

**THE EAST HERTFORDSHIRE DISTRICT COUNCIL**

**TRAFFIC REGULATION ORDER**

**THE EAST HERTFORDSHIRE DISTRICT COUNCIL (STANSTEAD ROAD,  
HERTFORD) (PARKING ZONE H4) ORDER 2015**

**Drafted:      September 2015**

## **PART I - PRELIMINARY**

1. Citation and Commencement
2. Interpretation

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

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

3. No Waiting at Any Time Areas Within Parking Zone (PZ)
4. Restricted Waiting Areas within the Parking Zone (PZ)
5. A vehicle waiting upon the direction or with the permission of a Designated Officer
6. Designation of Parking Places
7. Parts of Parking Places in which vehicles may not be left
8. Disabled driver exemption for permit parking places
9. Vehicles for which parking places are designated
10. Alteration of position of a vehicle in a parking place
11. Removal of a vehicle from a parking place
12. Movement of a vehicle in a parking place in an emergency
13. Waiting Restrictions Revoked within the Parking Zones area
14. Contravention of the General Order

## **PART III - SUPPLEMENTARY PROVISIONS**

### **Section 1 - General**

15. Manner of standing in a parking place
16. Power to suspend the use of a parking place
17. Restriction on the use of a parking place
18. Restriction on waiting by a vehicle in a parking place
19. Manner of waiting in a parking place
20. Placing of traffic signs, etc.
21. Permits displayed on vehicles left in parking places
22. Restriction on the removal of permits
23. To account for changes to permit costs

### **Section 2 – Residents' Permits**

24. Application for an issue of residents' permits
25. Limit on the number of residents' permits to be issued to a household or resident institution
26. Refund of charge paid in respect of a resident's permit
27. Surrender, withdrawal and validity of residents' permits
28. Application for an issue of duplicate or replacement residents' permits
29. Form of residents' permits

### Section 3 – Business Permits

30. Application for an issue of business permits
31. Limit on the number of permits to be issued to a business
32. Refund of charge in respect of business permits
33. Surrender, withdrawal and validity of business permits
34. Application for an issue of duplicate business permits
35. Form of business permits

### Section 4 –Residents’ Visitors’ Vouchers

36. Residents’ Visitors’ vouchers to be displayed on vehicles left in parking places
37. Application for an issue of residents’ visitors’ vouchers
38. Short Stay Residents’ Visitors’ Vouchers
39. Long Stay Residents’ Visitors’ Vouchers
40. Surrender, withdrawal and validity of residents’ visitors’ vouchers
41. Exchange of unused residents’ visitors’ vouchers
42. Form of residents’ visitors’ vouchers

### Section 5 - Special Permits

43. Application for an issue of special parking permits
44. Terms and effects of special parking permits
45. Refund of charge paid in respect of special parking permits
46. Withdrawal and validity of special parking permits
47. Application for an issue of duplicate special parking permits
48. Form of special parking permits

### Section 6 - Schedules

Schedule No.	Description
1	Length of Road – Parking Bay for Permit Holders Only Monday to Saturday, 8:00am to 6:00pm
2	Addresses Eligible for Permits designated for use within Parking Zone H4
3	List of Charges to be made in respect of permits issued for Parking Zone H4

The East Hertfordshire District Council (hereinafter referred to as “the Council”) pursuant to arrangements made under Section 19 of the Local Government Act 2000 with Hertfordshire County Council (“the County Council”) in exercise of the powers of the County Council under Sections 1, 2, 3, 4, 32, 35, 45, 46, 47, 49 and 53 and Part IV of Schedule 9 to the Road Traffic Regulation Act 1984 (“the 1984 Act”) (as amended by the Road Traffic Regulation (Parking) Act 1986 and Section 43 and Schedule 3 of the Road Traffic Act 1991 (“the 1991 Act”)) and of all other powers them enabling in that behalf and after consultation with the Chief Officer of Police in accordance with Part III of Schedule 9 to the 1984 Act, proposes the following Order:

## **PART I - PRELIMINARY**

### **Citation and commencement**

- 1 This Order may be cited as “The East Hertfordshire District Council (Stanstead Road, Hertford) (Parking Zone H4) Order 2015”.

### **Interpretation**

- 2 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 29

“business permit holder” means a person to whom a business permit has been issued under the provisions of Article 29;

“civil enforcement officer” has the same meaning as in Section 76 of the Act of 2004;

“Council” means East Hertfordshire District 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;

“designated officer” means an officer nominated by East Hertfordshire District Council 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;

“eligible address” means any postal address which is listed in Schedule 2 to this Order and therefore indicates that the resident or entitled business user may apply for a permit;

“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” 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;

“Motorcycle” 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;

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

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

“parking bay” means a parking area within a parking place as defined in Article 4(2);

“parking disc” means a device which is 125 millimetres square and coloured blue has been issued by a local authority and has not ceased to be valid and is capable of showing the quarter hour period during which a period of waiting has begun as provided for in the Local Authorities’ Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000 SI 683;

“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 motorcycle or disabled person’s vehicle) 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;

“Parking Zone” or “PZ” is an area in which all the streets are subject to waiting restrictions other than lengths of road where parking places are designated, whether these parking places bear road markings or not;

“Parking Zone Hours” are 8:00am to 6:00pm on Monday to Saturday – Bank Holidays and Public Holidays are excluded;

“penalty charge” has the same meaning as in Section 82(1) of the Road Traffic Act 1991;

“permitted hours” means the Parking Zone hours as set out above;

“protective cover” means a transparent cover designed to protect a permit displayed under the provisions of Article 20;

“relevant position” means:

- i) A vehicle displays a disabled person’s badge in the relevant position if:
  - a. In the case of a vehicle fitted with a dashboard or fascia panel, the badge is exhibited thereon so that Part 1 of the badge is legible from outside the vehicle; or
  - b. In the case of vehicle not fitted with a dashboard or fascia panel, the badge is exhibited in a conspicuous position on the vehicle so that Part 1 of the badge is legible from outside the vehicle;
- ii) A vehicle displays a parking disc in the relevant position if:
  - a. In the case of a vehicle fitted with a dashboard or fascia panel, the disc is exhibited thereon so that the quarter hour period during which the period of waiting began is legible from outside the vehicle; or
  - b. In the case of a vehicle not so fitted, the disc is exhibited in a conspicuous position on the vehicle so that the quarter hour period during which the period of waiting began is legible from outside the vehicle.
- iii) A vehicle displays a residents’ permit, business permit or special permit in the relevant position if it is in the protective cover on the front or near side of the vehicle so that all the particulars referred to in Article 28 for a residents’ permit, Article 34 for a business permit or Article 47 for a special permit are readily visible from the front or near side of the vehicle

“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;

“resident institution” means a land use, which is neither a place of abode nor is liable for payment of business rates, and where the postal address of the premises is in any street or part of any street described in Schedule 2;

“resident institution representative” means a person acting on behalf of a resident institution, who has some responsibility for the operation and maintenance of said institution;

“residents’ permit” means a permit issued under the provisions of Article 23;

“residents’ permit holder” means a person to whom a permit has been issued under the provisions of Article 23;

“Residents’ visitors’ voucher” means a permit issued under the provisions of Article 36;

“Residents’ long stay visitors’ voucher” means a weekly voucher valid for 7 consecutive days;

“Residents’ short stay visitors’ voucher” means a voucher valid for 1 hour, 5 hours or daily (i.e. 6 hours);

“Residents’ visitors’ voucher holder” means a person to whom a visitors’ voucher has been issued under the provisions of Article 36;

“Special parking permit” means a permit issued under the provisions of Articles 42 and 43;

“Special parking permit holder” means a person to whom a permit has been issued under the provisions of Articles 42 and 43;

“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 2000.

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

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

#### **A vehicle waiting upon the direction or with the permission of a Designated Officer**

- 3 Nothing in Article 4 or 5 shall render it unlawful for a person to cause or permit any vehicle to wait on the sides of the road or in the lengths of the road referred to therein if it shall be upon the direction or with the permission of a Designated Officer or Civil Enforcement Officer.

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

- 4 (1) Each area on a highway comprising the length of carriageway of a street specified in column 4 of Schedules 1 bounded on one side of that length by the edge of the carriageway and having a width throughout of up to 1.8 metres, unless otherwise specified in column 4 of Schedule 1 as long as no obstruction of access is caused to any properties along the carriageway, is hereby designated as parking places for permit holders Monday to Saturday between 8:00am to 6:00pm.
- (2) Each area on a highway comprised within a parking place and marked out for the purposes of parking in accordance with the provisions of this Order and in

accordance with The Traffic Signs Regulations and General Directions 2002, is hereby designated as a parking bay.

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

- 5 No person shall cause or permit any vehicle to wait in an area designated as a parking place during Parking Zone Hours unless authorised by the subsequent provisions of this Order or by the direction or with the permission of a Designated Officer or Civil Enforcement Officer.

### **Disabled driver exemption for permit parking places**

- 6 Nothing in Article 5 of this Order shall render it unlawful to cause or permit a disabled person's vehicle which displays in the relevant position a disabled person's badge, to wait at any time in the lengths of road as specified in Schedules 1 of this Order.

### **Vehicles for which Parking Places are designated**

- 7 (1) Subject to the provisions of this Order, parking places may be used for the leaving during the permitted hours of vehicles of the following class, that is to say, passenger vehicles (the overall height of which does not exceed 2.3 metres and the overall length of which does not exceed 5.25 metres), 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), motorcycles and disabled persons vehicles (on which must be displayed the relevant badge and disc).
- (2) Parking places referred to in Schedules 1 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 relevant position a valid residents' permit issued in respect of that vehicle; or
  - (b) as display in the manner specified in Article 35(1) a valid resident visitors' voucher; or
  - (c) as display in the relevant position a valid business permit issued in respect of that vehicle; or
  - (d) as display in the relevant position a valid special parking permit issued in respect of that vehicle and/or that agency, professional practice or organisation.

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

- 8 Where any vehicle is standing in a parking place in contravention of the provisions of Article 14, a Civil Enforcement Officer may 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**

- 9 Where a Civil Enforcement Officer is of the opinion that any of the provisions contained in Article 18 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 the parking place or prohibited area and, where it is so removed, shall provide for the safe custody of the vehicle and its contents.

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

- 10 A Civil Enforcement Officer or Police Officer in uniform 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.

### **Waiting Restrictions revoked within the Parking Zone area**

- 11 The East Hertfordshire District Council (Control of Parking) (Consolidation) Order 2015 is to be amended where affected by this Order.

### **Contravention of the General Order**

- 12 A breach of any of the requirements or restrictions set out in the provisions of this Order shall be a contravention within the meaning of Traffic Management Act 2004 Part 6 and Schedule 7, Part 1, Article 4.
- 13 Where a person contravenes the requirements set out in the provisions of this Order, an amount set and published in accordance with The Civil Enforcement of the Traffic Management Act 2004 (hereinafter referred to as the “penalty charge”) shall be payable. The penalty charge shall be payable to the East Hertfordshire District Council in accordance with the instructions contained on the penalty charge notice.

## **PART III - SUPPLEMENTARY PROVISIONS**

### **Section 1 - General**

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

- 14 Every vehicle left in a parking place in accordance with the provisions of this Order shall so stand that the left or near side of the vehicle is adjacent to the left-hand edge of the carriageway unless the marked bay indicates perpendicular parking and 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**

- 15 (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 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) 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 the reason the bay was suspended; 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**

- 16 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 motorcycle or a disabled person's vehicle 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 17(1)(h) apply.

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

- 17 (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 within the PZ 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 within the PZ in which the vehicle is waiting or, having been so collected, are being loaded 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 16;
  - (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 Designated Officer or a Civil Enforcement Officer may approve.

- (2) No initial charge or 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.

### **Manner of waiting in a parking place**

- 18 (1) No person shall cause or permit a vehicle to wait in a parking place specified in Schedule 1 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 unless the marked bay indicates perpendicular parking 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 pedestrian or vehicular means of ingress to or egress from premises adjacent to the side of the road on which the vehicle is waiting.
- (2) 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.**

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

### **Permits displayed on vehicles left in parking places**

- 20 At all times during which a vehicle, including a motorcycle, (other than a vehicle otherwise exempted by this Order) is left in a parking place during the permitted hours in accordance with the provisions of Article 7(1) and 7(2) of this Order, the driver thereof shall cause to be displayed in the relevant position a valid residents’ permit or business permit relating to the Parking Zone (PZ) within which that vehicle is left or a residents’ visitors’ voucher or special permit issued in respect of that vehicle.

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

- 21 (1) Where a residents' permit, a business permit, a special parking permit or a residents' visitors' voucher has been displayed in accordance with the provisions of Articles 20 and 35, 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.
- (2) 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 and 102 of the Act of 1984.

### **To account for changes to permit costs**

- 22 The charges for Parking Permits and Parking Vouchers are shown in Schedule 3 to this Order but may be amended by the Council giving notice in accordance with section 46A of the Act of 1984.

## **Section 2 – Residents' permits**

### **Application for an issue of residents' permits**

- 23 (1) Any resident who is eligible by virtue of Schedule 2 to this Order, 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 PZ within which they reside in respect of that vehicle, or vehicles at the discretion of the Council or Council designated officer, and any such application shall be made on a form issued by and obtainable from the Council and shall include the particulars and information the form requires be supplied to verify entitlement in respect of proof of residence and proof of vehicle ownership in connection with eligible addresses.
- (2) If a resident institution is the registered owner of a vehicle of the class specified in Article 7(1), the resident institution representative may apply to the Council on the institution's behalf for the issue of a residents' permit relating to the PZ 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 the form requires to be supplied.
- (3) The Council may at any time require an applicant for a residents' 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.
- (4) Upon receipt of an application duly made under the foregoing provisions of this Article and upon receipt of the charge specified, 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, or that the applicant is a resident institution representative and the vehicle is owned by the institution, shall issue to the applicant a residents' permit valid for 12 months, for the leaving during the permitted hours in a parking place of a 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.

- (5) The charge referred to in paragraph (4) of this Article shall be in accordance with the charges specified in Schedule 3 to this Order.

### **Limit on the number of residents' permits to be issued to a household or resident institution**

- 24 The Council shall not issue a residents' permit during a period of one year to a resident in any household, defined as a Council Tax household, or a resident institution representative of the same resident institution, in respect of which 2 other residents' permits have been issued and remain valid during that period, subject to the provision of Article 25.

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

- 25 A residents' permit holder who surrenders a residents' permit to the Council whether before or after it becomes valid will be entitled to a refund of the charges paid proportionate to each whole month to the expiry date of the permit. To receive this refund the permit must be returned and a refund form completed. An administration charge may be levied by the Council for this service.

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

- 26 (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.
- (2) The Council or its authorised 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 a resident of the PZ in respect of which the residents' permit was issued;
- (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;
  - (e) the issue of a duplicate residents' permit by the Council under the provisions of Article 27;
  - (f) 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(1);
  - (g) the residents' permit ceasing to be valid pursuant to the provisions of paragraph (4) of this Article.
- (4) Without prejudice to the foregoing provisions of this Article and the provisions of the next following paragraph, a residents' permit shall cease to be valid at the expiration of the period specified thereon, or on the occurrence of any one of the events set out in paragraph (3)(a), (b), (c), (d) or (e) of this Article, whichever is the earlier.
- (5) Where a residents' permit is issued to any person upon receipt of a cheque or credit card and the payment is subsequently dishonoured, the residents' permit shall cease to be of any effect and the Council or its authorised agent 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 or within 48 hours of the receipt of the aforementioned notice.

#### **Application for an issue of duplicate or replacement residents' permits**

- 27 (1) 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 or its authorised agent, 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 or its authorised agent, upon being satisfied as to such loss or destruction shall issue a duplicate residents' permit, so marked, and upon such issue the residents' permit shall become invalid.
- (3) If the vehicle to which a residents' permit applies changes within the validity of the residents' permit, the residents' permit holder may apply for a replacement residents' permit with the new vehicle registration. Upon issue of a replacement residents' permit, so marked, the old residents' permit shall become invalid.
- (4) The provisions of this Order shall apply to a duplicate or replacement residents' permit and an application therefor as if it were a residents' permit or,

as the case may be, an application therefor. Charges will not be levied for the first such duplicate or replacement residents' permit within the 12 month period of validity, but all subsequent applications for a duplicate or replacement residents' permit will incur the relevant charge as stated in Schedule 3 to this Order.

### **Form of residents' permits**

- 28 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 to be attached either to multiple vehicles, in which case multiple registration marks should be included, or to a resident or resident institution representative without a particular vehicle registration mark;
  - (b) the period during which, subject to the provisions of Article 23, 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 PZ within which the use of the residents' permit is valid and the PZ within which the resident resides if this is different.

## **Section 3 - Business Permits**

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

- 29 (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 PZ 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 or its authorised agent, upon being satisfied that the applicant is an entitled business user and is the owner of a vehicle or vehicles of the class specified in paragraph (1) of this Article, shall issue to the applicant therefore one business permit valid for 12 months, for the leaving during the permitted hours in a parking place of the vehicle or either of the vehicles to which such business permit relates (but not both of them at the same time) by the owner of such vehicle or by any person using such vehicle with the consent of the



owner other than a person to whom such vehicle has been let for hire or reward:

- (4) The charge referred to in paragraph (3) of this Article shall be in accordance with the charges specified in Schedule 3 to this Order.

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

- 30 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 29.

### **Refund of charge paid in respect of business permits**

- 31 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**

- 32 (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 or its authorised agent 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 PZ 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(1);

- (e) the issue of a duplicate business permit by the Council under 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 persons 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 business, require that person to surrender the business permit to the Council within 48 hours of the receipt of the aforementioned notice.

#### **Application for an issue of duplicate business permits**

- 33
- (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 or its authorised agent, upon receipt of the business permit, shall issue a duplicate business permit, so marked, and upon such issue the old 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 or its authorised agent, upon being satisfied as to such loss or destruction, shall issue a duplicate business permit, so marked, and upon such issue the old business permit shall become invalid.
  - (3) The provisions of this Order shall apply to a duplicate business permit and an application therefore as if it were a business permit or, as the case may be, an application therefore.

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

- 34 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;
  - (b) the period during which, subject to the provisions of Article 32(4), the business permit shall remain valid;
  - (c) an indication that the business permit has been issued by the Council; and
  - (d) an indication of the PZ within which the business permit is valid.

#### **Section 4 - Residents' Visitors' Vouchers**

**Residents' visitors' vouchers to be displayed on vehicles left in parking places**

- 35 (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 in accordance with the provisions of Article 7(1) and 7(2) of this Order, the driver thereof shall cause to be displayed a valid residents' visitors' voucher in the following manner-
- (a) in the case of a vehicle fitted with a front windscreen, 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, 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 residents' visitors' voucher shall indicate on the obverse face, in accordance with the instructions on the reverse face -
- (a) the time of arrival (hours and minutes), 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 PZ within which the residents' visitors' voucher is valid;
  - (c) the date on which, subject to the provisions of Article 38, the residents' visitors' voucher becomes invalid.

**Application for an issue of residents' visitors' vouchers**

- 36 (1) Any resident or resident institution representative may apply to the Council for the issue of a residents' visitors' voucher 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 as the form requires to be supplied.
- (2) The Council may at any time require an applicant for a residents' visitors' voucher or a residents' visitors' voucher holder to produce to an officer of the Council or authorised agent such evidence in respect of an application for a residents' visitors' voucher made to them as they may reasonably call for to verify any particulars or information given to them or in respect of any residents' visitors' voucher issued by them as they may reasonably call for to verify that the residents' visitors' voucher 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 3 to this Order, the Council upon being satisfied that the applicant is a resident or a

resident institution representative, shall issue to the applicant therefore a residents' visitor's permit, of a type specified in Article 37 or 38 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' Visitors' Vouchers**

- 37 (1) A short stay residents' visitors' voucher shall authorise parking subject to Article 35 for up to the number of hours indicated on the voucher from the time and date indicated on the vouchers, and the charge shall be that specified in Schedule 3 to this Order.
- (2) The Council shall not during a period of one year issue a residents' visitors' voucher to a resident in any household or to a resident institution representative of any one institution in respect of which 500 hours (but 1000 hours if the applicant is aged 60 years or over) other residents' visitors' vouchers have been issued and remain valid during that period.

### **Long Stay Residents' Visitors' Vouchers**

- 38 (1) A long-stay residents' visitors' voucher shall authorise parking for up to a maximum of 7 consecutive days from the time and date indicated on the vouchers, subject to Article 35. The charge for a long-stay residents' visitors' voucher shall be that specified in Schedule 3 to this Order.
- (2) The Council shall not during a period of one year issue a long stay residents' visitors' voucher to a resident in any household or to a resident institution representative of any one institution in respect of which other long stay residents' visitors' vouchers have been issued with a cumulative duration of 4 weeks (but 8 weeks if the applicant is aged 60 years or over) and which have not been surrendered or withdrawn under Article 39(2) or (3).

### **Surrender, withdrawal and validity of residents' visitors' vouchers**

- 39 (1) A residents' visitors' voucher shall cease to be valid for use in accordance with Article 35 on the expiration of the year indicated on the voucher.
- (2) A visitors' voucher holder may surrender a visitors' voucher to the Council at any time and shall surrender a visitors' voucher to the Council on the occurrence of the visitors' voucher holder ceasing to be an eligible resident or resident institution representative in the PZ in respect of which the visitors' voucher was issued.
- (3) The Council or its authorised agent may, by notice in writing served on the residents' visitors' voucher holder by sending the same by the recorded delivery service to the residents' visitors' voucher holder at the address shown by that person on the application for the residents' visitors' voucher or at any other address believed to be that person's place of abode, withdraw a residents' visitors' voucher if it appears to the Council that the residents' visitors' voucher holder has ceased to be a resident and the residents' visitors' voucher holder shall surrender the voucher to the Council within 48 hours of the receipt of the aforementioned notice.

- (4) Where a residents' visitors' voucher is issued to any persons upon receipt of a cheque or credit card and the payment is subsequently dishonoured, the residents' visitors' voucher shall cease to be of any effect and the Council or its authorised agent shall by notice in writing served on the person to whom such residents' visitors' voucher was issued or by sending on the same by recorded delivery service to the residents' visitors' voucher holder at the address shown by that person on the application for the residents' visitors' voucher or at any other address believed to be that person's place of abode, require that person to surrender the residents' visitors' voucher to the Council within 48 hours of the receipt of the aforementioned notice.

#### **Exchange of unused residents' visitors' vouchers**

- 40 A resident applying for residents' visitors' vouchers according to the provisions of Article 35 is entitled to exchange unused residents' visitors' vouchers within a period of three months after expiration of the date indicated on the voucher for residents' visitors' vouchers valid for the subsequent year.

#### **Form of residents' visitors' voucher**

- 41 A residents' visitors' voucher shall be in writing and shall include the particulars described in Article 35(2).

### **Section 5 - Special Permits**

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

- 42 (1) Any person (or any person acting on behalf of a resident or resident institution) 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) Any agency, professional practice or organisation which manages local doctors, midwives, district nurses, health visitors and various other essential domiciliary medical personnel may apply for the issue of a special parking permit for the use of these personnel when visiting households in the PZ and driving a vehicle of the class specified in Article 7(1). Where possible, such permits will be issued to a particular vehicle. The decision to issue a special parking permit and whether it will be issued to a vehicle, to an individual or to

an agency, professional practice or organisation will be at the discretion of the Council's Designated Officer.

- (3) The Council may at any time require an applicant for a special parking permit or a special parking permit holder to produce 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 to an officer of the Council or authorised agent.

### **Terms and effect of special parking permits**

- 43 (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 are 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.

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

- 44 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 part.

### **Withdrawal and validity of special parking permits**

- 45 (1) The Council or its authorised agent 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'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 or its authorised agent shall by notice in writing served on the person to whom such permit was issued or 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 an issue of duplicate special parking permits**

- 46
- (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 either surrender it to the Council and apply to the Council or its authorised agent 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 old 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 old special parking permit shall become invalid.
  - (3) The provisions of this Order shall apply to a duplicate special parking permit and an application therefore as if it were a special parking permit or, as the case may be, an application therefore.

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

- 47 A special parking permit shall be in writing and shall include the following particulars:
- (a) the registration mark(s) of the vehicle(s) in respect of which the special parking permit is being issued where possible or at the Council's discretion, an indication of the individual or of the agency, professional practice or organisation to which the special permit has been issued;
  - (b) the period during which, subject to the provisions of Article 43, 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 PZ (or other restricted parking areas) within which the special parking permit is valid.

### **Section 6 – Schedules**

#### **SCHEDULE 1: Length of Road – Parking Bays for Permit Holders Only Monday to Saturday, 8:00am to 6:00pm**

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PARKING ZONE</b>	<b>STREET NAME</b>	<b>SIDE OF STREET</b>	<b>LOCATION</b>
H4	Stanstead Road	South	From a point 8m west of the eastern boundary of property no. 56 Stanstead Road, westwards to a point 1m west of the western boundary of property no. 40 Stanstead Road, a distance approximately 55m

#### **SCHEDULE 2: Addresses Eligible for Permits designated for use within Parking Zone H4**

<b>Addresses eligible for permits within Parking Zone H4</b>	
<b>Stanstead Road</b>	Property numbers 40-48, evens only

#### **SCHEDULE 3: List of Charges to be made in respect of permits issued for Parking Zone H4** Only light vehicles (less than 5.25m long and 2.3m high) will be eligible for issue of permits.

Residents' permits	Limited to two per household or resident institution, £36 per annum for a first permit, £72 per annum for a second permit, £19 per annum per permit for motorcycles.
Residents' permits (Disabled Persons)	Issued to a disabled driver holding a valid disabled persons badge issued by any local authority – free of charge for the first permit, £36 for the second permit per annum.
Residents' visitors' vouchers (short stay)	10 pence an hour for 500 hours, limited to 500 hours per year.
Residents' visitors' vouchers (short stay for pensioners)	5 pence an hour for 1,000 hours, limited to 1,000 hours per year.
Residents' visitors' vouchers (long stay)	Four one-week vouchers at a cost of £3.00 each.
Residents' visitors' vouchers (long stay for pensioners)	Eight one-week vouchers at a cost of £1.50 each.
Business permits	Limited to one per business to apply to no more than two operational vehicles charged at £315 per annum.
Special permits	Issued and charged at the Council's discretion, including permits for doctors and medical staff.



THE COMMON SEAL of EAST HERTFORDSHIRE )  
DISTRICT COUNCIL was hereunto )  
affixed on the ..... )  
in the presence of:

.....  
Solicitor to the Council