WT220

WATFORD COUNCIL

TRAFFIC REGULATION ORDER

2015 No. 794

THE BOROUGH OF WATFORD (CONINGESBY DRIVE, LANGLEY WAY AND TREFUSIS WALK) (CONTROLLED PARKING ZONE) ORDER 2015

Made: 20th August 2015

Coming into operation: 1st September 2015

PART 1 - PRELIMINARY

- 1 Citation and commencement
- 2 Interpretation

PART II - RESTRICTIONS AND PARKING PLACES

Provisions of the Order

- 3 Prohibited waiting areas within a Controlled Parking Zone
- 4 Designation of parking places
- 5 Parking place waiting provisions for vehicles
- 6 A vehicle waiting upon the direction or with the permission of an authorised person
- 7 Vehicles for which a parking place is designated
- 8 Display of a permit on a covered vehicle
- 9 Alteration of position of a vehicle in a parking place
- 10 Removal of a vehicle from a parking place
- 11 Movement of a vehicle in a parking place in an emergency

PART III - SUPPLEMENTARY PROVISIONS

Section 1 - General

- 12 Manner of standing in a parking place
- 13 Power to suspend the use of a parking place
- 14 Restriction on the use of a parking place
- 15 Restriction on waiting by a vehicle in a parking place
- 16 Manner of waiting in a parking place
- 17 Placing of traffic signs, etc.
- 18 Parking permits governed by special provisions
- 19 Liability for penalty charge
- 20 Manner of payment of the penalty charge
- 21 Period for which a vehicle may be left after the penalty charge has been incurred
- 22 Restriction on the removal of notices

Section 2 - Residents' Permits

- 23 Residents' permits to be displayed on vehicles left in a parking place
- 24 Application for and issue of residents' permits
- 25 Limit on the number of residents' permits to be issued to a household
- 26 Refund of charge paid in respect of a resident's permit
- 27 Surrender, withdrawal and validity of residents' permit

The Borough of Watford (Coningesby Drive, Langley Way and Trefusis Walk) (Controlled Parking Zone) Order 2015

- 28 Application for and issue of duplicate residents' permits
- 29 Restriction on the removal of residents' permits
- 30 Form of residents' permits

Section 3 - Business Permits

- 31 Business permits to be displayed on vehicles left in a parking place
- 32 Application for and issue of business permits
- 33 Limit on the number of permits to be issued to a business
- 34 Refund of charge paid in respect of business permits
- 35 Surrender, withdrawal and validity of business permits
- 36 Application for and issue of duplicate business permits
- 37 Restriction on the removal of business permits
- 38 Form of business permits

Section 4 - Residents' Visitor Permits

- 39 Residents' visitor permits to be displayed on vehicles left in a parking place
- 40 Application for an issue of residents' visitor permits
- 41 Short stay residents' visitor permits
- 42 Long stay residents' visitor permits
- 43 Surrender, withdrawal and validity of residents' visitor permits
- 44 Exchange of unused residents' visitor permits
- 45 Restrictions on removal of residents' visitor permits
- 46 Form of residents' visitor permit

Section 5 - Special Permits

- 47 Special parking permits to be displayed on vehicles left in a parking place
- 48 Application for and issue of special parking permits
- 49 Terms and effects of special parking permits
- 50 Refund of charge in respect of special parking permits
- 51 Withdrawal and validity of special parking permits
- 52 Application for and issue of duplicate special parking permits
- 53 Restrictions on the removal of special parking permits
- 54 Form of special parking permits

Section 6 – Summary of Charges

55 Summary of the charges made for permits

List of Schedules

Schedule No.	Description
1	Waiting Prohibited: At Any Time (All Zones)
2	Parking Place for Permit Holders only: Standard CPZ Hours (CPZ Standard Zones)
3	Addresses within Parking Zone

List of Tables

Table No.	Description	Article No.	Page No.
1	Summary of charges for permits	55	30

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 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 Act, hereby makes the following Order:

PART 1 - PRELIMINARY

Citation and commencement

This Order shall come into operation on 1st September 2015 and may be cited as the Borough of Watford (Coningesby Drive, Langley Way and Trefusis Walk) (Controlled Parking Zone) Order 2015.

Interpretation

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 between 10.30 a.m. and 2.30 p.m. on Mondays to Fridays inclusive from 1 January until 30 June and from 1 September to 31 December, any such day not being Christmas Day or a Bank Holiday);

"bus" has the same meaning as in Regulation 22 of the Traffic Signs Regulations and General Directions 2002;

"business permit" means a business permit issued under the provisions of Article 32;

"business permit holder" means a person to whom a business permit has been issued under the provisions of Article 32;

"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 2 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;

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

"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 or a business permit issued in connection with any operational vehicle used by the entitled business user 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;

"civil enforcement officer" has the same meaning as is given in Section 76(5) of The Traffic Management Act 2004;

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

"passenger vehicle" means a motor vehicle (other than a motor-cycle or invalid carriage) constructed or adapted solely for the carriage of not more than 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;

"protective cover" means a transparent cover designed to protect a permit displayed under the provisions of Articles 23, 31 or 47;

"provision of a universal postal service", "universal service provider" and "postal packet" have 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 2;

"residents' permit" means a permit issued under the provisions of Article 24;

"residents' permit holder" means a person to whom a permit has been issued under the provisions of Article 24; "residents' visitor permit" means a permit issued under the provisions of Article 40;

"residents' visitor permit holder" means a person to whom a visitor permit has been issued under the provisions of Article 40;

"special parking permit" means a permit issued under the provisions of Articles 48 and 49;

"special parking permit holder" means a person to whom a permit has been issued under the provisions of Articles 48 and 49;

"taxi" means a vehicle licensed by Watford Borough Council under Section 37 of the Town Police Clauses Act 1847 or any other similar enactment;

"telecommunication system" has the same meaning as in the Telecommunications Act 1984 (c.12).

- (a) 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.
- (b) 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.
- (c) 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.
- (d) 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

Provisions of the Order

Prohibited waiting areas within a Controlled Parking Zone

- 3 (1) 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 except for the purpose of delivering or collecting goods or loading or unloading the vehicle at premises adjacent to the street.
 - (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.

Designation of parking places

Each area on a highway comprising the length of carriageway of a street specified in column 3 of Schedule 2 is hereby designated as a parking place.

Parking place waiting provisions for vehicles

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 4, 5, 7, 8, 9, 10 and 11 shall render it unlawful for a person to cause or permit any vehicle to wait on any side of a road or in any length of a road referred to therein if it shall be upon the direction or with the permission of a Police Constable in uniform or of a designated officer.

Vehicles for which a parking place is designated

7 (1) Subject to the provisions of this Order, a parking place 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) A parking place 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 23 a valid residents' permit issued in respect of that vehicle; or
 - (b) as display in the manner specified in Article 39(1) a valid residents' visitor permit; or
 - (c) as display in the manner specified in Article 31 a valid business permit issued in respect of that vehicle; or
 - (d) as display in the manner specified in Article 47 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 23, 31, 39 and 47 then the 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 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 the parking place in contravention of the provisions of Article 12, 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), 15(3) or 21 have been contravened or not complied with in respect of a vehicle left in any part of a parking place or prohibited waiting area they may remove or cause to be removed the vehicle from that parking place or prohibited 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 prohibited waiting area.

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) that the left or near side of the vehicle is adjacent to the left-hand edge of the carriageway; and
 - (b) that 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

- 13 (1) Any person duly authorised by the Council or the Chief Officer of 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 thronged 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 15(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 a parking place or any vehicle while it is in the 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 15(1)(h) apply.

Restriction on waiting by a vehicle in a parking place

- 15 (1) 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 -
 - 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 13(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 civil enforcement officer may approve.
- (2) No charge specified in the provisions of this Order shall be payable in respect of any vehicle waiting in a parking place in accordance with the foregoing provisions of this Article.
- (3) Except as provided by this Order, the driver or person in charge of a vehicle shall not cause or permit a vehicle to wait in a parking place during the permitted hours.

(4) 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) so that the longitudinal axis of the vehicle is parallel to the edge of the carriageway nearest to the vehicle and the distance between the said edge and the nearest wheel of the vehicle is not more than 300 millimetres; and
 - (b) so that no part of the vehicle obstructs any vehicular means of ingress to or egress from 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.

- 17 The Council shall:
 - (a) place and maintain traffic signs indicating the limits of a parking place;
 - (b) place and maintain in or in the vicinity of a parking place traffic signs of a design approved by the Secretary of State for Transport indicating that such parking place may be used during the permitted hours for the leaving only of the vehicles specified in Article 7; and
 - (c) carry out such other work as is reasonably required for the purposes of the satisfactory operation of a parking place.

Parking permits governed by special provisions

- In exceptional circumstances the Council may at its discretion vary the provisions of Sections 2, 3, 4 and 5 of this Order in respect of a particular household or business premise 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.

Liability for penalty charge

- 19 (1) If a vehicle (other than a vehicle otherwise exempted by this Order) is left within a 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 a 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

22 (1) Where a notice has been attached to a vehicle in accordance with the provisions of Article 19, 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.

Section 2 - Residents' Permits

Residents' permits to be displayed on vehicles left in a parking place

At all times during which a vehicle (other than a vehicle otherwise exempted by this Order) is left in a parking place 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 30 are readily visible from the front or near side of the vehicle.

Application for and issue of residents' permits

- 24 (1) Any resident who is the owner of a vehicle of the class specified in Article 7(1) 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.
 - (2) 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.
 - (3) Upon receipt of an application duly made under the foregoing provisions of this Article and upon receipt of the charge referred to 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 sub paragraph (a) above;
- (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 27.

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

- 27 (1) 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.
 - 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 in respect of which the residents' permit was issued or a resident within Parking Zone V;
- (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 7;
- (e) the issue of a duplicate residents' permit by the Council under the provisions of Article 28;
- (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.
- 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 23, 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

- 30 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 27, 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.

Section 3 - Business Permits

Business permits to be displayed on vehicles left in a parking place

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 38 are readily visible from the front or near side of the vehicle.

Application for and issue of business permits

- 32 (1) Any entitled business user who is the owner of an operational vehicle of the class specified in Article 7(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 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 therefor 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) Except as provided in paragraph (5) of this Article 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

33 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 35.

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

- 35 (1) 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.
 - (2) 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 7;
 - (e) the issue of a duplicate business permit by the Council under the provisions of Article 36;
 - (f) the business 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 therefor as if it were a business permit or, as the case may be, an application therefor.

Restriction on the removal of business permits

Where a business permit has been displayed on a vehicle in accordance with the provisions of Article 31, 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 35(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.

Section 4 - Residents' Visitor Permits

Residents' visitor permits to be displayed on vehicles left in a parking place

- 39 (1) At all times during which a vehicle (other than a vehicle otherwise exempted by this Order) is left in a parking place during the permitted hours, the driver thereof shall cause to be displayed a valid residents' visitor permit. For the purposes of Article 7 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

- 40 (1) 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 7(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.
 - 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 41(1)

and 42(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 41(1) and 42(1) below, for the leaving of a vehicle of the class specified in paragraph (1) above in a parking place during the permitted hours.

Short stay residents' visitor permits

- 41 (1) A short stay residents' visitor permit shall authorise parking as follows:-
 - (a) for up to a maximum of 1 hour from the time and date indicated on the permit, subject to Article 39 and the charge thereafter shall be four pounds fifty pence (but two pounds twenty five pence if the applicant is aged 60 years or over) for 40 permits; or
 - (b) for up to a maximum of 4 hours from the time and date indicated on the permit, subject to Article 39 and the charge therefor shall be nine pounds (but four pounds fifty pence if the applicant is aged 60 years or over) for 20 permits.
 - (2) The Council shall not during a period of one year issue a short stay residents' visitor permit to a resident in any household in respect of which other short stay residents' visitor permits have been issued with a cumulative duration of 400 hours (but 800 hours if the resident is aged 60 years or over) and which have not been surrendered or withdrawn under Article 43 (2) or (3).

Long stay residents' visitor permits

- 42 (1) A long-stay residents' visitor permit shall authorise parking as follows:-
 - (a) for up to a maximum of one day from the time and date indicated on the permit, subject to Article 39, and the charge therefore shall be four pounds fifty pence (but two pounds twenty five pence if the applicant is aged 60 years or over) for five permits; or
 - (b) for up to a maximum of seven days from the time and date indicated on the permit, subject to Article 39, and the charge therefore shall be four pounds fifty pence (but two pounds twenty five pence if the applicant is aged 60 years or over) per permit."
 - (2) The Council shall not during a period of one year issue:-
 - (a) a long stay residents' visitor permit of the type referred to in Paragraph
 - (1) (a) to a resident in any household in respect of which other long stay residents' permits of that type have been issued with a cumulative duration of 15 days (but 30 days if the resident is aged 60 years or over) and which have not been surrendered or withdrawn under Article 43 (2) or (3),
 - (b) a long stay residents' visitor permit of the type referred to in Paragraph
 - (1) (b) to a resident in any household in respect of which other long stay

residents' permits of that type have been issued with a cumulative duration of 14 days (but 28 days if the resident is aged 60 years or over) and which have not been surrendered or withdrawn under Article 43 (2) or (3).

Surrender, withdrawal and validity of residents' visitor permits

- 43 (1) A residents' visitor permit shall cease to be valid for use in accordance with Article 39 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 40 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 39, 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 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' visitor permit

A residents' visitor permit shall be in writing and shall include the particulars described in Article 39(2).

Section 5 - Special Permits

Special parking permits to be displayed on vehicles left in a parking place

At all times during which a vehicle (other than a vehicle otherwise exempted by this Order) is left in a parking place 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 54 are readily visible from the front or near side of the vehicle.

Application for and issue of special parking permits

- 48 (1) 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 7(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

- 49 (1) 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.

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.
 - (2) 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 out in paragraph (1) of this Article, whichever is the earlier.
 - (3) 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.
 - (3) 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 therefor.

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 47, 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 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.

The Borough of Watford (Coningesby Drive, Langley Way and Trefusis Walk) (Controlled Parking Zone) Order 2015

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 51, the special parking permit shall remain valid;
 - (c)an indication that the parking permit has been issued by the Council;
 - (d) an indication of the parking zone in which the special parking permit is valid.

Section 6 - Summary of Charges

Summary of the charges made for permits

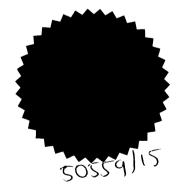
The charges applying to the various forms of parking permit are summarised in the following table:

Table 1: Summary of Charges for Permits

Relevant Article of Order	Type of Permit	Proposed Cost
24	1st Full-time CPZ Residents' permit	£25 per permit
24	Second Full-time CPZ Residents' permit	£55 per permit; £25 per permit for a motorcycle
41	Full-time CPZ Residents' Visitor — short stay — one hour permit	£4.50 for 40 permits; £2.25 for 40 permits if 60 years or over
41	Full-time CPZ Residents' Visitor permit – short stay – four hour permit	£9 for 20 permits; £4.50 for 20 permits if 60 years or over
42	Full-time CPZ Residents' Visitor permit – long stay – one day	£4.50 for 5 permits; £2.25 for 5 permits if 60 years or over
42	Full-time CPZ Residents' Visitor permit – long stay – seven days	£4.50 per permit; £2.25 per permit if 60 years or over
32	Full-time CPZ Business permit	£150 per permit
49	Full-time CPZ Special permit	not greater than £25 if first in household or £55 per permit if second.

THE COMMON SEAL of THE WATFORD BOROUGH COUNCIL was hereunto Affixed this 20th day of August 2015 In the presence of:

Carol Chen
Head of Democracy and Governance
Town Hall, Watford, Herts WD17 3EX



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MIN No	Memo 11945
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Schedule 1: Waiting Prohibited At Any Time:

Watford Cassiobury: Zone V

COLUMN 1	COLUMN 2	COLUMN 3
STREET NAME	SIDE OF STREET	LOCATION
Langley Way	north-west	Between the north-eastern kerb-line of Coningesby Drive and a point 21.5 metres north-east of that kerb-line
Langley Way	north-west	Between a point 10 metres south-west of the south-western kerb-line of Capelvere Walk and a point 0.6 metres south-west of the common boundary of Nos. 98 and 100 Langley Way
Langley Way	north-west	Between a point 10 metres south-west of the south-western kerb-line of Bellmount Wood Avenue and a point 10 metres north-east of the north-eastern kerb-line of Bellmount Wood Avenue
Langley Way	north-west	Between a point 10 metres south-west of the south-western kerb-line of Trefusis Walk and a point 10 metres north-east of the north-eastern kerb-line of Trefusis Walk
Langley Way	south-east	Between the north-eastern kerb-line of Parkside Drive and a point 15.5 metres north-east of that kerb-line
Langley Way	south-east	Between a point 10 metres south-west of the south-western kerb-line of De Vere Walk and the common boundary of Nos. 103 and 105 Langley Way
Langley Way	south-east	Between a point 10 metres south-west of the south-western kerb-line of Richmond Drive and a point 10 metres north-east of the north-eastern kerb-line of Richmond Drive
Langley Way	south-east	Between a point 10 metres south-west of the south-western kerb-line of Berceau Walk and a point 10 metres north-east of the north-eastern kerb-line of Berceau Walk
Trefusis Walk	both	Between the north-western kerb-line of Langley Way and a point 12 metres north-west of that kerb-line

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SCHEDULE 2

Parking Place for Permit Holders Only: between 10.30 a.m. and 2.30 p.m. on Mondays to Fridays inclusive, from 1 January until 30 June and from 1 September to 31 December (both inclusive)

Watford Cassiobury: Zone V

COLUMN 1	COLUMN 2	COLUMN 3
STREET NAME	SIDE OF STREET	LOCATION
Trefusis Walk	all	Between a point 12 metres north-west of the north-western kerb-line of Langley Way and its north-western extremity
Coningesby Drive	both	Between the south-eastern boundary of No. 1 Coningesby Drive and the north-western boundary of No. 21 Coningesby Drive.
Langley Way	north-west	Between a point 21.5 metres north-east of the north-eastern kerb-line of Coningesby Drive and a point 10 metres south-west of the south-western kerb-line of Capelvere Walk.
Langley Way	north-west	Between a point 0.6 metres south-west of the common boundary of Nos. 98 and 100 Langley Way and a point 10 metres south-west of the south-western kerb-line of Bellmount Wood Avenue.
Langley Way	north-west	Between a point 10 metres north-east of the north-eastern kerb-line of Bellmount Wood Avenue and a point 10 metres south-west of the south-western kerb-line of Trefusis Walk.
Langley Way	north-west	Between a point 10 metres north-east of the north-eastern kerb-line of Trefusis Walk and a point 3 metres north-east of the common boundary of Nos. 72 and 74 Langley Way.
Langley Way	south-east	Between a point 15.5 metres north-east of the north-eastern kerb-line of Parkside Drive and a point 10 metres south-west of the south-western kerb-line of De Vere Walk.
Langley Way	south-east	Between the common boundary of Nos. 103 and 105 Langley Way and a point 10 metres south-west of the south-western kerb-line of Richmond Drive.
Langley Way	south-east	Between a point 10 metres north-east of the north-eastern kerb-line of Richmond Drive and a point 10 metres south-west of the south-western kerb-line of Berceau Walk.

SCHEDULE 2

COLUMN 1	COLUMN 2	COLUMN 3
STREET NAME SIDE OF	SIDE OF	LOCATION
	STREET	
Langley Way	south-east	Between a point 10 metres north-east of the north-eastern kerb-line of Berceau Walk and a point 3 metres north-east of a point opposite the common boundary of Nos. 72 and 74 Langley Way.

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SCHEDULE 3

(see definition of "resident" - Article 2)

Parking Zone V

Coningesby Drive – between the south-eastern boundary of No. 1 Coningesby Drive and the north-western boundary of No. 21 Coningesby Drive.

Langley Way – between the north-eastern kerb-lines of Coningesby Drive and Parkside Drive and a point 3 metres north-east of the common boundary of Nos. 72 and 74 Langley Way.

Trefusis Walk

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