# WATFORD COUNCIL TRAFFIC REGULATION ORDER 2015 No. 785

## THE BOROUGH OF WATFORD (THE LARCHES, WATFORD) (CONTROLLED PARKING ZONE) ORDER 2015

Sealed:

Coming into operation:

20 August 20151 September 2015

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Watford Borough Council, pursuant to arrangements made under Section 19 of the Local Government Act 2000 and the Local Government (Arrangements for Discharge of Functions) (England) Regulations 2000 with the Hertfordshire County Council, and in exercise of the powers conferred on that County under sections 1, 2, 4, 45, 46, 46A, 47, 49, 51 and 53 and Part IV of Schedule 9 of the Road Traffic Regulation Act 1984 (the 1984 Act) and the Road Traffic Act 1991 and Part 6 of The Traffic Management Act 2004 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 makes the following Order:

#### **PART 1 - PRELIMINARY**

#### Citation and commencement

This Order shall come into operation on 1 September 2015 and may be cited as the Borough of Watford (The Larches, Watford) (Controlled Parking Zone) Order 2015.

#### **Interpretation**

- 2 (1) In this Order, except where the context otherwise required, the following expressions have the meaning hereby respectively assigned to them:
  - "the permitted hours" means the period during which the regulations are applied being the period between 10 a.m. and Noon on Monday to Friday inclusive
  - "business permit" means a business permit issued under the provisions of Article 61;
  - "business permit holder" means a person to whom a business permit has been issued under the provisions of Article 61;
  - "civil enforcement officer" has the same meaning as is given in Section 76(5) of The Traffic Management Act 2004;
  - "Council" means Watford Borough Council and includes any parking services contractors or authorised agent appointed by and acting on behalf of the Council for the purposes of any function under the provisions of this Order;
  - "Controlled Parking Zone" or "CPZ" is an area in which all the streets are subject to waiting restrictions other than lengths of road where parking places are designated.
  - "designated officer" means an officer of Watford Council nominated by the Head of Regeneration and Development or equivalent to carry out Council functions associated with the provisions of this Order;

"disabled person's badge" and "disabled person's vehicle" have the same meaning as in The Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England and Wales) Regulations 1986 and the Disabled Persons (Badges for Motor Vehicles) Amendment Regulations 1992 and as amended by the Local Authorities Traffic Orders (Exemption for Disabled Persons) (England) Regulations 2000.

"driver", in relation to a vehicle waiting in a parking place or restricted waiting area, means the person driving the vehicle at the time it was left in the parking place or restricted waiting area;

"enactment" means any enactment, whether public, general or local, and includes any order, byelaw, rule, regulation, scheme or other instrument having effect by virtue of an enactment;

"entitled business user" means a person who occupies premises the postal address of which is in any street or part of a street described in Schedule 4 and which has no off-street parking space provided or authorised by any planning consent related to the premises and who is liable for payment of business rates on that premises;

"goods" means goods of any kind whether animate or inanimate and includes postal packets of any description; and "delivering" and "collecting" in relation to any goods includes checking the goods for the purpose of their delivery or collection;

"goods carrying vehicle" or "goods vehicle" means a motor vehicle which is constructed or adapted for use for the carriage of goods or burden of any description and which is not drawing a trailer;

"household" means a dwelling with a separate entry on the Council's Council Tax register;

'motor-cycle' has the same meaning as that in the Road Vehicles (Construction and Use) Regulations 1986;

"open permit" means

either a residents' permit or special parking permit issued in connection with any eligible motor vehicle used by the residents' permit holder or special parking permit holder, which is not restricted to a particular vehicle or vehicles by the inclusion of a registration mark or marks but is marked "OPEN";

"operational vehicle" means a vehicle operated by the entitled business user for the purposes of making deliveries, collections, servicing or such other business purposes as the Council shall approve;

"owner", in relation to a vehicle, means the person by whom such vehicle is kept and used;

"parking area" means a parking area within the parking place as defined in Article 8(2);

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

"parking zone" means an area identified in Schedule 4 as a parking zone comprising the streets listed under the name of each zone;

"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 twelve passengers (exclusive of the driver) and their effects and not drawing a trailer;

"Penalty Charge" and Reduced Penalty Charge" have the same meaning as the charges set by the Council in accordance with The Civil Enforcement of Parking Contraventions (Guidelines on Levels of Charges) (England) Order 2007 and the provisions of Part 6 and Schedule 9 of The Traffic Management Act 2004;

"prohibited waiting area" means an area designated under Article 3;

"protective cover" means a transparent cover designed to protect a permit displayed under the provisions of Articles 50, 60 and 80;

"provision of a universal postal service", "universal service provider" and "postal packet" has the same meaning as in the Postal Services Act 2000;

"resident" means a person whose usual place of abode is at premises the postal address of which is in any street or part of any street described in Schedule 4;

"residents' permit" means a permit issued under the provisions of Article 51;

"residents' permit holder" means a person to whom a permit has been issued under the provisions of Article 51;

"residents' visitor permit" means a permit issued under the provisions of Article 71;

"residents' visitor permit holder" means a person to whom a visitor permit has been issued under the provisions of Article 71;

"restricted waiting area" means an area designated under Article 4;

"special parking permit" means a permit issued under the provisions of Articles 81 and 82;

"special parking permit holder" means a person to whom a permit has been issued under the provisions of Articles 81 and 82;

- "telecommunication system" has the same meaning as in the Telecommunications Act 1984 (c.12);
- (2) Any reference in this Order to a numbered Article or Schedule shall, unless the context otherwise requires, be construed as a reference to the Article or Schedule bearing that number in this Order.
- (3) Any reference in this Order to any enactment shall be construed as a reference to that enactment as amended, applied, consolidated, re-enacted by or as having effect by virtue of any subsequent enactment.
- (4) For the purposes of this Order a vehicle shall be regarded as displaying a disabled person's badge in the relevant position when it is so regarded for the purposes of Regulation 3 of The Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England and Wales) Regulations 1986, as amended by the Local Authorities Traffic Orders (Exemption for Disabled Persons) (England) Regulations 2000.
- (5) The Interpretation Act 1978 shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.

#### PART II - RESTRICTIONS AND PARKING PLACES

#### Section 1 - Provisions of the Order

## **Prohibited Waiting Areas Within the Controlled Parking Zones**

- Subject to the provisions of this Order, the sides of street referred to in Schedule 1 are hereby designated as being prohibited waiting at any time.
  - (2) Subject to paragraph (3) below, no person shall cause or permit any vehicle to wait in the same place in any area designated as no waiting at any time.
  - (3) A disabled person's vehicle which displays in the relevant position a disabled person's badge issued by any Local Authority may be left in a prohibited waiting area for no longer than three hours.
  - (4) A prohibited waiting at any time area shall be delineated on the highway by a double yellow line but the obscuring or obliteration of such a line, or any part thereof, shall not render the restriction contained in paragraph (2) ineffective.

#### **General Exemptions to Article 3**

- 4 (1) Nothing in Article 3 of this Order applies to the lengths of road restricted by that Article (which said lengths of road are referred to in this Article as "the restricted area") in relation to
  - a) A vehicle being used for Fire and Rescue, Ambulance or police purposes.
  - A vehicle which is prevented from proceeding by circumstances beyond the drivers control or which has stopped in order to avoid injury or damage to persons or property or when required to do so by law;
  - c) A vehicle which is stationary in order that it may be used for one or more of the purposes specified in sub-Article (2) of this Article and which cannot reasonably be used for such a purpose without stopping in the restricted area;
  - d) A marked vehicle which, whilst used by a universal service provider in the course of the provision of a universal postal service, is stationary only for so long as may be reasonably necessary for postal packets to be delivered or collected;

#### In this Article -

The expression "universal service provider", "provision of a universal postal service" and "postal packet" shall have the same meanings as in the Postal Services Act 2000.

(2) The "purposes" referred to in sub-Article (1) (d) of this Article are-

- a) Any operation involving building, demolition or excavation;
- b) The removal of any obstruction to traffic:
- c) The maintenance, improvement or reconstruction of a road;
- d) Constructing, improving, maintaining or cleaning of any street furniture; or
- e) The laying, erection, alteration, repair or cleaning of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity or of any telecommunications apparatus kept or installed for the purposes of a telecommunications code system or any other telecommunications apparatus lawfully installed in any position.

## **Loading & Alighting Exemptions to Article 3**

- Nothing in Article 3 of this Order applies to the lengths of road restricted by that Article (which said lengths of road are referred to in this article as "the restricted area") so as to render it unlawful to cause or permit any vehicle to wait only for so long as may be reasonably necessary
  - a) To enable goods to be loaded or unloaded from the vehicle from or to premises adjacent to the restricted area; or
  - b) To enable a passenger to board or alight and to load and unload luggage.

#### **Designation of Parking Places**

- Each area on a highway comprising the length of carriageway of a street specified in column 3 of Schedule 2 which shall, unless otherwise so specified in Schedule 3 of the Order, be bounded on one side of that length by the edge of the carriageway, is hereby designated as a parking place.
  - (2) Each area on a highway comprised within a parking place and not comprised within a restricted waiting area, is hereby designated as a parking area.

# Parts of Parking Places in which vehicles may not be left

No person shall cause or permit any vehicle to wait in an area designated as a parking place unless authorised by the subsequent provisions of this Order.

# A vehicle waiting upon the direction or with the permission of an authorised person

Nothing in Articles 3, 4, 5, 6, 7, 9, 10, 11, 12, 13 and 14 shall render it unlawful for a person to cause or permit any vehicle to wait on the sides of the road or in the lengths of the road referred to therein if it shall be upon the direction or with the permission of a Police Constable in uniform or with permission of a Civil Enforcement Officer.

# Vehicles for which parking places are designated

9 (1) Subject to the provisions of this Order, parking places may be used for the leaving during the permitted hours of vehicles of the following class, that is to say, passenger vehicles, goods carrying vehicles (the overall height of which does not exceed 2.3

- metres and the overall length of which does not exceed 5.25 metres), motor cycles and invalid carriages.
- (2) Parking places referred to in Schedule 2 may be used for the leaving during the permitted hours of such vehicles of the class specified in paragraph (1) above -
  - (a) as display in the manner specified in Article 50 a valid residents' permit issued in respect of that vehicle; or
  - (b) as display in the manner specified in Article 60 a valid business permit issued in respect of that vehicle; or
  - (c) as display in the manner specified in Article 70(1) a valid residents' visitor permit; or
  - (d) as display in the manner specified in Article 80 a valid special parking permit issued in respect of that vehicle and that parking place.

## Display of a Permit on a Covered Vehicle

Where a vehicle is covered by a protective cover such that a Permit cannot be displayed on the vehicle and the particulars made visible as required by Articles 50, 60, 70 and 80 then the Ticket or Permit may be displayed in a protective pocket or pouch attached to the cover in such a manner that the particulars are then visible as required. The Designated Officer may also agree arrangements for the display of Permits or Tickets to deal with exceptional circumstances but in any event the decision is final.

## Alteration of position of a vehicle in a parking place

Where any vehicle is standing in a parking place in contravention of the provisions of Article 13 or of the provisions of Article 30, 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.

## Removal of a vehicle from a parking place

Where a civil enforcement officer is of the opinion that any of the provisions contained in Articles 3(2), 33(2) or 42 have been contravened or not complied with in respect of a vehicle left in any part of a parking place or restricted waiting area they may remove or cause to be removed the vehicle from the parking place or restricted area and, where it is so removed, shall provide for the safe custody of the vehicle.

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

In the case of an emergency a police constable in uniform or a civil enforcement officer may move or cause to be moved to any place they think fit, any vehicle left in a parking place or a restricted waiting area.

## Exemptions from charges under this Order

Without prejudice to the generality of this Article, and notwithstanding the provisions of this Order, a vehicle to which this Article applies shall stand in a parking place in accordance with the provisions of Article 30 (a) or 30 (b).

Article Nos. 15 to 24 reserved for future use.

# Section 2 – Relationship with other traffic regulation orders

# Traffic Regulation Orders revoked by this Order

25 The provisions of the following Orders are hereby revoked but only so far as they are affected by the restrictions imposed by this Order:-

The Borough of Watford (The Larches) (Prohibition of Waiting) Order 1988

Article Nos. 26 to 29 reserved for future use.

## PART III - SUPPLEMENTARY PROVISIONS

## Section 1 - General

#### Manner of standing in a parking place

- Every vehicle left in a parking place in accordance with the foregoing provisions of this Order shall so stand:
  - (a) in the case of a parking place in relation to which special provisions as to the manner of standing of a vehicle in that parking place are specified in column 3 of the Schedule 3 as to be in accordance with those provisions;
  - (b) in the case of any other parking place -
    - (i) that the left or near side of the vehicle is adjacent to the left-hand edge of the carriageway; and
    - (ii) the distance between the edge of the carriageway and the nearest wheel of the vehicle is not more than 300 millimetres.

## Power to suspend the use of a parking place

- Any person duly authorised by the Council or the Police may suspend the use of a parking place or any part thereof whenever they consider 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 parking place, the maintenance, improvement or reconstruction of the highway or the cleansing of gullies in or adjacent to the parking place, the laying, erection, alteration or repair in or adjacent to the 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 parking place on any occasion of the removal of furniture to or from one office or dwelling-house adjacent to the 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 street will be throughd or obstructed; or
  - (e) for the convenience of occupiers of premises adjacent to the 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 parking place or any part thereof whenever they consider such suspension

reasonably necessary for the purpose of facilitating the movement of traffic or promoting its safety.

- (3) Any person or police constable suspending the use of a parking place or any part thereof in accordance with the provisions of paragraph (1) or, as the case may be, paragraph (2) of this Article shall thereupon place or cause to be placed in or adjacent to that parking place or part thereof a traffic sign indicating that waiting by vehicles is prohibited.
- (4) No person shall cause or permit a vehicle to be waiting at a parking place or any part thereof during which such period as there is in or adjacent to that parking place or part thereof a traffic sign placed in pursuance of paragraph (3) above provided that nothing in this paragraph shall apply -
  - (a) in respect to any vehicle being used for fire brigade, ambulance or police purposes or any vehicle which is waiting for any reason specified in Article 33(1)(b), (d) or (e); or
  - (b) to anything done with permission of the person suspending the use of the parking place or part thereof in pursuance of paragraph (1) of this Article or a police constable in uniform.

#### Restriction on the use of a parking place

During the permitted hours no person shall use any parking place or any vehicle while it is in a parking place in connection with the sale or offering or exposing for sale of any goods to any person in or near the parking place or in connection with the selling or offering for sale of their skill in handicraft or their 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 a passenger vehicle, a goods carrying vehicle, a motor cycle or an invalid carriage 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 33(1)(h) apply.

# Restriction on waiting by a vehicle in a parking place

- Notwithstanding the foregoing provisions of this Order any vehicle may wait during the permitted hours in any part of a parking place if the use of that part has not been suspended and if:
  - (a) the vehicle is waiting for so long as may be necessary for the purpose of enabling any person to board or alight from the vehicle or load thereon or unload therefrom their personal luggage;

- (b) the vehicle is waiting owing to the driver being prevented from proceeding by circumstances beyond their 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, 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 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 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 the loading on the vehicle from premises or posting boxes adjacent to the parking place in which the vehicle is waiting or, having been so collected, are being unloaded thereon;
- (f) the vehicle not being a passenger vehicle is waiting only for as long as may be reasonably necessary to enable it to be used for the purpose specified in Article 31(1)(b);
- (g) the vehicle is in actual use in connection with the removal of furniture to or from an office or a dwelling-house adjacent to the parking place 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 parking place in which the vehicle is waiting and the vehicle does not wait for a period exceeding twenty minutes or for such longer period as a police constable in uniform or a parking attendant may approve.
- (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 parking place during the permitted hours.
- (3) Nothing in the 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 Road Traffic Regulation Act 1984.

## Manner of waiting in a parking place

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

- (a) in the case of a parking place in relation to which special provisions as to the manner of standing of a vehicle in that parking place are so specified in column 3 of the Schedule 3 so that the vehicle shall stand:
  - (i) unless the length of the vehicle precludes compliance with this subparagraph, in accordance with those provisions and so that every part of the vehicle is within the limits of the 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 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 premises adjacent to the side of the road on which the vehicle is waiting.

For the purposes of the last preceding 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 provision of paragraph (1)(h) of that Article.

#### Placing of traffic signs, etc.

- 35 The Council shall:
  - (a) place at the entrance to the street a traffic sign of a design approved by the Secretary of State for Transport indicating that such parking areas may be used during the permitted hours for the leaving only of the vehicles specified in Article 8; and
  - (b) carry out such other work as is reasonably required for the purposes of the satisfactory operation of a parking place.

#### **Exclusions from Schedule 4**

In exceptional circumstances the Council may at its discretion exclude a part or parts of a street from the Controlled Parking Zone such that households of that part of a street are not entitled to receive parking permits in accordance with the provisions of Sections 3, 4, 5 and 6 of this Order. Such parts of streets shall be described in columns 1, 2 and 3 of Part One of

Schedule 5 of the Order and shall be excluded from the parking zone identified in column 4 of Part One of that Schedule.

## Parking permits governed by Special Provisions

- In exceptional circumstances the Council may at its discretion vary the provisions of Sections 3, 4, 5 and 6 of this Order in respect of a particular household as regards:-
  - (a) the number of permits that can be issued,
  - (b) the charge for a permit and / or
  - (c) the period for which a permit is valid.

Such a household shall be listed in Part Two of Schedule 5 of the Order by its address or a description of its location and by showing each special condition and the type of permit to which it applies.

Article Nos. 38 and 39 reserved for future use.

## Section 2 - Penalty Charge Payments

#### Liability for penalty charge

- 40 (1) If a vehicle (other than a vehicle otherwise exempted by this Order) is left within the Controlled Parking Zone during the permitted hours in contravention of any provision of this Order a penalty charge shall be payable.
  - (2) If a vehicle (other than a vehicle otherwise exempted by this Order) is left within the Controlled Parking Zone during the hours outside the permitted hours in contravention of any no waiting regulation a penalty charge shall be payable.
  - (3) In the case of a vehicle in respect of which a penalty charge is payable, a penalty charge notice showing the information required by section 66(3) of the Road Traffic Act 1991 may be issued by a civil enforcement officer in uniform in accordance with the requirement of section 66(1) of the said Act.

## Manner of payment of the penalty charge

- The penalty charge shall be paid to the Council by cheque or such other method deemed appropriate by the Council which shall be delivered or sent by post to the Council at the address indicated on the penalty charge notice and in accordance with the instructions on that notice, to arrive not later than:-
  - (a) the twenty-eighth day from the date of the notice; or
  - (b) in the case of a reduced penalty charge, the fourteenth day from the date of the notice;

Provided that, if the said twenty-eighth day or, as the case may be, fourteenth day, falls upon a Sunday or public holiday or a day which the said Council's offices are closed, the period within which payment of the said charge shall be extended until the next full day on which the said offices are open.

## Period for which a vehicle may be left after the penalty charge has been incurred

The period for which a vehicle may be left in a parking place during the permitted hours after the penalty charge has been incurred shall not exceed one hour.

#### Restriction on the removal of notices

Where a notice has been attached to a vehicle in accordance with the provisions of Article 40, no person, not being the driver of the vehicle, shall remove the notice from the vehicle unless authorised to do so by the driver of the vehicle:

Provided that nothing herein shall apply to a civil enforcement officer or police constable in uniform or a person removing the vehicle in pursuance of an arrangement made by the police constable by or under the regulations in pursuance of powers contained in sections 99, 100, 101, 101A, 101B and 102 of the Road Traffic Regulation Act 1984, as amended by The Traffic Management Act 2004.

Article Nos. 44 to 49 reserved for future use

## **Section 3 - Residents' Permits**

# Residents' permits to be displayed on vehicles left in parking places

At all times during which a vehicle (other than a vehicle otherwise exempted by this Order) is left in a parking place mentioned in Schedule 2 during the permitted hours, the driver thereof shall cause to be displayed in the protective cover on the front or near side of the vehicle a valid residents' permit relating to the parking zone within which that vehicle is left issued in respect of that vehicle, so that all the particulars referred to in Article 57 are readily visible from the front or near side of the vehicle.

## Application for and issue of residents' permits

Any resident who is the owner of a vehicle of the class specified in Article 9(1) and who resides within the CPZ area as set out in Schedule 4 may apply to the Council for the issue of a residents' permit relating to the parking zone within which they reside in respect of that vehicle and any such application 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.

- The Council may at any time require an applicant for a resident's permit or a residents' permit holder to produce to an officer of the Council or authorised agent such evidence in respect of an application for a residents' permit made to them as they may reasonably call to verify any particulars or information given to them or in respect of any residents' permit issued by them as they may reasonably call for to verify that the residents' permit is valid.
- Upon receipt of an application duly made under the foregoing provisions of this Article and upon receipt of the charge specified in paragraph (4) of this Article, 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, shall issue to the applicant therefore a residents' permit for the leaving during the permitted hours in a parking place of the vehicle to which such residents' 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.
- (4) The charge referred to in paragraph (3) of this Article shall be as follows:
  - in respect of a first residents' permit which shall be valid for a period of twelve months running from the date on which the residents' permit first becomes valid, twenty five pounds; or
  - (b) in respect of a second residents' permit which shall be valid for a period of twelve months running from the date on which the residents' permit first becomes valid, fifty five pounds, except in the case of motor-cycles for which the charge shall be as for a first residents' permit as specified in Article 51(4)(a).
  - (c) in respect of any one first residents' permit or second residents' permit issued to a disabled person holding a valid disabled person's badge issued by any Local Authority, free of charge and any other residents' permit issued to a resident in the same household for any part of the same period shall be at the rate provided for in sub paragraph (a) or (b) above.

# Limit on the number of residents' permits to be issued to a household

The Council shall not issue a residents' permit during a period of one year to a resident in any household in respect of which 2 other residents' permits have been issued and remain valid during that period, subject to the provision of Article 54.

# Refund of charge paid in respect of a residents' permit

A residents' permit holder who surrenders a residents' permit to the Council whether before or after it becomes valid will not be entitled to a refund of the charges paid unless the

Council in its discretion considers that there are exceptional circumstances to justify refunding the charge in full or in part.

# Surrender, withdrawal and validity of residents' permits

- A residents' permit holder may surrender a residents' permit to the Council at any time and shall surrender a residents' permit 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 agent may, by notice in writing served on the residents' permit holder by sending the same by the recorded delivery service to the residents' permit holder at the address shown by that person on the application for the residents' permit or at any other address believed to be that person's place of abode, withdraw a residents' permit if it appears to the Council or authorised agent that any of the events set out in paragraph (3)(a), (b) or (d) of this Article has occurred and the residents' permit holder shall surrender the permit to the Council or authorised agent within 48 hours of the receipt of the aforementioned notice.
  - (3) The events referred to in the foregoing provisions of this Article are -
    - (a) the residents' permit holder ceasing to be either a resident within the parking zone;
    - (b) the residents' permit holder ceasing to be the owner of the vehicle in respect of which the residents' permit was issued;
    - (c) the withdrawal of such residents' permit by the Council under the provisions of paragraph (2) of this Article;
    - (d) the vehicle in respect of which such residents' permit was issued being adapted or used in such a manner that it is not a vehicle of the class specified in Article 8(1);
    - (e) the issue of a duplicate residents' permit by the Council under the provisions of Article 55;
    - (f) the residents' 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 and the provisions of the next following paragraph, a residents' permit shall cease to be valid at the expiration of the period specified thereon, or on the occurrence of any one of the events set out in paragraph (3)(a), (b), (c), (d) or (e) of this Article, whichever is the earlier.
  - (5) Where a residents' permit is issued to any person upon receipt of a cheque or credit card and the payment is subsequently dishonoured, the residents' permit shall cease

to be of any effect and the Council shall by notice in writing served on the person to whom such residents permit was issued by sending the same by recorded delivery service to the residents permit holder at an address shown by that person on the application for the residents' permit or at any other address believed to be that person's place of abode, require that person to surrender the residents permit to the Council within 48 hours of the receipt of the aforementioned notice.

## Application for and issue of duplicate residents' permits

- If a residents' permit is mutilated or accidentally defaced or the figures or particulars thereon have become illegible or the colour of the residents' permit has become altered by fading or otherwise, the residents' permit holder shall either surrender it to the Council and apply to the Council for the issue to them of a duplicate residents' permit and the Council, upon receipt of the residents' permit, shall issue a duplicate residents' permit, so marked. Upon such issue the residents' permit shall become invalid.
  - (2) If a residents' permit is lost or destroyed, the residents' permit holder may apply to the Council for the issue to them of a duplicate residents' permit and the Council, upon being satisfied as to such loss or destruction shall issue a duplicate residents' permit, so marked, and upon such issue the original residents' permit shall become invalid.
  - (3) The provisions of this Order shall apply to a duplicate residents' permit and an application therefor as if it were a residents' permit or, as the case may be, an application therefor.

## Restriction on the removal of residents' permits

Where a residents' permit has been displayed in accordance with the provisions of Article 50, no person, not being the driver of the vehicle, shall remove the residents' permit unless authorised to do so by the driver of the vehicle.

Provided that nothing herein shall apply to a civil enforcement officer or police constable in uniform or a person removing the vehicle in pursuance of an arrangement made by the police constable by or under regulations in pursuance of powers contained in sections 99, 100, 101, 101A, 101B and 102 of the Road Traffic Regulation Act 1984, as amended by The Traffic Management Act 2004.

#### Form of residents' permits

A residents' permit shall be in writing and shall include the following particulars:

- (a) the registration mark of the vehicle in respect of which the residents' permit has been issued unless at the discretion of the Council's Designated Officer the permit has been issued as an open permit;
- (b) the period during which, subject to the provisions of Article 54, the residents' permit shall remain valid.
- (c) an indication that the residents' permit has been issued by the Council; and
- (d) an indication of the parking zone or zones within which the use of the residents' permit is valid and the parking zone in which the resident resides if this is different.

Article Nos. 58 and 59 reserved for future use.

## **Section 4 - Business Permits**

## Business permits to be displayed on vehicles left in parking places

At all times during which a vehicle (other than a vehicle otherwise exempted by this Order) is left in a parking place mentioned in Schedule 2 during the permitted hours, the driver thereof shall cause to be displayed in the protective cover on the front or near side of the vehicle a valid business permit as issued in respect of that vehicle, so that all the particulars referred to in Article 67 are readily visible from the front or near side of the vehicle.

## Application for and issue of business permits

- Any entitled business user who is the owner of an operational vehicle of the class specified in Article 9(1) may apply to the Council for the issue of a business permit relating to the parking zone within which their business premises are situated as set out in Schedule 4 in respect of no more than two of those vehicles and any such application shall be made on a form issued by and obtainable from the Council and shall include the specified fee particulars and information required by such form to be supplied.
  - (2) The Council may at any time require an applicant for a business permit or a business permit holder to produce to an officer of the Council or authorised agent such evidence in respect of an application for a business permit made to them as they may reasonably call for to verify any particulars or information given to them or in respect of any business permit issued by them as they may reasonably call for to verify that the business permit is valid.
  - (3) Upon receipt of an application duly made under the foregoing provisions of this Article and upon receipt of the charge specified in paragraph (4) of this Article, the Council, upon being satisfied that the applicant is an entitled business user and is the

owner of a vehicle or vehicles of the class specified in paragraph (1) of this Article, shall issue to the applicant therefore one business permit for the leaving during the permitted hours in a parking place of the vehicle or either of the vehicles to which such business permit relates (but not both of them at the same time) 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:

(4) The charge referred to in paragraph (3) of this Article shall be one hundred and fifty pounds in respect of a business permit which shall be valid for a period of twelve months running from the date on which the business permit first becomes valid.

## Limit on the number of permits to be issued to a business

The Council shall not issue a business permit to any business during the period of validity of any business permit previously issued in respect of the business, subject to the provisions of Article 64.

## Refund of charge paid in respect of business permits

A business permit holder who surrenders a business permit to the Council whether before or after it becomes valid will not be entitled to a refund of the charges paid unless the Council in its discretion considers that there are exceptional circumstances to justify refunding the charge in full or in part.

## Surrender, withdrawal and validity of business permits

- A business permit holder may surrender a business permit to the Council at any time and shall surrender a business permit 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.
  - The Council may, by notice in writing served on the business permit holder by sending the same by the recorded delivery service to the business permit holder at the address shown by that person on the application for the business permit or at any other address believed to be that person's place of business, withdraw a business permit if it appears to the Council that any of the events set out in paragraph (3)(a), (b) or (d) of this Article has occurred and the business permit holder shall surrender the permit to the Council or authorised agent within 48 hours of the receipt of the aforementioned notice.
  - (3) The events referred to in the foregoing provisions of this Article are -
    - (a) the business permit holder ceasing to be an entitled business user within the parking zone in respect of which the business permit was issued;

- (b) the business permit holder ceasing to be the owner of the vehicle or vehicles in respect of which the business permit was issued;
- (c) the withdrawal of such business permit by the Council under the provision of paragraph (2) of this Article;
- (d) the vehicle or vehicles in respect of which such business permit was issued being adapted or used in such a manner that it is not a vehicle of the class specified in Article 8(1);
- (e) the issue of a duplicate business permit by the Council under the provisions of Article 65;
- (f) the residents' 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 business permit shall cease to be valid at the expiration of the period specified thereon, or on the occurrence of any one of the events set out in paragraph (3)(a), (b), (c), (d) or (e) of this Article whichever is the earlier.
- (5) Where a business permit is issued to any person upon receipt of a cheque or credit card and the payment is subsequently dishonoured, the business permit shall cease to be of any effect and the Council shall by notice in writing served on the person to whom such business permit was issued by sending the same by recorded delivery service to the business permit holder at the address shown by that person on the application for the business permit or at any other address believed to be that person's place of abode, require that person to surrender the business permit to the Council within 48 hours of the receipt of the aforementioned notice.

# Application for and issue of duplicate business permits

- If a business permit is mutilated or accidentally defaced or the figure or particulars thereon have become illegible or the colour of the business permit has become altered by fading or otherwise, the business permit holder shall either surrender it to the Council and apply to the Council for the issue to them of a duplicate business permit and the Council, upon receipt of the business permit, shall issue a duplicate business permit, so marked, and upon such issue the business permit shall become invalid.
  - (2) If a business permit is lost or destroyed, the business permit holder may apply to the Council for the issue to them of a duplicate business permit and the Council, upon being satisfied as to such loss or destruction, shall issue a duplicate business permit, so marked, and upon such issue the original business permit shall become invalid.

(3) The provisions of this Order shall apply to a duplicate business permit and an application e as if it were a business permit or, as the case may be, an application therefore.

## Restriction on the removal of business permits

Where a business permit has been displayed on a vehicle in accordance with the provisions of Article 60, no person, not being the driver of the vehicle shall remove the business permit unless authorised to do so by the driver of the vehicle.

Provided that nothing herein shall apply to a civil enforcement officer or police constable in uniform or a person removing the vehicle in pursuance of an arrangement made by a police constable by or under regulations in pursuance of powers contained in sections 99, 100, 101, 101A, 101B and 102 of the Road Traffic Regulation Act 1984, as amended by The Traffic Management Act 2004.

## Form of business permits

- A business permit shall be in writing and shall include the following particulars:
  - (a) the registration marks of the vehicles in respect of which the business permit has been issued unless at the discretion of the Council's Designated Officer the permit has been issued as an open permit;
  - (b) the period during which, subject to the provisions of Article 64(4), the business permit shall remain valid;
  - (c) an indication that the business permit has been issued by the Council;
  - (d) an indication of the parking zone within which the business permit is valid.

Article Nos. 68 and 69 reserved for future use.

## Section 5 - Residents' Visitor Permits

# Residents' visitor permits to be displayed on vehicles left in parking places

70 (1) At all times during which a vehicle (other than a vehicle otherwise exempted by this Order) is left in a parking place mentioned in Schedule 2 during the permitted hours, the driver thereof shall cause to be displayed a valid residents' visitor permit. For the purposes of Article 8 a residents' visitor permit is displayed on a vehicle in the prescribed manner if –

- (a) the permit is exhibited on the dashboard or fascia of the vehicle, or
- (b) where the vehicle is not fitted with a dashboard or fascia, the permit is exhibited in a conspicuous position on the vehicle, so that the front of the permit is clearly legible from the outside of the vehicle.
- (2) A valid residents' visitor permit shall indicate on the obverse face, in accordance with the instructions on the reverse face
  - (a) the time, the day of the week, the date in the month and the year in which the vehicle was first left in a parking place;
  - (b) an indication of the parking zone within which the residents' visitor permit is valid;

## Application for and issue of residents' visitor permits

- Any resident may apply to the Council for the issue of a residents' visitor permit for a vehicle of the class referred to in Article 9(1) and any such application shall be made on a form issued by and obtainable from the Council and shall include particulars and information required by such form to be supplied.
  - (2) The Council may at any time require an applicant for a residents' visitor permit or a residents' visitor permit holder to produce to an officer of the Council or authorised agent such evidence in respect of an application for a residents' visitor permit made to them as they may reasonably call for to verify any particulars or information given to them or in respect of any residents' visitor permit issued by them as they may reasonably call for to verify that the residents' visitor permit is valid.
  - (3) Upon receipt of an application duly made under the foregoing provisions of this Article and upon receipt of the relevant charge specified in Article 72(1) below, the Council upon being satisfied that the applicant is a resident, shall issue to the applicant therefore a residents' visitor permit, of a type specified in Article 72(1) and 73(1) below, for the leaving of a vehicle of the class specified in paragraph (1) above in a parking place during the permitted hours.

#### Residents' visitor permits

- A residents' visitor permit shall authorise parking for up to a maximum of 1 hour from the time and date indicated on the permit, subject to Article 70 and the charge shall be four pounds fifty pence (but two pounds twenty five pence if the applicant is aged 60 years or over) for 40 permits
  - (2) The Council shall not during a period of one year issue a residents' visitor permit to a resident in any household in respect of which other residents' visitor permits have been issued with a cumulative duration of 80 hours (but 160 hours if the resident is

aged 60 years or over) and which have not been surrendered or withdrawn under Article 73 (2) or (3).

## Surrender, withdrawal and validity of residents' visitor permits

- 73 (1) A residents' visitor permit shall cease to be valid for use in accordance with Article 70 on the expiration of the year indicated on the permit.
  - (2) A visitor permit holder may surrender a visitor permit to the Council at any time and shall surrender a visitor permit to the Council on the occurrence of the visitor's permit holder ceasing to be a resident in the parking zone in respect of which the visitor permit was issued.
  - (3) The Council may, by notice in writing served on the visitor permit holder by sending the same by the recorded delivery service to the visitor permit holder at the address shown by that person on the application for the visitor permit or at any other address believed to be that person's place of abode, withdraw a visitor permit if it appears to the Council that the visitor permit holder has ceased to be a resident and the visitor permit holder shall surrender the permit to the Council within 48 hours of the receipt of the aforementioned notice.

## Exchange of unused residents' visitor permits

A resident applying for residents' visitor permits according to the provisions of Article 71 is not entitled to exchange unused residents' visitor permits unless the Council in its discretion considers there are exceptional circumstances to justify an exchange in which case a new residents' visitor permit valid for the subsequent year will be supplied in exchange for the unused residents' visitor permit.

## Restrictions on removal of residents' visitor permits

Where a residents' visitor permit has been displayed in accordance with the provisions of Article 70, no person, not being the driver of the vehicle, shall remove the residents' visitor permit unless authorised to do so by the driver of the vehicle.

Provided that nothing herein shall apply to a parking attendant or police constable in uniform or a person removing the vehicle in pursuance of an arrangement made by the police constable by or under regulations in pursuance of powers contained in sections 99, 100, 101, 101A, 101B and 102 of the Road Traffic Regulation Act 1984, as amended by The Traffic Management Act 2004.

## Form of residents' visitor permit

A residents' visitor permit shall be in writing and shall include the particulars described in Article 70(2).

Article Nos. 77, 78 and 79 reserved for future use.

## **Section 6 - Special Permits**

# Special parking permits to be displayed on vehicles left in parking places

At all times during which a vehicle (other than a vehicle otherwise exempted by this Order) is left in a parking place mentioned in Schedule 2 during the permitted hours, the driver thereof shall cause to be displayed in the protective cover on the front or near side of the vehicle the valid special parking permit issued in respect of that vehicle, so that all the particulars referred to in Article 87 are readily visible from the front or near side of the vehicle.

## Application for and issue of special parking permits

- Any resident (or any person acting on behalf of a resident) may at any time apply to the Council for the issue of a special parking permit in respect of a vehicle of the class specified in Article 9(1) identifying the user of the vehicle. The decision to issue a special parking permit is at the discretion of the Council's Designated Officer. Without prejudice to the generality of the Council's Designated Officer's discretion the following circumstances may be relevant to an application:
  - (a) the applicant's exceptional medical needs;
  - (b) the applicant's exceptional social needs;
  - (c) any exceptional difficulty experienced by a carer for any resident.
  - (d) the applicant's exceptional employment situation which requires that the applicant's vehicle be parked of necessity for business purposes near the applicant's home
  - (2) The Council may at any time require an applicant for a special parking permit or a special parking permit holder to produce to an officer of the Council or authorised agent such evidence in respect of an application for a special 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 special parking permit issued by them as they may reasonably call for to verify that the special parking permit is valid.

## Terms and effects of special parking permits

- A special parking permit shall be issued subject to such terms and conditions as the Council's Designated Officer shall think fit.
  - (2) A special parking permit shall authorise the user of the vehicle identified by the applicant to leave the vehicle specified therein:
    - (a) in any parking place, or part thereof, or any restricted waiting area, or part thereof, and

- (b) on such day or days, during such periods and at such times during the permitted hours, and
- (c) subject to such conditions or limitations as shall be indicated on the permit.
- (3) A special parking permit shall be valid for such a period as the Council's Designated Officer shall think fit but in any event no longer than a period of twelve months from the date the permit first becomes valid.
- (4) The Council's Designated Officer may issue any special parking permit free of charge or may make such a charge as appears to be reasonable in the circumstances of each application having due regard to the charges for resident and business permits.
- (5) The charge made under the provisions of paragraph (4) of this Article shall not exceed the charge for a first residents' parking permit or a second residents' parking permit for the CPZ.

## Refund of charge paid in respect of special parking permits

A special permit holder who surrenders a special permit to the Council whether before or after it becomes valid will not be entitled to a refund of the charges paid unless the Council in its discretion considers that there are exceptional circumstances to justify refunding the charge in full or in part.

## Withdrawal and validity of special parking permits

- The Council may, by notice in writing served on the special parking permit holder by sending the same by the recorded delivery service to the special parking permit holder at the address shown by that person on the application for the special parking permit or at any other address believed to be that person's place of abode, withdraw a special parking permit if it appears to the Council's Designated Officer that there are sufficient reasons to justify withdrawal of the special parking permit having regard to the circumstances of the permit holder, so far as they may be known, and the permit holder shall surrender the permit to the Council within 48 hours of receipt of the aforementioned notice.
  - Without prejudice to the foregoing provisions of this Article, a special parking permit shall cease to be valid at the expiration of the period specified thereon, or on the occurrence of the events set our in paragraph (1) of this Article, whichever is the earlier.
  - Where a special parking permit is issued to any person upon receipt of a cheque or credit card and the payment is subsequently dishonoured, the special parking permit shall cease to be of any effect and the Council shall by notice in writing served on the

person to whom such permit was issued by sending the same by recorded delivery service to the permit holder at the address shown by that person on the application for the special parking permit or at any other address believed to be that person's place of abode, require that person to surrender the special parking permit to the Council within 48 hours of the receipt of the aforementioned notice.

## Application for and issue of duplicate special parking permits

- If a special parking permit is mutilated or accidentally defaced or the figures or particulars thereon have become illegible or the colour of the special parking permit has become altered by fading or otherwise, the special parking permit holder shall either surrender it to the Council and apply to the Council for the issue to them of a duplicate special parking permit and the Council, upon receipt of the special parking permit, shall issue a duplicate special parking permit, so marked, and upon such issue the original special parking permit shall become invalid.
  - (2) If a special parking permit is lost or destroyed, the special parking permit holder may apply to the Council or authorised agent for the issue to them of a duplicate special parking permit and the Council upon being satisfied as to such loss or destruction, shall issue a duplicate special parking permit, so marked, and upon such issue the original special parking permit shall become invalid.
  - (4) The provisions of this Order shall apply to a duplicate special parking permit and an application therefor as if it were a special parking permit or, as the case may be, an application therefore.

## Restrictions on the removal of special parking permits

Where a special parking permit has been displayed on a vehicle in accordance with the provisions of Article 80, no person, not being the driver of the vehicle, shall remove the special parking permit unless authorised to do so by the driver of the vehicle.

Provided that nothing herein shall apply to a parking attendant or police constable in uniform or a person removing the vehicle in pursuance of an arrangement made by a police constable by or under regulations in pursuance of powers contained in sections 99, 100, 101, 101A, 101B and 102 of the Road Traffic Regulation Act 1984, as amended by The Traffic Management Act 2004.

## Form of special parking permits

- A special parking permit shall be in writing and shall include the following particulars:
  - (a) the registration mark of the vehicle in respect of which the special parking permit is being issued unless at the discretion of the Council's Designated Officer the permit is being issued as an open permit;

- (b) the period during which, subject to the provisions of Article 84, the special parking permit shall remain valid;
- (c) an indication that the parking permit has been issued by the Council;
- (a) an indication of the parking zone in which the special parking permit is valid.

Article Nos. 88 and 89 reserved for future use.

# Section 7 – Summary of Charges

## Summary of the charges made for permits

The charges applying to the various forms of parking permit are summarised in the following table:

**Table One: Summary of Charges for Permits** 

Relevant Article of Order	Type of Permit	Proposed Cost
51	First CPZ Residents' permit	£25 per permit
51	Second CPZ Residents' permit	£55 per permit; £25 per permit for a motorcycle
72	CPZ Residents' Visitor one hour permit	£4.50 for 40 permits; £2.25 for 40 permits if 60 years or over
61	CPZ Business permit	£150 per permit
82	CPZ Special permit	not greater than £25 if first in household or £55 per permit if second.

THE COMMON SEAL of WATFORD BOROUGH COUNCIL was hereunto affixed on the 20th day of August 2015 in the presence of:



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MIN No	Ripsit 7/7/15
0/0 S/H	ΦA

Cero Cree Head of Democracy and Governance

The Borough of Watford (The Larches, Watford) (Controlled Parking Zone) Order 2015

Schedule 2: Parking Places for Permit Holders Only: Monday to Friday: 10.00 am to 11.00 am The Larches: Zone W

		the whole carriageway except where lines are marked	the whole carriageway except where lines are marked	the whole carriageway except where lines are marked
COLUMN 3	LOCATION	the whole carria	the whole carria	the whole carria
COLUMN 2	SIDE OF STREET	south west	west	north east
COLUMN 1	STREET NAME	The Larches	The Larches	The Larches

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The Borough of Watford (The Larches, Watford) (Controlled Parking Zone) Order 2015

Schedule 3: Exemptions to Article 30(b)

Parking places at the following locations comprise of parking places not aligned parallel with the kerb line of the named road

COLUMN 1	COLUMN 2	COLUMN 3
STREET NAME	SIDE OF STREET	EXTENT OF EXEMPTION
The Larches	north east	From a point 18m north-west of the junction with Aldenham Road for a distance of 19 metres
		north-westwards
The Larches	north east	From a point opposite the boundary of Nos. 25 & 26 The Larches for a distance of 23 metres
		north-westwards

The Borough of Watford (The Larches, Watford) (Controlled Parking Zone) Order 2015

Schedule 4: Addresses within the Controlled Parking Zone The Larches: Zone W

COLUMN 2	POSTAL ADDRESS	Nos. 1 to 34 The Larches inclusive	Odd Nos. 41 to 59 Aldenham Road	Even Nos. 44A, 56-72 Aldenham Road	
COLUMN 1	STREET NAME	The Larches	Aldenham Road	Aldenham Road	

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The Borough of Watford (The Larches, Watford) (Controlled Parking Zone) Order 2015 Schedule 5: Part 1

Parts of streets excluded from Schedule 4

	CINE	COLIMN 3	COLUMN 4
COLUMN 1	COLUMIN 2		
STREET NAME	DESCRIPTION OF EXCLUDED	POSTAL ADDRESS	SITE REFERENCE
	PREMISES		
NONE			

The Borough of Watford (The Larches, Watford) (Controlled Parking Zone) Order 2015

Schedule 5: Part 2 Premises for which the issue of Parking Permits is governed by Special Permits

	SHE		
COLUMN 4	SPECIAL CONDITIONS		
COLUMN 3	TYPES OF	THKM!	
COLUMN 2	DESCRIPTION AND	ADDITION OF PREMISES	
COLUMN 1	STREET NAME	NONE	