LONDON BOROUGH OF HARINGEY
TRAFFIC MANAGEMENT ORDER

2021 No. 192

THE HARINGEY (PAID FOR PARKING PLACES) (AMENDMENT NO. 6) ORDER 2021

Made: 3rd August 2021

Coming into force: 4th August 2021

The Council of the London Borough of Haringey, 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(**a**) and of all other enabling powers, hereby make the following Order:-

Citation and commencement

1. This Order shall come into force on 4th August 2021 and may be cited as The Haringey (Paid For Parking Places (Amendment No. 6) Order 2021.

Interpretation

2. (1) In this Order "the Order of 2021" means The Haringey (Paid For Parking Places) Order 2021(**b**).

   (2) 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.

   (3) Unless the context otherwise requires, any expression used in this Order which is also used in the Order of 2021 shall have the same meaning as in that Order.

Amendment to the Order of 2021

3. Without prejudice to the validity of anything done or to any liability incurred in respect of any act or omission before the coming into force of this Order, the Order of 2021 shall have effect as though

   (a) for the expression "permit" in Article 3(1) to that Order there was substituted the expression set out below:-

   "permit" means either: a residents permit granted or issued under the provisions of Article 24(3), or a business permit granted or issued under the provisions of Article 25(3), or a visitor permit granted or issued under the provisions of Article 26(3), or an essential service permit granted or issued under the provisions of Article 27(3), or a carers permit granted or issued under the provisions of Article 28(3), or a permission to park permit granted or issued under the provisions of Article 29(3); or a borough-wide or utilities permit granted or issued under the provisions of Article 30(3); or a street traders permit granted or issued under the provisions of Article 31(3), or a doctors permit granted or issued under the provisions of Article 32(3), or a car club permit granted or issued under the provisions of Article 33(3), or a disabled permit granted or issued under the provisions of Article 34(3); or a special permit granted or issued under the provisions of Article 35(3)

   (b) for Article 5(2) to that Order there was substituted the Article similarly numbered and set out below:-

   (2) Each resident permit holders parking place may be used, subject to the provisions of this Order, for the leaving during the permitted hours of such vehicles in respect of which has been granted, or as display in the relevant position, either:-

   (a) a valid residents permit; or

   (b) a valid visitor permit; or

   (c) a valid essential service permit, subject to the provisions of Article 9; or

   (d) a valid carers permit; or

   (e) a valid borough-wide or utilities permit; or

   (f) a valid special permit or

   (g) a valid permission to park permit

where the controlled parking zone, or where applicable, street within a controlled parking zone, if identified on or in relation to that permit, is the controlled parking zone indicated by way of a permit identifier on a traffic sign relating to that parking place, and where applicable, the street so identified on or in relation to that permit.

(c) for Article 5(3) to that Order there was substituted the Article similarly numbered and set out below:-

(3) Each permit holders parking place may be used, subject to the provisions of this Order, for the leaving during the permitted hours of such vehicles in respect of which has been granted, or as display in the relevant position, either:-

(a) a valid residents permit; or

(b) a valid business permit; or

(c) a valid visitor permit; or

(d) a valid essential service permit, subject to the provisions of Article 9; or

(e) a valid carers permit; or

(f) a valid borough-wide or utilities permit; or

(g) a valid special permit; or

(h) a valid permission to park permit

where the controlled parking zone, or where applicable, street within a controlled parking zone, if identified on or in relation to that permit, is the controlled parking zone indicated by way of a permit identifier on a traffic sign relating to that parking place, and where applicable, the street so identified on or in relation to that permit.

(d) for Article 5(4) to that Order there was substituted the Article similarly numbered and set out below:-

(4) Each shared-use resident permit holders and pay parking place may be used, subject to the provisions of this Order, for the leaving during the permitted hours of such vehicles:-

(a) in respect of which has been granted, or as display in the relevant position, either:-

(i) a valid residents permit; or

(ii) a valid visitor permit; or

(iii) a valid essential service permit, subject to the provisions of Article 9; or

(iv) a valid carers permit; or

(v) a valid borough-wide or utilities permit; or

(vi) a valid special permit; or

(vii) a valid permission to park permit

where the controlled parking zone, or where applicable, street within a controlled parking zone, if identified on or in relation to that permit, is the controlled parking zone indicated by way of a permit identifier on a traffic sign relating to that parking place, and where applicable, the street so identified on or in relation to that permit; or

(b) as are passenger vehicles, goods vehicles or motor cycles, in respect of which the parking charge has been paid either at a ticket parking meter or by way of the electronic payment system.

(e) for Article 5(5) to that Order there was substituted the Article similarly numbered and set out below:-

(5) Each shared-use permit holders and pay parking place may be used, subject to the provisions of this Order, for the leaving during the permitted hours of such vehicles:-

(a) in respect of which has been granted, or as display in the relevant position, either:-

(i) a valid residents permit; or

(ii) a valid business permit; or

(iii) a valid visitor permit; or

(iv) a valid essential service permit, subject to the provisions of Article 9; or

(v) a valid carers permit; or

(vi) a valid borough-wide or utilities permit; or

(vii) a valid special permit; or

(viii) a valid permission to park permit

where the controlled parking zone, or where applicable, street within a controlled parking zone, if identified on or in relation to that permit, is the controlled parking zone indicated by way of a permit identifier on a traffic sign relating to that parking place, and where applicable, the street so identified on or in relation to that permit; or

(b) as are passenger vehicles or goods vehicles in respect of which the parking charge has been paid either at a ticket parking meter or by way of the electronic payment system.

(f) for Article 5(6) to that Order there were substituted the Article similarly numbered and set out below:-

(6) Each pay parking place may be used, subject to the provisions of this Order, for the leaving during the permitted hours of such vehicles as are passenger vehicles or goods vehicles, in respect of which the parking charge has been paid either at a ticket parking meter or by way of the electronic payment system.

(g) for Article 6(1) to that Order there was substituted the Article similarly numbered and set out below:-

6. (1) At all times during which a vehicle is left in a resident permit holders parking place during the permitted hours, either: the driver shall cause to be displayed in the relevant position a valid residents permit, a valid visitors permit, a valid essential service permit, a valid carers permit, a valid borough-wide or utilities permit, a valid special permit or a valid permission to park permit issued in respect of that vehicle in accordance with the provisions of this Order so that all the particulars on that permit are readily visible from the outside, or there shall be an indication by hand-held device that a valid residents permit, a valid visitors permit, a valid essential service permit, a valid carers permit, a valid borough-wide or utilities permit, a valid special permit; or a valid permission to park permit has been granted in respect of that vehicle, in accordance with the provisions of this Order.

(h) for Article 6(2) to that Order there was substituted the Article similarly numbered and set out below:-

(2) At all times during which a vehicle is left in a permit holders parking place during the permitted hours, either: the driver shall cause to be displayed in the relevant position a valid residents permit, a valid business permit, a valid visitors permit, a valid essential service permit, a valid carers permit, a valid borough-wide or utilities permit, a valid special permit or a valid permission to park permit issued in respect of that vehicle in accordance with the provisions of this Order so that all the particulars on that permit are readily visible from the outside, or there shall be an indication by hand-held device that a valid residents permit, a valid business permit, a valid visitors permit, a valid essential service permit, a valid carers permit, a valid borough-wide or utilities permit, a valid special permit or a valid permission to park permit has been granted in respect of that vehicle, in accordance with the provisions of this Order.

(i) for Article 6(3) to that Order there was substituted the Article similarly numbered and set out below:-

(3) At all times during which a vehicle is left in a shared-use resident permit holders and pay parking place during the permitted hours, either: the driver shall cause to be displayed in the relevant position a valid residents permit, a valid visitors permit, a valid essential service permit, a valid carers permit, a valid borough-wide or utilities permit, a valid special permit; or a valid permission to park permit issued in respect of that vehicle, or a valid ticket from a ticket parking meter, in accordance with the provisions of this Order, so that all the particulars on that permit or ticket are readily visible from the outside, or there shall be an indication by hand-held device that a valid residents permit, a valid visitors permit, a valid essential service permit, a valid carers permit, a valid borough-wide or utilities permit, a valid special permit, or a valid permission to park permit has been granted in respect of that vehicle, or payment of the parking charge has been made by way of the electronic payment system in respect of that vehicle, in accordance with the provisions of this Order.

(j) for Article 6(4) to that Order there was substituted the Article similarly numbered and set out below:-

(4) *At all times during which a vehicle is left in a shared-use permit holders and pay parking place during the permitted hours, either: the driver shall cause to be displayed in the relevant position a valid residents permit, a valid business permit, a valid visitors permit, a valid essential service permit, a valid carers permit, a valid traders permit, a valid borough-wide or utilities permit, a valid special permit, or a valid permission to park permit issued in respect of that vehicle, or a valid ticket from a ticket parking meter, in accordance with the provisions of this Order, so that all the particulars on that permit or ticket are readily visible from the outside, or there shall be an indication by hand-held device that a valid residents permit, a valid business permit, a valid visitors permit, a valid essential service permit, a valid carers permit, a valid borough-wide or utilities permit, a valid special permit, or valid permission to park permit has been granted in respect of that vehicle, or payment of the parking charge has been made by way of the electronic payment system in respect of that vehicle, in accordance with the provisions of this Order.*

(k) for Article 29 to that Order there was substituted the Article similarly numbered and set out below:-

Application for and grant or issue of permission to park permits

29. (1) Any trader undertaking work at premises in a controlled parking zone in the London Borough of Haringey may apply to the Council or authorised agent for the grant or issue of a permission to park permit in respect of a vehicle and location and any such application shall be made by way of an online form accessible by way of the Council's website, or on a form issued by and obtainable from the Council or authorised agent and shall include the particulars and information required by such form to be supplied, together a business case in support of the application.

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

(3) Upon receipt of an application and business case duly made under the foregoing provisions of this Article and upon receipt of the appropriate charge specified in item 13 of Schedule 3, the Council or authorised agent, upon being satisfied that the applicant is a trader undertaking work at premises in a controlled parking zone in the London Borough of Haringey and has a valid business case supporting the application for the permit, shall grant or issue to the trader one permission to park permit for the leaving during the permitted hours in any parking place to which such permit relates of the vehicle to which such permit relates by the keeper of such vehicle or by any person using such vehicle with the consent of the keeper in the course of undertaking works at the premises in respect of which the application was made.

Provided that the grant or issue of a permission to park permit in respect of any particular applicant or vehicle or location shall be at the Council's discretion and decided on a case by case basis.

(4) The decision to issue a permission to park permit is at the discretion of the appropriate delegated authority of the Council. Without prejudice to the generality of the delegated authority discretion the following circumstances may be relevant to an application:

(a) house removals;

(b) weddings; or

(c) funerals.

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

(l) for Article 42 to that Order there was substituted the Article similarly numbered and set out below:-

Surrender, withdrawal and validity of permits other than visitor permits

42. (1) A permit holder may surrender a permit to the Council or authorised agent at any time and shall surrender such permit to the Council or authorised agent on the occurrence of any one of the events set out in paragraph (3) of this Article.

(2) *The Council or authorised agent may, by notice in writing served on the permit holder, by sending the same by the recorded delivery service to that permit holder at the address shown by that person or business or organisation on the application for that permit or at any other address believed to be that person's place of abode, or place of business, or premises, withdraw a permit if any one of the events set out in paragraph (3)(a), (b), (c), (d), (e), (f), (g), (h), (i), (j) or (k) of this Article has occurred and the permit holder shall surrender that permit to the Council or authorised agent within 48 hours of the receipt of the aforementioned notice.*

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

(a) *in relation to a residents permit holder, the permit holder ceasing to be a resident;*

(b) *in relation to a business permit holder, the business permit holder ceasing to be a business user;*

(c) *in relation to an essential service permit holder, the essential service permit holder ceasing to be an essential service provider; or*

(d) *in relation to a carers permit holder, the carers permit holder ceasing to be a carer;*

(e) *in relation to a borough-wide or utilities permit holder, the borough-wide or utilities permit holder ceasing to be a borough-wide or utilities user*

(f) *in relation to a street traders permit holder, the street traders permit holder ceasing to be a street trader;*

(g) *in relation to a doctors permit holder, the doctors permit holder ceasing to be a doctor or ceasing to practice at the location in respect of which the doctors permit was granted or issued;*

(h) *in relation to a car club permit: the car club to which the car club permit has been granted or issued ceasing to be a car club authorised by the Council, or the car club ceasing to be the user of the parking place in respect of which the car club permit was granted or issued, or the parking place in respect of which the car club permit has been granted or issued is revoked or suspended and no alternative car club bay has been provided by the Council;*

(i) *in relation to a disabled permit, the disabled permit holder ceasing to be a resident or to fulfil the criteria set out in Article 34(1);*

(j) *in relation to a special permit, the special permit holder ceasing to meet the criteria of the issue of the permit;*

(k) *in relation to a permission to park permit, the permission to park permit holder ceasing to meet the criteria of the issue of the permit;(m) the permit holder ceasing to be the keeper of the vehicle in respect of which that permit was issued;*

(l) *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 31(1) in the case of a street traders permit, or a vehicle of the class specified in Article 5(1) in the case of any other permit;*

(m) *the issue of a duplicate permit by the Council or authorised agent under the provisions of Article 40;*

(n) *the permit ceasing to be valid pursuant to the provisions of paragraph (4) of this Article; or*

(o) *the visitor permit being transferred by the permit holder to another person for that person's use.*

Without prejudice to the foregoing provisions of this Article, 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 sub-paragraph (3)(a), (b), (c), (d), (e), (f), (g), (h), (i), (j), (k), (l), (m), (n) or (o) of this Article, whichever is the earlier.

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

(6) *Without prejudice to the foregoing provisions of this Article, 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), (e), (f), (g), (h), (i), (j), (k), (l), (m), (n) or (o) of this Article, whichever is the earlier and on the occurrence of the event set out in paragraph (3)(o) of this Article the council may permanently suspend or cancel a visitor permit holders account and will not provide either a full, or partial, refund where a permit had been cancelled in these circumstances.*

(m) there were added to that Order the Article numbered 15(j) set out below:-

(j) the vehicle is a motorcycle

(n) there were added to that Order the Article numbered 37 set out below:-

Terms and effect of permission to park permits

37. (1) A permission to park permit shall be issued subject to such terms and conditions as the Council's appropriate delegated authority shall think fit.

(2) A permission to park permit shall authorise the applicant to leave the vehicle specified therein:

(a) in any permit parking place, or part thereof; and

(b) on such day or days, during such periods and at such times during the permitted hours, and;

(c) subject to such conditions and limitations as shall be indicated on the permit.

(3) A permission to park permit shall be valid for such a period as the appropriate delegated authority of the Council shall think fit but in any event no longer than a period of twelve months from the date the permit first becomes valid.

(o) there were added to Schedule 3 of that Order the item numbered 15 set out below:-

Permission to park permits

15. The charge for a permission to park permit referred to in Article 29(3) shall be twenty pounds (£20.00) per day.

Dated 3rd August 2021

Ann Cunningham
Head of Highways and Parking