

THE SURREY COUNTY COUNCIL

(VARIOUS ROADS IN SURREY HEATH)

(RESIDENTS AND SHARED-USE ON-STREET PARKING PLACES) ORDER 2011

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ARRANGEMENT OF SCHEDULES

FIRST SCHEDULE - Roads or parts of roads for the purpose of the issue of residents' parking permits (see definition of "resident" in Article 2)

SECOND SCHEDULE - List of Plans

THE 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 (Various Roads in Surrey Heath) (Consolidation of On-Street Parking Places) Order 2011" and shall come into operation on 1 December 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 any prohibition and restriction on the waiting by vehicles and/or any parking place

"bank holiday" has the same meaning as in the Banking and Financial Dealings Act 1971

"bus" has the same meaning as in Regulation 22 of the Traffic Signs Regulations and General Directions 2002 (S.I. 2002 No. 3113) (hereinafter called "The Regulations")

"bus stop clearway" has the same meaning as in sub-paragraph (a) of paragraph (1) of Schedule 19 to The Regulations

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

"certified licensed or registered building" means a building registered for solemnizing marriages as defined in Section 41 of the Marriage Act 1949

"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

"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

"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 Regulations

"motor cycle" "motor vehicle" and "invalid carriage" have the same meanings as in Section 136 of the 1984 Act

"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

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

"parking permit" means a resident's parking permit inter alia bearing only the letter "A" in accordance with the provisions of Article 32 and issued by the Council pursuant to the provisions of Article 28

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

"parking place" means -

- (a) any area on a highway designated as a street parking place by this Order or
- (b) any part of a road authorised by this Order to be used as a street parking place

"parking space" means a space in a 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

"permitted hours" means in relation to any parking place designated by this Order the period between 8 a.m. and 6 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 and which drawings are

attached to this Order

"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 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 only parking place" means an area on a highway designated as a parking place by this Order for the leaving of such vehicles only as display in the manner specified in Article 33 a valid parking 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 35

"shared use parking place" means an area on a highway designated as a parking place by this Order for the leaving -

(a) free of charge of such vehicles only as are passenger vehicles goods vehicles motor cycles and invalid carriages by virtue of the provision of paragraph (a) of Article 4 but where such vehicles may not be left for a period longer than the specified maximum period for waiting in that shared use parking place and/or

(b) for the leaving with a charge without time limit during the permitted hours of such vehicles as display in the manner specified in Article 33 a valid parking permit issued in respect of that vehicle

"road" includes 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 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 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 First Schedule

"Waiver Certificate" means a certificate issued on behalf of the Council for the purposes of paragraph (c) of Article 5 or paragraph (c) of Article 6 or paragraph (j) of Article 11 or subparagraph (j) of paragraph (1) of Article 17 or paragraph (i) of Article 21 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 11 and of sub-paragraph (i) of paragraph (4) of Article 18 a vehicle and any trailer drawn thereby shall be deemed to be a single vehicle

PART II

DESIGNATION OF SHARED USE PARKING PLACES

Designation of such parking places

3 EACH area on a highway comprising the length of carriageway of a road identified on the plans as a shared use parking place and labelled as Zone A on any of the plans and unless otherwise so specified 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 shared use parking place

Vehicles for which such parking places are designated

4 EACH shared use parking place identified on the plans may be used subject to the provisions of this Order for the leaving during the permitted hours of such vehicles only -

- (a) as are passenger vehicles goods vehicles motor cycles or invalid carriages
- (b) as display in the manner specified in Article 33 a valid parking permit issued in respect of that vehicle
- (c) as is a disabled person's vehicle which displays in the relevant position or in the prescribed manner a disabled person's badge issued by any local authority

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

5 WITHOUT prejudice to the provisions of Article 11 no person shall cause any vehicle to be left in a shared use parking place identified on the plans during the permitted hours for a continuous period of more than two hours:-

PROVIDED THAT nothing in this Article shall apply to -

- (a) a disabled person's vehicle which displays in the relevant position or in the prescribed manner a disabled person's badge issued by any local authority and/or
- (b) such vehicles as display in the manner specified in Article 33 a valid parking permit issued by the Council in respect of that vehicle and/or
- (c) such vehicles as display 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

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

6 WITHOUT prejudice to the provisions of Article 11 no vehicle which has been taken away from a parking space (where such parking space is provided) in a shared use parking place identified on the plans during the permitted hours shall until the expiration of one hour from the time it was taken away again be left in that parking place during the

permitted hours:-

PROVIDED THAT nothing in this Article shall apply to -

- (a) a disabled person's vehicle which displays in the relevant position or in the prescribed manner a disabled person's badge issued by any local authority and/or
- (b) such vehicles as display in the manner specified in Article 33 a valid parking permit issued by the Council in respect of that vehicle and/or
- (c) such vehicles as display 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

Manner of standing in such a parking place

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

- (a) in the case of a shared use parking place in relation to which special provisions as to the manner of standing of a vehicle in that parking place are identified on the plans so as to be in accordance with those provisions
- (b) in the case of any other shared use parking place -
 - (i) if the said parking place is not in a one-way road that the left or near side or right or off side of the vehicle is parallel to the edge of the carriageway nearest to the vehicle or
 - (ii) if the said parking place is in a one-way road that the left or near side of the vehicle is adjacent to the left-hand edge of the carriageway or that the right or off side of the vehicle is adjacent to the right-hand edge of the carriageway and

- (iii) that the distance between the edge of the carriageway and the nearest wheel of the vehicle is not more than 300 millimetres
- and
- (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 a shared use 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

8 WHERE any vehicle is standing in a shared use parking place in contravention of the provisions of Article 7 or of the provisions of Article 12 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

9 (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 a shared use 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 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 communications apparatus or the placing maintenance or removal of any traffic sign
- (c) for the convenience of occupiers of premises adjacent to the said 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 parking place at times of weddings or funerals or on other special occasions
- (2) Subject as set out in paragraph (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 a shared use parking place or any part thereof whenever he considers such suspension reasonably necessary for the purpose of facilitating the movement of traffic or promoting its safety
- (3) On the suspension of the use of a shared use 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 shared use parking place or any part thereof during such period as there is in or adjacent to that parking place or that part thereof as the case may be 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 17(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

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

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

- (a) if the vehicle is one which may wait in a shared use 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 11(1)(h) or (i) apply

16 THE driver of a motor vehicle using a shared use 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

11 (1) Notwithstanding the foregoing provisions of this Order any vehicle may wait during the permitted hours anywhere in any part of a shared use 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 shared use 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 shared use 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 9 (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 shared use 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 shared use 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

- (i) the vehicle is waiting otherwise than in a parking space (where such parking space is provided) if goods are being sold or offered or exposed for sale from the vehicle by a person who is licensed by the Council or the Borough Council to sell goods from a stationary vehicle on a pitch situated in the shared use parking place or
- (j) 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 or the Borough 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 or the Borough 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 or the Borough Council believes to be that person's address and the certificate shall forthwith be surrendered to the Council or the Borough Council

(2) No charge shall be payable in respect of any vehicle waiting in a shared use parking place in accordance with the foregoing provisions of this Article and a valid parking permit need not be displayed on that vehicle and the provisions of Article 5 and Article 6 shall also not apply to a vehicle so waiting in a shared use 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 a shared use parking place during the permitted hours

Manner of waiting in such a parking place

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

- (a) in the case of a shared use parking place in relation to which special provisions as to the manner of standing of a vehicle in that parking place are identified on the plans so that the vehicle shall stand -
 - (i) unless the length of the vehicle precludes compliance with this sub-paragraph in accordance with those provisions and so that every part of the vehicle is within the limits of the shared use parking place or
 - (ii) if the length of the vehicle does preclude compliance with the last preceding sub-paragraph 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) in the case of any other shared use parking place 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
- (c) 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 paragraph the expression "premises" shall not include any premises to or from which any furniture is being removed by virtue of the provisions of sub-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 sub-paragraph (1)(h) of that Article

Placing of traffic signs etc

13 THE Council shall -

- (a) place and maintain a traffic sign or traffic signs indicating the limits of each shared

- use parking place and/or each parking space and
- (b) place and maintain in or in the vicinity of each shared use parking place identified on the plans 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 a shared use parking place

PART III -

DESIGNATION OF RESIDENTS ONLY PARKING PLACES

Designation of such parking places

14 EACH area on a highway comprising the length of carriageway of a road identified on the plans as a residents only parking place within the area labelled as Zone A on any of the plans and unless otherwise so specified on the plans 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 only parking place

Vehicles for which such parking places are designated

15 EACH residents only parking place identified on the plans may be used subject to the provisions of this Order for the leaving during the permitted hours of such vehicles only as display in the manner specified in Article 33 a valid parking permit issued in respect of that vehicle

Manner of standing in such a parking place

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

- (a) in the case of a residents only parking place in relation to which special provisions as to the manner of standing of a vehicle in that parking place are identified on the plans so as to be in accordance with those provisions

- (b) in the case of any other residents only parking place -
 - (i) if the said parking place is not in a one-way road that the left or near side or right or off side of the vehicle is parallel to the edge of the carriageway nearest to the vehicle or
 - (ii) if the said parking place is in a one-way road that the left or near side of the vehicle is adjacent to the left-hand edge of the carriageway or that the right or off side of the vehicle is adjacent to the right-hand edge of the carriageway

and

- (iii) that the distance between the edge of the carriageway and the nearest wheel of the vehicle is not more than 300 millimetres
- (c) (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 a residents only 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

17 WHERE any vehicle is standing in a residents only parking place in contravention of the provisions of Article 16 or of the provisions of Article 22 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

18 (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 a residents only 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 only 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 only 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 only parking place at times of weddings or funerals or on other special occasions

(2) Subject as set out in paragraph (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 a residents only parking place or any part thereof whenever he considers such suspension reasonably necessary for the purpose of facilitating the movement of traffic or promoting its safety

(3) On the suspension of the use of a residents only 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 only 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 21(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

19 DURING the permitted hours no person shall use any residents only parking place or any vehicle while it is in such a 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 a residents only parking place in accordance with Article 15 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 21(1)(h) apply

20 THE driver of a motor vehicle using a residents only 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

21 (1) Notwithstanding the foregoing provisions of this Order any vehicle may wait during the permitted hours anywhere in any part of a residents only 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 only 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 only 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 18(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 only 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 only 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 or the Borough 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 or the Borough 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 or the Borough Council believes to be that person's address and the

certificate shall forthwith be surrendered to the Council or the Borough Council

(2) No charge shall be payable in respect of any vehicle waiting in a residents only parking place in accordance with the foregoing provisions of this Article and a valid parking permit need not be displayed on that vehicle

(3) Except as provided by this Order the driver or person in charge of a vehicle shall not cause or permit a vehicle to wait in a residents only parking place during the permitted hours

Manner of waiting in such a parking place

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

- (a) in the case of a residents only parking place in relation to which special provisions as to the manner of standing of a vehicle in that parking place are identified on the plans so that the vehicle shall stand -
 - (i) unless the length of the vehicle precludes compliance with this sub-paragraph in accordance with those provisions and so that every part of the vehicle is within the limits of the aforesaid residents only parking place
 - (ii) if the length of the vehicle does preclude compliance with the last preceding sub-paragraph 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) in the case of any other residents only parking place 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
- (c) 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

23 THE Council shall -

- (a) place and maintain a traffic sign or traffic signs indicating the limits of each residents only parking place and/or each parking space and
- (b) place and maintain in or in the vicinity of each residents only parking place identified on the plans 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 15 and
- (c) carry out such other work as is reasonably required for the purposes of the satisfactory operation of a residents only parking place

PART IV

SUPPLEMENTARY PROVISIONS

SECTION I - MOVEMENT OF AND/OR

REMOVAL OF VEHICLES FROM

PARKING PLACES

Movement of a vehicle in a parking place in an emergency

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

Removal of a vehicle from a parking place

25 (1) When a vehicle is left in a parking place in contravention of any of the provisions contained in this Order a person authorised in that behalf by the

Council or a police constable in uniform or a civil enforcement officer may remove the vehicle or arrange for it to be moved from that parking place BUT PROVIDED THAT civil enforcement officers shall not exercise the powers in this Article other than in accordance with the 1986 Regulations

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

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

26 WHEN a person authorised by the Council or a police constable in uniform or a civil enforcement officer removes or makes arrangements for the removal of a vehicle from a parking place by authority of Article 25 he shall except in the case of a vehicle which in the opinion of the Council or the Chief Constable is in such condition that it ought to be destroyed make such arrangements as may be deemed reasonably necessary for the safe custody of the vehicle

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

27 WHERE a vehicle is removed by the Council or a police constable in uniform from a parking place in pursuance of Article 25 there shall be payable to the Council or the Chief Constable pursuant to Section 102 of The Act and the Removal, Storage and Disposal of Vehicles (Prescribed Sums and Charges etc.) Regulations 1989 (S.I. 1989 No. 744) 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

- 28 (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 -
 - (i) does not have and is unable to provide off-street parking and/or garage facilities for that vehicle or
 - (ii) is able to provide off-street parking and/or garage facilities for that vehicle onlymay 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 or more of those 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 28 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 any shared use parking place and/or in any residents only parking place identified on the plans 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 any shared use parking place and/or in any residents only parking place identified on the plans 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 any shared use parking place and/or any residents only parking place identified on the plans 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 Borough Council for the leaving of a vehicle in a street parking place pursuant to the provisions of any other enactment is valid

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

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

shall be the sum of -

- (a) fifty pounds in respect of a parking permit in respect of the first nominated vehicle issued under the provisions of sub-paragraphs (a) and (c) of paragraph (4) of this Article 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 or
 - (b) fifty pounds in respect of the first parking permit in respect of the first nominated vehicle issued under the provisions of sub-paragraph (b) of paragraph (4) of this Article and seventy-five pounds in respect of the second parking permit in respect of the second nominated vehicle issued under the provisions of sub-paragraph (c) of paragraph (4) of this Article 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 any shared use parking place and/or any residents only 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

- 29 (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 (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 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 28
 - (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 30
 - (h) the parking permit ceasing to be valid pursuant to the provisions of paragraph (4) of this Article
- (4) Without prejudice to the foregoing provisions of this Article a parking permit shall cease to be valid at the expiration of the period stated thereon or on the occurrence of any one of the events set out in paragraph (3) of this

Article whichever is the earlier

- (5) Where a parking permit is issued pursuant to paragraph (4) of Article 28 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 (forty-eight) hours of the receipt of the afore-mentioned notice

Application for and issue of duplicate parking permits

- 30 (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

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

31 WHERE a resident or a parking permit holder applies for the issue of a further parking permit due to that resident or that parking permit holder changing the vehicle in respect of which the original parking permit was issued so that the original parking permit no longer bears the registration mark of the vehicle in respect of which that original parking permit was issued under the provisions of Article 28 then the original parking permit shall be surrendered to the Council and immediately a further parking permit will be issued bearing the registration mark of the new vehicle PROVIDED THAT there shall then be payable to the Council a sum of fifteen pounds for the issue of that further parking permit which shall be valid for the remainder of the period stated on the original parking permit under the provisions of Article 28

Form of parking permits

32 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 (7) of Article 28 the parking permit shall remain valid and
- (c) an indication that the parking permit has been issued by the Council and
- (d) the letter "A"

Display of parking permits

33 AT all times during which a vehicle of a class specified in paragraph (1) of Article 28 is left in a shared use parking place or a residents only parking place identified on the plans 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 a shared use parking place pursuant to the provisions of Article 11 or is waiting in a residents

only parking place pursuant to the provisions of Article 21 or is a disabled person's vehicle which displays in the relevant position or in the prescribed manner a disabled person's badge issued by any local authority

Refund of fee paid in respect of a parking permit

- 34 (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

- 35 (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 any shared-use parking place or residents parking place of a vehicle of a class referred to in paragraph (1) of Article 28 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 permitted hours in the 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 usual 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) Subject as provided below the number of residents' visitor's parking permits issued in respect of each separate usual place of abode shall not exceed one hundred and twenty in each calendar year

PROVIDED THAT this paragraph shall have effect subject to the proviso that in certain exceptional circumstances the number of residents' visitor's parking permits issued in respect of each separate usual place of abode may exceed one hundred and twenty in each calendar with no upper limit on the number of such permits so issued provided that in each case the exceptional circumstances referred to above are met and/or fully complied with

- (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 any shared-use parking place and 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

36 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) 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

37 AT all times during which a vehicle of a class referred to in paragraph (1) of Article 28 is left in any shared-use parking place or 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 any shared use parking place pursuant to the provisions of Article 11 or is waiting in a residents only parking place pursuant to the provisions of Article 21 or is a disabled person's vehicle which displays in the relevant position or in the prescribed manner a disabled person's badge issued by any local authority

Validation of residents' visitor's parking permits

38 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 ENFORCEMENT

Contraventions

39 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 Parking Attendant in accordance with the requirements of Section 78 of the Traffic Management Act 2004 or any Regulations made thereunder

Notice of penalty charge

40 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

41 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 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

42 (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 Surrey Heath Borough Council situated at Surrey Heath House Knoll Road Camberley Surrey GU15 3HD within twenty-eight days of the issue of the penalty charge OR in cash in person at either the said Surrey Heath House

or the office of any Agent thereof 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 either the said Surrey Heath House or the office of any Agents thereof is 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 Surrey Heath House or the office of any Agents thereof is open

SECTION V - GENERAL

Saving in respect of pedestrian crossings

43 NOTHING in the foregoing provisions of this Order shall be taken as authorising anything which would be a contravention of any Regulations made or having effect as if made under Section 25 of The Act

Saving in respect of bus stop clearways

44 INSOFAR as any provision of this Order conflicts with a provision which is contained in paragraphs 2 3 or 4 of Schedule 19 to The Regulations then the provision contained in the said paragraphs of The Regulations shall prevail

Saving with respect to parking places

45 INSOFAR as any provision contained in PART II and/or PART III conflicts with a provision which is contained in The Surrey County Council (Various Roads in Surrey Heath) (Revocation and Consolidation of Waiting Loading and Unloading Prohibition and

Restriction) Order 2006 or 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 and/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 and/or PART III shall prevail

Saving with respect to other enactments

46 SUBJECT to the provisions contained in Article 43 Article 44 and Article 45 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

THE FIRST SCHEDULE

FIRST PART

ROADS OR PARTS OF ROADS FOR THE PURPOSE OF THE ISSUE OF
RESIDENTS' PARKING PERMITS (SEE ARTICLE 2)

- 1. Partridge Close Frimley its entire length

SECOND PART

- 1. Nos. 1, 2, 3, 4, 5 , 6, 7, 8, 9, 10, 11, 12 and 13 Partridge Close Frimley Camberley Surrey GU16 8PD

THE SECOND SCHEDULE

LIST OF PLANS

Drawing No	Date Drawn	Rev'n	Date Revised	Rev'n	Date Revised	Rev'n	Date Revised	Rev'n	Date Revised
3282/SYH/1300i	03/06	A	06/07	B	02/08	C	12/08	D	04/11
3282/SYH/1300ii	03/06	A	06/07	B	02/08	C	12/08	D	04/11
3282/SYH/1301	03/06								
3282/SYH/1302	03/06	A	12/08						
3282/SYH/1303	03/06	A	06/07						
3282/SYH/1304	03/06								
3282/SYH/1305	03/06	A	06/07	B	04/11				
3282/SYH/1306	03/06	A	06/07	B	02/08	C	04/11		
3282/SYH/1307	03/06	A	06/07	B	12/08				
3282/SYH/1308	03/06	A	12/08						
3282/SYH/1309	03/06								
3282/SYH/1310	03/06	A	06/07	B	12/08				
3282/SYH/1311	03/06	A	06/07	B	12/08	C	04/11		
3282/SYH/1312	03/06	A	02/08	B	12/08				
3282/SYH/1313	03/06	A	02/08	B	12/08				
3282/SYH/1314	03/06	A	12/08	B	04/11				
3282/SYH/1315	03/06								
3282/SYH/1316	03/06	A	06/07						
3282/SYH/1317	03/06								
3282/SYH/1318	03/06	A	12/08						
3282/SYH/1319	03/06	A	06/07	B	12/08				
3282/SYH/1320	03/06	A	06/07	B	04/11				
3282/SYH/1321	03/06	A	06/07	B	05/08	C	07/08		
3282/SYH/1322	03/06	A	06/07	B	02/08				
3282/SYH/1323	03/06	A	06/07						
3282/SYH/1324	03/06	A	06/07	B	05/08	C	07/08	D	04/11
3282/SYH/1325	03/06	A	06/07	B	02/08				
3282/SYH/1326	03/06	A	06/07	B	07/08				
3282/SYH/1327	03/06	A	06/07						
3282/SYH/1328	03/06	A	06/07	B	02/08	C	12/08		
3282/SYH/1329	03/06	A	06/07	B	04/11				
3282/SYH/1330	03/06	A	06/07	B	12/08	C	04/11		
3282/SYH/1331	03/06	A	06/07	B	02/08	C	12/08		
3282/SYH/1332	03/06	A	06/07	B	02/08	C	12/08		
3282/SYH/1333	03/06	A	06/07	B	02/08	C	12/08		
3282/SYH/1334	03/06	A	06/07						
3282/SYH/1335	03/06	A	06/07	B	12/08				
3282/SYH/1336	03/06	A	06/07						
3282/SYH/1337	03/06	A	06/07						
3282/SYH/1338	03/06								
3282/SYH/1339	03/06	A	12/08						
3282/SYH/1340	03/06	A	06/07	B	02/08	C	12/08		
3282/SYH/1341	03/06	A	06/07	B	02/08	C	12/08		
3282/SYH/1342	03/06	A	06/07	B	12/08				
3282/SYH/1343	03/06	A	12/08						
3282/SYH/1344	03/06								
3282/SYH/1345	03/06	A	06/07	B	12/08	C	04/11		
3282/SYH/1346	03/06	A	06/07	B	12/08	C	04/11		
3282/SYH/1347	03/06	A	06/07						

3282/SYH/1348	03/06	A	06/07	B	12/08				
3282/SYH/1349	03/06	A	06/07	B	12/08	C	04/11		
3282/SYH/1350	03/06	A	06/07	B	12/08				
3282/SYH/1351	03/06	A	12/08						
3282/SYH/1352	03/06	A	06/07	B	12/08				
3282/SYH/1353	03/06								
3282/SYH/1354	03/06	A	12/08						
3282/SYH/1355	03/06								
3282/SYH/1356	03/06								
3282/SYH/1357	03/06	A	12/08	B	04/11				
3282/SYH/1358	03/06	A	06/07	B	12/08	C	04/11		
3282/SYH/1359	03/06								
3282/SYH/1360	03/06	A	06/07						
3282/SYH/1361	03/06	A	06/07						
3283/SYH/1362	06/07	A	02/08	B	12/08	C	04/11		
3282/SYH/1363	06/07	A	02/08	B	12/08	C	04/11		
3282/SYH/1364	06/07	A	02/08	NOT IN USE					
3282/SYH/1365	06/07	A	02/08	B	12/08	C	04/11		
3282/SYH/1366	12/08	A	04/11						
3282/SYH/1367	12/08								
3282/SYH/1368	04/11								
3282/SYH/1369	04/11								
3282/SYH/1370	04/11								

Executed as a Deed by Surrey County Council on 21 September 2011

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

Joanna Martine

Authorised Signatory



SURREY COUNTY COUNCIL

DATED 21 SEPTEMBER 2011

No. IN SEALING

REGISTER 3278

SURREY HEATH LOCAL COMMITTEE

ORDERED TO 15.07.10. ITEM 21

BE SEALED 12.01.11. ITEM 3

ROAD TRAFFIC REGULATION ACT 1984

SECTIONS

32 35 36 45 46 49 51 AND 53



SURREY COUNTY COUNCIL
(VARIOUS ROADS IN SURREY
HEATH) (RESIDENTS AND SHARED-
USE ON-STREET
PARKING PLACES) ORDER 2011