

The Essex County Council (Tendring District) (Permitted Parking Area and Special Parking Area) (Consolidation) (Amendment No.57) 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 (Tendring District) (Permitted Parking and Special Parking Area) (Consolidation) (Amendment No 57) Order 201* and shall come into operation on XX XX XX

2. This Order will be incorporated into The Essex County Council (Tendring District) (Permitted Parking Area and Special Parking Area) (Consolidation) Order 2008 ‘the 2008 Order’

3. The prohibitions and restrictions imposed by this Order shall be in addition to and not in derogation from any restrictions or requirement imposed by any regulations made or having effect as if made under the Act or by any other enactment.

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

Schedule

1.– To introduce to Schedule 3 (Schedule of Fees) 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
Second Resident Permit	12 months	£68.00
Discretionary Third Resident Permit	12 months	£102.00

2 . Part 1, Article 2 of `the 2008 Order` delete and insert new definition as follows

Insert Citation	Insert new interpretation
"Traders Permit"	"Traders Permit" means a parking permit for the benefit of bona fide traders with premises in the Tendring District to allow the authorised use of a permit parking place, permit parking area or limited waiting bay between 8am and 5pm under the provisions of Part III of this Order
"Trader"	A "Trader" means any tradesperson or business engaged in work that requires the use of a vehicle for the carrying of tools goods or materials to a number of different places of work within Permit Parking Place/Area or Zone during each working day;
"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
"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 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
"Hard copy permit"	"Hard copy permit" means a Hard Copy Resident's permit, a Hard Copy visitor permit or a Hard Copy Business 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 payment system"	"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:

	<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”	“Virtual Permit” means a virtual Resident’s permit, a virtual visitor permit or a virtual Tradesmen Permit, a virtual carer’s Permit, a virtual Professional Carer’s permit or a virtual Parking Partnership Permit
“Virtual Permit Holder”	“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 Third 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
“Parking Area”	“Parking Area” means an area on a highway designated as a parking area by this Order being a permit parking area or a business parking area and in each case being identified as such type on the map tile relating to that parking place, by reference to the map schedule legend and/or the tile label;

3 – To delete Part III, 18 of `the 2008 Order` and replace with:

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.

4. Insert into Part III, 18A 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.

5 – To insert into Part III, 18 (B) of `the 2008 Order`

A “Trader” may apply

- (i) To the Council for a Hard Copy Business Waiver Certificate
- (ii) To the Service Provider for the granting of a virtual Business Waiver Certificate

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.

6 – To insert into Part III, 18 (C) 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

7 – To insert into Part III, 54 (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 – Part III, 47 to be deleted

9 – Delete Part III, article 28 of `the 2008 Order` and replace with

28 (A) A Hard copy permit may 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

10 – Insert into Part III, article 28 (B) of `the 2008 Order`

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

11 - Delete Part III article 30 of `the 2008 Order` and replace with

30 (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

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

12 – Part 1, Article 2 of `the 2008 Order` delete and insert new definition as follows

Delete definition	Insert new definition
“The Council”	"The Council" means the North Essex Parking Partnership.
“Visitors Permit”	“Visitors Permit” means a Hard Copy permit issued by The Council or a Virtual Permit issued by a Service Provider. The 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 to this Order for either 6 hours or 24 hours depending on whether a 6 hour or 24 hour visitor permit has been purchased
Qualifying Resident	“Qualifying Resident” means an owner or occupier of a residential property whose usual place of abode is within a property specified in Schedules 2 and 4;

13 – Delete Part III, 21 of `the 2008 Order` and replaced with

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

14 – Delete Part III, 23 and replace with

23. A separate application (with fee) must be made by a Qualifying Resident for each Vehicle at any address, but not more than two Resident Permits shall be issued to any one postal address

15 – Delete Part III, 47.

16 – Introduce to `the 2008 Order` Schedule IV

List of road and parts of roads for the purposes of the definition of ‘Qualifying Resident’

Clacton on Sea

Street	Property
Anchor Road	Odd numbers between 1 and 13, even numbers between 2 and 38
Crossfield Road	All properties
Meredith Road	All Properties
Old Road	Even numbers between 124 and 150 Odd number between numbers 113 and 119A
Page Road	All Properties
Priory Road	All Properties
St Andrews Road	All Properties
Stanwyn Avenue	All Properties
Wellesley Road	Odd numbers between numbers 59 and 79

Castle Road	All Properties
Herbert Road	All Properties

Dovercourt

Street	Property
Nelson Road	All Properties

Walton on the Naze

Street	Property
Churchfield Road	All Properties
Martello Road	All Properties including police staff stationed in Martello Road
West Street	All Properties

17– Part III, 17 of `the 2008 Order` to be deleted and replaced with:

17. Save as provided in this Order no person shall cause or permit any vehicle other than one validly displaying a Resident Permit, Visitors Permit, Carers Permit, Professional issued by The Council or a Service Provider in respect of that Vehicle, to wait in a Parking Place identified and, where parking is allowed for a limited period only, otherwise than during that period as identified on the plans attached to this Order.