



**ROAD TRAFFIC REGULATION ORDER**

**Buckinghamshire Council (Chesham Static)**

**Experimental Traffic Regulation Order 2024**

Buckinghamshire Council in exercise of its powers and duties under Sections, 9, and 10, and Part IV of Schedule 9 and having regard to Section 122 of the Road Traffic Regulation Act 1984 (“the 1984 Act”) as amended and of all other enabling powers, and after consultation with the Chief Officer of Police in accordance with Part III of Schedule 9 of the 1984 Act, hereby make the following Order:

## **Part I**

### **PRELIMINARY**

#### **Citation and commencement**

1. This Order shall come into operation for all purposes on 21 October 2024 and may be cited as Buckinghamshire Council (Chesham Static) Experimental Traffic Regulation Order 2024
2. The Buckinghamshire Council (Prohibition of Waiting, Loading and Stopping) and (On-Street Parking Places) Order 2024 Map Tiles including the Map Schedule Legend (the "Map Schedule") are incorporated into this Order.

#### **Interpretation**

3. In this Order, except where the context otherwise requires, the following expressions have the meaning hereby respectively assigned to them: “the Council” means Buckinghamshire Council and includes any parking services contractors or authorised agent appointed by or acting on behalf of the Council for the purposes of any function under the provisions of this Order;  
“the 2004 Act” means the Traffic Management Act 2004, as amended;  
“the 2007 Regulations” means the Civil Enforcement of Parking Contraventions (England) General Regulations 2007, as amended;  
"the 2016 Regulations" means the Traffic Signs Regulations and General Directions 2016, as amended;  
“Ambulance” has the same meaning as in Schedule 2 of the Vehicle Excise and Registration Act (VERA) 1994;  
“Authorised Officer” means a person acting on the authority of the Council, or a police officer in uniform or a Civil Enforcement Officer;

"as Specified in the Map Schedule" means the Waiting, Loading and stopping prohibitions and restrictions, or the Parking Places, Loading Places and Parking Areas designated by this Order and identified in the Map Tiles listed at Schedule 2, which in conjunction with the Map Tile Labels and/or the Map Schedule Legend, identifies each particular type of prohibition, restriction, Parking Place, Loading Place or Parking Area and certain of its governing provisions;

"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" means a person employed in accordance with Section 76 of the 2004 Act to carry out the functions therein;

"Coach" means a motor vehicle which is constructed or adapted to carry more than eight seated passengers in addition to the Driver;

"Daily Charge" means the charge imposed by the Council for parking in a Parking Place on any one day and for a specified period of time as is identified in the scale of charges specified by notice at or close to each Parking Place;

"Delivering" and "Collecting" in relation to any Goods includes checking the Goods for the purpose of their delivery or collection;

"Designated Parking Places" means the designation of on-street parking places, Parking Bays, or Parking Areas, as the case may be, in the provisions of this Order; "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;

"Dispensation" or "Certificate" means a Dispensation or Certificate issued on or behalf of the Council under the provisions of this Order permitting a specified Vehicle to Wait in specified circumstances in a Parking Place, where the Waiting of that Vehicle would otherwise be restricted or prohibited;

"Driver" in relation to a Vehicle Waiting, Loading, stopping or parking, means the person driving the Vehicle at the time it was left to Wait, Load, stop or park; "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 continuous charging time, subject to any maximum period of stay;

“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;

“Footway” has the meaning given by Section 329 of the Highways Act 1980;

“Goods” means goods of any kind whether animate or inanimate and includes postal packets of any description;

“Goods Vehicle” means a motor vehicle constructed or adapted for use for the carriage of Goods or burden of any description;

“Hand-Held Device” means any device providing communications and access to the Council’s Permit System or Telephone or Electronic Payment System to enable verification of Parking Permits or Parking Charges;

“Household” means a house or flat which has its own postal address. In the case of sub-divided properties the establishment of an individual address is subject to any appropriate planning consent having been obtained for the sub-division of the property and the paying of separate Council Tax;

"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;

“Light Goods Vehicle” means a motor vehicle under 3000 kg in weight which is constructed or adapted for use for the carriage of Goods or burden of any description the overall height of which does not exceed 2.3 metres and the overall length of which does not exceed 5.25 metres and is not drawing a trailer; "Loading" and “Loaded” means the loading or unloading of Goods to or from a Vehicle and includes the checking of those Goods;

"Loading Bay", “Loading Place” or "Loading Area" means any of the sides or lengths of roads as specified in the Map Schedule as being for Loading and/or unloading of specified classes of Vehicles at specified periods, subject to the provisions of this Order;

"Manner of Standing" means the position a Vehicle shall stand when left in a Parking Place during the Permitted Hours in accordance with the 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 Signs, 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 2004 Act;

"Map Schedule" means the Map Tiles in conjunction with the Map Schedule Legend attached to this Order and listed in Schedule 2:

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 Waiting, Loading and Stopping Prohibitions and Restrictions 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 Tile with a specific Map 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 Waiting, Loading or Stopping prohibitions or restrictions 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;

"Motorcycle" has the same meaning as in Section 136 of the 1984 Act; "No Loading Hours" means in relation to any No Loading Road the hours during which Loading and Unloading is prohibited or restricted as specified in the Map Schedule;

“No Loading Road” means any of the sides or lengths of roads as specified in the Map Schedule where Loading is prohibited or restricted provided that the expression “No Loading Road” shall not include any Parking Place;

“No Stopping Hours” means in relation to any No Stopping Road the hours during which stopping is restricted or prohibited as specified in the Map Schedule; “No Stopping Road” means any of the sides or lengths of roads (including clearways) as specified in the Map Schedule where stopping is prohibited or restricted provided that the expression “No Stopping Road” shall not include any Parking Place;

“One-Way Street” means a highway in which the driving of Vehicles otherwise than in one direction is prohibited;

“Operational User” means a person who in the course of carrying out day to day responsibilities has a need to Park in a Residents Parking Zone;

“Owner” in relation to a Vehicle, means the person by whom such Vehicle is kept and used. In determining who was the Owner at any time it shall be presumed that the Owner was the person named in the vehicle registration document as the registered keeper of the Vehicle or the person who has the use of such Vehicle in the course of his / her employment and who is entitled to use such Vehicle as though he / she were the registered keeper thereof;

“Park” and “Parked” refer to the stopping of a Vehicle and it remaining at rest for some time whether or not the Driver is still in the Vehicle and a Vehicle shall be deemed to be Parked for any period in the same Parking Place or Parking Bay (as the case may be) if any part of it is below the Vehicle or the Vehicle’s load (if any) whether or not the Vehicle is moved during that period and “Wait” and “Waiting” shall have the same meaning;

“Parking Charge” means the amount payable to the Council, or their agent, as specified in Schedule 4 and Schedule 7 to this Order in relation to paying the amount specified for Permits or Parking Tickets or for Virtual Permits or Virtual Parking Tickets, as the case may be;

“Parking Disc” has the same meaning as in the Local Authorities Orders (Exemptions for Disabled Persons) (England) Regulations 2000 which is capable of showing the quarter hour period during which a period of Parking has begun;

“Parking Place” or “Parking Area” means an area of a highway designated by this Order for the parking of Vehicles of specific classes and forming part of a general scheme of traffic control as specified in the Map Schedule;

“Parking Space” or “Bay” means an area of highway for the parking of a single Vehicle of a specific class as specified within the Map Schedule;

“Parking Period” means the period for which a Parking Charge has been paid;

“Parking Ticket” means any valid Parking Permit, Payment Parking Ticket or Dispensation issued by the Council under the provisions of this Order;

“Passenger Vehicle” means a motor vehicle (other than a Motor-Cycle or invalid carriage) constructed or adapted solely for the carriage of not more than twelve passengers (exclusive of the Driver) and their effects and not drawing a trailer;

“Penalty Charge” has the same meaning as in the 2007 Regulations or any subsequent legislation so enabling;

“Penalty Charge Notice” has the same meaning given by Regulation 8(1) of the 2007 Regulations or any subsequent legislation so enabling;

“Permit” means any permit being a Residents Permit, Operational Permit, Residents Carer Permit, Residents Visitor Permit (in the form of a Scratch Card Voucher), or Business Permit issued under the provisions of this Order by the Council to allow the authorised use of a Permit Parking Place or Permit Parking Area;

"Permit Charge" means the charge payable on application to the Council or their agent for a Permit as specified in Schedule 2;

“Permit Holder” means a person to whom a Permit has been issued under the provisions of this Order;

“Permit Parking Area” (also expressed in this Order as "area") has the same meaning as in the 2016 Regulations;

“Permit Parking Place” means a road or any length of road as specified in the Map Schedule, 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;

"Permit System" is the system operated by the Council, or its agent, to record the creation of a Permit and that is accessible by a Hand-Held Device to determine the existence of that Permit, the Parking Place(s) or Parking Area(s) within which it is valid, the Vehicle to which it relates, if appropriate, and its expiry date;

"Permitted Hours", means the hours during which a Vehicle may wait in a Parking Place, Parking Area, or Load, or Unload a Vehicle in a Loading Bay, whilst complying with the relevant provisions of this Order and that are as specified on a Traffic Sign in the vicinity of that Parking Place, Parking Area or loading place, and are as specified in the Map Schedule;

"Prohibited Hours", in relation to:

- (a) any Prohibited Road, Pedestrian Zone or Restricted Parking Zone, being the hours during which a Vehicle may not wait whilst complying with the relevant provisions of this Order, means the hours shown by or on a Traffic Sign in the vicinity of or at the entrance to such parking controls and the hours as specified in the Map Schedule in relation to such controls;
- (b) a Taxi Rank, ambulance bay or coach bay means the time indicated on a Traffic Sign placed in the vicinity of that Taxi Rank, ambulance bay or coach bay and as specified in the Map Schedule, in relation to that Taxi Rank, Ambulance Bay or Coach Bay, as the case may be;

"Prohibited Road" means any of the sides or lengths of roads as specified in the Map Schedule as having a prohibition of Waiting, or a prohibition of Waiting and Loading, or as a Restricted Parking Zone, during the Prohibited Hours, provided that the expression "Prohibited Road" shall not include any Parking Place or Parking Area;

"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" and "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, subject to the Council's terms and conditions for permit issue;

"Relevant Parking Place" means any Parking Place where a Vehicle is Parked which requires the Owner of the Vehicle to either display a valid Parking Ticket or Permit or to whom a valid Virtual Parking Ticket or Virtual Permit has been granted for such Vehicle;

"Relevant Position" in respect of:



(a) a Disabled Person's Badge and Parking Disc has the same meaning as in the Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000; and

(b) a Parking Ticket means exhibited on the windscreen, dashboard or fascia of the Vehicle or, where the Vehicle does not have a windscreen, dashboard or fascia, in a conspicuous position on the Vehicle so that the whole of the information on the face of the Parking Ticket is clearly legible from outside the Vehicle;

"Resident Permit", "Resident Visitor's Permit" (also referred to as a "Scratch Card Voucher" or "Voucher" in this Order), "Operational Permit", "Business Permit" and "Dispensation" means a specific type of permit issued in accordance with the provisions of this Order;

"Restricted Hours" means in relation to a Restricted Road the hours during which Waiting is restricted as specified in the Map Schedule;

"Restricted Parking Zone" has the same meaning as in Part 2, Schedule 1 of the 2016 Regulations;

"Restricted Road" means any of the sides or lengths of roads as specified in the Map Schedule as having a restriction of Waiting, or a Waiting and Loading restriction, or as a Restricted Parking Zone during the Restricted Hours so specified, provided that the expression "Restricted Road" shall not include any Parking Place;

"Service Provider" or "agent" means the contractor authorised by the Council to accept payment of the Parking Charge, either for a Parking Ticket, or a Permit or both, on its behalf and to keep a record of that Parking Charge and the Vehicle, Parking Place or area and the Parking Period in respect of which payment has been made using the Telephone or Electronic Payment System;

"Stop" and "Stopping" means, in relation to this Order, causing a Vehicle to be stationary or bringing a Vehicle to a standstill on a road or any part of a road; "Taxi" means a hackney carriage as defined under section 38 of the Town Police Clauses Act 1847 which is -

(a) licensed by the Council; and

(b) attended by the Driver and available for hire.

“Taxi Stand” or “Taxi Rank” means an area of Carriageway reserved for use by Taxis waiting to pick up passengers;

“Telecommunication System” 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/debit card or pre-arranged payment account; 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;

"Traffic Sign" has the same meaning as in Section 64 of the 1984 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 Parking Ticket, or virtual records of either, may be used to permit a Vehicle to wait in a Permit or payment Parking Place or area;

“Valid Permit” means any Permit 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, the conditions stated in column 3 of that Schedule and the Council's terms and conditions for the issue and operation of Permits;

"Vehicle" means a motor vehicle and a trailer as defined in Section 136(1) of the 1984 Act;

"Verge" means any part of a road which is not a Carriageway and includes a Footway;

"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;

"Wait" and "Waiting" refer to the stopping of a Vehicle and it remaining at rest for some time whether or not the Driver is still in the Vehicle;

4. Any reference in this Order to a numbered Article or Schedule shall, unless the context requires otherwise, be construed as a reference to the Article or Schedule bearing that number in this Order and any reference to the Map Schedule is a reference to the Map Tiles and Map Schedule Legend incorporated into this Order as the Map Schedule.
5. 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.
6. The Interpretation Act 1978 shall apply to the interpretation of this Order as it applies for the interpretation of an Act of Parliament and as if for the purposes of Section 21 of that Act this Order were an Act of Parliament and the Orders revoked by this Order were Acts of Parliament thereby repealed.
7. 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 1984 Act, or by or under any other Enactment.

## **Part II**

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

#### Prohibition of Waiting

8. Save as provided in Article 12 to 20, no person shall, except upon the direction or with the permission of a police officer in uniform or of a Civil Enforcement Officer, cause or permit any Vehicle to Wait at any time on a Prohibited Road as specified in the Map Schedule, when a prohibition on Waiting or Waiting on a Verge is in effect.

#### Restriction on Waiting

9. Save as provided in Article 12 to 20, no person shall, except upon the direction or with the permission of a police officer in uniform or of a Civil Enforcement Officer, cause or permit any Vehicle to Wait on any Restricted Road during the Restricted Hours as specified in the Map Schedule, when a restriction on Waiting or Waiting on a Verge is in effect.

#### Restriction on Loading

10. Save as provided in Articles 12, 13, 18 and 20 no person shall, except upon the direction or with the permission of a police officer in uniform, or of a Civil Enforcement Officer, cause or permit any Vehicle to Wait for the purposes of enabling Goods to be Loaded to or from the Vehicle on any No Loading Road during the No Loading Hours as specified in the Map Schedule.

#### Prohibition of Stopping

11. Save as provided in Articles 12, 13 (with the exception of 13(c)), 18 and 20, no person shall, except upon the direction or with the permission of a police officer in uniform or of a Civil Enforcement Officer, cause or permit any Vehicle to Stop on any road or length of road where Stopping is prohibited on the days and or during the hours as specified in the Map Schedule.

#### Emergency vehicles

12. Nothing in Articles 8 to 11 shall render it unlawful to cause or permit any Vehicle to Wait in any of the roads, lengths of road or on the sides of road, or any Loading Bays or Loading Areas specified therein for so long as may be necessary to enable the Vehicle to be used in an emergency or on operational duties for the fire and rescue, ambulance or police purposes.

#### General Exemptions

13. Nothing in Articles 8 to 11 shall render it unlawful to cause or permit any Vehicle to Wait in any of the roads, lengths of road or on the sides of roads or in Loading Bays or areas specified therein for so long as may be necessary to enable:
  - (a) the Vehicle, if it cannot be conveniently be used for such purposes in any other road, to be used in connection with any of the following operations:
    - (i) building, excavating, demolition work or shop fitting whilst lawfully and actively engaged on those works;
    - (ii) the removal of any obstruction to traffic;

- (iii) the maintenance, improvement or reconstruction of the road, any length of road or side of road comprising the Carriageway, Verge or Footway;
  - (iv) the laying, erection, inspection, maintenance, alteration, repair or cleaning in or on land adjacent to the said lengths or sides of road of any sewer, main pipe, conduit, wire, cable or other apparatus for the supply of gas, water, electricity or of any telecommunications apparatus;
- (b) the Vehicle, not being a Passenger Vehicle, if it cannot conveniently be used for such purposes in any other road, to be used in the service of a local authority or its contractors in pursuance of that authority's statutory powers or duties;
- (c) the vehicle of the Royal Mail or other Universal Service Provider;
- (d) 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;
- (e) in any case where the person in control of the Vehicle -
- (i) is required to stop by law;
  - (ii) is 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; or
  - (iv) is so directed, or given the permission, of a police officer in uniform.

#### Loading and unloading

14. Nothing in Articles 8 and 9 shall render it unlawful to cause or permit any Vehicle to Wait in any of the roads, lengths of roads, on the sides of road for so long as may be necessary to enable Goods or merchandise to be delivered or collected and to be Loaded to, or Unloaded from, a Vehicle.

#### Board and alight from a Vehicle

15. Nothing in Articles 8 and 9 shall render it unlawful to cause or permit any Vehicle to Wait in roads, lengths of road or on the sides of road specified therein for so long as may be necessary to enable a person to board or alight from the Vehicle.

### Funerals and weddings

16. Nothing in Articles 8 and 9 shall render it unlawful to cause or permit any Vehicle to Wait, if it cannot safely and conveniently do so elsewhere, in any of the roads, lengths of road or on the sides of road specified therein if it is an official vehicle being used for funerals or weddings.

### Removal of furniture

17. Nothing in Articles 8 and 9 shall render it unlawful for a 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;

### Waiting by a Vehicle displaying a Certificate or Dispensation

18. Nothing in Articles 8 to 11 shall render it unlawful to cause or permit any Vehicle to wait in any Prohibited Road or Restricted Road if it is continuously displaying in the Relevant Position a valid Certificate or Dispensation issued by the Council on payment of the Parking Charge indicated in Schedule 4 of this Order and the Vehicle is waiting in accordance with the terms and conditions of the said Certificate or Dispensation.

### Waiting by a Vehicle displaying a Disabled Person's Badge

19. (a) Nothing in Article 8 shall render it unlawful to cause or permit a Vehicle which displays in the Relevant Position a Disabled Person's Badge and a 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, to park in a Prohibited Road for a period not exceeding 3 hours, not being a period separated by an interval of less than any period as specified in the Map Schedule from a previous period of waiting by the same Vehicle in the same road on the same day; and  
  
(b) Nothing in Article 9 shall render it unlawful to cause or permit a Vehicle which displays in the Relevant Position a Disabled Person's Badge and a 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, to wait in a Restricted Road;

Provided that the provisions of (a) and (b) above apply to a Vehicle that immediately before or after the act of parking has been or is about to be driven or used by the person to whom the Disabled Person's Badge has been issued or, as the case may be, used for the carrying of a disabled person(s) as a passenger(s).

#### Designated Parking Places

20. Nothing in Articles 8 to 11 shall render it unlawful to cause or permit any Vehicle of the specified class to Wait in Designated Parking Places, as specified in the Map Schedule.

#### Taxi Ranks or Stands

21. Nothing in Articles 8 or 11 shall render it unlawful for a Taxi to wait in any duly authorised Taxi Rank or Taxi Stand during its period of operation as specified in the Map Schedule.
22. No person shall cause or permit any Vehicle other than a Taxi in pursuit of trade to stop on a Taxi Rank, or to Wait on a Taxi Stand, during the period of operation, as indicated on signing in the vicinity of the Taxi Rank or Taxi Stand, as the case may be, and as specified in the Map Schedule.

#### Signing of restrictions

23. 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.

### **PART III**

#### **On-street Parking**

#### Designation of Parking Places

24. The parts of roads as specified in the Map Schedule as Parking Places, Parking Bays or Parking Areas and marked out and signed for the use therein of specified classes of Vehicles are hereby designated to be used subject to the following provisions of this Order as Parking Places, Parking Bays or Parking Areas on such days and during such hours and subject to any other provisions governing their use as specified in the Map Schedule.

25. Unless otherwise so identified, a Designated 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/or 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 are designated

26. Subject to the provisions of this Order, each type of designated Parking Place as specified in the Map Schedule, may be used during the Permitted Hours for the parking of Passenger Vehicles, Light Goods Vehicles, Motor Cycles and Vehicles displaying a Disabled Person's Badge, or the class of Vehicles otherwise stated in the specific provisions related to each type of Parking Place, Parking Area or Loading Bay, as follows:
- (a) a Permit Parking Place or Permit Parking Area for the leaving during the Permitted Hours of such Vehicles of a class as described in this Article which display in the manner specified in Article 32 a valid Permit, or in respect of which there has been granted a valid Virtual Permit as specified in Article 33;
  - (b) a resident Parking Place or resident Parking Area for the leaving during the Permitted Hours of such Vehicles of a class as are described in this Article which display in the manner specified in Article 32 a valid Permit, or in respect of which there has been granted a valid Virtual Permit as specified in Article 33;
  - (c) a shared-use (permit and free limited waiting) Parking Place may be used by such Vehicles of a class described in this Article for the leaving during the Permitted Hours of:
    - (i) such Vehicles as display in the manner specified in Article 32 a valid Permit, or in respect of which there has been granted a valid virtual permit, without limit to the period of Waiting; or
    - (ii) such Vehicles that Wait no longer than the limited period of Waiting within the Permitted Hours as specified in the Map Schedule in relation to such shared-use Parking Places or Parking Areas;
  - (d) a free limited waiting Parking Place or Parking Area may be used by such Vehicles of a class as described in this Article that Wait no longer than the maximum period of Waiting within the Permitted Hours as specified in the



Map Schedule in relation to such limited Waiting Parking Places or Parking Areas;

(e) where parking partially or fully on the Footway or Verge is specified in the Map Schedule, nothing shall render it unlawful for any person to cause or permit a Vehicle of a class as described in this Article to park in a limited waiting Parking Place partially or fully on the Verge or Footway;

(f) a business Parking Place or business parking area for the leaving during the Permitted Hours of such Vehicles of a class as described in this Article, which display in the manner specified in Article 32 a valid business permit, or in respect of which there has been granted a valid virtual business permit as specified in Article 33;

(g) a disabled persons Parking Place for the leaving during the Permitted Hours without any limitation on time, except where signs indicate otherwise, of such Vehicles as always display a Disabled Person's Badge in the Relevant Position during which the Vehicle is left in the Parking Place;

(h) a motorcycle parking place may be used for the leaving during the Permitted Hours of such Vehicles as are Motorcycles;

(i) an ambulance bay may be used for the leaving during the Permitted Hours of such Vehicles as are Ambulances;

(j) a coach bay may be used for the leaving during the Permitted Hours of such Vehicles as are Coaches;

(k) shared-use Parking Place in which a parking payment applies as specified in the Map Schedule, at a charge as specified in Schedule 7, may be used, subject to the provisions of this Order, for the leaving during the Permitted Hours of such Vehicles of a class as are described in this Article.

(l) a Loading / unloading bay 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 as specified in the Map Schedule. 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;

#### Maximum period of Waiting

27. No person shall cause or permit any Vehicle to Wait in any Parking Place or Parking Area during the Permitted Hours for a period in excess of:
  - (a) in a shared use Parking Place
  - (b) the maximum period of Waiting as specified in the Map Schedule in relation to a Disabled Person's Parking Place where the Driver upon parking the Vehicle in the Parking Place shall display in the relevant position a Disabled Person's Badge and a Parking Disc, on which has been marked the time at which the period of parking began and shall remove that Vehicle from the said Parking Place within the maximum time specified; or
  - (c) the maximum period of Waiting as specified in the Map Schedule in relation to that Parking Place or Parking Area.

#### No return to Wait

28. Where a period within which a Vehicle must not Wait again in a Parking Place or Parking Area is specified in the Map Schedule in relation to the Parking Place or Parking Area, no person shall cause or permit a Vehicle to Wait again in that Parking Place or Parking Area until the expiry of that specified no return period.

#### Permits to be displayed on Vehicles

29. At all times during which a Vehicle is Parked in a permit holders only Parking Place or Parking Area, or a shared use Parking Place or area in which permit holder parking is permitted, the Driver thereof shall cause to be displayed in the Relevant Position a valid Permit issued in respect of that Vehicle (where appropriate) relating to that Parking Place or Parking Area within which the Vehicle is Parked.
30. In the case of a valid Permit that has been recorded on the Council's Permit System and that is accessible using a Hand-Held Device, the requirement to display the Permit, as specified in Article 29, will not apply.

#### Valid Permits

31. A Qualifying Individual may on application to the Council purchase or obtain a Parking Permit in respect of a Vehicle of the class specified in Article 26 for a charge, ascertained by reference to the charges specified in Schedule 4. Qualifying Individuals will be:
- (a) in the case of Business Permit, those eligible to apply will be businesses that are able to supply the required proofs for the specified Zone or street as set out in Schedule 5, together with proof of ownership/keepership of the Vehicle at the same address and that the Vehicle for which the Permit is required is essential for the efficient operation of the business;
  - (b) in the case of operational permits, those eligible to apply will be Operational Users who in the course of carrying out day to day operations have a need to Park within any Permit Parking Places or areas; and
32. A Permit is valid only for the Parking Place / Parking Area or specific Parking Places / Parking Areas in respect of which it was applied for, on specific days or at specific times as specified in the Map Schedule, if applicable, and only up to the date of expiry shown on, or recorded electronically, in relation to that Permit.
33. A Permit, whether issued or recorded, must be used in accordance with the Council's terms and conditions of use applicable to the Permit applied for. A permit holder shall abide by the terms and conditions stipulated by the Council from time to time for the use of the Permit for the Permit to remain a valid permit.
34. A Permit remains the property of the Council and must be surrendered on request. In such instances where a refund of the charge made for the Permit is deemed appropriate by the Council, this will be provided in accordance with the Council's policies and an administration charge may apply.
35. The Council shall be entitled at its absolute discretion to restrict the number of Permits which it will sell or issue at any one time or over any particular period of time.

#### Dishonouring of payment made for a parking Permit

36. Where a Permit is issued to any person, or a record of a virtual permit is made in relation to any person, upon receipt of a payment made by cheque, debit or credit card and that payment is subsequently dishonoured that Permit or virtual permit, as the case may be, shall cease to be of any effect, and the Council may by notice in writing sent by ordinary first class post, or by email communication, to the

address / email address stated on the application for the Permit concerned, notify the holder that the Permit is cancelled. The permit holder in the case of an issued Permit shall be required to immediately surrender it to the Council.

### Exceptions

37. 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 Persons Badge and a Parking Disc to Park in a Parking Place.
38. 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;
  - (f) 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 neighboring 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;
  - (g) 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;
  - (h) 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;

- (i) 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 neighboring area;
- (j) 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 neighboring road;
- (k) 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 Parking Area.

#### **Part IV**

#### **General Provisions. Suspensions and Dispensations relating to Parking Places or Parking Areas**

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

39. 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.
40. A police constable in uniform may suspend the use of a Parking Place or Parking Area for a period not exceeding 24 hours if he or she considers it reasonably necessary.
41. Any person may apply to the Council to have the use of a Parking Place or Parking 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.
42. Any person suspending the use of a Parking Place or Parking 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 Parking Area a sign indicating that Waiting by Vehicles is prohibited.
43. No person shall cause or permit a Vehicle to be left in a Parking Place or Parking Area or part of a Parking Place or Parking Area during such period as there is in or adjacent to that Parking Place or Parking Area or part thereof a sign placed in pursuance of Article 42 of this Order.

#### Dispensation of Parking Place or Parking Area

44. Any person authorised by the Council may on payment of the charge specified in Schedule 4 of this Order issue a Dispensation in respect of the use of a Parking Place or Parking 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 or Parking Area;
- (b) for the convenience of occupiers of premises adjacent to the Parking Place or Parking Area 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 or Parking Area 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.

45. At all times during which a Vehicle is left in a Parking Place or Parking Area during the Permitted Hours there shall be continuously displayed in the Relevant Position a valid Dispensation issued in respect of that 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 officer in uniform or Civil Enforcement Officer.

#### General Provisions

46. No person shall use a Vehicle in a Parking Place or Parking Area in connection with the sale of any article to any person in or near the Parking Place or Parking Area or in connection with the selling or offering for hire of his or her skill or services.
47. The Driver of a Vehicle using a Parking Place or Parking Area shall stop the engine as soon as the Vehicle is in position in the Parking Place or Parking Area; 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 Parking Area.
48. No person shall without the consent of the Council cause or permit a trailer to Wait in a Parking Place or Parking Area during the Permitted Hours.
49. No person shall use any part of a Parking Place or Parking Area for sleeping, camping or cooking.
50. No person shall use any part of a Parking Place or Parking 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 or Parking Area.
51. No person shall use a Parking Place or Parking Area so as to prevent access to any premises adjoining the road, or the use of a Parking Place or Parking Area so as to be a nuisance.
52. 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 or Parking Area without the written consent of the Council.
53. No person shall use a Parking Place or Parking Area or any part thereof if the Council has restricted or prohibited its use temporarily under Section 14 of the 1984 or the Road Traffic Regulation (Special Events) Act 1984; and exhibited notice of such closing on or near the Parking Place or Parking Area.
54. The Council shall:

- (a) cause the limits of a Parking Place or Parking Area 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 or Parking Area Traffic Signs of any size, colour and type prescribed or authorised under the 2016 Regulations, or subsequent amendments indicating that such Parking Place or Parking Area may be used during the Permitted Hours and days as specified in the Map Schedule 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 or Parking Area.
55. 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

56. 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 2004 Act;



- (c) that every part of the Vehicle shall be positioned so that it is within the limits of a Parking Place, Parking 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.
57. Every Motorcycle left in a Parking Place or Parking Area 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 or Parking Area 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.
  58. 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 may alter or cause to be altered the position of the Vehicle so that its position is in accordance with the said provisions.
  59. 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 may remove, or arrange for the removal of, the Vehicle from the Parking Place or Parking Area.
  60. For the purpose of meeting the requirements of an emergency, an Authorised Officer may alter or cause to be altered the position of a Vehicle in a Parking Place or Parking Area or remove or arrange for the removal of a Vehicle from a Parking Place or Parking Area.
  61. 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.
  62. 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.

63. 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.
64. Following payment of the sum mentioned in Article 63 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.
65. Upon production of the receipt given in accordance with Article 64 to an authorised person at the place of impound the Vehicle (or other thing) shall be released to the person producing the receipt.
66. 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.
67. Notwithstanding the foregoing provisions of this Order, the Council may at its discretion issue a temporary Dispensation allowing a specific Vehicle to Wait for a specified purpose in a road or a Parking Place or Parking Area 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**

68. If a Vehicle is Parked without complying with any of the requirements of this Order, then a contravention will have occurred and a Penalty Charge shall be payable. If after the issue of a Penalty Charge a Vehicle continues to be Parked in contravention of this Order it may be issued with a Penalty Charge on each day after the day on which that contravention was first observed.
69. If a contravention has occurred, a Penalty Charge showing the information required by the 2004 Act may then be issued by a Civil Enforcement Officer.
70. The notification of a Penalty Charge to be given in respect of a stationary Vehicle shall be-

- (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 2004 Act;
  - (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 2004 Act.
71. The Penalty Charge shall be payable in accordance with the instructions contained on the Penalty Charge Notice and the provisions for payment set out in the 2007 Regulations.
72. 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 VI**

### **Resolution of Conflicts**

73. 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 1984 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  
BUCKINGHAMSHIRE COUNCIL  
was hereunto affixed

this    day of

in the presence of:-

## SCHEDULE 1

Map Tile Reference	Revision Number
FQ77	0
FQ78	0
FR77	0
FR78	0

## SCHEDULE 2

### Permit and Ticket Parking Charges

Column 1	Column 2	Column 3	Column 4	Column 5
<b>Permit or Voucher Type</b>	Charge Period	Permit or Voucher Charge	Period of Validity	Conditions (Note 1)
<b>Suspension / Dispensation</b>	Week 1 Per day (days 1 – 7)	£17.60	For the period detailed on the approved application .	The Suspension will prohibit all stopping or parking unless stated on the suspension sign at the location.
	Week 2 Per day (days 8 – 14)	£19.80		The Dispensation must be used only for parking in the location for which it was issues (to a maximum length of 6m (If vehicle is longer than 6m, an additional charge will be required for every 6m)).
	Week 3 onwards Per day (days 15 and beyond)	£22.00		<p>Accordance with any terms and conditions of issue throughout each period of waiting.</p> <ul style="list-style-type: none"> <li>• Valid in the Zone or Area to which issued only</li> <li>• Connected to a specific vehicle.</li> </ul> <p>If the suspension or dispensation covers a payment parking place an additional £6.60 per daily will</p>

				be charged for each 6m length affected.
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<b>Permit Type</b>	<b>Validity</b>	<b>Details</b>	<b>Cost</b>
Market Trader Access	Valid for all times except from 10am-3pm on Wednesday and Saturday	To allow Market Traders to operate loading/unloading activity within the designated loading periods.	£1.30 per vehicle per day
Market Trader Access & Parking	Valid everyday except Wednesday and Saturday where it is essential for Market Traders to operate out of their vehicle, or in extreme weather where a vehicle is required to secure a gazebo.	To allow Market Traders to access and trade from a vehicle.	£15.00 per vehicle per day or £25.00 per vehicle per week
Event Permit	Valid for the period of an event.		£2100.00 for all areas of a Pedestrian Zone.  £1500.00 covering north section or south section only of Pedestrian Zone

SCHEDULE 3  
LEGEND

**Key to Restriction Types Displayed**

- Loading Only 10am-4pm
- No Waiting At Any Time
- No Stopping At Any Time  
Except Taxis
- No Stopping 4pm-10am Except  
Taxis

**Labels:**

**Proposed item**

**Proposed experimental or temporary item**