

The Borough of Dacorum  
(Controlled Parking Zones) Order 2009

**DACORUM BOROUGH COUNCIL**  
**TRAFFIC REGULATION ORDER**  
**THE BOROUGH OF DACORUM**  
**(CONTROLLED PARKING ZONES) ORDER 2009**

Drafted: 14<sup>th</sup> January 2009  
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Dacorum 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 powers conferred on that County under sections 1, 2, 4, 45, 46, 47, 49, 51 and 53 and Part IV of Schedule 9 of the Road Traffic Regulation Act 1984 and the provisions of Part 6 and Schedule 9 of the Traffic Management Act 2004 and of all other enabling powers, and after consultation with the Chief Officers of Police in accordance with Part III of Schedule 9 to the 1984 Act, makes the following Order:

## **PART I – PRELIMINARY**

### **Citation and commencement**

1. This Order shall come into operation on 13<sup>th</sup> July 2009 and may be cited as “The Borough of Dacorum (Controlled Parking Zones) Order 2009 “

### **Interpretation**

2. (1) In this Order, except where the context otherwise requires, the following expressions have the meaning hereby respectively assigned to them:

“business permit” means a business permit issued under the provisions of Article 41;

“business permit holder” means a person to whom a business permit has been issued under the provisions of Article 41;

“civil enforcement officer (parking)” means a person authorised by or on behalf of the Council to supervise any parking place and who is appointed by the Dacorum Borough Council under section 76 of the Traffic Management Act 2004 (c.18);

“Controlled Parking Zone” or “CPZ” is an area referred to in Schedule 22, comprising the roads and parts of roads specified in relation thereto in Schedule 23 and in respect of which all the streets within that CPZ are subject to waiting restrictions other than lengths of road where parking places are designated;

“Controlled Parking Zone Hours” for a Controlled Parking Zone are those hours of operation specified in Schedule 22 in relation to that CPZ;

“Council” means Dacorum 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;

“dacorum card” can be obtained by residents of Dacorum who are receiving means tested benefits;

“disabled person’s badge” has the same meaning as in the Local Authorities Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000;

“disabled persons parking place” means an area on a highway designated for use only by vehicles displaying a disabled person’s badge in accordance with Article 13(5) and as specified in Schedule 21;

“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;

“electronic communications network” has the same meaning as in the Communications Act 2003 (c.21);

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

“household” means a dwelling with a separate entry on the Council’s Council Tax register;

“m” wherever the letter occurs in a definition in a Schedule means and represents the word “metre”;

“motor-cycle” has the same meaning as in section 136(4) of the Road Traffic Regulation Act 1984;

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

“open permit” means a form of resident’s permit, not being vehicle specific, as referred to in Article 39(a);

“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, which in the case of a vehicle registered under the Vehicle Excise and Registration Act 1994 (c.22) is presumed, unless the contrary is proved, to be the person in whose name the vehicle is registered;

“parking bay” means any parking area within a parking place for the use of one vehicle at a time;

“parking charge” means an amount specified in Schedule 25 which is payable, subject to the provisions of this Order, at a ticket parking meter in respect of a vehicle left in a parking place described in Schedule 16, 17 or 18;

“parking period” means a period of time for which payment of the parking charge is or has been made in respect of a vehicle and during which, subject to the provisions of this Order, that vehicle may be left in a parking place;

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

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“parking ticket” means a ticket issued by a ticket parking meter in accordance with Article 27, which indicates that the parking charge has been paid and the date and time by which the parking period will expire in respect of any vehicle left in a parking place described in Schedule 16, 17 or 18, during the permitted hours;

“passenger vehicle” means a motor vehicle (other than a motor-cycle or invalid carriage) constructed or adapted solely for the carriage of not more than eight passengers (exclusive of the driver) and their effects and not drawing a trailer;

“penalty charge” has the same meaning as in part 6 of the Traffic Management Act 2004

“permit holder”, without more, means either a resident’s permit holder, a business permit holder, a resident’s visitor’s permit holder or a special parking permit holder;

“permitted hours”, in relation to a parking place, means the hours of operation and days specified in columns 3 and 4 respectively of Schedule 22 in relation to the Controlled Parking Zone specified in relation thereto in column 2 of that Schedule, being the Controlled Parking Zone in which that parking place is situated;

“protective cover” means a transparent cover designed to protect a permit displayed under the provisions of Articles 32, 40 or 55;

“resident” means a person whose usual place of abode is at premises the postal address of which is in any street or part of a street described in Schedule 24;

“resident’s permit” means a permit issued under the provisions of Article 33;

“resident’s permit holder” means a person to whom a permit has been issued under the provisions of Article 33;

“resident’s visitor’s permit” means a permit issued under the provisions of Article 61;

“resident’s visitor’s permit holder” means a person to whom a visitor’s permit has been issued under the provisions of Article 49;

“restricted waiting area” means an area within the Borough of Dacorum specified in column 1, 2 and 3 of either Schedule 1, 2, 3, 4, 5, 6, 7, 8 or 9 referred to in Article 3(1);

“restricted waiting hours”, in relation to any restricted waiting area, means the time specified at the beginning of either Schedule 1, 2, 3, 4, 5, 6, 7, 8 or 9 in relation to that restricted waiting area;

“special parking permit” means a permit issued under the provisions of Articles 56 and 57;

“special parking permit holder” means a person to whom a permit has been issued under the provisions of Articles 56 and 57;

“ticket parking meter” means an apparatus or device which for the purposes of this Order is designed to indicate the time of issue, the payment of the parking charge and the parking period in respect of which the parking charge has been paid.

- (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 4(1) of The Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000.

## **PART II - RESTRICTIONS AND PARKING PLACES**

### **Section 1 – Provisions of the Order**

#### **Restricted waiting areas within the Controlled Parking Zones (CPZs)**

3.
  - (1) Subject to the provisions of this Order, any street or part of a street specified in column 1, 2 and 3 of either Schedule 1, 2, 3, 4, 5, 6 7, 8 or 9 is a restricted waiting area.
  - (2) Subject to paragraph (3) below, no person shall cause or permit any vehicle to wait during the restricted waiting hours in the same place in any restricted waiting area except for so long as may be necessary for the purpose of delivering or collecting goods or loading or unloading the vehicle at premises adjacent to the area.
  - (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 restricted waiting area:  
  
Provided that, where the restricted waiting hours are longer than three hours duration, that vehicle may wait for a period of not more than three hours (being a period not separated by an interval of less than one hour from a previous period of waiting by the same vehicle in the same restricted waiting area on the same day.
  - (4) A restricted waiting area shall be delineated on the highway and also where appropriate specified by a sign but the obscuring or obliteration of such a line, or sign, or any part thereof, shall not render the restriction referred to in paragraph (2) above ineffective.

#### **Prohibition of stopping outside schools**

4. No person shall, except under the direction or with the permission of the Council or a civil enforcement officer (parking), cause or permit any vehicle to stop or remain at rest between the hours of 8am and 5pm, Monday to Friday, in any length of road specified in column 1, 2 and 3 of Schedule 20, unless authorised by the subsequent provisions of this Order.

#### **Persons boarding or alighting from vehicles**

5. Nothing in Article 3 shall render it unlawful to cause or permit a vehicle to wait in any restricted waiting area for so long as may be necessary for the purpose of enabling any person to board or alight from the vehicle or to load thereon or unload therefrom their personal luggage.



**Excepted vehicles**

6. The restrictions imposed by Article 3 shall not apply in relation to the following vehicles, that is to say:
- (a) any bus or public service vehicles operated by a transport company and any vehicle providing a bus service, whilst waiting at an authorised stopping place or at a terminal or turning point; or
  - (b) vehicles when used for fire brigade, ambulance or police purposes; or
  - (c) vehicles when 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 in the performance of such duties for the vehicle to wait in the place in which it is waiting; or
  - (d) taxis whilst waiting upon any duly authorised taxi rank; or
  - (e) vehicles whilst waiting in any restricted waiting area for so long as may be necessary in connection with the taking in of petrol, oil, water or air, if such taking in cannot be affected unless the vehicle waits in the place where it is waiting;
  - (f) to anything done with the permission or at the direction of a police constable in uniform or a civil enforcement officer;
  - (g) where notice is given to the Council, their consent is obtained in writing and any such conditions as they may impose are complied with.

**Furniture removals and other exceptional loading or unloading**

7. (1) Nothing in Article 3 shall apply so as to restrict the loading or unloading of any vehicle while the vehicle is in actual use in any restricted waiting area in connection with the commercial removal of furniture to or from an office, dwelling-house or depository:

Provided that seventy-two hours notice is given in advance to the Council, their consent is obtained and such reasonable conditions as they may impose are compiled with.

- (2) Without prejudice to the provisions of the last foregoing paragraph, nothing in Article 3 of this Order shall apply so as to restrict the loading or unloading of any vehicle while the vehicle is in actual use in any restricted waiting area in connection with the collection or delivery of goods from or to premises in or adjacent to that area if those goods cannot reasonably be loaded or unloaded outside the restricted waiting hours or within the time (if any) allowed in relation to that area, as the case may be, if notice is given seventy-two hours in advance to the Council, their consent is obtained, and such reasonable conditions as they may impose are compiled with.

**Miscellaneous exemptions**

8. (1) Nothing in Article 3 shall render it unlawful to cause or permit a vehicle to wait in any restricted waiting area:
- (a) while postal packets addressed to premises adjacent to any such area in which the vehicle is waiting are, by a universal service provider providing a universal postal service, being unloaded from the vehicle or, having been unloaded therefrom, are being delivered; or

- (b) while postal packets are, by that universal service provider, being collected for loading on the vehicle from premises or posting boxes in or adjacent to any such area in which the vehicle is waiting or, having been so collected, are being loaded thereon; or
  - (c) while the vehicle is being used in connection with the removal of any obstruction to traffic in any street, the maintenance, improvement, reconstruction, cleansing or lighting of any street, the laying, erection, alteration or repair in or adjacent to any street of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity, or of any communications network [within the meaning of the Communications Act 2003], or the placing, maintenance or removal of any traffic sign, if the vehicle cannot conveniently and lawfully be used for that purpose in any other street or a restricted waiting area outside the restricted waiting hours; or
  - (d) while any gate or other barrier at the entrance to premises, to which the vehicle requires access or from which it has emerged in being opened or closed, if it is not reasonably practicable for the vehicle to wait in any other place while such gate or barrier is being opened or closed.
- (2) Nothing in Part II of this Order shall apply to anything done with the permission or at the direction of a police constable in uniform, or where the person in control of the vehicle is required by law to stop or wait or remain at rest or is obliged to do so in order to avoid an accident.

**Restrictions on methods of loading and unloading vehicles**

9. (1) No person shall cause any goods to be loaded on to or unloaded from any vehicle in any street in the Borough of Dacorum otherwise than in accordance with the following conditions, that is to say:
- (a) no such goods shall be deposited on any carriageway or footway except on the carriageway immediately at the rear of the vehicle and no goods shall remain on any carriageway before the arrival of or after the departure of the vehicle;
  - (b) no part of any rope, chain, wire, apparatus or machinery used in connection with such loading or unloading, and no load suspended therefrom, shall be less than 4.88 metres above a carriageway, except when over any vehicle being loaded or unloaded, or less than 2.74 metres above the footway;
  - (c) no such goods shall be passed from hand to hand across any part of any carriageway or footway:
- Provided that nothing in this Article shall apply in relation to:
- (i) any vehicle specified in Article 6(b) or (c) or any vehicle while it is being used as mentioned in Article 8(1)(c) of this Order; or
  - (ii) anything done with the permission or at the direction of a civil enforcement officer or a police constable in uniform.
- (2) Nothing in sub-paragraph (b) of paragraph (1) of this Article shall apply to any pipe, apparatus or machinery being used in connection with the loading or unloading of any petrol, water, oil or liquid fuel on to or from any vehicle in any street or from any premises adjacent to any street provided that all necessary means are taken to give adequate warning of any possible obstruction.

**Vehicles waiting upon the direction or with the permission of the Council**

10. Nothing in Articles 3 or 4 shall render it unlawful for a person to cause or permit any vehicle to wait on any street or part of street referred to therein if it shall be upon the direction or with the permission of the Council.

**Designation of parking places**

11. Each area on a highway comprising the length of carriageway of a street specified in columns 1, 2 and 3 of Schedule 10, 11, 12, 13, 14 15, 16, 17, 18, 19 or 21 and unless otherwise so specified, bounded on one side of that length by the edge of the carriageway and having a width throughout of 1.8 metres, is hereby designated as a parking place.

**Authorisation of use of parking places**

12. No person shall cause or permit any vehicle to wait in any part of a parking place unless authorised by the provisions of this Order.

**Vehicles for which parking places are designated**

13. (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, unless prohibited by virtue of the Hemel Hempstead (West side) Prohibition of Commercial Vehicles Order, 1989.
- (2) Parking places specified in Schedule 10,11,12, 13, 14 or 15 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 32 a valid resident's permit issued in respect of that vehicle; or
  - (b) as display in the manner specified in Article 48(1) a valid resident's visitor's permit; or
  - (c) as display in the manner specified in Article 40 a valid business permit issued in respect of that vehicle; or
  - (d) as display in the manner specified in Article 55 a valid special parking permit issued in respect of that vehicle and that parking place.
- (3) Parking places referred to in Schedule 16, 17 or 18 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 25 a valid parking ticket, for no longer than the period specified in relation to that parking place in column 4 of Schedule 16, 17 or 18; as the case may be; or
  - (b) as display in the manner specified in Article 32 a valid resident's permit issued in respect of that vehicle; or

- (c) as display in the manner specified in Article 48(1) a valid resident's visitors permit; or
  - (d) as display in the manner specified in Article 40 a valid business permit issued in respect of that vehicle; or
  - (e) as display in the manner specified in Article 55 a valid special parking permit issued in respect of that vehicle and that parking place.
- (4) Parking places referred to in Schedule 19 may be used for the leaving during the permitted hours of such vehicles of the class specified in paragraph (1) above for no longer than the period specified in relation to that parking place in column 4 of Schedule 19 -
- (a) as display in the manner specified in Article 32 a valid resident's permit issued in respect of that vehicle; or
  - (b) as display in the manner specified in Article 48(1) a valid resident's visitors permit; or
  - (c) as display in the manner specified in Article 40 a valid business permit issued in respect of that vehicle; or
  - (d) as display in the manner specified in Article 55 a valid special parking permit issued in respect of that vehicle and that parking place.
- (5) Parking places referred to in Schedule 21 may be used for the leaving during the permitted hours of such vehicles as display a "disabled person's badge" in the relevant position.

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

14. Where any vehicle is standing in a parking place in contravention of the provisions of Article 19 or of the provisions of Article 23, a civil enforcement officer (parking) 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**

15. Where a civil enforcement officer (parking) is of the opinion that any of the provisions contained in Articles 3(2), 4, 22(3), 27, 30 or 31 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**

16. A civil enforcement officer (parking), police constable in uniform or traffic warden may move or cause to be moved, in case of emergency, to any place they think fit any vehicle left in a parking place, or restricted waiting area.

**Exemptions for vehicles displaying a disabled person's badge**

17. (1) A vehicle displaying a disabled person's badge in the relevant position may be left in any part of a parking place referred to in Schedule 16, 17, 18 or 19 without charge or time limit, provided that the use of that part of the parking place in which the vehicle is left has not been suspended.
- (2) 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 19 and wholly within the limits of that parking place.

**Waiting restrictions and Orders revoked within a Controlled Parking Zone**

18. (1) Without prejudice to the validity of anything done or to any liability incurred in respect of any act or omission before the coming into operation of this Order, any waiting restrictions specified in Schedule 26 and any existing Orders listed in Schedule 27 are hereby revoked and replaced by the restrictions imposed by this Order.

**PART III - SUPPLEMENTARY PROVISIONS**

**Section 1 - General**

**Manner of standing in a parking place**

19. 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 4 of Schedule 10, 11 12, 13, 14, 15 or 21, in column 6 of Schedule 16, 17 or 18 or in column 5 of Schedule 19, as to be in accordance with those provisions;
- (b) in the case of any other parking place -
- (i) if the parking place is not in a one-way street, that the left or near side of the vehicle is adjacent to the left-hand edge of the carriageway;
- (ii) that the distance between the edge of the carriageway and the nearest wheel of the vehicle is not more than 300 millimetres; and
- (iii) that every part of a vehicle is within the limits of a parking place.

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

20. (1) Any person duly authorised by the Council 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 electronic communications network 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) Any person suspending the use of a parking place or any part thereof in accordance with the provisions of paragraph (1) 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.
- (3) No person shall cause or permit a vehicle to be waiting in 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 (2) 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 paragraph (1)(b), (d) or (e) above; 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.

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

21. 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 22(1)(h) apply.

**Restriction on waiting by a vehicle in a parking place**

22. (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 -
  - (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 20(1)(b);
  - (g) the vehicle is in actual use in connection with the removal of furniture to or from one office to 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, a traffic warden or a civil enforcement officer (parking) may approve.
- (2) No parking 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**

23. 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 4 of the Schedule 10, 11, 12, 13, 14, 15 or 21 or column 6 of Schedule 16, 17, 18 or 19 so that the vehicle shall stand:
    - (i) unless the length of the vehicle precludes compliance with this sub-paragraph, in accordance with those provisions and so that every part of the vehicle is within the limits of the 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.**

24. The Council shall:
- (a) place and maintain traffic signs indicating the limits of each parking place and any parking bay;
  - (b) place and maintain in or in the vicinity of each parking place traffic signs indicating that such parking places may be used during the permitted hours for the leaving only of the vehicles specified in Article 13(1); and
  - (c) carry out such other work as it reasonably required for the purposes of the satisfactory operation of a parking place.

**Section 2 - Parking Tickets**

**Parking tickets to be displayed on vehicles left in parking places**

25. (1) Subject to Articles 32, 40, 48 or 55, at all times during which a vehicle (other than a vehicle otherwise exempted by this Order) is left in a parking place referred to in Schedule 16, 17 or 18 where payment for the use thereof is to be made by purchase of a parking ticket during the permitted hours, the driver thereof shall cause to be displayed -
- (a) in the case of a vehicle fitted with a front windscreen, a valid parking ticket so that the obverse face is directed outwards from immediately behind the window adjacent to the windscreen and nearest the edge of the carriageway and so that all the particulars referred to in paragraph (2) of this Article are readily visible from the front or nearside of the vehicle;
  - (b) in the case of a vehicle not fitted with a front windscreen, a valid parking ticket so that the obverse face is directed outwards on the front or on the side nearest to the edge of the carriageway and so that all the particulars referred to in paragraph (2) of this Article are readily visible from the front or nearside of the vehicle.
- (2) The particulars referred to in paragraph (1) of this Article are the date and time at which the parking period will expire.

**Amount of the parking charge at parking places**

26. The parking charge for a vehicle (other than a vehicle otherwise exempted by this Order) left in a parking place referred to in Schedule 16, 17 or 18 and the period during which that vehicle may return to the same parking place during the permitted hours, shall be as set out in column 2 of Schedule 25 and the maximum parking period for which a vehicle may wait after the parking charge has been paid in respect thereof shall be as set out in column 4 of either Schedule 16, 17 or 18 as the case may be, in relation to that parking place.

**Payment of the parking charge in connection with the use of parking tickets at parking places**

27. (1) Subject to the provisions of Articles 17, 21 or 22, the parking charge shall be payable not later than on the first leaving of a vehicle (other than a vehicle otherwise exempted by this Order) in a parking place during the permitted hours, by the purchase of a parking ticket from a ticket parking meter provided by the Council relating to that parking place
- (2) Payment of the parking charge for a vehicle (other than a vehicle exempted by this Order) shall be made by the insertion in a ticket parking meter relating to that parking place of any coin or combination of coins of such denomination as shall be indicated on the ticket machine as being accepted by that ticket parking meter, together making up the amount of the parking charge for the parking period for which payment is being made and shall be indicated by the display of one valid parking ticket, bearing the indication that a parking charge has been paid in accordance with the provisions of Article 25.
- (3) No refund shall be payable by the Council in respect of any parking ticket surrendered to the Council unless a refund is given at the discretion of the Council.
- (4) No person shall leave any vehicle (other than a vehicle exempted by this Order) in a parking bay during the permitted hours for longer than the parking period for which payment was made by the parking charge.

**Contraventions**

28. (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 then a parking contravention within Part 1 of Schedule 7 to the Traffic Management Act 2004 shall be deemed to have occurred.
- (2) If a vehicle (other than a vehicle otherwise exempted by this Order or the CPZ Order where relevant) is left within the Controlled Parking Zone during the hours outside the permitted hours in contravention of any no waiting regulation then a parking contravention within Part 1 of Schedule 7 to the Traffic Management Act 2004 shall be deemed to have occurred.

**Restriction on the removal of parking tickets**

29. Where a parking ticket has been displayed on a vehicle in accordance with the provisions of Article 25, no person, not being the driver of the vehicle, shall remove any parking ticket from the vehicle unless authorised to do so by the driver of the vehicle:

Provided that nothing in this Article shall apply to a civil enforcement officer (parking) or police constable in uniform or a person removing the vehicle in pursuance of an arrangement made by the police constable or civil enforcement officer (parking) by or under the regulations in pursuance of powers contained in sections 99, 100, 101 and 102 of the Road Traffic Regulation Act 1984.

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

30. Without prejudice to the provisions of this Order, no vehicle which has been taken away from a parking place during the permitted hours, after the parking charge has been incurred, shall until the expiration of the period referred to in column 2 of Schedule 25 in relation to the type of parking place referred to in column 1 of that Schedule in relation thereto, shall again be left in that parking place during the permitted hours.

**No additional coins to be inserted in a ticket parking meter and no further tickets to be displayed**

31. (1) Where on the leaving of a vehicle in a parking place payment of the parking charge has been made at a ticket parking meter and a parking ticket has been displayed on the vehicle in accordance with Article 25(1), no additional coin or coins shall be inserted in that ticket parking meter or any other ticket parking meter by way of paying a further parking charge in respect of that vehicle, so as to extend the parking period beyond that originally purchased.
- (2) No additional parking ticket or tickets shall be displayed on a vehicle while it is in a parking place, other than the parking ticket originally displayed on that vehicle at the time the vehicle was left in that parking place.
- (3) Nothing in this Article shall apply in relation to a vehicle which is taken away from a parking place during the permitted hours and is returned to that same parking place after the expiration of one hour from the time the vehicle was taken away.

**Section 3 – Resident’s permits**

**Resident’s permits to be displayed on vehicles left in parking places**

32. Subject to Articles 25, 40, 48 or 55, at all times during which a vehicle (other than a vehicle otherwise exempted by this Order) is left in a parking place referred to in Schedule 10, 11, 12, 13, 14, 15, 16, 17, 18 or 19 during the permitted hours in accordance with the provisions of Article 13(2)(a), the driver thereof shall cause to be displayed in the protective cover on the front or near side of the vehicle a valid resident’s permit relating to the controlled parking zone within which that vehicle is left issued in respect of that vehicle, so that all the particulars referred to in Article 39 are readily visible from the front or near side of the vehicle.

**Application for and issue of resident’s permits**

33. (1) Any resident of a Controlled Parking Zone whose address is specified in Schedule 24 who is the owner of a vehicle of the class specified in Article 13(1) may apply to the Council for the issue of a resident’s 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 resident’s permit holder to produce to an officer of the Council such evidence in respect of an application for a resident’s permit made to them as they may reasonably call to verify any particulars or information given to them or in

respect of any resident's permit issued by them as they may reasonably call for to verify that the resident's 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 Schedule 25, the Council upon being satisfied that the applicant is a resident and is the owner of a vehicle of the class referred to in paragraph (1) of this Article, shall issue to the applicant therefor a resident's permit for the leaving during the permitted hours in a parking place referred to in Schedule 10, 11, 12, 13, 14, 15, 16, 17, 18 or 19 of the vehicle to which such resident's 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.

**Limit on the number of resident's permits to be issued to a household**

34. The Council shall not issue a resident's permit during any period of one year to a resident in any household in respect of which 3 other resident's permits have been issued and remain valid during that period, subject to the provision of Article 36.

**No refund of charge paid in respect of a resident's permit**

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

**Surrender, withdrawal and validity of resident's permits**

36. (1) A resident's permit holder may surrender a resident's permit to the Council at any time and shall surrender a resident's 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 resident's permit holder by sending the same by the recorded delivery service to the resident's permit holder at the address shown by that person on the application for the resident's permit or at any other address believed to be that person's place of abode, withdraw a resident's permit if it appears to the Council that any of the events set out in paragraph (3)(a), (b), (d) or (e) of this Article has occurred and the resident's 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 resident's permit holder ceasing to be either a resident within the controlled parking zone in respect of which the resident's permit was issued;
  - (b) the resident's permit holder ceasing to be the owner of the vehicle in respect of which the resident's permit was issued;
  - (c) the withdrawal of such resident's permit by the Council under the provisions of paragraph (2) of this Article;

- (d) the issue of a duplicate resident's permit by the Council under the provisions of Article 37;
  - (e) the vehicle in respect of which such resident's permit was issued being adapted or used in such a manner that it is not a vehicle of the class specified in Article 13(1);
  - (f) the resident's 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 resident's 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 resident's permit is issued to any person upon receipt of a cheque or credit card and the payment is subsequently dishonoured, the resident's permit shall cease to be of any effect and the Council shall by notice in writing served on the person to whom such resident's permit was issued by sending the same by recorded delivery service to the resident's permit holder at the address shown by that person on the application for the resident's permit or at any other address believed to be that person's place of abode, require that person to surrender the resident's permit to the Council within 48 hours of the receipt of the aforementioned notice.

#### **Application for and issue of duplicate resident's permits**

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

#### **Restriction on the removal of resident's permits**

38. Where a resident's permit has been displayed on a vehicle in accordance with the provisions of Article 32, no person, not being the driver of the vehicle shall remove the resident's permit unless authorised to do so by the driver of the vehicle.

Provided that nothing herein shall apply to a civil enforcement officer (parking) or police constable in uniform or a person removing the vehicle in pursuance of an arrangement made by the police constable or the civil enforcement officer (parking) by or under regulations in pursuance of powers

contained in sections 99, 100, 101 and 102 of the Road Traffic Regulation Act 1984.

#### **Form of resident's permits**

39. A resident's permit shall be in writing and shall include the following particulars:
- (a) the registration mark of the vehicle in respect of which the resident's permit has been issued unless at the discretion of the Council the permit has been issued as an open permit;
  - (b) the period during which, subject to the provisions of Article 36(4), the resident's permit shall remain valid and the date on which the resident's permit shall expire;
  - (c) an indication that the resident's permit has been issued by the Council; and
  - (d) an indication of the controlled parking zone or zones within which the use of the resident's permit is valid and the parking zone in which the resident resides if this is different;
  - (e) an indication that the charge for the issue of the resident's permit has been paid to the Council.

#### **Section 4 - Business Permits**

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

40. Subject to Articles 25, 32, 48 or 55, all times during which a vehicle (other than a vehicle otherwise exempted by this Order) is left in a parking place described in Schedule 10, 11, 12, 13, 14, 15, 16, 17, 18 or 19 during the permitted hours in accordance with the provisions of Article 13(2)(c), 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 47 are readily visible from the front or near side of the vehicle.

##### **Application for and issue of business permits**

41. (1) Any entitled business user who is the owner of an operational vehicle of the class specified in Article 13(1) may apply to the Council for the issue of a business permit relating to the controlled parking zone within which their business premises are situated in respect of no more than two such vehicles 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 business permit or a business permit holder to produce to an officer of the Council 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 relevant charge specified in Schedule 25, 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 referred to 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 referred to in Schedule 10, 11, 12, 13, 14, 15, 16, 17, 18 or 19 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.

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

42. 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 44.

No refund of charge paid in respect of business permits

43. 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 any charge 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**

44. (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), (d) or (e) 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 controlled 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 13(1);
- (e) the issue of a duplicate business permit by the Council under the provisions of paragraph Article 45.

- (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**

45. (1) 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**

46. Where a business permit has been displayed on a vehicle in accordance with the provisions of Article 40, 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 (parking) or police constable in uniform or a person removing the vehicle in pursuance of an arrangement made by a police constable or a civil enforcement officer (parking) by or under regulations in pursuance of powers contained in sections 99, 100, 101 and 102 of the Road Traffic Regulation Act 1984.

#### **Form of business permits**

47. A business permit shall be in writing and shall include the following particulars:
  - (a) the registration mark of the vehicle or vehicles in respect of which the business permit has been issued;
  - (b) the period during which, subject to the provisions of Article 44(4), the business permit shall remain valid and the date on which the business permit shall expire;



- (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;  
and
- (e) an indication that the charge for the issue of the business permit has been paid to the Council.

### **Section 5 - Resident's Visitor's Permits**

#### **Resident's visitor's permits to be displayed on vehicles left in parking places**

48. (1) Subject to Articles 25, 32, 40 or 55, at all times during which a vehicle (other than a vehicle otherwise exempted by this Order) is left in a parking place referred to in Schedule 10, 11, 12, 13, 14, 15, 16, 17, 18 or 19 during the permitted hours in accordance with the provisions of Article 13(2)(b), the driver thereof shall cause to be displayed -
- (a) in the case of a vehicle fitted with a front windscreen, a valid resident's visitor's permit so that the obverse face is directed outwards from immediately behind the window adjacent to the windscreen and nearest to the edge of the carriageway so that all the particulars referred to in paragraph (2) are readily visible from the front or near side of the vehicle;
  - (b) in the case of a vehicle not fitted with a front windscreen, a valid resident's visitor's permit so that the obverse face is directed outwards on the front or on the side nearest to the edge of the carriageway so that all the particulars referred to in paragraph (2) are readily visible from the front or near side of the vehicle.
- (2) A valid resident's visitor's permit shall indicate on the obverse face, in accordance with the instructions on the reverse face -
- (a) the registration mark of the vehicle in respect of which the resident's visitor's permit is being used;
  - (b) the time, the date in the month and the year in which the vehicle was first left in a parking place referred to in either Schedule 10, 11, 12, 13, 14, 15, 16, 17, 18 or 19;
  - (c) an indication of the controlled parking zone within which the resident's visitor's permit is valid;
  - (d) the date on which, subject to the provisions of Article 52, the resident's visitor's permit expires.

#### **Application for and issue of resident's visitor's permits**

49. (1) Any resident may apply to the Council for the issue of a resident's visitor's permit for a vehicle of the class specified in Article 13(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 resident's visitor's permit or a resident's visitor's permit holder to produce to an officer of the Council or authorised agent such evidence in respect of an application for a resident's visitor's permit made to them as they may reasonably call for to verify any particulars or information given to them or in respect of any resident's visitor's permit issued by them as they may reasonably call for to verify that the resident's visitor's 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 referred to in Schedule 25, the Council upon being satisfied that the applicant is a resident, shall issue to the applicant therefor a resident's visitor's permit, of a type specified in either Article 50 or 51, for the leaving of a vehicle of the class specified in Article 13(1) in a parking place referred to in either Schedule 10, 11, 12, 13, 14, 15, 16, 17, 18 or 19, during the permitted hours.

#### **Short stay visitor's permits**

50. A short stay resident's visitor's permit shall authorise parking in a parking place referred to in Schedule 10, 11, 12, 13, 14, 15, 16, 17, 18 or 19 during the permitted hours for up to one hour at a time, the appropriate charge being specified in column 2 of Schedule 25:

Provided that the Council shall not during a period of any one year from the date of issue of a short stay resident's visitor's permit, issue another such permit to a resident in any household in respect of which other short stay resident's visitor's permits have been issued and which have not been surrendered or withdrawn under Article 52(2) or (3) and in respect of which a cumulative duration of 600 hours parking, or 1200 hours parking if the resident is aged 60 years or over, remains in respect of those permits during that period.

#### **Long stay resident's visitor's permits**

51. A long stay resident's visitor's permit shall authorise parking in a parking place referred to in Schedule 10, 11, 12, 13, 14, 15, 16, 17, 18 or 19 during the permitted hours for up to a maximum of 7 days from the time and date indicated on the permit, the appropriate charge being specified in column 2 of Schedule 25:

Provided that the Council shall not during a period of any one year issue a long stay resident's visitor permit to a resident in any household in respect of which four other long stay resident's visitor's permits, or eight in the case of a resident being 60 years of age or over, have been issued and which have not been surrendered or withdrawn under Article 52(2) or (3).

#### **Surrender, withdrawal and validity of resident's visitor's permits**

52. (1) A resident's visitor's permit shall be valid for use as specified in Article 52 or 48.
- (2) A resident may surrender a resident's visitor's permit to the Council at any time and shall surrender it on the occurrence of the resident ceasing to be a resident in the controlled parking zone in respect of which the resident's visitor's permit was issued.
- (3) The Council may, by notice in writing served on the resident by sending the same by the recorded delivery service to the resident at the address shown

by that person on the application for the resident's visitor's permit or at any other address believed to be that person's place of abode, withdraw a resident's visitor's permit if it appears to the Council that the resident has ceased to be a resident and the resident shall surrender the permit to the Council within 48 hours of the receipt of the aforementioned notice.

#### **Restrictions on removal of resident's visitor's permits**

53. Where a resident's visitor's permit has been displayed in accordance with the provisions of Article 48, no person, not being the driver of the vehicle shall remove the resident's visitor's permit unless authorised to do so by the driver of the vehicle:

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

#### **Form of resident's visitor's permits**

54. A resident's visitor's permit shall be in writing and shall include the particulars referred to in Article 48(2).

### **Section 6 - Special Permits**

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

55. Subject to Articles 25, 32, 40 or 48, at all times during which a vehicle (other than a vehicle otherwise exempted by this Order) is left in a parking place described in Schedule 10, 11, 12, 13, 14, 15, 16, 17, 18 or 19 during the permitted hours in accordance with the provisions of Article 13(2)(d), the driver thereof shall cause to be displayed in the protective cover on the front or near side of the vehicle a valid special parking permit issued in respect of that vehicle, so that all the particulars referred to in Article 62 are readily visible from the front or rear side of the vehicle.

#### **Application for and issue of special parking permits**

56. (1) Any person (including any person acting on behalf of a resident) may apply to the Council for the issue of a special parking permit in respect of a vehicle of the class specified in Article 13(1), any such application identifying the intended user of the vehicle. The decision to issue a special parking permit is at the discretion of the Council. Without prejudice to the generality of the Council's discretion the following circumstances may be considered relevant to an application:
- (a) the exceptional medical needs of the person in respect of which the permit is to be issued;
  - (b) the exceptional social needs of the person in respect of which the permit is to be issued; or
  - (c) any exceptional difficulty experienced by a carer for any resident, such carer being the person in respect of which the permit is to be issued.

- (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 effect of special parking permits**

57. (1) A special parking permit shall be issued subject to such terms and conditions as the Council 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 any day or days, during any period and at any time 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 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 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 current charges for resident's and business permits.

**No refund of charge paid in respect of special parking permits**

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

**Withdrawal and validity of special parking permits**

59. (1) 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 person's place of abode, withdraw a special parking permit if it appears to the Council 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 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**

60. (1) 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 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.

#### **Restriction on the removal of special parking permits**

61. Where a special parking permit has been displayed on a vehicle in accordance with the provisions of Article 55, 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 (parking) or police constable in uniform or a person removing the vehicle in pursuance of an arrangement made by a police constable or a civil enforcement officer (parking) by or under regulations in pursuance of powers contained in sections 99, 100, 101 and 102 of the Road Traffic Regulation Act 1984.

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

62. 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;
  - (b) the period during which, subject to the provisions of Article 59, the special parking permit shall remain valid;

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

Given under the Common Seal of Dacorum Borough Council the      day of                      2009

THE COMMON SEAL of DACORUM    )  
BOROUGH COUNCIL was hereunto    )  
affixed on the .....                    )

in the presence of:

.....

Authorised Signatory

.....

Authorised Signatory