

**DATED 20 JULY 2005**

**ROAD TRAFFIC REGULATION ACT 1984  
SECTIONS 1(1) AND 2(1) TO (3) AND 4(2)  
AND 32 35 36 45 AND 46  
AND PART IV OF SCHEDULE 9**

**SURREY COUNTY COUNCIL  
BROOKWOOD CONTROLLED  
PARKING ZONE IN THE BOROUGH OF  
WOKING (CONSOLIDATION  
OF WAITING RESTRICTIONS AND ON-  
STREET PARKING PLACES)  
ORDER 2005**

**THE SURREY COUNTY COUNCIL  
BROOKWOOD CONTROLLED  
PARKING ZONE IN THE BOROUGH OF WOKING  
(CONSOLIDATION OF WAITING RESTRICTIONS AND  
ON-STREET PARKING PLACES) ORDER 2005**

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 BROOKWOOD CONTROLLED  
 PARKING ZONE IN THE BOROUGH OF WOKING  
 (CONSOLIDATION OF WAITING RESTRICTIONS AND  
 ON-STREET PARKING PLACES) ORDER 2005  
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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 COUNTY COUNCIL OF SURREY in exercise of their powers under Sections 1(1) and 2(1) to (3) and 4 and 32 35 36 45 and 46 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 Brookwood Controlled Parking Zone in the Borough of Woking (Consolidation of Waiting Restrictions and On-Street Parking Places) Order 2005" and shall come into operation on 25 July 2005

**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

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

"bus stop clearway" has the same meaning as in sub-paragraph (a) of paragraph 1 of Schedule 19 to the Traffic Signs Regulations and General Directions 2002 (S.I. 2002 No. 3113)

"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 and who is not employed to provide the care in question by any body in the exercise of its functions under any enactment

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

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

"Council" means Surrey County Council or its appointed agents

"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)

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

"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

"hackney carriage" means a hackney carriage in respect of which there is in force a licence granted under Section 37 of The Town Police Clauses Act 1847 and Part II of the Local Government (Miscellaneous Provisions) Act 1976

"lay-by" means any area of carriageway not forming part of a main carriageway and which for the purposes of this Order is either –

- (a) designated for the time being as a street parking place by any Order made or having effect as if made under Sections 1(1) and (2) and 2(1) to (3) and 4 and/or 32 35 and 36 of and/or Part IV of Schedule 9 to the Act within the County of Surrey or
- (b) an area of carriageway intended for the waiting of vehicles and which is bounded partly by a traffic sign of the type shown in Diagram 1010 in Schedule 6 to the Traffic Signs Regulations and General Directions 2002 (S.I. 2002 No. 3113) and partly by the outer edge of the carriageway on the same side of the road as that on which the traffic sign is placed

"main carriageway" means any carriageway used primarily by through traffic but excludes any lay-by

"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 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)

"Operational Parking permit" means an Operational Parking Permit issued by the Council under the provisions of Article 33

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

"Owner" means the person by whom the vehicle is kept and in determining who was the owner of a vehicle at any time it shall be presumed that the owner was the person in whose name the vehicle was at that time registered under the Vehicle Excise and Registration Act 1994

"Parking Attendant" means a person authorised by or on behalf of the Council to enforce the restrictions imposed by this Order

"parking disc" has the same meaning as in the Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England and Wales) Regulations 2000 (S.I. 2000 No. 683)

"parking permit" means a resident's parking permit inter alia bearing only the wording "Brookwood Controlled Parking Zone" in accordance with the provisions of Article 26 and issued by the Council pursuant to the provisions of Article 22

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

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

"parking ticket" means a ticket issued by a ticket machine relating to any parking place for which a charge is made identified in the plans attached to this Order

"parking space" means a space in any 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" means the charge set by the Council under the provisions of the Road Traffic Act 1991 which is to be paid to the Council following the issue of a Penalty Charge Notice within twenty-eight days of the issue of that Notice

"permitted hours" means the hours identified on the plans attached to this Order

"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

"protective cover" means a protective cover issued by the Council under the provisions of Article 22 of this Order;

"resident" means a person whose usual place of abode is at premises the postal address of which is in any road or part of a road specified and described in the Second column of the First Schedule and which premises includes a bathroom and a kitchen for the sole use of the said premises

"Resident's Parking Permit" means a resident's parking permit issued under the provisions



of Article 22

“Resident’s Parking Permit holder” means a person to whom a Resident’s Parking Permit has been issued under the provisions of Article 23

"residents parking place" means an area of highway authorised to be used as a parking place as shown in the appropriate part of column three for the leaving during the permitted hours of such vehicles as display in the manner specified in Article 27 or in the manner specified in Article 31 a valid permit issued in respect of that vehicle

“Resident’s Visitor’s Parking Permit” means a residents visitor’s parking permit issued under the provisions of Article 29

"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

"telecommunications system" has the same meaning as in the Telecommunications Act 1984

“ticket machine” means an apparatus of a type and design approved by the Secretary of State for Transport for the purpose of this Order being apparatus designed to issue parking tickets indicating the payment of a charge and the date and time at which the ticket expires

"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 any road or part of a road specified and described in the Second Column of the First Schedule

"Waiver Certificate" means a certificate issued on behalf of the Council for the purposes of Article 4(h) or Article 15(i) permitting a specified vehicle to wait in special circumstances on a length or lengths of roads where the waiting of that vehicle would otherwise be restricted or prohibited

- (2) For the purpose of this Order a vehicle shall be regarded as displaying -
  - (a) a disabled person’s badge in the prescribed manner when -
    - (i) the badge is exhibited thereon on the dashboard or 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
- (b) a parking disc in the relevant position if -
- (i) the disc is exhibited on the dashboard or facia of the vehicle or
  - (ii) where the vehicle does not have a dashboard or facia the disc is exhibited in a conspicuous position on the vehicle
- so that when marked to show the quarter-hour period during which a period of waiting began that period is clearly legible from the outside of the vehicle
- (3) Any reference in this Order to a numbered Article Part Schedule or Section shall unless the context otherwise requires be construed as a reference to the Article Part Schedule or Section bearing that number in this Order
- (4) Any reference in this Order to any enactment shall be construed as a reference to that enactment as amended applied consolidated re-enacted by or as having effect by virtue of any subsequent enactment
- (5) 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 12 and of Article 15 a vehicle and any trailer drawn thereby shall be deemed to be a single vehicle

## **PART II**

### **WAITING RESTRICTIONS**

#### **Restriction on waiting by vehicles**

3 SAVE as provided in Articles 4 5 6 and 7 no person shall except upon the direction or with the permission of a police constable in uniform or a parking attendant cause or permit any vehicle to wait at the times indicated on the Key relating to the plans in the road and lengths of roads identified on the plans by the coloured lines relating to each of the said times within the area shown marked by a black broken line and labelled as Brookwood Controlled Parking Zone on any of the plans

#### **Exceptions and exemptions from the Restriction on waiting by vehicles**

4 NOTHING in Article 3 shall render it unlawful to cause or permit any vehicle to wait in any of the roads lengths of roads or on the sides of roads specified (within the area shown marked by a black broken line and labelled as Brookwood Controlled Parking Zone) therein for so long as may be necessary to enable -

- (a) a person to board or alight from the vehicle

- (b) the vehicle if it cannot conveniently be used for such purpose in any other road to be used in connection with any of the following operations namely
  - (i) building industrial or demolition operation
  - (ii) the removal of any obstruction to traffic
  - (iii) the maintenance improvement or reconstruction of the said lengths or sides of roads or
  - (iv) the laying erection alteration or repair in or in land adjacent to the said road and lengths of roads of any sewer or of any main pipe or apparatus for the supply of gas water or electricity or of any telecommunication system
- (c) the vehicle if it cannot conveniently be used for such purposes in any other road to be used in the service of a local authority or of a water authority in pursuance of statutory powers or duties
- (d) the vehicle to be used for the purpose of delivering or collecting postal packets
- (e) the vehicle to take in petrol oil water or air from any garage situated in or adjacent to the said lengths of roads
- (f) the vehicle to wait at or near to any premises situated on or adjacent to the said lengths of roads for so long as such waiting by that vehicle is reasonably necessary in connection with any wedding or funeral
- (g) the vehicle to be used for fire brigade ambulance or police purposes
- (h) 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

5 NOTHING in -

- (a) Article 3 shall render it unlawful to cause or permit a disabled person's vehicle which displays in the relevant position or in the prescribed manner a disabled person's badge and in the relevant position a parking disc (on which the driver or other person in charge of the vehicle has marked the time at which the period of waiting began) to wait on each separate road or length of road identified on the plans (within the area shown marked

by a black broken line and labelled as Brookwood Controlled Parking Zone) for a period not exceeding three hours where the prohibition on waiting is for a period exceeding three continuous hours (not being a period separated by an interval of less than one hour from a previous period of waiting by the same vehicle on the same separate road or length of road)

(b) Article 3 shall render it unlawful to cause or permit 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 to wait on each separate road or length of road identified on the plans (within the area shown marked by a black broken line and labelled as Brookwood Controlled Parking Zone) where the prohibition on the waiting by vehicles is for a period of three continuous hours or for any period which is less than three continuous hours

6 NOTHING in Article 3 shall render it unlawful to cause or permit a vehicle to wait in any case where the person in control of it:-

- (a) is required by law to stop
- (b) is obliged to stop in order to prevent an accident or
- (c) is prevented from proceeding by circumstances outside his control

#### **Furniture Removals**

7 NOTHING in Article 3 shall apply so as to restrict or prohibit the waiting of any vehicle while the vehicle is in actual use in any length of road identified on the plans (within the area shown marked by a black broken line and labelled as Brookwood Controlled Parking Zone) attached to this Order in connection with the removal of furniture from one office or dwelling house to another or the removal of furniture from any such premises to a depository or to any such premises from a depository

PROVIDED THAT this Article shall not apply to a vehicle waiting in any part of any length of road identified on the plans attached to this Order unless notice is given twenty-four hours in advance to the Council and a valid waiver certificate is obtained

### **PART III**

#### **SECTION I -**

#### **DESIGNATION OF RESIDENTS ONLY PARKING PLACES**

##### **Designation of such parking places**

8 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 shown marked by a black broken line and labelled as Brookwood Controlled Parking Zone 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**

9 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 as are specified in Article 22 only as display in the manner specified in Article 27 or in the manner specified in Article 31 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 a disabled person's badge issued by any local authority

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

10 THE driver of a vehicle waiting in a residents 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 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 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 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**

11 WHERE any vehicle is standing in a residents parking place in contravention of the provisions of Article 10 or of the provisions of Article 16 a police constable in uniform or a person duly authorised by the Council may alter or cause to be altered the position of the vehicle in order that its position shall comply with those provisions

**Power to suspend the use of such a parking place**

12 (1) Any person duly authorised by the Council or the Chief Constable of the

Surrey Police (hereinafter called the "Chief Constable") 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 telecommunication system 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) A police constable in uniform 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 15(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

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

13 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 9 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 15(1)(h) apply

14 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**

15 (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 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 12(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) 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 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 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
  - (j) goods are being sold or offered or exposed for sale from the vehicle by a person who is licensed by the Council or the Woking borough Council to sell goods from a stationary vehicle on a pitch situated in the parking place



(2) 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**

16 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) (i) or (j) 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**

17 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 9 and

(c) carry out such other work as is reasonably required for the purposes of the satisfactory operation of a residents 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**

18 ANY person duly authorised by the Council 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 a parking place

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

19 (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 may remove the vehicle or arrange for it to be moved from that parking place

(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 the Chief Constable propose to move such a vehicle which in their opinion is in such a condition that it ought to be destroyed then they shall not less than seven days 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

20 WHEN a person authorised by the Council or a police constable in uniform removes or makes arrangements for the removal of a vehicle from a parking place by authority of Article 19 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**

21 WHERE a vehicle is removed by the Council or a police constable in uniform from a parking place in pursuance of Article 19 there shall be payable to the Council or the Chief Constable pursuant to Section 102 of The Act and the Removal Storage and Disposal of Vehicles (Prescribed Sums and Charges etc.) Regulations 1989 charges for the removal storing and disposal of the said vehicle in accordance with the provisions of the said Regulations

## SECTION II - RESIDENTS' PARKING PERMITS

### Application for and issue of a parking permit

- 22 (1) Any resident who is the owner of a motor vehicle the overall height of which does not exceed 2.28 metres and the overall length of which does not exceed 5.25 metres and the overall weight of which does not exceed 3.5 tonnes and has no sufficient or suitable off-street parking space may apply to the Council for the issue to him of a parking permit in respect of that vehicle
- (2) Any such application as is mentioned in paragraph (1) 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
- (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 under the provisions 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 class specified in paragraph (1) of this Article may in its absolute discretion issue to the applicant therefor one parking permit and protective cover the parking permit being for the leaving without time limit during the permitted hours in a parking space (where such parking space is provided) in any residents only 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) 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
- (6) The fee referred to in paragraph (2) of this Article payable to the Council shall be the sum of ten pounds in respect of a parking permit which subject to the provisions of this Order shall be valid for a period of twelve months running from any day of the month on which the parking permit first becomes valid

- (7) 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 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

**Application for and Issue of Residents' Permits for Carers**

- 23 (1) Any resident who does not have any suitable or sufficient off-street parking space may apply to the Council for the issue of a residents permit for the leaving of a vehicle of the class described in Article 22 and belonging to a carer
- (2) The Council may at any time require an applicant or permit holder to produce to an officer of the Council such evidence in respect of an application for a permit made to them as they may reasonably call for to verify any particulars or information given to them or in respect of any permit issued by them as they may reasonably call for to verify that the permit is valid
- (3) Upon receipt of an application duly made under the above mentioned provisions the Council upon being satisfied that the applicant is a resident and is eligible for a permit as described in this Article shall issue to the applicant
- (a) a residents permit for the leaving of a vehicle of the class specified in Article 22 during the permitted hours in any residents parking place and that permit shall include a specific Carer identification
  - (b) one protective cover for the display therein of the permit and
  - (c) in any respect not specifically mentioned in paragraphs (1) and (2) above the procedure validity and terms of use for a residents permit shall be the same as those set out in Article 22 and this paragraph shall be construed accordingly

**Surrender withdrawal and validity of parking permits**

- 24 (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 or a carer as the case may be
  - (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 22
  - (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 the words or number 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 25
  - (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 22 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**

- 25 (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) In the case of the replacement of a permit a charge of five pounds shall be payable to this Council

#### **Form of parking permits**

26 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 24 the parking permit shall remain valid
- (c) the words "Woking Borough Council"
- (d) an indication of the area in which the permit is valid
- (e) a protective cover for the display therein of a resident permit

#### **Display of parking permits**

27 AT all times during which a vehicle of a class specified in paragraph (1) of Article 22 is left in a 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 15

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

- 28 (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 the sum of fifty pence 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 resident permit is surrendered to the Council

### **SECTION III - RESIDENTS' VISITOR'S PARKING PERMITS**

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

- 29 (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 any residents parking place of a vehicle of a class referred to in paragraph (1) of Article 22 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 only 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) The number of residents' visitor's parking permits issued in respect of each separate usual place of abode shall not exceed thirty or sixty where residents are aged 60 or over 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 sixty pence or thirty pence where residents are aged 60 and over 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 -
  - (a) the issuing of a residents' visitor's parking permit to a resident does not guarantee that any parking space within any 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**

30 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 words "Brookwood Controlled Parking Zone"



- (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**

31 AT all times during which a vehicle of a class referred to in paragraph (1) of Article 22 is left in a residents only 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 15

**Validation of residents' visitor's parking permits**

32 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**

33 (1) ANY doctor nurse or community care personnel may apply to the Council for the issue of an Operational Parking Permit for the leaving during the permitted hours of a vehicle of the class specified Article 22 and belonging to or being used by a doctor nurse or community care personnel visiting a resident whose usual place of abode is at premises within the roads or part of roads in column 2 of The First Schedule in the course of medical or community care duties and any such application shall be made in accordance with formal guidance issued by and obtainable from the Council and shall include the particulars and information required by such guidance to be supplied and the Council may in its absolute discretion issue an Operational Parking Permit to such categories of medical personnel

(2) THE Council may at any time require an applicant therefor or an Operational

Parking Permit holder to produce to an Officer of that Council such evidence in respect of an application for an Operational Parking Permit made to them as they may reasonably call for to verify any particulars or information given to them or in respect of any Operational Parking Permit issued by them to that person as they may reasonably call for to verify that the Operational Parking Permit is valid

- (3) UPON receipt of an application duly made under the foregoing provisions of this Article and upon being satisfied that the applicant is employed as one of the specific categories of medical personnel and is either the owner of a vehicle of the class specified in Article 22 or a person authorised by the owner of a vehicle of such class the Council may in its absolute discretion issue to the applicant therefor one Operational Parking Permit for the leaving without time limit during the permitted hours in any residents only parking place identified on the plans in the road and lengths of roads identified on the plans by the coloured lines relating to each of the said times within the area shown marked by a black broken line and labelled as Brookwood Controlled Parking Zone attached to this Order of a vehicle belonging to or being used by the said medical personnel visiting that resident in the course of their duties
- (4) IN any respect not specifically mentioned in paragraphs (1) (2) and (3) 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 in Article 22 and this paragraph shall be construed accordingly
- (5) NO charge shall be payable in respect of an Operational Parking Permit and such permits shall be valid for a period of one year

#### **SECTION IV - GENERAL**

##### **Saving with respect to parking places**

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

- (a) the waiting loading or unloading by vehicles and
- (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 III shall prevail

##### **Saving in respect of pedestrian crossings**

35 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 Hackney Carriages**

36 NOTHING in Article 3 of this Order shall render it unlawful to cause or permit hackney carriages to wait upon any stand for hackney carriages duly authorised under Section 63 of the Local Government (Miscellaneous Provisions) Act 1976 PROVIDED THAT the said hackney carriages are waiting wholly within the limits of any said stand for hackney carriages

#### **Saving in respect of bus stop clearways**

37 INSOFAR as any provision contained in PART II of this Order conflicts with a provision which is contained in paragraphs 2 3 or 4 of Schedule 19 to the Traffic Signs Regulations and General Directions 2002 (S.I. 2002 No. 3113) then the provision contained in the said paragraphs of the said Regulations shall prevail

#### **Saving with respect to other enactments**

38 SUBJECT to the provisions contained in Article 34 35 36 and 37 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 V 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 the Road Traffic Act 1991 may then be issued by a Parking Attendant in accordance with the requirements of the Road Traffic Act 1991

#### **Notice of penalty charge**

40 IN the case of a vehicle in respect of which the penalty charge may have been incurred it shall be the duty of a Parking Attendant to attach to the vehicle in a conspicuous position or to give to a person appearing to be in charge of the vehicle a Notice which shall include the following particulars:

- (a) the grounds on which the Parking Attendant believes that a penalty charge is payable with respect to the vehicle and
- (b) the amount of the penalty charge which is payable and
- (c) that the penalty charge must be paid before the end of the period of twenty-eight days beginning with the date of the Notice and
- (d) that 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 and

- (e) that if the penalty charge is not paid before the end of the twenty-eight day period a Notice to the owner may be served by the Council on the person appearing to them to be the owner of the vehicle and
- (f) the address to which payment of the penalty charge must be sent

PROVIDED THAT in paragraph (d) above "specified proportion" means such proportion applicable to all cases as may be determined by the Local Authorities acting through the Joint Committee

### **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 parking attendant 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 Parking Shop 37 Chobham Road Woking within twenty-eight days of the issue of the penalty charge OR in cash in person at either the said 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
  - (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 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 Offices are open

## **PART VI REVOCATION**

### **Revocation**

43 WITHOUT prejudice to the validity of anything done or to any liability incurred in

respect of any act or omission before the coming into operation of this Order The Woking Borough Council (Various Roads in Brookwood)(Parking Places and Controlled Zone) Order 1997, The Woking Borough Council (Various Roads in Brookwood)(Parking Places and Controlled Zone) (Variation No.1) Order 1998, The Woking Borough Council (Various Roads in Brookwood)(Parking Places and Controlled Zone) (Variation No.2) Order 1998, The Woking Borough Council (Various Roads in Brookwood)(Parking Places and Controlled Zone) (Variation No.3) Order 2004 and The Woking Borough Council (Various Roads in Brookwood)(Prohibition and Restriction of Waiting) Consolidation Order 1997 are hereby revoked in its entirety

## FIRST SCHEDULE

Column 1	Column 2	Column 3	Column 4
<b>Area (shown on permit)</b>	<b>Roads for the purpose of definition of residents</b>	<b>Roads in which residents are entitled to park within marked bays with appropriate permit</b>	
Zone 6	<p><b>RESIDENT'S ONLY</b></p> <p>Connaught Road Connaught Crescent Elphinstone Close Heath Drive Lockwood West Hill Close</p>	<p>Connaught Road Connaught Crescent Elphinstone Close Heath Drive Lockwood West Hill Close</p>	

**SECOND SCHEDULE**

LIST of DRAWINGS

Drawing No	Date Drawn	Rev'n	Date Revised	Rev'n	Date Revised	Rev'n	Date Revised
3282/WOK/20000	06/05						
3282/WOK/20001	06/05						
3282/WOK/20002	06/05						
3282/WOK/20003	06/05						
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3282/WOK/20101	06/05						

THE COMMON SEAL OF SURREY )  
COUNTY COUNCIL was hereunto )  
Affixed on 20 July 2005 )  
In the presence of: -



*Carol McLaughlin*

Authorised Signatory

**SURREY COUNTY COUNCIL**

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No. IN SEALING  
REGISTER

91765

ORDERED TO  
BE SEALED

Woking Local Cttee  
14 October 2004

