

DATED 30 MARCH 2011

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

**SURREY COUNTY COUNCIL
HILLBURY ROAD (B270) WHYTELEAFE
(RESIDENTS PARKING PLACE)
ORDER 2011**

REF: LSEN/117344/TAN/AK

THE SURREY COUNTY COUNCIL
HILLBURY ROAD (B270) DWHYTELEAFE
(RESIDENTS PARKING PLACE) ORDER 2011

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ARRANGEMENT OF SCHEDULES

- FIRST SCHEDULE - Designated residents' parking places applying between 10.00 a.m. and 12 noon on Mondays to Fridays inclusive
- SECOND SCHEDULE -
- FIRST PART - Part of road for the purpose of the issue of residents' parking permits (see definition of "resident" in Article 2)
- SECOND PART - Specified premises for the purposes of the issue of residents' parking permits (see Article 2)

THE 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 Hillbury Road (B270) Whyteleafe (Residents Parking Place) Order 2011" and shall come into operation on 3 May 2011

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 the parking place

"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

"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

"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

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

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

"District Council" means Tandridge District Council of the Council Offices Station Road East Oxted Surrey RH8 0BT

"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

"kerb-line" in relation to a length of road specified and described in any of the Schedules to this Order shall mean that imaginary line which is the projection of the line formed by the edge of the carriageway of the aforesaid length of road adjacent to its junction with the side in question of any other road

"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 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

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

"parking permit" means a resident's parking permit inter alia bearing only the letter "A" in accordance with the provisions of Article 20 and issued by the Council pursuant to the provisions of Article 17

"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

"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

"permitted hours" in relation to a residents parking place only means the period between 10.00 a.m. and 12.00 noon on Mondays to Fridays inclusive

"plan" means the Drawing No. 2305 Rev A annexed to this Order

"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 within the length of road specified and described in the First Part of The Second Schedule and which postal address is for the avoidance of doubt specified and described in the Second Part of The Second Schedule

"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 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

"residents visitors parking permit" means a resident's visitor's parking permit issued by the Council pursuant to the provisions of Article 23

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

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

"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 the Second Part of The Second Schedule

"Waiver Certificate" means a certificate issued on behalf of the Council for the purposes of paragraph (i) of Article 4 or paragraph (i) of Article 15 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 issued on or after 2 March 1992 in the relevant position when -
 - (i) in the case of a vehicle fitted with a dashboard or facia panel the badge is exhibited thereon so that Part I of the badge is legible from outside the vehicle or
 - (ii) in the case of a vehicle not fitted with a dashboard or facia panel the badge is exhibited in a conspicuous position on the vehicle so that Part I of the badge is legible from outside the vehicle
 - (b) a disabled person's badge issued on or after 1 April 2000 in the prescribed manner when -
 - (i) the badge is exhibited thereon on the dashboard or facia of the vehicle or
 - (ii) where the vehicle is not fitted with a dashboard or facia 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 road or a length of a road shall unless otherwise specified be construed as a reference to the whole width of that road or 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 RESIDENTS' PARKING PLACE

Designation of such a parking place

3 THE area on a highway comprising the length of carriageway of the road specified in the Second Column of The First Schedule and identified on the plan and bounded on one side of that length by the edge of the carriageway and having a width throughout of 1.83 metres is hereby designated as a residents parking place

Vehicles for which such a parking place is designated

4 THE residents 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 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 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

Manner of standing in such a parking place

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

- (a) 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
- (b) that the distance between the edge of the carriageway and the nearest wheel of the vehicle is not more than 300 millimetres
- (c)
 - (i) that every part of the vehicle is within the limits of a parking space and/or
 - (ii) that every part of the vehicle is within the limits of the residents parking place
- and
- (d) 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

Alteration of position of a vehicle in such a parking place

6 WHERE any vehicle is standing in the residents parking place in contravention of the provisions of Article 5 or of the provisions of Article 11 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 District Council may suspend the use of the residents 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 said residents 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 electronic communication apparatus or the placing maintenance or removal of any traffic sign

- (c) for the convenience of occupiers of premises adjacent to the said residents 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 said residents 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 may suspend for not longer than twenty-four hours the use of the residents 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 residents 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 residents 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 residents 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 residents 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 residents parking place shall stop the engine as soon as the vehicle is in position in that 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 residents 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 residents 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 residents 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 residents parking place in which the vehicle is waiting from or to a depository another office or dwelling-house
- (h) the vehicle is waiting for the purpose of delivering or collecting goods or loading or unloading the vehicle at premises adjacent to the residents 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 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 of Part III of this Order shall be payable in respect of any vehicle waiting in the residents parking place in accordance with the foregoing provisions of this Article and a valid residents parking permit or a valid residents visitors parking permit or a valid operational parking permit need not be displayed on such a vehicle so waiting in the residents 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 residents parking place during the permitted hours

Manner of waiting in such a parking place

11 NO person shall cause or permit a vehicle to wait in the residents parking place by virtue of the provisions of paragraph (1)(e) (f) (g) (h) or (i) of the last preceding Article otherwise than:-

- (a) 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 and
- (b) so 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

For the purposes of the last foregoing sub-paragraph the expression "premises" shall not include any premises to or from which any furniture is being removed by virtue of the provisions of paragraph (1)(g) of the last preceding Article or to or from which goods are being delivered or collected by virtue of the provisions of paragraph (1)(h) of that Article

Placing of traffic signs etc

12 THE Council shall -

- (a) place and maintain a traffic sign or traffic signs indicating the limits of the residents parking place and/or each parking space and
- (b) place and maintain in or in the vicinity of the residents parking place referred to in The First Schedule 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
- (c) carry out such other work as is reasonably required for the purposes of the satisfactory operation of the residents parking place

PART III

SUPPLEMENTARY PROVISIONS

SECTION I - MOVEMENT OF AND/OR

**REMOVAL OF VEHICLES FROM
THE RESIDENTS PARKING PLACE**

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

13 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 residents parking place

Removal of a vehicle from such a parking place

14 (1) When a vehicle is left in the residents 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 District Council or a police constable in uniform that a vehicle left in the residents 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 District Council or a police constable in uniform propose to move such a vehicle which in the opinion of the District 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

15 WHEN a civil enforcement officer or a police constable in uniform removes or makes arrangements for the removal of a vehicle from the residents parking place by authority of Article 14 he shall except in the case of a vehicle which in the opinion of the

District 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

16 WHERE a vehicle is removed by the Council or a police constable in uniform from the residents parking place in pursuance of Article 14 there shall be payable to the Council the District Council or the Surrey Police 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

SECTION II - RESIDENTS' PARKING PERMITS

Application for and issue of a parking permit

17 (1) Any resident who is -

- (a) the owner of not more than one vehicle being a passenger vehicle or a goods vehicle and who in the opinion of the Council does not have and is unable to provide off-street parking and/or garage facilities for that vehicle may apply to the Council for the issue to him of a parking permit in respect of that vehicle
- (b) the owner of two or more vehicles being passenger vehicles or goods vehicles or a combination thereof and who in the opinion of the Council has off-street parking and/or garage facilities for one of those vehicles but does not have any off-street parking and/or garage facilities for the remaining vehicles may apply to the Council for the issue to him of a parking permit in respect of one of those vehicles only
- (c) the owner of two or more vehicles being passenger vehicles or goods vehicles or a combination thereof and who in the opinion of the Council does not have and is unable to provide off-street parking

and/or garage facilities for any of those vehicles may apply to the Council for the issue to him of parking permits in respect of not more than two of those vehicles

- (d) any such application as is mentioned in sub-paragraphs (a) (b) or (c) above shall be made on a form or forms issued by and obtainable from the Council and shall include the particulars and information required by such form or forms to be supplied and shall be accompanied by a remittance for the appropriate fee hereinafter specified
 - (e) An owner of more than two vehicles shall not in any circumstances be entitled to a parking permit except as stated in sub-paragraphs (b) and (c) above
- (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 17 shall apply to the first resident who applies and assuming that he is granted a permit or permits as appropriate no further applications from other residents will be considered
 - (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 sub-paragraph (b) or (c) 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 parking permit the parking permit being for the leaving without time limit during the permitted hours in the residents 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 sub-paragraph (c) of paragraph (1) of this Article in respect of the second 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 parking permit the parking permit being for the leaving without time limit during the permitted hours in the residents 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
- (c) under the provisions of sub-paragraph (a) of paragraph (1) of this Article in respect of the 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 parking permit the parking permit being for the leaving without time limit during the permitted hours in the residents 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 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 District 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) seventy-five pounds in respect of a parking permit issued under the provisions of sub-paragraphs (a) and (c) respectively of paragraph (4) of this Article in respect of the first nominated vehicle or the nominated vehicle respectively 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
 - (b) one hundred pounds in respect of a parking permit issued under the provisions of paragraph (b) of paragraph 4 of this Article in respect of the second 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 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

- 18 (1) A parking permit holder may surrender a parking permit 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 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) or (f) of this Article has occurred and that person shall surrender the parking permit to the Council within 48 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 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 17
 - (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 19
 - (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 (6) of Article 17 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 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

- 19 (1) If a parking permit 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 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 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 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

Form of parking permits

20 A parking permit shall 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 18 the parking permit shall remain valid and
- (c) an indication that the parking permit has been issued by the District Council and
- (d) the letter "A"

Display of parking permits

21 AT all times during which a vehicle of a class specified in paragraph (1) of Article 17 is left in the residents parking place during the permitted hours a valid 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 parking permit are readily visible from the front or near side of the vehicle

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

Refund of fee paid in respect of a parking permit

- 22 (1) A 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 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 III - RESIDENTS' VISITOR'S PARKING PERMITS

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

- 23 (1) Any resident may apply to the Council for the issue of a residents' visitor's parking permit for the leaving without time limit during the permitted hours in a parking space (where such parking space is provided) in the residents parking place of a vehicle of a class referred to in paragraph (1) of Article 17 owned by and/or being used by a visitor and any application for such a residents' visitor's parking 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 residents' visitor's parking permit hereinafter specified
- (2) The Council may at any time require an applicant for a residents' visitor's parking permit or any residents' visitor's parking permit holder to produce to an officer of the Council such evidence in respect of an application for a residents' 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 residents' 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 residents' 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 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 limit the number of residents' visitor's 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' visitor's parking permits before issuing a further such permit

- (4) The number of residents' visitor's parking permits issued in respect of each separate place of abode shall not exceed thirty in each calendar year
- (5) If the Council is either unable or decides not to issue a residents' 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 residents' 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' visitor's parking permits or any such parking permits which are or

have been lost or destroyed by the resident to whom those residents' visitor's parking permits have been issued or which residents' visitor's parking permits have been mutilated or torn or accidentally defaced in any way whatsoever whilst those residents' visitor's 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 residents' visitor's parking permit to a resident does not guarantee that any parking space within the residents parking place will be available for use by the visitor to that resident during the permitted hours and
 - (b) the residents' 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

24 A residents' 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 residents' visitor's parking permit is to be displayed on and used
- (b) an indication that the residents' visitor's parking permit has been issued by the Council
- (c) a figure stating the number of the residents' visitor's parking permit
- (d) a space for the insertion of the letter "A"
- (e) a space for the insertion of 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' visitor's parking permits

25 AT all times during which a vehicle of a class referred to in paragraph (1) of Article 17 is left in a residents parking place during the permitted hours a valid residents' visitors

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 residents' visitor's parking permit need be so displayed if the vehicle is waiting in a residents parking place pursuant to the provisions of Article 10 Article 21 or paragraph (7) of Article 27

Validation of residents' visitor's parking permits

26 A residents' 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 residents' visitor's parking permit the date of the day of the month and the year on which that residents' visitor's parking permit is to be used and by marking on the residents' visitor's parking permit the registration mark of the vehicle in respect of which that residents' 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) ANY person -

- (a) falling within the definition in this Order of medical personnel in Paragraph (1) of Article 2 of this Order may apply to the District 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 the Second Part of The Second 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 District Council and shall include the particulars

and information required by such guidance to be supplied and the District Council may in its absolute discretion issue an Operational Parking Permit to such categories of medical personnel or

(b) who is resident at any of the premises the postal address of which is specified in the Second Part of The Second Schedule and is housebound and in need of regular short term visits from carers or community care personnel may apply to the District 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 that resident at that resident's usual place of abode to carry out carer's duties and any such application shall be made on a form issued by and obtainable from the District Council and shall include the particulars and information required by such form to be supplied and the District Council may in its absolute discretion issue an Operational Parking Permit to such carers or community care personnel

(2) THE District 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 either -

(a) employed as one of the specific categories of medical 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 or

- (b) housebound and in need of such short term visits by carers and that the carer 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 District 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 residents parking place of a vehicle belonging to or being used by medical personnel visiting a resident in the course of their duties or of a vehicle belonging to or being used by a person visiting that resident as a carer in the course of their duties as the case may be

- (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 Residents' 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 running from 1st April in any one year and in the case of an Operational Parking Permit which first becomes valid on any date after the 1st April in any one year shall be valid for the remainder of the twelve month period running from the said 1st April
- (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 or marks of the vehicle or the two vehicles in respect of which the Operational Parking Permit has or have 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 District Council

(7) AT all times during which either a passenger vehicle or a goods vehicle which is being used for the purposes specified in Article 27 is left in the residents 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 the vehicle so that all the particulars on the 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 that parking place pursuant to the provisions of Article 10 Article 21 and Article 25

SECTION V - GENERAL

Saving with respect to the parking place

28 INsofar as any provision contained in PART II 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

or grants an exemption from any such restriction or prohibition then the provisions contained in PART II shall prevail

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 a 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 Council EITHER by cheque or postal order which shall be delivered or sent by post so as to reach the Council Offices of the District Council situate at Station Road east Oxted Surrey RH8 0BT within twenty-eight days of the issue of the penalty charge OR in cash in person at the said 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 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 Council Offices are open

THE FIRST SCHEDULE (SEE ARTICLES 3 AND 4)

AREA ON A ROAD DESIGNATED AS A PARKING PLACE

**IN RELATION TO THE PARKING PLACE DESCRIBED IN THIS SCHEDULE THE
EXPRESSION “PERMITTED HOURS” MEANS THE PERIOD BETWEEN 10.00 A.M.
AND 12 NOON ON MONDAYS TO FRIDAYS INCLUSIVE**

**SUBJECT TO THE PROVISIONS OF ARTICLES 7(4)(I) AND (II) AND 10 PARKING
PLACE IN WHICH ONLY PASSENGER VEHICLES AND GOODS VEHICLES MAY BE
LEFT**

**SUBJECT TO THE PROVISIONS OF ARTICLE 10 PARKING PLACE IN RESPECT
OF WHICH A VEHICLE MAY BE LEFT DURING THE PERMITTED HOURS IF IT
DISPLAYS A VALID RESIDENT’S PARKING PERMIT OR A VALID RESIDENT’S
VISITORS PARKING PERMIT OR AN OPERATIONAL PARKING PERMIT**

FIRST	SECOND
COLUMN	COLUMN

No. of parking place	Designated parking place
----------------------------	--------------------------

1	HILLBURY ROAD (B270) WHYTELEAFE the south-east south and south-west side from a point on a line being the prolongation onto Hillbury Road (B270) of the south-western flank wall of the garage of No. 14 Hillbury Road north-eastwards then eastwards and then south-eastwards to a point 1.5 metres south-east of a point on a line being the prolongation onto Hillbury Road (B270) of the western flank wall of the garage at No. 86 Hillbury Road and which is shown marked on the plan with a blue solid line broken at regular intervals
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with a capital lettered "R" which is also shown coloured blue on the plan

THE SECOND SCHEDULE

FIRST PART

LENGTH OF ROAD FOR THE PURPOSE OF THE ISSUE OF RESIDENTS' PARKING PERMITS (SEE ARTICLE 2)

Hillbury Road (B270) Whyteleafe that length which extends from the prolongation across Hillbury Road of the property boundary line between No. 1 Westhall Road and No. 12 Hillbury Road to the prolongation across Hillbury Road of the property boundary line between Nos. 104 and 106 Hillbury Road

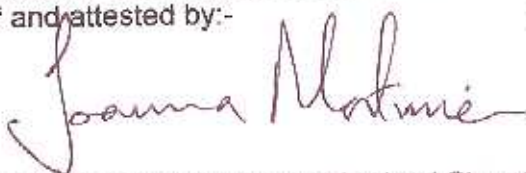
SECOND PART

SPECIFIED PREMISES FOR THE PURPOSE OF THE ISSUE OF RESIDENTS' PARKING PERMITS (SEE ARTICLE 2)

1. Odd Nos. 23, 47, 49, 51, 53, 55, 57, 59, 61, 63, 65, 67, 69, 71, 73, 75 and 77 Hillbury Road (B270), Whyteleafe and Even Nos. 12, 14, 16, 18, 20, 22, 24, 26, 28, 30, 32, 34, 36, 38, 40, 42, 44, 46, 48, 50, 52, 54, 56, 58, 60, 62, 64, 66, 68, 70, 72, 74, 76, 78, 80, 82, 84, 86, 88, 90, 92, 94, 96, 98, 100, 102 and 104 Hillbury Road (B270), Whyteleafe

Executed as a Deed by Surrey County Council on 30 March 2011

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



Head of Legal Services/Authorised Signatory



SURREY COUNTY COUNCIL

No. IN SEALING
REGISTER

2081-2082

ORDERED TO

BE SEALED

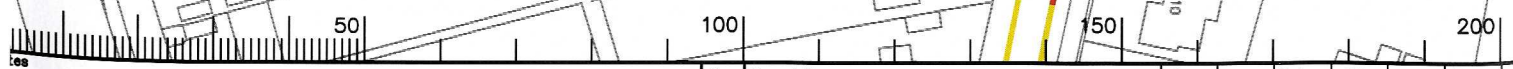
Tand. 2 in Local
Comm. Area - 4/6/10,
Sym. No. 6. N. No.
27/10, 2/7/10, 1/11/10,
No. 14, N. No. 70/10.

DATED 30 MARCH 2011

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

SURREY COUNTY COUNCIL
HILLBURY ROAD (B270) WHYTELEAFE
(RESIDENTS PARKING PLACE)
ORDER 2011


REF: LSEN/117344/TAN/AK



Rev.	Description	Drwn	Sig.	Date	Chkd	Sig.	Date	Appr	Sig.	Date
A	RESTRICTIONS ADDED / AMENDED	CAH	CAH	10.10	JP	JP	10.10	TPC	TPC	10.10

North Point		
Drawn by	SDC	Date
Checked by	AC	Date
Approved by	TPC	Date

Project	TANDRIDGE DPE WHYTELEAFE
Drawing	IMPLEMENTED TRAFFIC ORDERS
SHEET OF	



**SURREY
COUNTY COUNCIL**
Head of Engineering
Sds, Mds, Cds, Fds

Project No.
3282 / TAN

Contract
Sheet No.
2305

Rev.
A

Classification
AS MADE