)  
ORDER 2014**