

**The Essex County Council (Braintree District) (Permitted Parking Area and Special Parking Area) (Consolidation) (Amendment No.67) Order 201\***

**WHEREAS** 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 hereby makes the above Order under Sections 1(1), 2(1) to (3), 4(1), 4(2), 32, 35, 45, 46, 49 and 53 of and Part IV of Schedule 9 to the Road Traffic Regulation Act 1984 (“the Act”) and of all other enabling powers and after consultation with the Chief Officer of Police in accordance with Part III of Schedule 9 to the Act:-

1. This Order may be cited as the Essex County Council (Braintree District) (Permitted Parking and Special Parking Area) (Consolidation) (Amendment No 67) Order 201\* and shall come into operation on XX XX XX

2. The Essex County Council (Braintree District) (Permitted Parking Area and Special Parking Area) (Consolidation) Order 2008 by hereby varied to the extent detailed in the Schedule to this Order

1 - To introduce to Schedule 1 – Schedule of Fees and Charges of `the 2008 Order`

Item	Period Valid	Charge
Visitor Permits	Book of ten 6 hour virtual visitor permits	£6.00
Traders Permit	3 months	£90.00
Traders Permit	6 months	£180.00
Traders Permit	12 months	£300.00
Carer’s Permit	12 months	£30.00
Professional Carers Permit	12 months	£30.00
Household Permit	12 months	£30.00
Discretionary Resident Permit	12 months	£90.00

2 – To Delete from Schedule 1 – Schedule of Fees and Charges `the 2008 Order`

Item	Period Valid	Charge
Third Resident Permit	Third permit issued to the same postal address as the first and second Permits	£80.00
Fourth Resident Permit	Fourth permit issued to the same address as the first, second and third permits	£125.00

4 - To Delete from Schedule 1 – Schedule of Fees and Charges of `the 2008 Order`

“If Braintree District Council is satisfied that the Qualifying Resident is a person who qualifies for its concessionary Travel Scheme or holds a Disabled Persons Badge then no fee shall be payable for a Permit.”

5 – To Introduce to Schedule 1 – Schedule of Fees and Charges of `the 2008 Order`

“If The Council is satisfied that the Qualifying Resident holds a Disabled Persons Badge then no fee shall be payable for a Permit.”

6 – To introduce to Part 1, 2 (Citation and Interpretation) of `the 2008 Order`

<b>Insert Citation</b>	<b>Insert new interpretation</b>
“Traders Permit”	“Traders Permit” means a parking permit for the benefit of bona fide traders with premises in the Braintree District to allow the authorised use of a permit parking bay between 8am and 5pm Monday to Saturday
“Trader”	“Trader” means any tradesperson or business engaged in an activity that requires a vehicle for the purpose of carrying of tools, goods or materials to a number of different locations within a Permit Parking Place/Area or Zone
“Professional Carer”	“Professional Carer” means a person who is employed professionally to provide medicinal or clinical care regularly away from their usual place of work to individuals in their home.
“Professional Carers Permit”	“Professional Carers Permit” means a permit issued by The Council to a Professional Carer under the provisions of part III of this order.
“Carer”	“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
Carer’s Permit	“Carer’s Permit” means a discretionary permit issued by The Council to a Carer under the provisions of Part III of the Order. Carer’s permits may be issued on approval by the North Essex Parking Partnerships Group Manager
Household Permit	“Household Permit” means a discretionary permit issued to a qualifying resident to allow the authorised use of a permit parking place or permit parking area during the operational times. The North Essex Parking Partnership Group Manager may, in the exercise of their unfettered discretion, allow up to three Household permits to be issued to one dwelling
“Parking Partnership Permit”	“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 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
Hard copy permit	“Hard Copy Permit” means a Hard Copy Resident’s permit, a Hard Copy visitor permit, a Hard Copy Business Permit, a hard copy Carers Permit, a hard copy Professional Carers permit, a hard copy Household permit or a hard copy Parking Partnership Permit”
“Service Provider”	“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 payment charge and the vehicle, parking place and parking period in respect of which payment has been made using the telephone or electronic payment system
“telephone or electronic	“telephone or electronic payment system” means an electronic system, using a telephone connection or electronic

payment system”	<p>application set up and maintained by the service provider whereby:</p> <p>(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</p> <p>(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</p>
“Virtual Permit”	“means a virtual Resident’s permit, a virtual visitor permit a virtual Business Permit, a virtual Carer’s Permit or a virtual professional carers permit”
“Virtual permit Holder”	“means a person or company/organization to who virtual permit has been issued in accordance with the provisions of the order”
“Discretionary Resident permit”	“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 at 50% more than a second resident permit

7 – To insert into Part III, 53 (J) of `the 2008 Order`

Nothing in this Order shall render it unlawful to cause or permit a disabled person’s vehicle, which displays in the relevant position a valid and legible disabled person’s badge and a parking disc to park in a Parking Place or Parking Area

8 – To insert into Part III, 17 (A) of `the 2008 Order`

A “Professional Carer” may apply:

- (i) To the Council for a Hard Copy Professional Carer’s permit
- (ii) To the 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 hours of 8am to 5pm in any permit place, permit parking area, or shared use (permit and free limited waiting) area

9 – To insert into Part III, 17 (B) of `the 2008 Order`

A “Carer” may apply:

- (i) To the Council for a Hard Copy Professional Carer’s permit

(ii) To the 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 any permit place or permit parking area.

10 – To insert into Part III, 17 (C) of `the 2008 Order`

A "Trader" may apply

- (i) To the Council for a Hard Copy Traders Permit
- (ii) To the Service Provider for the granting of a virtual Traders Permit

In respect of that vehicle, for the leaving of said vehicle during the hours of 8am to 5pm Monday to Saturday in any permit place, permit parking area, or shared use (permit and free limited waiting) area.

11 – To insert into Part III, 17 (D) of `the 2008 Order`

A qualifying resident may apply:

- (i) To the Council for a Hard Copy Household Permit
- (ii) To the Service Provider for the granting of a virtual Household Permit

In respect of a vehicle, for the leaving of said vehicle during the permitted hours in a permit parking place, permit parking area or shared use (permit and free limited waiting) parking place to which such permit relates.

12 – To insert into Part III, 17 (E) of `the 2008 Order`

A local authority officer or contracted service provider may apply:

- (i) To the Council for a Hard Copy Partnership Permit
- (ii) To the Service Provider for the granting of a virtual Partnership Permit

In respect of a vehicle, for the leaving of said vehicle during the permitted hours in a permit parking place, permit parking area or shared use (permit and free limited waiting) parking place to which such permit relates

13 – Delete Part III, article 27 of `the 2008 Order` and replace with

27 (A) A Hard copy resident permit shall be produced by The council only and shall contain the following details:

- (a) The registration mark of the Vehicle
- (b) The expiry date of the Resident Permit
- (c) The Zone to which the Resident Permit relates
- (d) An authentication that it has been issued by The Council

14 – Insert into Part III, article 27 (B) of `the 2008 Order`

27 (B) A virtual permit may be issued on behalf of The Council by an appointed Service Provider

15 – Delete Part III article 29 of `the 2008 Order` and replace with

29 (A) A Hard Copy Visitors Permit shall be produced by The Council only and shall make provision for the following details, which shall be entered by the Qualifying Resident or the Driver of the Vehicle:

- (a) The Date and time at which the Vehicle was left in a Parking Place
- (b) The registration mark of the Vehicle

29 (B) A virtual visitor permit may be issued on behalf of The Council by an appointed Service Provider

16 – Delete Part III article 39 of `the 2008 Order` and replace with

39. Each valid Visitor Permit shall enable the Driver of a Vehicle who is the bona fide visitor of a Qualifying Resident to leave their vehicle in a Parking Place specified in the plans for either 6 hours or 24 hours depending on whether a 6 hour or 24 hour visitor permit has been purchased

17 – Delete Part III, 46 of `the 2008 Order` .

18 – Insert into Part III, article 65

The Penalty Charge shall be paid to The Council in accordance with the instructions contained on the Penalty Charge Notice

19 - Delete Part III article 31 of `the 2008 Order` and replace with

A Hard Copy Visitor Permit is only valid for 24 hours from the time of arrival as recorded by the driver on the visitor permit. If no time is recorded or is not visible on the visitors permit when it is checked by a Civil Enforcement Officer the permit will not be valid. The Visitor Permit will not be valid if the address of vehicle registration box is not completed

Sealed with the common seal of the Colchester Borough Council this XX day of XX Two Thousand and XX

THE COMMON SEAL OF COLCHESTER )  
BOROUGH COUNCIL was hereunto )  
affixed in the presence of:-

Authorised Signatory