



## **The Essex County Council (Braintree District) (Prohibition of Waiting, Loading and Stopping) and (On-Street Parking Places) (Civil Enforcement Area) Consolidation Order 2019**

The Colchester Borough Council acting on behalf of the North Essex Parking Partnership in exercise of the delegated powers of the traffic authority Essex County Council granted under an agreement dated 31 March 2011 (and subsequently varied by Deed of Variation on 15 June 2011 and 27 July 2012) and after consultation with the Chief Officer of Police in accordance with Part III of Schedule 9 of the Road Traffic Regulation Act 1984 ("the Act") HEREBY make the following ORDER under the powers conferred by sections 1, 2, 4, 32, 35, 49 and 53 and Part IV of Schedule 9 of the Act as amended and The Traffic Management Act 2004, Part 6, as amended and in accordance with The Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996; and of all other enabling powers.

### **PART 1**

#### **Commencement, Citation Revocations and Interpretation**

##### **Commencement date**

1. This Order shall come into operation for all purposes on 1 November 2019 and may be cited as The Essex County Council (Braintree District) (Prohibition of Waiting, Loading and Stopping) and (On-Street Parking Places) (Civil Enforcement Area) Consolidation Order 2019.

##### **Revocation of existing Orders**

2. With effect from the date set out in Article 1 above, those Orders set out in Schedule 1 to this Order are hereby revoked.

##### **Interpretation**

3. In this Order, except where the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them:  
 "the Council" means Colchester Borough Council as the lead authority for the North Essex Parking Partnership;  
 "the Act of 2004" means the Traffic Management Act 2004, as amended;  
 "the 2007 Regulations" means the Civil Enforcement of Parking Contraventions (England) General Regulations 2007;  
 "the 2016 Regulations" means the Traffic Signs Regulations and General Directions 2016, as amended;  
 "a vehicle being used in connection with providing medical attention to any person in the neighbouring area" means a vehicle being used by first call responders, doctors on call, private ambulances and paramedics;  
 "ambulance" has the same meaning as in Schedule 2 of the Vehicle Excise and Registration Act (VERA) 1994;  
 "authorised parking place or area" means any place or area authorised or designated by an Order made or having effect as if made under the Act where parking, waiting, or loading is allowed, subject to any restrictions set out in the provisions of this Order;  
 "bona fide visitor" means a person calling at the address of a Qualifying Resident for social or business purposes only and not purely for the purpose of parking a vehicle within the residents' parking place or area;

**"bus" and "local bus" has the same meaning as in the 2016 Regulations;**

**"business trader" means a person being either an employer or employee of a company who uses a Vehicle in connection with any business located at premises specified in Schedule 5;**

**"business permit" means a type of parking ticket issued to a business trader in accordance with the provisions of this Order**

**"carer" means a person who provides care on a non-professional basis to a resident whose normal place of abode is within a Resident Permit Parking and who needs to be cared for by virtue of physical or mental infirmity. A carer permit is only valid when the holder is engaged in caring or providing welfare for the person or persons for whom the permit was issued;**

**"carer's permit" means a discretionary parking permit issued by The Council to a carer in accordance with the provisions of this Order;**

**"carriageway" means a way constituting or comprised in a highway being a way (other than a cycle track) over which the public have a right of way for the passage of vehicles;**

**"civil enforcement officer" has the same meaning as in Section 76 of the Act of 2004;**

**"contravention" means a failure to comply with the provisions of this Order, or of the relevant provisions of the Act of 2004;**

**"delivering" and "collecting" in relation to any goods includes checking the goods for the purpose of their delivery or collection;**

**"disabled person's badge", "disabled person's vehicle" and "disabled persons parking disc" have the same meanings as in the Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000;**

**"discretionary resident permit", means an additional permit issued to a property in a residential permit area. Discretionary resident permits will be issued in exceptional circumstances where more than two resident permits are considered necessary. Discretionary resident permits may be issued on approval by the North Essex Parking Partnerships Group Manager and will be charged according to the permit fee listed in Schedule 4.**

**"dispensation" means a formal document issued by the Council to exempt a vehicle from a restriction under the terms and charges applicable at the time of issue;**

**"driver" in relation to a vehicle waiting in a parking place or area or on a road or length of road specified in the map schedule attached to this Order, means the person driving the vehicle at the time it was left in that parking place, or area, or road or length of road;**

**"dual purpose vehicle" has the same meaning as in the Road Vehicles (Construction and Use) Regulations 1986;**

**"electric vehicle" means a Motor Vehicle which is propelled by electric energy (battery-only powered vehicle) from rechargeable batteries. The batteries provide the power to propel the vehicle and to power the lights and all accessories within the vehicle. Hybrid vehicles which require charging are included in this category;**

**"electric vehicle charging place" means a parking place designated for the sole use by an electric vehicle for a maximum of 3 hours continuous charging time;**

**"electric vehicle charging point" means a purpose-built unit designed specifically for an electric vehicle;**

**"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 and 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;**

**"footway" means a way comprised in a highway which also comprises a carriageway, being a way over which the public have a right of way on foot only;**

**"goods" means goods or burdens of any description and includes postal packets of any description;**

**"goods vehicle" means a motor vehicle which is constructed or adapted for use for the carriage of goods or burdens of any description but shall not include a trailer so constructed or adapted, or an "articulated vehicle" with the same meaning as in Schedule 1 of the 2016 regulations;**

**"Household Permit"** means a permit issued to a qualifying resident to allow the use of a permit parking place or permit;

**"layby"** means an area of carriageway intended for the waiting of vehicles and bounded partly by a traffic sign of the type shown in diagram 1010 of Schedule 11, Part 4 of the 2016 Regulations, and partly by the outer edge of that carriageway on the same side of the road as that on which the sign is placed;

**"loading"** means the loading or unloading of goods to or from a vehicle and includes the checking of those goods;

**"loading place" or "loading bay"** means any area on a highway designated by this Order as a place where vehicles may wait for the purposes of loading;

**"main carriageway"** means any carriageway used primarily by through traffic and includes any carriageway of a slip road but excludes any layby;

**"manner of standing"** means the position a vehicle shall stand when left in a parking place during the permitted hours in accordance with the foregoing provisions of this Order and is:

(a) in the case of an authorised parking area for which special provisions as to the positioning of a vehicle in that place are indicated by traffic signing, so that the manner of standing shall be in accordance with such signing;

(b) so that every part of a vehicle is within the limits of an authorised parking area;

(c) so that the vehicle is not parked in contravention of Section 85 or Section 86 of the Act of

**"map schedule"** means the map tiles attached to this Order and listed in Schedule 2, which depict the stopping, waiting and loading prohibitions and restrictions and parking places, loading places and parking areas designated by this Order, and in conjunction with the map schedule legend and/or map tile label, identifies the type of each particular type of prohibition, restriction, parking place, loading place or parking area and certain of its governing provisions;

Provided that the Council does not accept responsibility for inaccuracies contained in the Ordnance Survey data relied upon to create the map schedule and where a prohibition, restriction, parking place, loading place or parking area is depicted on the map schedule, that provision continues to apply irrespective of any subsequent changes that have been made to the underlying Ordnance Survey data;

**"map schedule legend"** means the map schedule legend to this Order which, when used in conjunction with a map tile as listed in Schedule 2, identifies the specific types of prohibitions and restrictions of stopping, waiting, loading and the parking places, loading places or parking areas designated by this Order and, where appropriate, certain of their governing provisions;

**"map tile"** means an individual map with a specific tile reference, being part of the map schedule as listed in Schedule 2 to this Order;

**"map tile label"**, where shown on a map tile forming part of the map schedule in relation to a prohibition or restriction of stopping, waiting or loading, or a designated parking place, loading place or parking area, means a label which indicates the type of provision and, if appropriate, certain of its governing conditions;

**"motor car"** means a mechanically propelled vehicle not being a motor cycle or a disabled persons' vehicle which is constructed itself to carry a load or passengers and the weight of which unladen does not exceed two tons;

**"motorcycle"** has the same meaning as in Section 136 (2) (a) of the Act;

**"other permit issuing authority"** being Essex County Council, a NHS Trust or any other organisation with authority to issue parking permits for use in parking places or areas as specified within this Order;

**"owner"**, in relation to a vehicle means a resident who is named in the vehicle registration document as the registered keeper, or in a hire document as the user of the hire vehicle or who has the use of such a vehicle in the course of their employment and who is entitled to use such a vehicle as though they were the registered keeper thereof;

**"parking partnership permit"** means a permit issued to a local authority officer or contracted service provider to allow parking in a parking place, permit parking area or shared use bay (limited waiting and free permit) to allowing parking during the course of their duties. An administration charge may apply to the issue of these permits as considered appropriate by the North Essex Parking Partnership's Joint Committee;

**"parking place" or "parking area"** means a road or any length of road or an area designated as a parking place or parking area by this Order and identified as such in the map tiles attached to this Order, which is provided by the Council for the leaving of a vehicle or vehicles under the provisions of this Order, and is indicated, where applicable, by the appropriate traffic signs;

**"parking ticket"** means any authorised parking permit, payment parking ticket or dispensation issued by the Council under the provisions of this Order;

**"parking ticket charge"** means the amount payable on application to the Council for a parking ticket, as specified in Schedule 4 to this Order;

**"passenger vehicle"** means a motor car (other than a motorcycle) constructed solely for the carriage of passengers and their effects and adapted to carry not more than eight passengers exclusive of the driver, and not drawing a trailer;

**"payment parking ticket"** means a ticket dispensed by a parking ticket machine after payment of the parking charge which shows the date and time of expiry of the parking period purchased;

**"pedal cycle"** has the same meaning as in Schedule 1 of the 2016 regulations;

**"penalty charge"** has the same meaning given by Section 92 of the Act of 2004;

**"penalty charge notice"** has the same meaning given by Regulation 8(1) of the 2007 Regulations;

**"permit"** means a device issued by The Council under the provisions of this Order to allow the authorised use of a parking place or area;

**"permit fee"** means the fee payable on application to The Council for a permit as specified in Schedule 4;

**"permit holder"** means a person being a qualifying resident or qualifying individual to whom the Council has issued a parking ticket, or has an electronic record of a virtual parking ticket;

**"permit identifier"** is an alpha and or alpha/numeric identifier specified in column 1 of Schedule 3 applicable to the permit parking places specified in column 2 and named in column 3 of that Schedule and used on permits and/or tickets to identify the permit parking places for which they are valid and on signs at relevant parking places and in the map schedule legend and/or map tile labels in the map based schedule to this Order to indicate the permits or tickets valid at those relevant parking places;

**"permit parking area"** has the same meaning as in the 2016 Regulations;

**"permit parking place"** means a road or any length of road identified in the map tiles attached to this Order, which is provided by the Council for the leaving of a vehicle under the provisions of this Order, and is indicated by the prescribed traffic signs;

**"permitted hours"**, being the hours during which a vehicle may wait in a parking place, parking area or load or unload a vehicle in a loading place whilst complying with the relevant provisions of this Order means, in relation to a parking place, parking area or loading place, the hours shown by or on a traffic sign in the vicinity of that parking place, parking area or loading place and as identified in the map tile label and/or map schedule legend in the map schedule to this Order;

**"prescribed hours"**, in relation to:

- (a) any restricted street, pedestrian zone or restricted zone, being the hours during which a vehicle may not wait whilst complying with the relevant provisions of this Order, means the time indicated by means of a map tile label and/or map schedule legend in the map based schedule to this Order;
- (b) a school keep clear entrance marking, means the time indicated by or on a traffic sign placed on or near that school keep clear entrance marking and indicated by means of the map tile label and/or map schedule legend in the map based schedule to this Order in relation to that school keep clear entrance marking;

(c) a taxi rank, ambulance bay or police vehicle bay means the time indicated by or on a traffic sign placed on or near that taxi rank, ambulance bay or police vehicle bay and indicated by means of the map tile label and/or map schedule legend in the map based schedule to this Order in relation to that taxi rank, ambulance bay or police vehicle bay;

"professional carer" means a person who is employed professionally to provide medical or clinical care regularly away from their usual place of work to individuals in their home;

"professional carers permit" means a permit issued by The Council to a professional carer under the provisions of this Order. Professional carer permits may be issued on approval by the North Essex parking Partnerships Group Manager;

"public service vehicle" has the meaning given in Section 1 of the Passenger Vehicles Act 1981;

"qualifying individual" is any person who qualifies to hold a specific type of parking ticket as provided for under the provisions of this Order;

"qualifying 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, included in column 2 of Schedule 5, subject to the qualifications set out in column 3 of that Schedule;

"relevant parking place" means any parking place which requires the owner of a vehicle to either display a valid parking permit or to whom a valid virtual permit has been granted for such vehicle;

"relevant position" in respect of:

(a) a disabled persons badge or parking ticket means:

(i) the badge or parking ticket is exhibited on the dashboard or fascia of the vehicle so that the front of the badge or parking ticket is clearly legible from the outside of the vehicle; or

(ii) where the vehicle is not fitted with a dashboard or fascia, the badge or parking ticket is exhibited in a conspicuous position on the vehicle, so that the front of the badge or parking ticket is clearly legible from the outside of the vehicle.

(b) a disabled person's parking disc, means:

(i) the disc is exhibited on the dashboard or fascia of the vehicle; or

(ii) where the vehicle does not have a dashboard or fascia, the disc is exhibited in a conspicuous position on the front nearside of the vehicle, so that, when marked to show the quarter-hour period during which a period of waiting began, that period is clearly legible from the outside of the vehicle.

"resident permit" means a type of parking ticket issued in accordance with the provisions of this Order;

"restricted parking zone" has the same meaning as in Part 2, Schedule 1 of the 2016 Regulations;

"restricted hours" in relation to any restricted street, being the hours during which a vehicle may not wait for the purpose of loading or unloading that vehicle whilst complying with the relevant provisions of this Order, means the time indicated on a traffic sign placed on that restricted street or by means of a map schedule legend and/or map tile label in the map based schedule to this Order in respect of that restricted street;

"restricted street" means any street within Braintree District identified by way of a map schedule legend and/or map tile label in the map based schedule to this Order that a prohibition or restriction of waiting applies and the prescribed hours of that waiting prohibition or restriction and, where applicable, a prohibition or restriction of loading also applies and the restricted hours of that prohibition or restriction of loading;

"school keep clear entrance marking" means a marking outside a school entrance where vehicles must not stop, which is marked on the carriageway as prescribed by diagram 1027.1 in the 2016 Regulations;

"service provider" means the contractor authorised by the Council to accept payment of the parking charge on its behalf and to keep a record of that parking charge and the vehicle, parking place and parking period in respect of which payment has been made using the telephone or electronic payment system;

**"taxi"** means a hackney carriage as defined under section 38 of the Town Police Clauses Act 1847 which is -

- (a)** licensed by Braintree District Council; and
- (b)** attended by the driver and available for hire.

**"taxi stand" or "authorised taxi rank"** means an area of carriageway reserved for use by taxis waiting to pick up passengers;

**"telegraphic line"** has the same meaning as in the Telecommunications Act 1984;

**"telephone or electronic payment system"** means an electronic system, using a telephone connection or electronic application set up and maintained by the service provider whereby;

- (a)** the driver of a vehicle, or some other person authorised by that driver on their behalf, uses a telephone or electronic device to communicate with the service provider and make payment of the parking charge in respect of a specified vehicle and parking place in which the vehicle is left and for a specified parking period by use of a credit or debit card; and
- (b)** the service provider, on behalf of the Council, accepts payment of the parking charge by the method referred to in paragraph (a) of this definition and records such payment together with the parking period for which payment has been made, the parking place in which the vehicle is left and the registration mark of the vehicle in respect of which payment has been made;

**"telecommunication apparatus"** has the same meaning as in the Telecommunications Act 1984;

**"Trader"** means any tradesperson or business engaged in an activity that requires a vehicle for the purpose of carrying of tools, goods or material to a number of different locations within a Permit Parking Place/Area or Zone;

**"Traders Permit"** means a parking permit for the benefit of bona fide traders with premises in Braintree District to allow the authorised use of a permit parking place, permit parking area or limited waiting bay between 8am and 5pm Monday to Friday under the provisions of this Order;

**"traffic sign"** has the same meaning as in Section 64 of the Act;

**"universal service provider"** has the same meaning as in Section 4(3) and (4) of the Postal Services Act 2000;

**"valid period"** means the period during permitted hours when a valid parking permit or ticket may be used to permit a vehicle to wait in a permit parking place or area;

**"valid permit"** means any permit or ticket issued under the provisions of this Order and identified as such under column 2 of Schedule 6 to this Order that is required to be displayed in a vehicle left in any parking place or parking area identified under column 1 of that Schedule where that permit complies with the provisions of this Order and the conditions stated in column 3 of that Schedule;

**"vehicle"** means a motor vehicle and a trailer as defined in Section 136(1) of the Act;

**"verge"** means any part of a road which is not a carriageway;

**"virtual parking ticket"** means an electronic record of a parking ticket issued and confirmed by the Council or other authorising agent to exempt a vehicle from a restriction in the provisions of this Order;

**"visitor permit"** means a type of parking ticket for the benefit of bona fide visitors to qualifying residents issued in accordance with the provisions of this Order;

**"zone"** means the streets and parts of streets containing permit parking places so indicated in the map schedule, where the zone identifier indicated for such parking places indicates the zone to which those parking places belong, and the relevant details and conditions, as set out in Schedule 3, and the eligibility of residents to obtain parking tickets for use in that zone and no other as set out in Schedule 5; and

**"zone identifier"** means any symbol, logo, letter, numeral or name (or any combination of such), which indicates or identifies an area or location in which restrictions on the parking of vehicles apply by reference to that area or location.

4. Except where otherwise stated, any reference in this Order to:

- (a) a numbered Article or Schedule is a reference to the Article or Schedule bearing that number in this Order;
  - (b) a length of restricted street shall, unless otherwise specified, be construed as a reference to the whole width of that length of street;
  - (c) the road names detailed in the Schedules to this Order are deemed to be in Braintree District;
  - (d) this Order or another Order shall be construed as such a reference to this Order, or to such other Order, as the same may have been, or may from time to time be, amended, varied or supplemented; and
  - (e) a Statute or Regulation shall be construed as reference to such Statute or Regulations as the same may have been, or may from time to time be, amended or re-enacted.
5. The prohibitions imposed by this Order shall be in addition to and not in derogation of any restriction, prohibition or requirement imposed by any Regulations or Orders made or having effect as if made under the Act, or by or under any other enactment.

## **PART II**

### **Prohibition or Restriction of Waiting, Loading and Stopping**

6. Save as provided in the following Articles of this Order, no person shall, except upon the direction or with the permission of a Police Constable in uniform or of a Civil Enforcement Officer, cause or permit any vehicle to wait or to be loaded or unloaded or to stop on the roads or parts of road at the times and/or on the days identified in the map schedule attached to this Order, when those prohibitions and restrictions are in effect.

#### **Prohibition of Waiting**

7. Nothing in Article 6 of this Order shall render it unlawful to cause or permit any vehicle to wait during the prescribed hours on any of the lengths of restricted street identified in the map schedule attached to this Order, provided –
- (a) the vehicle is a vehicle being used for police, fire brigade or ambulance purposes whilst on operational duties;
  - (b) the vehicle is waiting to enable a person to board or alight from the vehicle;
  - (c) the vehicle is waiting while any gate or other barrier at the entrance to premises to which the vehicle requires access or from which it has emerged is opened or closed, if it is not reasonably practicable for the vehicle to wait otherwise;
  - (d) the vehicle belonging to a universal service provider is being used for the purpose of delivering and /or collecting mail;
  - (e) the vehicle is waiting to enable goods to be loaded or unloaded from the vehicle. Loading generally refers to commercial vehicles or to objects that are too heavy or bulky to be carried far by hand, but does not include time for purchasing the goods;
  - (f) the vehicle, if it cannot be conveniently be used for such purposes in any other road, and for so long as may be necessary, to enable that vehicle to be used in connection with –
    - (i) building, excavating or demolition work whilst lawfully and actively engaged on those duties;
    - (ii) the removal of any obstruction to traffic;
    - (iii) the maintenance, improvement or reconstruction of the road comprising the carriageway, verge or footway;
    - (iv) the laying, erection, inspection, maintenance, alteration, repair or cleaning of any sewer, main pipe, conduit, wire, cable or other apparatus for the supply of gas, water, electricity or of any telecommunications apparatus as defined in Schedule 2 to the Telecommunications Act 1991, or subsequent legislation;
    - (v) a service provided by the local authority or of a water authority in pursuance of statutory duties or powers.

- (g) the vehicle displays in the relevant position a disabled persons badge and a disabled person's parking disc, on which the driver or the person in charge of the vehicle has marked the time at which the period of waiting began, for a period not exceeding three hours (not being a period separated by an interval of less than one hour from a previous period of waiting by the same vehicle in the same road) but only if that vehicle has been or is about to be driven or used by the person to whom the badge has been issued or, as the case may be, used for the carrying of disabled person(s) as passenger(s) (provided the prohibition of waiting does not relate to 'no waiting except taxis, ambulances or police vehicles');
- (h) the vehicle has obtained permission from the Council by means of a dispensation to be displayed in the front or nearside of the vehicle and which includes information to enable the driver to be contacted in an emergency and providing the vehicle is not causing an obstruction by doing so, and that the vehicle can be moved if the driver is requested to do so by a police constable in uniform;
- (i) the vehicle is being used in connection with essential work at adjacent premises for the purpose of undertaking emergency glazing repair to the said premises;
- (j) the vehicle, if it is not practicable to be used for such for purpose in any other road, to be loaded or unloaded while it is in actual use in connection with the removal of furniture from one office or dwelling house to another, or the removal of furniture from such premises to a depository, or to such premises from a depository;
- (k) in the case where the person in control of the vehicle –
  - (i) is required to stop by law;
  - (ii) is waiting owing to the driver being obliged to stop so as to prevent an accident;
  - (iii) is waiting owing to the driver being prevented from proceeding by circumstances beyond his control;
  - (iv) is directed or given the permission of a police constable in uniform.

#### Prohibition of Loading

- 8. Nothing in Article 6 of this Order shall render it unlawful to cause or permit any vehicle to wait on any of the lengths of road identified in the map schedule attached to this Order, when those prohibitions on loading or unloading are in effect, provided the vehicle is being used for any of the purposes specified in Article 7 (a), (b), (c), (d), (f), (h), (i) or (k).

#### Prohibition of Stopping

- 9. Nothing in Article 6 of this Order shall render it unlawful to cause or permit any vehicle to stop on any of the roads or lengths of road, on the carriageway and/or on the verge identified in the map schedule attached to this Order that indicate prohibitions on stopping are in effect, provided the vehicle is being used for any of the purposes specified in Article 7 (a), (c), (f), (h) or (k).
- 10. Nothing in Article 6 of this Order shall render it unlawful to cause or permit any vehicle to stop on any of the roads or lengths of road, on the school keep clear entrance marking identified in the map schedule attached to this Order, when those prohibitions of stopping are in effect, provided the vehicle is being used for any of the purposes specified in Article 7 (a), (c), (f), (h) or (k).

#### Other Prohibitions of Waiting or Stopping

- 11. Nothing in Article 6 of this Order shall render it unlawful to cause or permit –
  - (a) a taxi licensed by Braintree District Council to wait or to stop in any duly authorised Taxi Rank identified in the map schedule attached to this Order, whilst attended and available for hire during the time the restrictions are in effect; or
  - (b) an ambulance to wait or stop in an Ambulance Bay as identified in the map schedule attached to this Order; or
  - (c) a police vehicle to wait or stop in a Police Vehicle Bay as identified in the map schedule attached to this Order; or



- (d) any vehicle to wait or stop provided it is being used for any of the purposes specified in Article 7 (a), (c), (f), (h) or (k).

#### **General Provisions and Dispensations**

12. Upon written application on a form issued by and obtainable from the Council any person duly authorised by the Council may on payment of the charge indicated in Schedule 4 of this Order issue a dispensation to exempt that vehicle from the prohibition of waiting.
13. At all times during which a vehicle has obtained a dispensation to park during the prohibition of waiting there shall be continuously displayed in the front or nearside of the windscreen of the vehicle a valid dispensation notice issued in respect of that vehicle so that all particulars are clearly visible and can be easily seen and read from the front or nearside of the vehicle, and which includes information to enable the driver to be contacted in an emergency and that the vehicle is moved if the driver is requested to do so by a police constable in uniform or civil enforcement officer.
14. The Council shall cause the limits of the prohibition or restriction of waiting, loading or stopping to be indicated on the carriageway, verge or footway by placing and maintaining thereof traffic signs of any size, colour or type prescribed or authorised under the 2016 Regulations, or subsequent amendments.
15. The Council is satisfied that, for facilitating the passage of vehicular traffic in the prohibited area, it is requisite that Section 3 (2) of the Road Traffic Regulation Act 1984 should not apply in relation to this Order.

### **PART III**

#### **On-Street Parking Places Or Areas**

##### **Designation of Parking Places and Parking Areas**

16. Save as provided in this Order no person shall cause or permit any vehicle, other than one displaying a valid parking ticket issued by the Council, or who has purchased a virtual parking ticket granted by the service provider, which exempts them from displaying a parking ticket, in respect of that vehicle, to wait in a permit parking place or area during the permitted hours as identified in the map schedule attached to this Order.
  - (a) Each area on a highway identified on the map based schedule as a parking place and, if appropriate, by way of the map tile label and/or map schedule legend, as an area marked out and signed for the use therein of specified classes of vehicles following the conditions specified in this Order in relation to that parking place, is a designated parking place.
  - (b) Each area on a highway identified on the map based schedule as a parking area and, if appropriate, by way of the map tile label and/or map schedule legend, as an area signed for the use therein of specified classes of vehicles following the conditions specified in this Order in relation to that parking place, is a designated parking area.
  - (c) Unless otherwise so identified, a parking place shall be bounded on one side of its length by the edge of the carriageway and be an area marked out to a road marking and depicted by a traffic sign, either in accordance with the 2016 Regulations or, if applicable, by virtue of any special authorisation given by the Department of Transport.
  - (d) Unless otherwise so identified, a parking area shall be bounded on one side of its length by the edge of the carriageway and be an area depicted by a traffic sign, either in accordance with the 2016 Regulations or, if applicable, by virtue of any special authorisation given by the Department of Transport.

##### **Vehicles for which parking places and parking areas are designated**

17. Subject to the provisions of this Order, each type of parking place or parking area identified as such in the map tile relating to that type of parking place or parking area, by reference to the map tile label and/or legend in the map based schedule to this Order, may be used for the leaving during the permitted hours as follows:

- (a) Permit parking place or permit parking area for the leaving during the permitted hours of such vehicles as are described in Article 46 which display in the manner specified in Article 34 a valid parking permit or in respect of which there has been granted a valid virtual permit as specified in Article 18; or
- (b) Resident parking place or resident parking area for the leaving during the permitted hours of such vehicles as are described in Article 46 which display in the manner specified in Article 34 a valid permit or in respect of which there has been granted a valid virtual permit as specified in Article 18;
- (c) Shared-use (permit and free limited waiting) parking place may be used for the leaving during the permitted hours of:
  - (i) such vehicles as display in the manner specified in Article 34 a valid permit or in respect of which there has been granted a valid virtual permit; or
  - (ii) a passenger vehicle, dual purposed vehicle, goods carrying vehicle, motorcycle or invalid carriage, every part of which can fit within the limits of the parking place;
- (d) Free limited waiting parking place may be used for the leaving during the permitted hours of a passenger vehicle, dual purposed vehicle, goods carrying vehicle, motorcycle or invalid carriage, every part of which can fit within the limits of the parking place;
- (e) Business parking place or business parking area for the leaving during the permitted hours of such vehicles as are described in Article 46 which display in the manner specified in Article 34 a valid permit or in respect of which there has been granted a valid virtual permit as specified in Article 18;
- (f) Disabled persons' parking place may be used, subject to Article 58, for the leaving during the permitted hours of such vehicles as display in the relevant position a disabled persons' blue badge;
- (g) Motorcycle parking place may be used for the leaving during the permitted hours of such vehicles as are motorcycles;
- (h) Pedal cycle parking place may be used for the leaving during the permitted hours of such vehicles as are pedal cycles;
- (i) Parking places for loading or unloading by goods vehicles may be used, subject to Article 59, for the leaving during the permitted hours of such vehicles as are goods carrying vehicles for the purpose of continuous loading or unloading;
- (j) Electric vehicle charging bay may be used, subject to Article 62, for the leaving during the permitted hours of such vehicles as are electric vehicles for the purpose of charging in an electric vehicle charging point; and
- (k) Nothing in this Order shall render it unlawful to cause or permit a disabled person's vehicle, which displays in the relevant positions a valid and legible disabled person's badge and a parking disc to park in a parking place or parking area.

#### **Types of Parking Permit and Who Can Apply**

18. The Council or any other permit issuing authority, may issue specific parking permits, or the service provider may grant specific virtual permits to qualifying residents or qualifying individuals following an application for a permit in accordance with Articles 19 to 32 for the leaving of a vehicle during the permitted hours in a relevant parking place or parking area to which that permit relates, as follows:
- (a) Resident permit: A qualifying resident who is the owner of a vehicle, may apply to the Council for the issue of a Resident Permit or service provider for the granting of a virtual residents' permit in respect of that vehicle, for the leaving of said vehicle during the permitted hours in a relevant parking place or parking area to which that permit relates;
  - (b) Visitor permit: A qualifying resident may apply to the Council for the issue of multiple visitor permits or the service provider for the granting of multiple virtual visitor permits for the leaving of a vehicle during the permitted hours in a relevant parking place or parking area to which that permit relates;

- (c) **Carer permit:** A carer may apply to the Council for the issue of a Carer permit or service provider for the granting of a virtual Carer's permit in respect of that vehicle, for the leaving of the said vehicle during the permitted hours in a relevant parking place or parking area to which that permit relates;
- (d) **Professional Carer permit:** A professional carer may apply to the Council for the issue of a Professional Carer's permit or service provider for the granting of a virtual Professional Carer's permit in respect of that vehicle, for the leaving of said vehicle during the permitted hours in a relevant parking place or parking area to which that permit relates;
- (e) **Traders Permit:** A trader may apply to the Council for the issue of a Traders permit or service provider for the granting of a virtual Traders permit for the leaving of said vehicle during the permitted hours in a relevant parking place or parking area to which that permit relates;
- (f) **Household Permit:** A qualifying resident may apply to the Council for the issue of a Household permit or service provider for the granting of a virtual Household permit in respect of that vehicle, for the leaving of said vehicle during the permitted hours in a relevant parking place or parking area to which that permit relates;
- (g) **Parking Partnership permit:** A local authority officer or contracted service provider may apply to the Council for the issue of a parking partnership permit or service provider for the granting of a virtual parking partnership permit in respect of that vehicle, for the leaving of said vehicle during the permitted hours in a relevant parking place or parking area to which that permit relates;
- (h) **Witham Business Permit:** Any person who has a valid trading licence issued by Braintree District Council and who is the owner of a vehicle may apply to the Council for a Witham Business Permit or service provider for the granting of a virtual Witham Business Permit in respect of that vehicle for the leaving of said vehicle any Witham Business permit parking place situated within Albert Road provided trading is taking place during that time;
- (i) **NHS Permit:** Any NHS employee who is the owner of a vehicle may apply to the NHS for the issue of a NHS permit in respect of that vehicle, for the leaving of said vehicle during the permitted hours in a relevant parking place or parking area to which that permit relates;

#### **Application for a Parking Permit**

- 19. Provided that the council shall at its absolute discretion decide which permits are available to apply for at any particular time as permits or virtual permits.
- 20. Any qualified resident or individual may apply to the Council or other permit issuing authority for the issue of a permit, subject to the "Conditions of Use" set out in Schedule 4, Column 5 for each permit type in Column 1 of that Schedule, in respect of a vehicle for the use of any relevant parking place which is valid as indicated in Column 1 of Schedule 6 where the permit is included under Column 2 and subject to the conditions stated under Column 3 of that Schedule and subject to the provisions of this Order. All parking permit applications are to be made on the current standard form issued by and obtainable from the Council or other permit issuing authority where appropriate.
- 21. All permit applications in respect of a virtual permit are to be made using the telephone or electronic payment system.
- 22. On making any such application the applicant will -
  - (a) produce such evidence to the Council as it may reasonably require to substantiate that the information and particulars given in the application are correct; and
  - (b) pay the Council or as the case may be the service provider the appropriate Permit fee as specified in Schedule 4 of this Order.
- 23. On receiving an application and the applicant complying with Article 20 and 22 the Council shall if it is satisfied that the information is correct issue a parking permit to the applicant of the type specified in Article 18, for the leaving during the permitted hours in a relevant parking place or parking area to which such permit relates, up to the maximum permissible number.

24. On receiving an application and the applicant complying with Article 21 and 22 the service provider shall if it is satisfied that the information is correct, grant a virtual parking permit to the applicant of the type specified in Article 18, for the leaving during the permitted hours in a parking place or parking area to which such permit relates, up to the maximum permissible number.
25. A separate application with remittance of the fee specified in Schedule 4 column 3, in relation to each type of permit specified in column 1 of that schedule, must be made for each vehicle at an address by a qualifying individual or a qualifying resident whose property is within one of the zones specified in Schedule 3, but the number of permits that shall be issued to any one eligible postal address as set out in Schedule 5, will be as stated in Column 5 of Schedule 4.
26. The resident of a property in a road or section of road included in Schedule 5 shall not be automatically eligible to apply for a parking permit if excluded for any reason stated in the Notes to Schedule 5 or the property has been converted to multiple occupancy, save that the Council may at its absolute discretion allow for the issue of one or more permits where it is satisfied that there is sufficient parking capacity within the relevant zone to accommodate the additional vehicle(s).
27. If a parking permit is mutilated or accidentally defaced or the particulars therein have become faded or altered the permit holder shall apply to The Council for a duplicate, such application to be made on the current standard form issued by and obtainable from The Council.
28. On making such application as mentioned in Article 27 the Permit Holder will be required to surrender the original Parking Permit to The Council and until such surrender no duplicate shall be issued.
29. If a Permit (other than a Visitors Permit) is lost or destroyed the Permit Holder shall apply to The Council for a replacement, such application to be made on the current standard form issued by and obtainable from The Council.
30. On making such application as mentioned in Article 29 the Permit Holder shall pay to The Council the Permit fee and The Council shall be satisfied of the circumstances referred to in the application before the duplicate is issued.
31. Upon receipt of the application, where applicable the Permit fee and, other than where the original permit has been stolen, the original permit, The Council shall issue to the permit holder a replacement permit and upon such issue the original permit shall become invalid.
32. The provisions of this Order shall apply to a replacement permit and an application therefore as if it were a permit or as the case may be an application therefore.

#### **Form and Display of a Parking Permit**

33. A parking permit may be obtained by any of the methods provided from time to time by the Council and to be valid must be registered on an account in an electronic database approved by the Council with an indication that payment has been made.
34. At all times during which a vehicle is left in a relevant parking place or parking area, during the permitted hours the parking permit must be continuously displayed so that all details are clearly visible and can be easily seen and read from the outside of the vehicle, unless the parking permit holder has obtained a virtual parking permit which exempts them from displaying a parking permit or visitor ticket.
35. A Driver shall not display more than one permit at any one time.
36. A parking permit (other than a visitor permit) shall be produced by the Council, or Service Provider as a record which can be accessed by a hand held device, and shall contain the following details:
- (a) the registration number of the vehicle;
  - (b) the expiry date of the permit; and
  - (c) the Zone to which the permit relates, if any.
  - (d) an authentication that it has been issued by the Council.
37. A parking permit (other than a visitor permit) shall not be altered or defaced by the qualifying individual or any other person.

38. A visitor parking permit shall be produced by the Council only and shall make provision for the following details, which shall be entered by the qualifying permit holder or the driver of the vehicle, as follows:
- (a) the registration number of the vehicle;
  - (b) the date and time at which the vehicle was left in the permit parking place or area; and
  - (c) an authentication that it has been issued by the Council.
39. It shall be the responsibility of the driver of the vehicle to ensure all details on the visitor permit are correct and clearly marked and the visitor permit shall not be valid without such details.
40. A visitor parking permit may not be transferred from one vehicle to another vehicle.
41. Where a parking permit has been displayed on a vehicle in accordance with the provision of this Order, no person, not being the driver of the vehicle, shall remove the parking permit from the vehicle unless authorised to do so by the driver of the vehicle.

#### **Validity, Withdrawal and Surrender of Parking Permits**

42. A parking permit displayed on a vehicle in a permit parking place or a virtual parking permit related to that vehicle shall cease to be valid on the occurrence of any of the events set out below-
- (a) the permit holder ceasing to be a qualifying resident or qualifying individual;
  - (b) the resident permit holder ceasing to be the owner of the vehicle in respect of which the resident permit was issued;
  - (c) the vehicle in respect of which such resident permit was issued being adapted or used in such a manner that it is not a vehicle of the class specified in Article 46 of this Order;
  - (d) the parking permit is not displayed in accordance with Article 34 of this Order unless exempt from being displayed;
  - (e) the parking permit displayed on the vehicle or the virtual parking permit issued in relation to that vehicle was not issued for the zone in which the vehicle is parked;
  - (f) the parking permit or ticket holder failing to satisfy the Council upon demand as to his or her continued eligibility to be a parking permit holder;
  - (g) immediately after the vehicle is left in a permit parking place or area the bona-fide visitor did not visit the usual place of abode of the qualifying resident to whom the visitor permit, was issued by the Council;
  - (h) a visitor permit that has previously been displayed on another vehicle; and
  - (i) the parking permit or virtual parking permit has expired.
43. A visitor permit is only valid for 24 hours from the time of arrival recorded by the driver on the visitor permit. If no time is recorded or it is not visible on the visitors permit when it is checked by a Civil Enforcement Officer the permit will not be valid. The visitors permit will not be valid if the address or vehicle registration box is not completed.
44. An applicant may be required by the Council at any time to produce such evidence as may be reasonably required to verify any particulars or information given to the Council in order to ascertain the parking permit is valid.
45. Each valid visitor permit or valid virtual visitor permit shall enable the Driver of a vehicle who is the bona fide visitor of the permit holder to leave their vehicle in a parking place or parking area for which that permit is valid for a maximum period of 24 hours.
46. Permits may only be used by the following classes of vehicle:
- (a) Dual Purpose Vehicles
  - (b) Goods Vehicles (not exceeding 3 tonnes unladen weight)
  - (c) Passenger Vehicles
  - (d) Motorcycles, or
  - (e) A vehicle owned and used by a person with an Invalid Carriage or any registered disabled person.

47. A parking permit shall remain the property of the Council at all times and may be withdrawn by the Council in accordance with the provisions of this Order.
48. If a parking permit is issued or a record of a virtual parking permit created by the Council or its agent on receipt of a cheque and that cheque is subsequently dishonoured the parking permit shall cease to be valid and the permit holder shall be required to surrender the same to the Council within 48 hours of the receipt of written notice from the Council.
49. The Council may withdraw a permit at any time by written notice to the permit holder's address or by notice attached to the vehicle such written notice having immediate effect, and upon either of which the permit holder must surrender the permit to the Council within 48 hours.
50. In the event of the Council withdrawing the permit. The Council shall not be obliged to refund the Permit Fee or any part thereof if:
- (a) the permit holder ceasing to be a qualifying resident or qualifying individual;
  - (b) the permit holder ceasing to be the owner of the vehicle in respect of which the permit was issued;
  - (c) the vehicle has been adapted or used in such a manner that it ceases to be the type of vehicle in respect of which the permit was granted or issued;
  - (d) the parking permit holder failing to satisfy the Council upon demand as to his or her continued eligibility to be a parking permit holder;
  - (e) the qualifying resident has allowed a person who is not a bona fide visitor to use the visitor permit or virtual visitor permit; or
  - (f) the provisions of this Order are revoked.
51. A parking permit holder may surrender a parking permit at any time.
52. A parking permit holder shall surrender a parking permit, upon surrender the Council or service provider shall refund a relevant proportion of the Permit Fee, less an administration charge.
53. The selling of any parking permit, other than by the North Essex Parking Partnership, is not allowed nor are any parking permits transferable to another person. The Council reserves the right to revoke any existing parking permits and refuse to supply any further permits to those who abuse the parking scheme, either by fraudulent use of a parking permits, or by allowing persons other than bona fide visitors, to use visitor permits or virtual visitor permits, or by any other means infringing any of the Articles in this Order.
54. Any permit parking place may be used without any limit on time, subject to the provision of this Order, for the leaving during the permitted hours of a vehicle which displays in the relevant position a disabled persons badge, but only if that vehicle has been or is about to be driven or used by the person to whom the badge has been issued, or as the case may be, used for carrying of disabled person(s) as passenger(s).
55. The Council may determine from time to time to exempt any category of person or class of vehicle from any or all of the provisions of this Order in relation to the use of a permit parking place.

#### **Limited Waiting Parking Places**

56. Each area on a highway designated as a limited waiting parking place or a shared use (permit and limited waiting) parking place and is indicated as such in the map schedule to this Order, may be used by vehicles to wait for a limited period, not exceeding the maximum period of waiting specified, or returning within the "no-return" period specified in the map tile label and/or map schedule legend attached to this Order in respect of that parking place from a previous period of waiting by the same vehicle in the same length of road on the same day.
57. The limited waiting parking place may be used without any limit on time, subject to the provision of this Order, for the leaving during the permitted hours of a vehicle which displays in the relevant position a disabled persons badge, but only if that vehicle has been or is about to be driven or used by the person to whom the badge has been issued, or as the case may be, used for carrying of disabled person(s) as passenger(s).

#### **Disabled Badge Holders Only Parking Places**

**58. Each area on a highway designated as a parking place for disabled badge holders only and indicated as such in the map schedule attached to this Order, may be used by vehicles to wait without any limitation on time, except where traffic signs indicate otherwise, provided the disabled person's badge is displayed at all times during which the vehicle is left in the parking place and –**

- (a) it is exhibited on the dashboard or fascia of the vehicle so that the front of the badge is clearly legible from the outside; or**
- (b) in the case of a vehicle not fitted with a dashboard or fascia the badge is exhibited in a conspicuous position, so that the front of the badge is clearly legible from the outside of the vehicle; and**
- (c) where there is a limit on time the disabled person's parking disc must also be displayed and set at the time of arrival;**
- (d) where there is a limit on time in respect of that parking place, that period of waiting not being a period separated by an interval of less than the return period specified on the signs and map tiles attached to this Order, or where a return period is unspecified that period of waiting not being a period separated by an interval of less than 1 hour from a previous period of waiting by the same vehicle in the same length of road on the same day.**

### **Parking Places for Loading or Unloading by Goods Vehicles**

59. Each area on a highway designated as a parking place for the loading or unloading by goods vehicles, which is indicated as such in the map schedule attached to this Order, may be used by vehicles to enable goods to be loaded or unloaded from the vehicle in connection with adjoining trade or business premises during the permitted hours subject to any limitation on class of vehicle or maximum period of waiting. Loading or unloading has to be continuous while the vehicle is parked and includes taking goods into premises, waiting for them to be checked and documents signed. Once the delivery process has been completed the vehicle must be moved.

### **Parking Places for Motor Cycles**

60. Each area on a highway designated as a parking place for Motor Cycles only and indicated as such in the map schedule attached to this Order, may be used by vehicles to wait without any limitation on time, except where signs indicate otherwise, provided the vehicle is a motor cycle.

### **Parking Places for Pedal Cycles**

61. Each area on a highway designated as a parking place for Pedal Cycles only and indicated as such in the map schedule attached to this Order, may be used by vehicles to wait without any limitation on time, except where signs indicate otherwise, provided the vehicle is a pedal cycle.

### **Electric Vehicle Charging Bays**

62. Each area on a highway designated as an electric vehicle charging bay and is indicated as such in the map schedule attached to this Order, may be used by electric vehicles to wait within the permitted hours provided the vehicle is an electric vehicle parked for the purpose of charging an electric vehicle in an electric vehicle charging point and that charging does not exceed the maximum of 3 hours continuous charging time.

### **Exceptions**

63. Nothing in the provisions of this Order shall render it unlawful to cause or permit a disabled person's vehicle, which displays a valid and legible disabled person's badge and a parking disc to park in a parking place.
64. Notwithstanding the provisions of this Order any vehicle may wait during the permitted hours in any parking place (other than a parking place the use of which has been suspended) for so long as may be reasonably necessary if -
- (a) directed to do so with the permission of a police constable in uniform;
  - (b) the vehicle is waiting to enable a person to board or alight from the vehicle;
  - (c) the vehicle is waiting to enable goods to be loaded or unloaded from the vehicle;
  - (d) the vehicle is waiting owing to the driver being prevented from proceeding by circumstances beyond their control or in order to avoid an accident;
  - (e) the vehicle is waiting owing to the driver being required by law to stop;
  - (e) the vehicle is being used for police, fire brigade or ambulance purposes, or a vehicle (other than a passenger vehicle) in the service of a local authority, or a vehicle being used in connection with providing medical attention to any person in the neighbouring area (evidence of such a purpose may be required by The Council), or a statutory undertaker, if it cannot conveniently be used for such purposes in any other road and is being used in pursuance of statutory powers or duties;
  - (f) the vehicle is in the service of or employed by a postal or parcel delivery business and is being used in conjunction with the delivery of goods;
  - (g) the vehicle is a recovery vehicle and is waiting to enable it to be used in connection with the removal of a traffic obstruction or a vehicle which has broken down;
  - (h) the vehicle is in actual use as a removal vehicle in connection with the removal or delivery of furniture to or from an office or dwelling house in the neighbouring area;



- (i) the vehicle is being used for the purpose of any building operation, demolition or excavation in or adjacent to the parking place or parking area, or the laying, erection, alteration, removal or repair in or adjacent to the parking place or parking area of any sewer service, conductor or apparatus and cannot conveniently be used for that purpose in any other neighbouring road; and**
- (j) the vehicle is waiting only for so long as it is necessary to enable it to be used in connection with posting or removing of advertising material in the form of posters on or from, cleaning windows or chimneys, in premises adjacent to the parking place or area.**

## **Part IV**

### **General Provisions, Suspensions and Dispensations relating to Parking Places**

#### **Power to suspend the use of a Parking Place or Area**

65. Any person authorised by The Council or a Civil Enforcement Officer may suspend, on payment of the charge as set from time to time by the Council (in addition to any fee for a temporary traffic regulation order that may be required), the use of a parking place or parking area or any part thereof if the suspension is 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 in or adjacent to the permit parking place or in the maintenance, improvement or reconstruction of the permit parking place or laying, erection, alteration, removal or repair in or adjacent to the permit parking place any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity or of any telegraphic line or traffic sign;
  - (c) on any occasion on which it is likely by reason of some special attraction that any street will be thronged or obstructed; or
  - (d) in such circumstances or on such other special occasions as may from time to time be considered necessary.
66. A police constable in uniform may suspend the use of a parking place or area for a period not exceeding 24 hours if he or she considers it reasonably necessary.
67. Any person may apply to the Council to have the use of a parking place or area or a section thereof suspended on payment of the charge as set from time to time by the Council (in addition to any temporary Traffic Regulation Order charge that may be required) and such application to be made on the current standard form issued by and obtainable from the Council.
68. Any person suspending the use of a parking place or area in accordance with the provisions of this Order shall place or caused to be placed at the suspended part of the parking place or area a sign indicating that waiting by vehicles is prohibited.
69. No person shall cause or permit a vehicle to be left in a parking place or area or part of a parking place or area during such period as there is in or adjacent to that parking place or area or part thereof a sign placed in pursuance of Article 68 of this Order.

#### **Dispensation of Parking Place or Area**

70. Any person authorised by the Council may on payment of the charge specified in Schedule 4 of this Order issue a dispensation notice in respect of the use of a parking place or area or any part thereof if it is considered such dispensation is reasonably necessary-
- (a) for the purpose of any building operation, demolition, internal or external repair or decoration of a property adjacent to the Parking Place;
  - (b) for the convenience of occupiers of premises adjacent to the parking place on any occasion of the removal of furniture from one office or dwelling house to another or the removal of furniture from such premises to a depository or to such premises from a depository;
  - (c) for the convenience of occupiers of premises adjacent to the parking place at times of weddings, funerals or on other occasions;
  - (d) in such circumstances or on such occasions as may from time to time be considered by the Council necessary.
71. At all times during which a vehicle is left in a parking place or area during the permitted hours there shall be continuously displayed in the front or nearside of the windscreen of the vehicle a valid dispensation notice issued in respect of that vehicle so that all particulars are clearly visible and can be easily seen and read from the front or nearside of the vehicle, and which includes information to enable the driver to be contacted in an emergency and that the vehicle is moved if the driver is requested to do so by a police constable in uniform or civil enforcement officer.

### **General Provisions**

72. No person shall use a vehicle in a parking place in connection with the sale of any article to any person in or near the parking place or in connection with the selling or offering for hire of his or her skill or services.
73. The driver of a vehicle using a parking place or area shall stop the engine as soon as the vehicle is in position in the parking place; and shall not start the engine except when about to change the position of the vehicle in or to depart from the parking place or area.
74. No person shall without the consent of the Council cause or permit a trailer to wait in a parking place during the permitted hours.
75. No person shall use any part of a parking place or area for sleeping, camping or cooking.
76. No person shall use any part of a parking place or area for the purpose of servicing any vehicle or any part thereof other than is reasonably necessary to enable that vehicle to depart from the parking place.
77. No person shall use a parking place so as to prevent access to any premises adjoining the road, or the use of a parking place so as to be a nuisance.
78. No person shall place, erect or cause to be erected, any skip, tent, booth, stand, building or other structure or store any materials in a parking place without the written consent of the Council.
79. No person shall use a parking place or any part thereof if the highway authority has restricted or prohibited its use temporarily under Section 14 of the Road Traffic Regulation Act 1984 or the Road Traffic Regulation (Special Events) Act 1984; and exhibited notice of such closing on or near the parking place.
80. The Council shall:
  - (a) cause the limits of a parking place to be indicated on the carriageway by placing and maintaining thereon traffic signs of any size, colour and type prescribed or authorised under the 2016 Regulations, or subsequent amendments;
  - (b) place and maintain on or in the vicinity of the parking place traffic signs of any size, colour and type prescribed or authorised under the 2016 Regulations, or subsequent amendments indicating that such parking place may be used during the permitted hours and days identified on the plans attached to this Order for the leaving only of the class of vehicle indicated therein; and
  - (c) carry out such other work as is reasonably required for the purposes of the satisfactory operation of the parking place.
81. No person shall drive or permit to be driven any vehicle in a parking place or parking area for any purpose other than the purpose of leaving that vehicle in the parking place or parking area in accordance with the provisions of this Order or for the purpose of departing from the parking place or parking area.

### **Manner of standing and removal**

82. Every vehicle, other than a motorcycle or a pedal cycle, left in a parking place, parking area or loading bay in accordance with the foregoing provisions of this Order shall stand so:
  - (a) in the case of a parking place, parking area or loading bay in relation to which a special manner of standing of a vehicle in that parking place, parking area or loading bay is identified on the highway by means of appropriate road markings and/or the placing of an appropriate sign nearby, as to be in accordance with that identification and/or sign;
  - (b) in the case of any other parking place, parking area or loading bay:
    - (i) if the parking place, parking area or loading bay 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; and
    - (ii) that the vehicle is parked in compliance with section 85 of the Act of 2004;
  - (c) that every part of the vehicle shall be positioned so that it is within the limits of a parking place, area or loading bay, as the case may be;

- (d) that no part of the vehicle obstructs any vehicular means of ingress to or egress from any premises adjacent to the side of the road on which the vehicle is waiting.
83. Every motorcycle left in a parking place or pedal cycle left in a pedal cycle parking place in accordance with the foregoing provisions of this Order shall stand so that every part of the vehicle is within the limits of that parking place and that no part of the vehicle obstructs any vehicular means of ingress or egress from any premises adjacent to the side of the road on which the vehicle is waiting.
84. If a vehicle is left in a parking place or parking area in a position other than in accordance with the provisions of this Order a person authorised by the Council or Essex County Council may alter or cause to be altered the position of the vehicle so that its position is in accordance with the said provisions.
85. If a vehicle (or any other thing) is left in a parking place or parking area in contravention of this Order a person authorised by the Council or Essex County Council may remove the vehicle from the parking place or parking area or arrange for the removal of a vehicle from a parking place or parking area.
86. For the purpose of meeting the requirements of an emergency a person authorised by the Council or Essex County Council or a police constable in uniform may alter or cause to be altered the position of a vehicle in a parking place or remove or arrange for the removal of a vehicle from a parking place.
87. Any person altering or causing the alteration of the position of the vehicle under the provisions of this Order or removing or causing the removal of a vehicle under the provisions of this Order may do so by towing or driving the vehicle or in such other manner as is reasonably necessary to enable the position of the vehicle to be altered or for the vehicle to be removed.
88. Any person removing or arranging for the removal of a vehicle under the provisions of this Order shall make such arrangements as are reasonably necessary for the safety of the vehicle in the place to which it is removed and shall use all reasonable means to notify the owner of the place to which it has been removed. Neither such person nor the Council shall be responsible for any loss or damage to the vehicle or other thing or to anything contained therein or thereon arising from or in consequence of the exercise of these powers other than such loss or damage occasioned by the negligence of such person or of the Council.
89. Where a vehicle (or any other thing) has been removed from a parking place or parking area in accordance with this Order, the driver, or owner of the vehicle (or any other thing) or person authorised by the owner in writing in that behalf shall be required to pay the Council up to the maximum sum set out in the relevant legislation applicable at that time and furnish satisfactory proof of identity.
90. Following payment of the sum mentioned in Article 89 and upon production of satisfactory proof of identity the Council shall issue a receipt, together with details of the place where the vehicle (or any other thing) has been impounded.
91. Upon production of the receipt given in accordance with Article 90 to an authorised person at the place of impound the vehicle (or other thing) shall be released to the person producing the receipt.
92. Any vehicle (or any other thing) removed from the parking place or parking area in accordance with this Order, which appears to the Council to be abandoned shall be disposed of in accordance with the provisions of the Refuse Disposal (Amenity) Act 1978 and its related Regulations.
93. Notwithstanding the foregoing provisions of this Order, the Council may at its discretion issue a temporary dispensation notice allowing a specific vehicle to wait for a specified purpose in a road or a parking place during the hours of operation of any restriction or prohibition to the contrary, or a temporary suspension notice temporarily suspending any restriction imposed by this Order. The Council shall set a charge for the issue of such notices as it considers appropriate.

## **PART V**

### **Contravention of Order**

94. If a vehicle is left without complying with any of the requirements of this Order, then a Contravention will have occurred and a Penalty Charge shall be payable for each period identified in the Map Schedule attached to this Order at the location where the said vehicle is so parked.
95. If a Contravention has occurred, a Penalty Charge showing the information required by the Act of 2004 may then be issued by a Civil Enforcement Officer.
96. The notification of a Penalty Charge to be given in respect of a stationary vehicle-
- (a) by a Penalty Charge Notice affixed to the vehicle; or
  - (b) by a Penalty Charge Notice given to the person appearing to be in charge of the vehicle; or
  - (c) where a Civil Enforcement Officer attempted to serve a penalty charge notice but was prevented from doing so by some person then the Council shall serve the penalty charge notice by post in accordance with the Act of 2004;
  - (d) where a Civil Enforcement Officer has begun to prepare a Penalty Charge Notice for service, but the vehicle concerned was driven away from the place it was stationary before the civil enforcement officer has finished preparing the Penalty Charge Notice then the Council shall serve the penalty charge notice by post in accordance with the Act of 2004.
97. The Penalty Charge shall be payable not later than 16.00 hours on the Applicable Date subject to the provisions of the Penalty Charge and the 2007 Regulations.
98. The Penalty Charge shall be paid to The Council or to the address detailed on the Penalty Charge Notice in accordance with the instructions contained on the Penalty Charge Notice.

#### **PART V**

##### **Resolution of Conflicts and Seal**

99. Save as provided in Article 2 of this Order the restrictions imposed by this Order shall be in addition to and not in derogation of any restriction or requirement imposed by any regulations made or having effect as if made under the Act or by or under any other enactment, but in so far as any provision of this Order conflicts with any provision of any other Order relating to the waiting of vehicles, the provision of this Order shall prevail.

THE COMMON SEAL of the  
COLCHESTER BOROUGH COUNCIL

was hereunto affixed

this <sup>21<sup>st</sup></sup> day of *October* 2019

in the presence of:-

~~Mayer~~

~~Principal Solicitor~~



24/19

*[Signature]*  
Authorised Signatory

## **SCHEDULE 1**

### **Revocation of Orders**

1. The Essex County Council (Braintree District) (Permitted Parking Area and Special Parking Area) (Consolidation) Order 2008 and all amending Orders;

The restrictions contained within these Orders will remain in force by virtue of this new Order.

## SCHEDULE 2

The list of map tiles that, together with the map schedule legend, comprise the map schedule to this Order:

Map Tile Ref	Revision
TL790 422	0
TL675 407	0
TL675 405	0
TL760 382	0
TL735 372	0
TL740 372	0
TL780 357	0
TL785 355	0
TL780 352	0
TL785 352	0
TL780 350	0
TL775 347	0
TL780 347	0
TL805 345	0
TL780 342	0
TL775 340	0
TL780 340	0
TL900 340	0
TL905 340	0
TL775 337	0
TL780 337	0
TL900 337	0
TL905 337	0
TL775 335	0
TL905 335	0

Map Tile Ref	Revision
TL680 327	0
TL685 327	0
TL685 325	0
TL710 312	0
TL810 312	0
TL810 310	0
TL675 307	0
TL810 307	0
TL815 307	0
TL820 307	0
TL675 305	0
TL805 305	0
TL810 305	0
TL815 305	0
TL820 305	0
TL850 305	0
TL675 302	0
TL805 302	0
TL810 302	0
TL815 302	0
TL810 300	0
TL815 300	0
TL780 297	0
TL775 295	0
TL780 295	0

Map Tile Ref	Revision
TL775 292	0
TL780 292	0
TL845 292	0
TL770 290	0
TL775 290	0
TL770 287	0
TL855 287	0
TL860 287	0
TL855 285	0
TL860 285	0
TL720 280	0
TL755 260	0
TL760 260	0
TL755 257	0
TL760 257	0
TL740 255	0
TL755 255	0
TL765 252	0
TL770 252	0
TL770 250	0
TL770 247	0
TL795 247	0
TL755 245	0
TL760 245	0
TL770 245	0

Map Tile Ref	Revision
TL775 245	0
TL755 242	0
TL760 242	0
TL775 242	0
TL745 240	0
TL755 240	0
TL760 240	0
TL775 240	0
TL745 237	0
TL750 237	0
TL755 237	0
TL760 237	0
TL765 237	0
TL775 237	0
TL740 235	0
TL745 235	0
TL750 235	0
TL755 235	0
TL760 235	0
TL775 235	0
TL845 235	0
TL745 232	0
TL750 232	0
TL755 232	0
TL760 232	0

## SCHEDULE 2 (Cont.)

The list of map tiles that, together with the map schedule legend, comprise the map schedule to this Order:

Map Tile Ref	Revision
TL765 232	0
TL770 232	0
TL775 232	0
TL780 232	0
TL845 232	0
TL850 232	0
TL725 230	0
TL745 230	0
TL750 230	0
TL755 230	0
TL760 230	0
TL765 230	0
TL805 230	0
TL850 230	0
TL855 230	0
TL725 227	0
TL735 227	0
TL745 227	0
TL750 227	0
TL755 227	0
TL760 227	0
TL765 227	0
TL770 227	0
TL845 227	0
TL850 227	0

Map Tile Ref	Revision
TL855 227	0
TL745 225	0
TL750 225	0
TL755 225	0
TL760 225	0
TL765 225	0
TL770 225	0
TL775 225	0
TL845 225	0
TL850 225	0
TL855 225	0
TL745 222	0
TL750 222	0
TL755 222	0
TL760 222	0
TL765 222	0
TL770 222	0
TL845 222	0
TL745 220	0
TL760 220	0
TL770 220	0
TL775 220	0
TL745 217	0
TL755 217	0
TL760 217	0

Map Tile Ref	Revision
TL770 217	0
TL775 217	0
TL740 215	0
TL755 215	0
TL775 215	0
TL745 212	0
TL760 212	0
TL775 212	0
TL740 207	0
TL745 207	0
TL790 207	0
TL775 205	0
TL780 205	0
TL785 205	0
TL805 197	0
TL810 197	0
TL865 197	0
TL870 197	0
TL805 195	0
TL810 195	0
TL855 195	0
TL860 195	0
TL865 195	0
TL870 195	0
TL805 192	0

Map Tile Ref	Revision
TL810 192	0
TL860 192	0
TL865 192	0
TL870 192	0
TL860 190	0
TL865 190	0
TL860 187	0
TL865 187	0
TL855 185	0
TL860 185	0
TL785 182	0
TL855 182	0
TL785 180	0
TL825 177	0
TL825 175	0
TL825 172	0
TL815 165	0
TL815 162	0
TL810 160	0
TL815 160	0
TL820 160	0
TL825 160	0
TL810 157	0
TL815 157	0
TL820 157	0



## SCHEDULE 2 (Cont.)

The list of map tiles that, together with the map schedule legend, comprise the map schedule to this Order:

Map Tile Ref	Revision
TL825 157	0
TL830 157	0
TL805 155	0
TL815 155	0
TL820 155	0
TL825 155	0
TL810 152	0
TL815 152	0
TL820 152	0
TL825 152	0
TL770 150	0
TL805 150	0
TL810 150	0
TL815 150	0
TL820 150	0
TL825 150	0
TL810 147	0
TL815 147	0
TL820 147	0
TL825 147	0
TL805 145	0
TL815 145	0
TL820 145	0
TL825 145	0
TL810 142	0

Map Tile Ref	Revision
TL815 142	0
TL820 142	0
TL825 142	0
TL810 140	0
TL815 140	0
TL820 140	0
TL805 137	0
TL810 137	0
TL815 137	0
TL820 137	0
TL815 135	0
TL820 135	0
TL815 132	0
TL820 132	0
TL805 130	0
TL810 130	0
TL815 130	0
TL805 127	0
TL810 127	0
TL800 125	0
TL805 125	0
TL785 120	0
TL790 120	0
TL795 120	0
TL785 117	0

Map Tile Ref	Revision
TL790 117	0
TL795 117	0
TL785 115	0
TL790 115	0
TL795 115	0
TL785 112	0
TL790 112	0
TL795 112	0
TL800 112	0
TL790 110	0
TL795 110	0

### SCHEDULE 3

#### Permit Parking

Column 1	Column 2	Column 3	Column 4	Column 5
Permit Identifier	Type of Parking Control	Area Name	Days of Operation	Hours of Operation (Permitted Hours)
1	Permit Parking or Permit Parking Area	Zone 1	As stated in the map schedule to this Order or on sign plates in the vicinity of parking places or at the entrance and within parking areas.	As stated in the map schedule to this Order or on sign plates in the vicinity of parking places or at the entrance and within parking areas.
2	Permit Parking or Permit Parking Area	Zone 2	As Zone 1	As Zone 1
3	Permit Parking or Permit Parking Area	Zone 3	As Zone 1	As Zone 1
5	Permit Parking or Permit Parking Area	Zone 5	As Zone 1	As Zone 1
6	Permit Parking or Permit Parking Area	Zone 6	As Zone 1	As Zone 1
7	Permit Parking or Permit Parking Area	Zone 7	As Zone 1	As Zone 1
8	Permit Parking or Permit Parking Area	Zone 8	As Zone 1	As Zone 1
10	Permit Parking or Permit Parking Area	Zone 10	As Zone 1	As Zone 1
11	Permit Parking or Permit Parking Area	Zone 11	As Zone 1	As Zone 1

**SCHEDULE 3 (Cont.)****Permit Parking**

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>	<b>Column 5</b>
<b>Permit Identifier</b>	<b>Type of Parking Control</b>	<b>Area Name</b>	<b>Days of Operation</b>	<b>Hours of Operation (Permitted Hours)</b>
20	Permit Parking or Permit Parking Area	Zone 20	As Zone 1	As Zone 1
21	Permit Parking or Permit Parking Area	Zone 21	As Zone 1	As Zone 1
22	Permit Parking or Permit Parking Area	Zone 22	As Zone 1	As Zone 1
23	Permit Parking or Permit Parking Area	Zone 23	As Zone 1	As Zone 1
24	Permit Parking or Permit Parking Area	Zone 24	As Zone 1	As Zone 1
25	Permit Parking or Permit Parking Area	Zone 25	As Zone 1	As Zone 1
27	Permit Parking or Permit Parking Area	Zone 27	As Zone 1	As Zone 1
28	Permit Parking or Permit Parking Area	Zone 28	As Zone 1	As Zone 1
20	Permit Parking or Permit Parking Area	Zone 20	As Zone 1	As Zone 1
29	Permit Parking or Permit Parking Area	Zone 29	As Zone 1	As Zone 1
30	Permit Parking or Permit Parking Area	Zone 30	As Zone 1	As Zone 1
31	Permit Parking or Permit Parking Area	Zone 31	As Zone 1	As Zone 1

**SCHEDULE 3 (Cont.)****Permit Parking**

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>	<b>Column 5</b>
<b>Permit Identifier</b>	<b>Type of Parking Control</b>	<b>Area Name</b>	<b>Days of Operation</b>	<b>Hours of Operation (Permitted Hours)</b>
41	Permit Parking or Permit Parking Area	Zone 41	As Zone 1	As Zone 1
K3	Permit Parking or Permit Parking Area	Zone K3	As Zone 1	As Zone 1

## SCHEDULE 4

### Permit and Ticket Parking Charges

Column 1	Column 2	Column 3	Column 4	Column 5
Permit or Ticket Type	Charge Period	Permit or Ticket Charge	Period of Validity	Conditions of Use (1)
Resident Permit	<p>All day for one vehicle</p> <p>All day for a second vehicle</p> <p>All day for a third vehicle (discretionary)</p>	<p>£53.00 for one year</p> <p>£75.00 for one year</p> <p>£105.00 for one year</p>	12 months, from date first valid when issued.	<p>Maximum of three permits per individual property.</p> <ul style="list-style-type: none"> <li>• Valid in any parking place as set out in Schedule 6 Column 1 where the permit is listed as valid in Schedule 6 Column 2</li> <li>• Valid in the Zone to which issued only</li> <li>• Connected to a specific vehicle</li> <li>• Vehicle must be owned or hired by the resident</li> <li>• Concessionary permit for those in receipt of higher mobility component of DLA</li> <li>• Blue Badge Holders are exempt</li> </ul>
Virtual Visitor Permits	<p>One vehicle Up to 6 hours</p> <p>One vehicle Up to 24 hours</p>	<p>£6 for 10 Tickets</p> <p>£11.00 for 10 Tickets</p>	From time activated until expiry of time period of ticket.	<p>No maximum applies to Visitor Permits</p> <ul style="list-style-type: none"> <li>• Valid in any parking place as set out in Schedule 6 Column 1 where the permit is listed as valid in Schedule 6 Column 2</li> <li>• Valid for any vehicle belonging to a person that is visiting the address that they are registered to.</li> <li>• Only valid if conditions of use adhered to</li> <li>• An active Visitor Permit must be displayed on the vehicle or recorded on the parking system when parked within permitted hours</li> </ul>

## SCHEDULE 4 (Cont.)

### Permit and Ticket Parking Charges

Column 1	Column 2	Column 3	Column 4	Column 5
Permit or Ticket Type	Charge Period	Permit or Ticket Charge	Period of Validity	Conditions of Use (1)
Paper Visitor Permits	One vehicle Up to 24 hours	£20 for 10 Tickets	From time activated until expiry of time period of ticket.	<p>No maximum applies to Visitor Permits</p> <ul style="list-style-type: none"> <li>• Valid in any parking place as set out in Schedule 6 Column 1 where the permit is listed as valid in Schedule 6 Column 2</li> <li>• Valid for any vehicle belonging to a person that is visiting the address that they are registered to.</li> <li>• Only valid if conditions of use adhered to</li> <li>• An active Visitor Permit must be displayed on the vehicle or recorded on the parking system when parked within permitted hours</li> </ul>
Parking Partnership permit	One vehicle Up to 24 hours	Free	12 months, from date first valid when issued.	<p>Maximum of one permit per applicant.</p> <ul style="list-style-type: none"> <li>• Valid in any parking place as set out in Schedule 6 Column 1 where the permit is listed as valid in Schedule 6 Column 2</li> <li>• Parking is only valid during the course of the local authority officer's or contracted service providers duties</li> <li>• Only valid if conditions of use adhered to</li> <li>• Connected to a specific vehicle</li> <li>• An administration charge may apply at the discretion of the North Essex Parking Partnership's Joint Committee</li> </ul>

### SCHEDULE 4 (Cont.)

#### Permit and Ticket Parking Charges

Column 1	Column 2	Column 3	Column 4	Column 5
Permit or Ticket Type	Charge Period	Permit or Ticket Charge	Period of Validity	Conditions of Use (1)
Carer Permit	All day for one vehicle	£30.00 for one year	12 months, from date first valid when issued.	Maximum of one permit per applicant unless at the discretion of the Council. <ul style="list-style-type: none"> <li>• Valid in any parking place as set out in Schedule 6 Column 1 where the permit is listed as valid in Schedule 6 Column 2</li> <li>• Only valid if conditions of use adhered to</li> <li>• Connected to a specific vehicle</li> <li>• Vehicle must be owned or hired by the carer</li> </ul>
Household Permit	All day for one vehicle	£30.00 for one year	12 months, from date first valid when issued.	Maximum of one permit per individual property unless at the discretion of the Council. <ul style="list-style-type: none"> <li>• Valid in any parking place as set out in Schedule 6 Column 1 where the permit is listed as valid in Schedule 6 Column 2</li> <li>• Valid in the Zone to which issued only</li> <li>• Connected to a specific vehicle</li> <li>• Vehicle must be owned or hired by the resident</li> <li>• Only valid if conditions of use adhered to</li> </ul>

## SCHEDULE 4 (Cont.)

### Permit and Ticket Parking Charges

Column 1	Column 2	Column 3	Column 4	Column 5
Permit or Ticket Type	Charge Period	Permit or Ticket Charge	Period of Validity	Conditions of Use (1)
Professional Carers Permit	8am-5pm for one vehicle	£30.00 for one year	12 months, from date first valid when issued.	Maximum of one permit per applicant. <ul style="list-style-type: none"> <li>• Valid in any parking place as set out in Schedule 6 Column 1 where the permit is listed as valid in Schedule 6 Column 2</li> <li>• Only valid if conditions of use adhered to</li> <li>• Connected to a specific vehicle</li> <li>• Vehicle must be owned or hired by the professional carer</li> </ul>
Trader Permit	Monday to Saturday 8am-5pm for one vehicle	£250.00 for one year	12 months, from date first valid when issued.	Maximum of one permit per applicant unless at the discretion of the Council. <ul style="list-style-type: none"> <li>• Valid in any parking place as set out in Schedule 6 Column 1 where the permit is listed as valid in Schedule 6 Column 2</li> <li>• Only valid if conditions of use adhered to</li> <li>• Connected to a specific vehicle</li> <li>• Vehicle must be owned or hired by the trader</li> </ul>
NHS Permit	All Day for one vehicle	Free	12 months, from date first valid when issued.	The maximum number of permits issued is at the discretion of the NHS <ul style="list-style-type: none"> <li>• Valid in any parking place as set out in Schedule 6 Column 1 where the permit is listed as valid in Schedule 6 Column 2</li> <li>• Connected to a specific vehicle</li> <li>• Only valid if conditions of use adhered to</li> </ul>



### SCHEDULE 4 (Cont.)

#### Permit and Ticket Parking Charges

Column 1	Column 2	Column 3	Column 4	Column 5
Permit or Ticket Type	Charge Period	Permit or Ticket Charge	Period of Validity	Conditions of Use (1)
Witham Business Permit	All Day for one vehicle	Free	12 months, from date first valid when issued.	<p>The maximum number of permits issued is at the discretion of the Council</p> <ul style="list-style-type: none"> <li>• Valid in any parking place as set out in Schedule 6 Column 1 where the permit is listed as valid in Schedule 6 Column 2</li> <li>• Valid within Albert Road only</li> <li>• Connected to a specific vehicle</li> <li>• Only valid if the owner of the vehicle possesses a trading licence issued by Braintree District Council.</li> <li>• Valid only for the purpose of trading</li> <li>• Only valid if conditions of use adhered to</li> </ul>
Dispensation Permit	First day per vehicle	£23.00	On the date stated.	<ul style="list-style-type: none"> <li>• To be used in accordance of any conditions of use as stated by the Council</li> <li>• Valid in any parking place as set out in Schedule 6 Column 1 where the permit is listed as valid in Schedule 6 Column 2</li> </ul>
	Second day per vehicle	£10.50	On the date stated.	

#### **Schedule 4 Notes**

(1): Subject to the provisions of this Order

(2): Only valid if conditions of use adhered to

## SCHEDULE 5

**Residential property addresses that are eligible to apply for Resident and Visitor Permits:**

Column 1	Column 2	Column 3		Column 4
Permit Zones	Roads	Properties Eligible		Resident Qualification
<b>Zone 1</b>	Mount Road	All Odd	All Even	<b>See Schedule 5 notes below</b>
<b>Zone 2</b>	Woodfield Road	All Odd	All Even	<b>See Schedule 5 notes below</b>
<b>Zone 3</b>	Manor Street	3-103 Odd	8-86 Even	<b>See Schedule 5 notes below</b>
	Victoria Street	All Odd	All Even	
<b>Zone 5</b>	Collins Close		All Even	<b>See Schedule 5 notes below</b>
	Coronation Avenue	All Odd	All Even	
	Kenworthy Road	All Odd	All Even	
	Notley Road	1-43a Odd	14-74 Even	
<b>Zone 6</b>	Bocking End		6-16 Even	<b>See Schedule 5 notes below</b>
<b>Zone 7</b>	Bunyan Road	All Odd	All Even	<b>See Schedule 5 notes below</b>
	Clare Road	1-37 Odd	2-38 Even	
	Clydesdales Road	All Odd	All Even	
	College Road	All Odd	All Even	
	Grenville Road	All Odd	All Even	
	Peel Crescent	All Odd	All Even	
	Progress Court	All Odd	All Even	
	Rayne Road	73-165 Odd	90-112 Even	
	Sunnyside	All Odd	All Even	

### SCHEDULE 5 (Cont.)

**Residential property addresses that are eligible to apply for Resident and Visitor Permits:**

Column 1	Column 2	Column 3		Column 4
Permit Zones	Roads	Properties Eligible		Resident Qualification
<b>Zone 8</b>	Croft Close	All Odd	All Even	<b>See Schedule 5 notes below</b>
<b>Zone 10</b>	Albert Road	All Odd	All Even	<b>See Schedule 5 notes below</b>
<b>Zone 11</b>	John Ray Street	All Odd	All Even	<b>See Schedule 5 notes below</b>
<b>Zone 20</b>	Newland Street (One Permit Only)		6-14 Even	<b>See Schedule 5 notes below excluding note 2 subject to maximums indicated in Column 2 for this Zone</b>
<b>Zone 21</b>	Armond Road	1-31 Odd		<b>See Schedule 5 notes below</b>
	Guithavon Valley		2-8 Even	
<b>Zone 22</b>	Albert Road	All Odd	All Even	<b>See Schedule 5 notes below</b>
	Braintree Road	3-47, 57-77 Odd	2-46, 58-76 Even	
	Chalks Road	All Odd	All Even	
	Church Street	7-9 Odd	4-54 Even	
<b>Zone 23</b>	Easton Road	All Odd	All Even	<b>See Schedule 5 notes below</b>

### SCHEDULE 5 (Cont.)

**Residential property addresses that are eligible to apply for Resident and Visitor Permits:**

Column 1	Column 2	Column 3		Column 4
Permit Zones	Roads	Properties Eligible		Resident Qualification
<b>Zone 24</b>	Guithavon Street	11-17, 21-37 Odd	22-36 Even	<b>See Schedule 5 notes below</b>
<b>Zone 25</b>	Abercorn Way	All Odd	All Even	<b>See Schedule 5 notes below</b>
	Arminger Way	All Odd	All Even	
	Barwell Way	All Odd	All Even	
	Bennington Mews	All Odd	All Even	
	Boone Place	All Odd	All Even	
	Charlotte Way	All Odd	All Even	
	Du Cane Place	All Odd	All Even	
	Horner Place	All Odd	All Even	
	Kyneston Place	All Odd	All Even	
	Oliver Place	All Odd	All Even	
	Wakelin Way	All Odd	All Even	
<b>Zone 27</b>	Butler Drive	7-27 Odd		<b>See Schedule 5 notes below</b>
<b>Zone 28</b>	Barleyfields	All Odd	All Even	<b>See Schedule 5 notes below</b>
	Greenlands	All Odd	All Even	
<b>Zone 29</b>	Toulmin Road	All Odd	All Even	<b>See Schedule 5 notes below</b>
<b>Zone 30</b>	Station Road	All Odd	All Even	<b>See Schedule 5 notes below</b>

### SCHEDULE 5 (Cont.)

**Residential property addresses that are eligible to apply for Resident and Visitor Permits:**

Column 1	Column 2	Column 3		Column 4
Permit Zones	Roads	Properties Eligible		Resident Qualification
<b>Zone 31</b>	Bridge Meadow	All Odd	All Even	<b>See Schedule 5 notes below</b>
<b>Zone 41</b>	The Causeway	All Odd	All Even	<b>See Schedule 5 notes below</b>
<b>Zone K3</b>	Kings Garden	1-11 Odd	2-10 Even	<b>See Schedule 5 notes below</b>
	Feering Hill		120-122 Even (Including 120a)	

**Schedule 5 Notes:**

- 1 (a)** Garages may not necessarily count as an off-street parking facility; and
- (b)** Notwithstanding being a Qualifying Resident subject to Schedule 4, the Council may, at its absolute discretion, issue a Resident Parking Permit to any given resident.
- 2** If the property does not have any off-street parking facility a Qualifying Resident may be able to apply for a third Resident Parking Permit at the discretion of the Council.
- 3** The maximum number of permits issued is at the discretion of the Council.
- 4** Please be aware that not all roads in the list will have permit parking areas.

## SCHEDULE 6

### Parking Place / Area Permit Validity

Column 1	Column 2	Column 3
Parking places / restriction	Valid permits	Conditions for use in parking places or on restricted streets (1)
Resident permit parking places only and shared use parking places with resident permit holder parking	Resident permits, Trader permits, Visitor permits and Dispensation permits	Where permit parking is restricted to permits with a Zone identifier, where the Zone identifier on the permit corresponds to the Zone identifier on the signs in the vicinity of the parking place and as shown for that parking place in the Map Tile label and/or Map Schedule Legend in the Map Schedule, subject to the conditions stated in schedule 4.
Resident permit parking areas	Resident permits, Trader permits, Visitor permits and Dispensation permits	Where permit parking is restricted to permits with a Zone identifier, where the Zone identifier on the permit corresponds to the Zone identifier on the signs in the vicinity of the parking place and as shown for that parking place in the Map Tile label and/or Map Schedule Legend in the Map Schedule, subject to the conditions stated in schedule 4.
Permit parking places only and shared use parking places with permit holder parking	Resident permits, NHS Permits, Household permits, Parking Partnership permits, Carer permits, Professional Carers permits, Trader permits, Visitor permits and Dispensation permits	Where permit parking is restricted to permits with a Zone identifier, where the Zone identifier on the permit corresponds to the Zone identifier on the signs in the vicinity of the parking place and as shown for that parking place in the Map Tile label and/or Map Schedule Legend in the Map Schedule, subject to the conditions stated in schedule 4.

## SCHEDULE 6 (Cont.)

### Parking Place / Area Permit Validity

Column 1	Column 2	Column 3
Parking places / restriction	Valid permits	Conditions for use in parking places or on restricted streets (1)
Permit parking areas	Resident permits, NHS Permits, Household permits, Parking Partnership permits, Carer permits, Professional Carers permits, Trader permits, Visitor permits and Dispensation	Where permit parking is restricted to permits with a Zone identifier, where the Zone identifier on the permit corresponds to the Zone identifier on the signs in the vicinity of the parking place and as shown for that parking place in the Map Tile label and/or Map Schedule Legend in the Map Schedule, subject to the conditions stated in schedule 4.
Business permit parking places	Witham Business permits	Where permit parking is restricted to permits with a Zone identifier, where the Zone identifier on the permit corresponds to the Zone identifier on the signs in the vicinity of the parking place and as shown for that parking place in the Map Tile label and/or Map Schedule Legend in the Map Schedule, subject to the conditions stated in schedule 4.

**Schedule 6 Note (1): Subject to the provisions of this Order**