



*London Borough of Tower Hamlets*  
**TRAFFIC MANAGEMENT ORDER**

2011 NO. 80

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**The Tower Hamlets (C3 Parking Places) (No.1) Order 2011**

Coming into operation: see Article 1

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## **SCHEDULES**

### **1 – Permits**

2, 3, 4, 5, 6, 8, 9, 10, 11, 12, 13 & 18 - Designated parking places

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The Council of the London Borough of Tower Hamlets, after consulting the Commissioner of Police of the Metropolis, in exercise of the powers conferred by sections 45, 46, 49 and 124 of and Part IV of Schedule 9 of the Road Traffic Regulation Act 1984 (1984 c27) as amended by Part 1, schedule 5 of the Local Government Act 1985 (1985 c51) and the Traffic Management Act 2004 (2004 c18) and all other powers thereunto enabling, hereby make the following Order:

## **PART 1 -PRELIMINARY**

### **Citation and commencement**

1. This order may be cited as the Tower Hamlets (C3 Parking Places) (No.1) Order 2011 and shall come into operation on 14 November 2011.

### **Interpretation**

2. (1) In this order, except where the context otherwise requires, the following expressions have the meanings hereby respectively assigned TO THEM:

“business permit” means the business permit issued under the provisions of article 25;

“business permit holder” means the person to whom a business permit has been issued;

“business user” means a person who occupies premises the postal address of which is in any street or part of a street within the area described in Schedule 7 and who uses such premises for non-residential purposes, or a person who holds an annual street traders license issued by the Council and who trades from a pitch in any street or part of a street within the area described in the said Schedule 7;

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

“coach” means a vehicle constructed or adapted to carry 12 or more passengers;

“contractor” means a person employed by a registered company or business having a contract to provide building or property maintenance services and who satisfies the Council’s requirements that the need for assistance in parking a commercial vehicle in the London Borough of Tower Hamlets in order to carry-out works, is justified;

“contractor’s permit” means a contractor’s permit issued under the provisions of Article 25;

“contractor’s permit holder” means a person to whom a contractor’s permit has been issued;

“Council” means the Council of the London Borough of Tower Hamlets;

“cycle docking station” refers to the area of carriageway or footway designated for pedal cycles used for the London Cycle Hire Scheme;

“disabled person’s badge” and “parking disc” have the same meanings as in the Local Authorities’ Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000 (S.I.2000/683);

“driver” in relation to a vehicle waiting in a parking place, means the person driving the vehicle at the time it was left in the parking place;

"enactment" means any enactment, whether public general or local, and includes any order bylaw, rule, regulation, scheme or other instrument having effect by virtue of an enactment;

"goods" means goods of any kind whether animate or inanimate and includes postal packets of any description; and "delivering" and "collecting" in relation to any goods includes checking the goods for the purpose of their delivery or collection;

"goods carrying vehicle" means a motor vehicle which is constructed or adapted for use for the carriage of goods or burden of any description and is not drawing a trailer;

"London Cycle Hire Scheme" refers to the pedal cycle rental scheme operated by Transport for London and their agents;

"market traders permit" means a market traders permit issued under the provisions of Article 25;

"market traders permit holder" means a person to whom a market trader's permit has been issued;

"notice of variation" means a Notice of Variation issued pursuant to Regulation 25 of the Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996 (S.I. 1996/2489).

"one-way street" means a highway in which the driving of vehicles otherwise than in one direction is prohibited.

"owner" in relation to a vehicle, means the person by whom such vehicle is kept and used.

"Parking bay" or "parking spaces" means a space in a parking place referred to in the Schedules which is provided for the leaving of a vehicle.

"parking place" means any area on a highway designated as a parking place by this Order;

"passenger vehicle" means a motor vehicle (other than a 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;

"permit" means a permit issued under the provisions of Article 23, 25, 26, 27 and 29;

"permit parking place" means a parking place for vehicles displaying a permit;

"permit holder" means a person to whom a permit has been issued under the provisions of Article 23, 25, 26, 27 and 29;

"permitted hours" in relation to a parking place, means the period specified at the beginning of the Schedule relating to that parking place (unless otherwise indicated);

"public servant" means a person employed, at premises within the London Borough of Tower Hamlets, in the service of the community and who satisfies the Council's requirements that the need of assistance in parking in the London Borough of Tower Hamlets in order to carry out his duties is justified;

"public service permit" means a permit issued under the provisions of Article 27"

"resident" means a person whose main place of abode (spending at least 4 nights per week) is at premises the postal address of which is in any street or part of a street within the area described in Schedule 7;

"resident parking place" means a parking place for vehicles displaying a residents permit;

"resident's permit" means a permit issued under the provisions of article 23;

"resident's permit holder" means a person to whom a permit has been issued under the provisions of Article 23;

"schedule" means the schedules to this order;

"shared use parking place" means a parking place for vehicles displaying either a permit or a parking ticket;

"telecommunications system" has the same meaning as in the Telecommunications Act 1984 (1984 c12);

"ticket" means a ticket issued by a ticket parking meter;

"ticket parking meter" means an apparatus of a type and design approved by the Secretary of State for Transport for the purposes of this order being an apparatus designed to issue a ticket indicating the payment of the parking charge referred to in Article 7(1) and to indicate the time by parking period for which payment was made and the parking charge will expire;

"Tower Hamlets Personalised Disabled Parking Permit" means a permit issued by the Council, on application, to a resident who is a disabled person's badge holder;

"trade licence" has the same meaning as in section 16 of the Vehicles (Excise) Act 1971 (1971 c10);

"trade plates" has same meaning as in Part V of the Road Vehicles (Registration and Licensing) Regulations 1971 (SI.1971/450 - as amended by SI.1971/1285);

(2) Any reference in this order to a numbered Article or Schedule shall, unless the context otherwise requires, be construed as a reference to the Article or Schedule bearing that number in this Order;

(3) 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;

(4) For the purposes of this Order a vehicle shall be regarded as displaying a disabled person's badge in the relevant position when it is so regarded for the purposes of Regulation 4 of the Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000 (S.I.2000/683);

(5) In the schedules, "m" means metres.

## **PART II - DESIGNATION OF PARKING PLACES**

### **Designation of parking places**

3. Each area on a highway comprising the length of carriageway of a street specified in column 2 of a Schedule and unless otherwise so specified, bounded on one side of that length by the edge of the carriageway and having a minimum width throughout of 1.83 metres (2.80 metres for coaches in schedule 8), is designated as a parking place.

### **Approximate Number of parking bays and parking spaces**

4. The approximate number of parking bays/spaces in each parking place referred to in column 2 of a Schedule shall be, in accordance with a standard measurement of 5.5 metres per parking bay/space (except in bays/spaces not parallel to the kerb), the number specified in column 3 of that Schedule.

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

5. Subject to the provisions of this Order each parking place referred to in the Schedules may be used by such vehicles as are passenger vehicles, goods carrying vehicles, motorcycles and invalid carriages. Such vehicles during the permitted hours either displaying the type of valid permit or being of a type of vehicle specified in the heading to the relevant Schedule and/or where appropriate a ticket parking meter ticket.

### **Permits to be displayed on vehicles and failure to properly display**

6. At all times during which a vehicle is left in a parking place referred to in a Schedule where a valid permit type is/are specified in the heading to the relevant Schedule, the driver thereof shall, during the permitted hours, display such a valid permit so that all the particulars referred to in Article 38 are readily visible from the front or nearside of the vehicle. Failure to properly display a valid permit is an offence.

### **Amount of the parking charge at parking places where payment can be made at parking meters or ticket parking meters**

7. During the permitted hours, subject to a Notice of Variation, the maximum parking charge at appropriate parking places where payment can be made, otherwise than displaying a permit where authorised, shall be £3.50 per hour for a maximum of 4 hours decreasing proportionately to the payment made for parking period required.



### **Payment of the parking charge referred to in Article 7**

8. Subject to the provisions of this Order, during the permitted hours:
- (1) The parking charge shall be payable within 2 minutes of the leaving of the vehicle in a parking place where payment can be made at a ticket parking meter;
    - (i) by the insertion of any combination of coins specified on a ticket parking meter making up the amount of the parking charge for the parking period for which payment is being made or;
    - (ii) where, applicable, by the insertion in the appropriate slot of a Credit or Debit Card and a transaction for the amount of the parking charge for the parking period for which payment is being made.
  - (2) Any ticket purchased shall be displayed on the vehicle so that all the particulars indicating that a parking charge has been paid are readily visible from the front or nearside of the vehicle.
  - (3) Notwithstanding the above, for those persons registered with the Park and Phone Service, the parking charge shall be payable by Credit or Debit Card transaction for the amount of the parking charge for the duration of the parking period used. Such duration period being determined by the individual person at the time of the transaction. Any parking period purchased shall be registered with the Service Provider.

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

9. Where any vehicle is standing in a parking place in contravention of the provisions of Article 21, a civil enforcement officer may alter or cause to be altered the position of the vehicle in order that its position shall comply with those provisions.

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

10. A police constable in uniform or a civil enforcement officer may move or cause to be moved, in case of emergency, to any place he thinks fit any vehicle left in a parking place.

## **Exemptions from charges**

11. (1) If on the leaving of a vehicle during the permitted hours in a parking bay there is on every ticket parking meter relating to that parking place a notice placed by any person duly authorised by the Council or by the Commissioner of Police of the Metropolis indicating that the ticket parking meter is out of order that vehicle shall be exempt from any parking charge provided that, if at least one of the said ticket parking meters is rectified or replaced not later than four hours before the expiration of the permitted hours, the vehicle is removed within four hours of such rectification or replacement. If the vehicle is not so removed the parking charge for a parking period of four hours shall be deemed to have been incurred and paid at the time when the vehicle was left in the parking bay by the insertion of coins for the amount of that parking charge in a ticket parking meter and all the provisions of this Order shall apply accordingly.
- (2) Notwithstanding the foregoing provisions of this Order, any vehicle which displays in the relevant position a disabled persons badge or a Tower Hamlets Personalised Disabled Parking Permit together with the appropriate parking disc showing the time of arrival, may be left in a parking bay or in a parking space referred to above provided that the use of that parking bay or the use of that part of the parking space in which the vehicle is left has not been suspended.

## **PART III - SUPPLEMENTARY PROVISIONS**

### **Section 1 -General**

#### **Restriction on the removal of permits, tickets and notices**

12. Where a permit or a ticket has been displayed on a vehicle in accordance with the provisions of Article 6 or 8 or a penalty charge notice has been attached to a vehicle, no person, not being the driver of the vehicle, shall remove the permit or ticket or notice from the vehicle unless authorised to do so by the driver of the vehicle.

#### **Indications by ticket parking meter ticket or Park and Phone Service Transaction**

13. (1) Payment of the parking charge for a vehicle left in a parking place where payment can be made at a ticket parking meter shall be indicated by the issue by a ticket parking meter relating to that parking place of a ticket indicating that the charge has been paid in respect of a parking period not exceeding four hours and the day and time by which the parking period for which payment was made by the parking charge will expire, and by the display of that ticket in the manner specified in Article 8 (2).  
  
(2) The expiry of the parking period for which the parking charge has been paid shall be indicated when there is displayed on the vehicle a ticket issued by a ticket parking meter relating to that parking place showing the day and time by which the parking period for which payment was made by the parking charge will expire and the day so shown is not the day on which the vehicle is so left or the time shown on the clock of the said ticket parking meter is later than the time shown on the ticket.  
  
(3) Notwithstanding the above, for those persons registered with the Park and Phone Service, payment of the parking charge shall be indicated by the registration of the duration of the parking period paid for in the manner specified in Article 8 (3).

#### **Ticket parking meter indications and Park and Phone Service Transactions as evidence**

14. (1) Without prejudice to the provisions of Article 11 (3) if at any time while a vehicle is left in a parking place where payment can be made at a ticket parking meter during the permitted hours either no ticket issued by a ticket parking meter relating to that parking place is displayed on that vehicle in accordance with the provisions of Article 8 (2) or no parking charge is registered in accordance with Article 8 (3), it shall be presumed unless the contrary is proved that the parking charge has not been duly paid.

(2) Without prejudice to the provisions of Article 11 (2) if at any time during the permitted hours, either the ticket issued by a ticket parking meter relating to that parking place and displayed on the vehicle in accordance with the provisions of Article 8 (2) and the clock on the ticket parking meter by which such ticket was issued gives the indication mentioned in Article 13 (2), it shall be presumed unless the contrary is proved that the parking charge has been duly paid in respect of that vehicle, and that the parking period for which payment was made by the parking charge has already expired.

(3) Any ticket issued by a ticket parking meter shall be presumed (unless the contrary is proved) to have been issued on the day shown thereon.

**No ticket to be displayed other than that obtained on payment of the parking charge**

15. No person shall display on a vehicle any ticket issued by a ticket parking meter relating to that parking place other than the ticket issued by such a ticket parking meter upon payment of the parking charge in respect of that vehicle.

**Interval before a vehicle may again be left in a parking place**

16. Without prejudice to the provisions of Article 20, no vehicle which has been taken away from a parking bay in a parking place during the permitted hours, after the parking charge has been incurred, shall until the expiration of one hour from the time it was taken away again be left in that parking place during the permitted hours.

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

17. Every vehicle left in a parking place in accordance with the foregoing provisions of this Order shall so stand:
- (a) in the case of a parking place in relation to which special provisions as to the manner of standing of a vehicle in that parking place are specified in column 5 of a Schedule as to be in accordance with those provisions;
  - (b) in the case of any other parking place:
    - (i) if the parking place 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;
    - (ii) if the parking place 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, or the right (or offside) of the vehicle is adjacent to the right hand edge of the carriageway;
  - (c) so that every part of the vehicle is within the limits of a parking bay or parking space.

### **Power to suspend the use of a parking place**

18. (1) Any person duly authorised by the Council or the Commissioner of Police of the Metropolis may, subject to the agreement of, or an application to, the Council, suspend the use of a parking place or any part thereof whenever he considers such suspension reasonably necessary;
- (a) for the purpose of facilitating the movement of traffic or promoting its safety;
  - (b) for the purpose of any building operation, demolition or excavation adjacent to the parking place, the maintenance, improvement or reconstruction of the highway or the cleansing of gullies in or adjacent to the parking place, the laying, erection, alteration or repair in or adjacent to the parking place of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity or of any telecommunication system or the placing, maintenance or removal of any traffic sign;
  - (c) for the convenience of occupiers of premises adjacent to the parking place on any occasion of the removal of furniture to or from one office or dwelling-house adjacent to the parking place from or to a depository, another office or dwelling house;
  - (d) on any occasion on which it is likely by reason of some special attraction that any street will be thronged or obstructed;
  - (e) for the convenience of occupiers of premises adjacent to the parking place at times of weddings or funerals, or on other special occasions;
  - (f) for the purposes of filming in or adjacent to the parking place.
- (2) A police constable in uniform may suspend for not longer than twenty- four hours the use of a parking place or any part thereof whenever he considers such suspension reasonably necessary for the purpose of facilitating the movement of traffic or promoting its safety.
- (3) Any person or police constable suspending the use of a parking place or any part thereof in accordance with the provisions of paragraph (1) or, as the case may be, paragraph (2) of this Article shall thereupon place or cause to be placed traffic signs, hoods or other covers indicating that the parking place or part thereof is suspended and that the waiting by vehicles is prohibited.
- (4) On any suspension of the use of a parking place or any part thereof in accordance with the provisions of paragraph (1) of this Article any person duly authorised by the Council may temporarily remove any ticket parking meters and place or cause to be placed traffic signs indicating that the parking place or part thereof is suspended and that the waiting by vehicles is prohibited.
- (5) No person shall cause or permit a vehicle to wait in any parking place or part thereof when traffic signs, hoods or other covers indicating that the parking place or part thereof is suspended are displayed.

Provided that nothing in this paragraph shall apply:

- (i) In respect of any vehicle being used for fire brigade, ambulance or police purposes or any vehicle which is waiting for any reason referred to in Article 24(1)(b), (d) or (e); or
- (ii) to anything done with the permission of the person suspending the use of the parking place or part thereof in pursuance of paragraph (1) of this Article, a police constable in uniform or a parking attendant.

#### **Restriction on the use of a parking place**

19. During the permitted hours no person shall use any parking place or any vehicle while it is in a parking place in connection with the sale or offering or exposing for sale of any goods to any person in or near the parking place or in connection with the selling or offering for sale of his skill in handicraft or his services in any other capacity:

Provided that nothing in this Article shall prevent the sale of goods from a vehicle;

(a) if the vehicle is a passenger vehicle, a goods carrying vehicle, a motor cycle or a invalid carriage and the goods are immediately delivered at or taken into premises adjacent to the vehicle from which the sale is effected; or

(b) if the vehicle is one to which the provisions of Article 24 (1)(h) or (i) apply.

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

20. (1) Notwithstanding the foregoing provisions of this Order any vehicle may wait during the permitted hours in any part of a parking place if the use of that part has not been suspended and if:

(a) the vehicle is waiting for a period not exceeding two minutes, or such longer period as a police constable in uniform, or a parking attendant may approve, to enable a person to board or alight from the vehicle or load thereon or unload therefrom his personal luggage;

Provided that if the said person is a person suffering from any disability or injury which seriously impairs his ability to walk, or who is blind, the vehicle may wait for as long as may be reasonably necessary to enable that person to board or alight from the vehicle or load therefrom his personal luggage:

(b) the vehicle is waiting owing to the driver being prevented from proceeding by circumstances beyond his control or to such waiting being necessary in order to avoid an accident;

(c) the vehicle is being used for fire brigade, ambulance or police purposes or, not being a passenger vehicle, is being used in the service of a local authority in pursuance of statutory powers or duties provided that in all the circumstances it is reasonably necessary in the exercise of such powers or in the performance of such duties for the vehicle to wait in the place in which it is waiting;

(d) the vehicle is waiting only for so long as may be necessary to enable it to be used in connection with the removal of any obstruction to traffic:

(e) the vehicle is waiting:

(i) while postal packets addressed to premises adjacent to the parking place in which the vehicle is waiting are being unloaded from the vehicle or, having been unloaded therefrom, are being delivered, or

(ii) while postal packets are being collected for loading on the vehicle from premises or posting boxes adjacent to the parking place in which the vehicle is waiting or, having been so collected, are being loaded thereon:

(f) the vehicle not being a passenger vehicle is waiting only for as long as may be reasonably necessary to enable it to be used for any purpose specified in Article 18 (1)(b);

(g) the vehicle is in actual use in connection with the removal of furniture to or from one office or dwelling-house adjacent to the parking place from or to a depository, another office or dwelling-house;

(h) in any other case the vehicle is waiting for the purpose of delivering or collecting goods or loading or unloading the vehicle at premises adjacent to the parking place in which the vehicle is waiting and the vehicle does not wait for a period exceeding twenty minutes or for such longer period as a police constable in uniform or a civil enforcement officer may approve;

(j) the vehicle is waiting otherwise than in a parking bay or a parking space if goods are being sold or offered or exposed for sale from the vehicle by a person who is licensed by the Council to sell goods from a stationary vehicle on a pitch situated in the parking place;

(k) vehicles when used in the maintenance, improvement or operation of the London Cycle Hire Scheme whilst waiting adjacent to/nearby a cycle docking station.

(2) No parking charge or charge specified in the foregoing provisions of this Order shall be payable in respect of any vehicle waiting in a parking place in accordance with the foregoing provisions of this Article.

(3) Except as provided by this Order, the driver or person in charge of a vehicle shall not cause or permit a vehicle to wait in a parking place during the permitted hours.

(4) Nothing in the forgoing provisions of this Order shall be taken as authorising anything which would be a contravention of any Regulations made or having effect as if made under section 25 of the Road Traffic Regulation Act 1984.

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

21. No person shall cause or permit a vehicle to wait in a parking place by virtue of the provisions of paragraph (1)(e), (f), (g), (h), (j) or (k) of the last preceding Article otherwise than:-

(a) in the case of a parking place in relation to which special provisions as to the manner of standing of a vehicle in that parking place are specified in column 5 of a Schedule so that the vehicle shall stand;

(i) unless the length of the vehicle preclude compliance with this sub-paragraph in accordance with those provisions and so that every part of the vehicle is within the limits of the parking place; or

(ii) if the length of the vehicle does preclude compliance with the last preceding sub-paragraph so that the longitudinal axis of the vehicle is parallel to the edge of the carriageway nearest to the vehicle and the distance between the said edge and the nearest wheel of the vehicle is not more than 300 millimetres; and

(b) in the case of any other parking place, so that the longitudinal axis of the vehicle is parallel to the edge of the carriageway nearest to the vehicle and the distance between the said edge and the nearest wheel of the vehicle is not more than 300 millimetres; and

(c) so 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.

For the purposes of the last foregoing sub-paragraph, the expression "premises" shall not include any premises to or from which any furniture is being removed by virtue of the provisions of paragraph (1)(g) of the last preceding Article or to or from which goods are being delivered or collected by virtue of the provisions of paragraph (1)(h) of that Article.

### **Installation of ticket parking meters, placing of Traffic Signs, etc.**

22. The Council shall:

(a) install and maintain in proper working order ticket parking meters at or in the vicinity of each appropriate parking place;

(b) place and maintain traffic signs indicating the limits of each parking place, parking bay or parking space and traffic signs indicating that such parking place



may be used during the permitted hours for the leaving only of the appropriate vehicles specified in the Schedule headings;

(c) carry out such other work as is reasonably required for the purposes of the satisfactory operation of a parking place.

## **Section 2 - Permits**

### **Application for and issue of resident's permits**

23. (1) Any resident, who is the owner of a vehicle of the following class, that is to say a passenger vehicle, a goods carrying vehicle the overall height of which does not exceed 2.30 metres and the overall length of which does not exceed 5.25 metres, a motor cycle (excluding a bicycle propelled by mechanical power and not having a side-car attached thereto) or an invalid carriage, may apply to the council for the issue of a permit in respect of that vehicle and any such application shall be made on a form issued by and obtainable from the Council and shall include the particulars and information required by such form to be supplied.

(2) The Council may at any time require an applicant for a residents permit or a residents permit holder to produce to an officer of the Council such evidence in respect of an application for a permit made to them as they may reasonably call for to verify any particulars or information given to them or in respect of any permit issued by them as they may reasonably call for to verify that the permit is valid.

(3) On receipt of an application duly made under the foregoing provisions of this Article and upon receipt of the appropriate charge specified in paragraph (4) of this Article, the Council, upon being satisfied that the applicant is a resident and is the owner of a vehicle of the class specified in paragraph (1) of this Article, shall issue to the applicant therefore:

one residents' permit for the leaving of the vehicle to which such permit relates by the owner of such vehicle or by any person using such vehicle with the consent of the owner other than a person to whom such vehicle has been let for hire or reward during the permitted hours in any appropriate parking place where such a permit is valid for use.

Provided that, subject to the provisions of Article 31, the Council shall not issue a permit to any resident which would be valid for any period during which any other permit issued to that resident is or would be valid;

(4) Subject to a Notice of Variation, the charge payable to the Council shall be as set out in schedule 1 to this Order.

### **Use of parking permits in other designated zones**

24. Any vehicle displaying a valid zone "C3" resident parking permit or business parking permit may be left for:-

(a) an unlimited period in any appropriate parking place, where such permits are valid for use, signed with a "C" zone area code;

(b) a maximum period of 3 hours in any one day in any appropriate parking place (where such permits are valid for use) signed with a different zone area code – such period commencing when the vehicle is first so left in that particular zone.

### **Application for and issue of business permits, contractor's permit or market trader's permits**

25. (1) Any business user, contractor or market trader who trades from a pitch within the area referred to in Schedule 7 who is the owner of a vehicle of the following class, that is to say, a passenger vehicle, a goods carrying vehicle the overall height of which does not exceed 2.30 metres and the overall length of which does not exceed 5.25 metres, a motor cycle (excluding a bicycle propelled by mechanical power and not having a side-car attached thereto) or an invalid carriage, may apply to the Council for the issue of a permit in respect of that vehicle and any such application shall be made on a form issued by and obtainable from the Council and shall include the particulars and information required by such form to be supplied.

**NOTE:** A contractor's permit shall only be issued in respect of an application relating to a commercial vehicle.

(2) The Council may at any time require an applicant for a business permit or a business permit holder, a contractor's permit or a contractor's permit holder or market traders permit or market traders permit holder, as the case maybe, to produce to an officer of the Council such evidence in respect of an application for a permit made to them as they may reasonably call for to verify any particulars or information given to them or in respect of any permit issued by them as they may reasonably call for to verify that the permit is valid.

(3) On receipt of an application duly made under the foregoing provisions of this Article and upon receipt of the appropriate charge specified in paragraph (4) of this Article, the Council, upon being satisfied that the applicant is a business user, a contractor or market trader and is the owner of a vehicle of the class specified in paragraph (1) of this Article, shall issue to the applicant therefore:

(a) one business permit, contractor's permit or market traders permit as the case maybe for the leaving of the vehicle to which such permit relates by the owner of such vehicle or by any person using such vehicle with the consent of the owner other than a person to whom such vehicle has been let for hire or reward

during the permitted hours in any appropriate parking place where such a permit is valid for use.

Provided that, subject to the provisions of Article 31, the Council shall not issue a permit to any business user, contractor or market trader which would be valid for any period during which any other permit issued to that business user, contractor or market trader would be valid;

(4) Subject to a Notice of Variation, the charge payable to the Council shall be as set out in schedule 1 to this Order.

#### **Application for and issue of residents visitors parking permits**

26. (1) Any resident may apply to the Council for the issue of a resident visitors parking permit for a vehicle of the class described in Article 27 and belonging to a person or persons visiting that resident and any such application shall be made on a form issued by and obtainable from the Council and shall include the particulars and information required by such form to be supplied. Only one application per household will be considered by the Council.

(2) The Council may at any time require from an applicant for a residents visitors permit such evidence in respect of an application for a permit made to them as they may reasonably call for to verify any particulars or information given to them is valid.

(3) On receipt of an application duly made under the foregoing provisions of this Article the Council, upon being satisfied that the applicant is a resident and upon receipt of the appropriate charge specified in paragraph (6) of this Article shall issue to the applicant a book of residents visitors permits for the leaving of vehicles belonging to or being used by a person or persons visiting that resident during the permitted hours in any resident parking place, permit parking place, shared-use parking place signed with the the appropriate "A2" area zone code or marked visitors bays in London Borough of Tower Hamlets Housing Estates within the "A2" area for a maximum period of 5 hours in any one day between Monday and Friday and with no maximum period on Saturdays or Sundays.

(4) A residents visitors permit, which is in the form of a book comprising 10 daily cards shall be valid for one month from the date of issue and no more than 2 books will be issued per month;

(5) The provisions of Article 30(1),(2),(3)(a),(3)(f),(4) and (5) shall apply to resident's visitors permits;

(6) Subject to a Notice of Variation, the charge for a book of ten residents visitors permits referred to in paragraph (3) of this Article shall be £10;

(7) Only ONE Resident's Visitors permit may be displayed at any one time and must be displayed so that the time of arrival in hours and minutes, the day and the month are readily visible from the front or nearside of the vehicle. The display of more than one such permit invalidates all of those displayed.

### **Application for and issue of public service permits**

27. (1) Any public servant who is the owner of a vehicle of the following class, that is to say a passenger vehicle, a goods carrying vehicle the overall height of which does not exceed 2.30 metres and the overall length of which does not exceed 5.25 metres, a motor cycle (excluding a bicycle propelled by mechanical power and not having a side-car attached thereto) or an invalid carriage, may apply to the Council for the issue of a permit in respect of that vehicle and any such application shall be made on a form issued by and obtainable from the Council and shall include the particulars and information required by such form to be supplied.

(2) The Council may at any time require an applicant for a public service permit or a public service permit holder to produce to an officer of the Council such evidence in respect of an application for a permit made to them as they may reasonably call for to verify any particulars or information given to them or in respect of any permit issued by them as they may reasonably call for to verify that the permit is valid.

(3) On receipt of an application duly made under the foregoing provisions of this Article and upon receipt of the appropriate charge specified in paragraph (4) of this Article, the Council, upon being satisfied that the applicant is a public servant and is the owner of a vehicle of the class specified in paragraph (1) of this Article, shall issue to the applicant therefore:

One public service permit for the leaving of the vehicle to which such permit relates by the owner of such vehicle or by any person using such vehicle with the consent of the owner other than a person to whom such vehicle has been let for hire or reward during the permitted hours in a parking space in any resident parking place, permit parking place, shared-use parking place or undesignated estate parking place in the London Borough of Tower Hamlets, unless there are appropriate signs placed within any such parking place indicating otherwise.

(4) Subject to a Notice of Variation, the charge for a public service permit referred to in paragraph (3) of this Article shall as set out in schedule 1 to this Order.

### **Refund of charge paid in respect of a public service permit**

28. (1) A permit holder who surrenders a public service permit to the Council before it becomes valid shall be entitled to a refund of the charge paid in respect thereof (Subject to a Notice of Variation).

(2) A permit holder who surrenders a permit to the Council after it has become valid shall be entitled to a refund of part of the charge paid in respect thereof calculated on a monthly basis equal to the number of complete months which remain unexpired at the time when the permit is surrendered to the Council (Subject to a Notice of Variation).

### **Application for and issue of public service visitors parking permits**

29. (1) Any public servant or organisation serving the community may apply to the Council for the issue of a public service visitors parking permit for a vehicle of the class described in Article 23 and belonging to that public servant or to a person or persons visiting that organisation. Any such application shall be made on a form issued by and obtainable from the Council and shall include the particulars and information required by such form to be supplied.
- (2) The Council may at any time require an applicant for a public service visitors permit or a public service visitors permit holder to produce to an officer of the Council such evidence in respect of an application for a permit made to them as they may reasonably call for to verify any particulars or information given to them or in respect of any permit issued by them as they may reasonably call for to verify that the permit is valid.
- (3) On receipt of an application duly made under the foregoing provisions of this Article the Council, upon being satisfied that the applicant is a public servant or organisation serving the community and upon receipt of the appropriate charge specified in paragraph (6) of this Article shall issue to the applicant a book of public service visitors permits for the leaving of vehicles during the permitted hours in any resident parking place, permit parking place, shared-use parking place or undesignated estate parking place in the London Borough of Tower Hamlets for a maximum period of 3 hours in one day unless there are appropriate signs placed within any such parking place indicating otherwise.
- (4) A public service visitors permit will be in the form of a book comprising 10 daily cards.
- (5) The provisions of Article 30 (1),(2),(3)(a),(3)(f), (4) and (5) shall apply to public service visitors permits;
- (6) Subject to a Notice of Variation, the charge for a book of ten public service visitor's permits referred to in paragraph (3) of this Article shall be £35;
- (7) Public service visitors permits shall be displayed in accordance with the provisions of Article 6 of this order.

### **Surrender withdrawal and validity of a permit**

30. (1) A permit holder may surrender a permit to the Council at any time and shall surrender a permit to the Council on the occurrence of any one of the events set out in paragraph (3) of this Article or in accordance with the provisions of paragraph (5) of this Article.

(2) The Council may, by notice in writing served on the permit holder by sending the same by the recorded delivery service to the permit holder at the address shown by that person on the application for the permit or at any other address believed to be that person's place of abode, withdraw a permit if it appears to the Council that any of the events set out in paragraph (3)(a),(b) or (d) of this Article has occurred and the permit holder shall surrender the permit to the Council within 48 hours of the receipt of the aforementioned notice.

(3) The events referred to in the foregoing provisions of this Article are:

(a) the permit holder ceasing to be a resident, business user, market trader or public servant;

(b) the permit holder ceasing to be the owner of the vehicle in respect of which the permit was issued;

(c) the withdrawal of such permit by the Council under the provisions of paragraph (2) of this article;

(d) the vehicle in respect of which such permit was issued being adapted or used in such a manner that it is not a vehicle of the class specified in Article 23 (1);

(e) the issue of a duplicate permit by the Council under the provisions of Article 31;

(f) the permit ceasing to be valid pursuant to the provisions of paragraph (4) of this Article.

(4) Without prejudice to the foregoing provisions of this Article and the provisions of the next following paragraph, a permit shall cease to be valid at the expiration of the period specified thereon, or on the occurrence of any one of the events set out in paragraph (3)(a), (b), (c), (d) or (e) of this Article, whichever is the earlier.

(5) Where a permit is issued to any person upon receipt of a cheque and the cheque is subsequently dishonoured the permit shall cease to be of any effect and the Council shall by notice in writing served on the person to whom such permit was issued by sending the same by recorded delivery service to the permit holder at the address shown by that person on the application for the permit or at any other address believed to be that person's place of abode, require that person to surrender the permit to the Council within 48 hours of the receipt of the afore mentioned notice.

### **Application for and issue of duplicate permits**

31. (1) If a permit is mutilated or accidentally defaced or the figures or particulars thereon have become illegible or the colour of the permit has become altered by fading or otherwise, the permit holder shall either surrender it to the Council or apply to the Council for the issue to him of a duplicate permit and the council, upon receipt of the permit and payment of an administrative charge of £5 (subject to a Notice of Variation) shall issue a duplicate permit, so marked, and upon such issue the permit shall become invalid.

(2) If a permit is lost or destroyed, the permit holder may apply to the Council for the issue to him of a duplicate permit and the Council, upon being satisfied as to such loss or destruction, shall for the sum of £25 issue a duplicate permit, so marked, and upon such issue the permit shall become invalid. In the case of a stolen permit, the sum of £25 may be reduced to £5 if the application is accompanied by official police documentation - such sums being subject to a Notice of Variation.

(3) The provisions of this Order shall apply to a duplicate permit and an application therefore as if it were a permit or, as the case may be, an application therefore.

(4) If during the validity of a permit, the vehicle registration mark on the permit requires amendment, the Council shall, upon payment of an administrative charge of £5, subject to a Notice of Variation, issue a replacement permit with the correct details.

### **Form of permits**

32. A permit, shall be in writing and shall include the following particulars:

(a) the registration mark of the vehicle in respect of which the permit has been issued.

(b) the period during which, subject to the provisions of Article 30(4) the permit shall remain valid;

(c) an indication that the permit has been issued by the Council;

(d) with the exception of a contractor's permit, public service permit, public service visitors permit or market trader's permit, the zone area code "C3".

### **Section 3**

33. Conflict with other Orders:

So far as a parking place designated by this Order conflicts or is inconsistent with a parking place designated by the Tower Hamlets (Personalised Disabled Parking Places)(No.1) Order 2010 (LBTH 2010 No.1) as amended and applied, the provisions of those Orders shall prevail.

34. Revocation:

Without prejudice to the validity of anything done or to any liability incurred in respect of any act or omission before the coming into operation of this Order, the Tower Hamlets (C3 Parking Places) (No:1) Order 2005 (LBTH 2005 No:9) as amended and applied is hereby revoked.

Dated this: 31<sup>st</sup> October 2011



**JAMIE BLAKE**  
**SERVICE HEAD, PUBLIC REALM**  
**(The Officer appointed for the purpose)**

## **SCHEDULES**

1. Permit Charges
2. Pay and display
3. Pay and display and permit holders
4. Residents permit holders
5. Business permit holders
6. Permit holders
7. Zone area containing streets for the purposes of the definition of "Resident" and "Business user"
8. Coaches
9. Police vehicles
10. Business permit holders and Pay & Display
11. Permit holders and Pay & Display/Sunday Market Traders
12. Permit holders/Sunday Market Traders
13. Market Traders
18. Market Traders and Pay & Display