LONDON BOROUGH OF HARINGEY
TRAFFIC MANAGEMENT ORDER

2021 No. 62

THE HARINGEY (CONTROLLED PARKING ZONES) (AMENDMENT NO. 3) ORDER 2021

Made: 9th March 2021

Coming into force: 12th April 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 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:-

1. This Order may be cited as the Haringey (Controlled Parking Zones) (Amendment No. 3) Order 2021 and shall come into force on 13th April 2021.

2. In this Order –

   (a) the expression "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 and 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;

   (b) the '"Orders (A)" means The Haringey (Bounds Green East CPZ) (Designations) Order 2018, The Haringey (Woodside West CPZ) (Designations) Order 2018, The Haringey (White Hart Lane CPZ) (Designations) Order 2018, The Haringey (Alexandra Palace CPZ) (Designations) Order 2015, The Haringey (Highgate Station CPZ) (Designations) Order 2013, The Haringey (Highgate Station Outer CPZ) (Designations) Order 2013, The Haringey (Highgate A CPZ) (Designations) Order 2013, The Haringey (St. Ann's CPZ) (Designations) Order 2014, The Haringey (Tottenham CPZs) (Designations) Order 2015, The Haringey (Wood Green CPZ) (Parking Places) Consolidation Order 2013, The Haringey (Woodside CPZ) (Designations) Order 2015, The Haringey (Hornsey South CPZ) (Designations) Order 2014 and The Haringey (Muswell Hill CPZ) (Designations) Order 2018, The Haringey (Seven Sisters CPZ) (Parking Places) Order 2010, The Haringey (The Hale CPZ) (Parking Places) Consolidation Order 2010; The Haringey (Finsbury Park CPZ) (Parking Places) Order 2011, The Haringey (Bounds Green CPZ) (Parking Places) Order 2011, The Haringey (Crouch End A) (Parking Places) Order 2011, The Haringey (Crouch End B) (Parking Places) Order 2011, The Haringey (Belmont CPZ) (Parking Places) Order 2011, The Haringey (Finsbury Park B CPZ) (Parking Places) Order 2011, The Haringey (Finsbury Park C CPZ) (Parking Places) Order 2011, and The Haringey (Stroud Green CPZ) (Parking Places) Order 2011; The Haringey (Bruce Grove North CPZ) (Designations) Order 2019The Haringey (Bruce Grove West CPZ) (Designations) Order 2019, The Haringey (Seven Sisters South CPZ) (Designations) Order 2019 and The Haringey (Bruce Castle CPZ) (Designations) Order 2020;

   (c) the "Orders (B)" means The Haringey (Fortis Green Area CPZ) (Parking Places) Order 2007, The Haringey (Bruce Grove CPZ) (Parking Places) Order 2007 and The Haringey (Green Lanes CPZ) (Parking Places) Order 2007.

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 operation of this Order the Orders (A) shall have effect as though:-

   (a) for the expression "permit holder" in Article 2(1) to that Order there were substituted the items set out below:-

   "permit holder" means a person to whom a hard copy permit or virtual permit has been issued;

   (b) the following expressions were added to Article 2(1) to that Order:-

   "hard copy permit" means a hard copy permit issued under the provisions of Articles 14(3) or 15(6) of Part I to this Order;

   "surrenders" in the case of a virtual permit means that the permit holder notifies the Council that that the virtual permit is no longer required;

   "virtual permit" means a permit issued under the provisions of Articles 14(3) or 15(6) of Part I to this Order, which although not in actual form, is nevertheless a permit, by virtue of the vehicle's registration mark appearing on a list of vehicles authorised by the Council;

(c) for Article 12 to that Order there were substituted the Article similarly numbered and set out below:-

Permits and residents' visitor's permits to be displayed on vehicles left in a permit parking place

12. At all times during which a vehicle, other than a vehicle excepted by Part I of this Order, is left in a permit parking place during the permitted hours the driver thereof shall:-

(a) cause a valid hard copy permit issued in respect of that vehicle to be displayed in the protective cover, or a validated residents' visitors' permit to be displayed on the front or nearside of the vehicle so that all the particulars referred to in Articles 16 or 21 as the case shall be are readily visible from the front or nearside of the vehicle. Or;

(b) ensure that a virtual permit has been issued in respect of that vehicle and that the permit is valid at the time of its use.

(d) for Article 13(1) to that Order there were substituted the Article similarly numbered and set out below:-

Restriction on the removal of permits and penalty charge notices

13. (1) Where a hard permit has been displayed on a vehicle in accordance with the provisions of Article 12, no person, not being the driver of the vehicle, shall remove the hard copy permit from the vehicle unless authorised to do so by the driver of the vehicle.

(e) for Article 14(3) to that Order there were substituted the Article similarly numbered and set out below:-

Application for and issue of resident or business user permits

14. (3) Upon receipt of an application duly made under the foregoing provisions of this Article and upon receipt of the charge specified in paragraph (4) of this Article, the Council or authorised agent, upon being satisfied that the applicant is a resident or a business user and is the owner of a vehicle of the class specified in paragraph (1) of this Article, shall issue to the applicant therefore one hard copy permit and one protective cover for the display therein of a hard copy permit, or a virtual permit for the leaving during the permitted hours in a permit parking space in any permit parking place 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:

(f) for Article 15(6) to that Order there were substituted the Article similarly numbered and set out below:-

Application for and issue of essential service and essential service transferable permits

15. (6) Upon receipt of an application duly made under the foregoing provisions of this Article and upon receipt of the charge specified in paragraph (7) of this Article, the Council or authorised agent, upon being satisfied that the applicant/organisation qualifies for such a permit and is the owner or controller of a vehicle of the class specified in paragraph (1) of this Article, shall issue to the applicant therefore one hard copy permit and one protective cover, or one virtual permit, for leaving in the period during which the permit shall remain valid, in a permit parking space in any residents permit parking place - subject to the type of permit specified in paragraph (4) of this Article - 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:

Provided that:-

(i) subject to the provisions of Article 19, the Council or authorised agent shall not issue an essential service permit to any organisation which would be valid for any period during which any other essential service permit or an essential service permit issued to that organisation is or would be valid;

(ii) the decision to issue an essential service permit shall be at the discretion of the appropriate delegated authority who may issue such a permit if the applicant can demonstrate a genuine need, arising from any business, employment or other special services, to use more than one vehicle within the controlled parking zone;

(iii) The address being visited must be displayed with the essential service permit.

(g) for Article 17 to that Order there were substituted the Article similarly numbered and set out below:-

<u>Surrender, withdrawal and validity of permits</u>

17. (1) A permit holder may surrender a permit to the Council or authorised agent at any time and shall surrender a permit to the Council or authorised agent 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 or authorised agent may, by notice in writing served on the permit holder 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, withdraw a permit if it appears to the Council or authorised agent that any one 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 or authorised agent within 48 hours of the receipt of the aforementioned notice. In the event that it has not been possible for the Council to contact the permit holder, no formal notification may be given.

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

(a) the permit holder ceasing to be a resident or business user, as the case may be;

(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 or authorised agent 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 4(1);

(e) the issue of a duplicate permit by the Council or authorised agent under the provisions of Article 19;

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

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

(4) 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) or (g) of this Article, whichever is the earlier and on the occurrence of the event set out in paragraph (3) (g) of this Article the council may permanently suspend or cancel a permit holders account and will not provide either a full, or partial, refund where a permit had been cancelled in these circumstances

(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 or authorised agent shall by notice in writing served on the person to whom such permit was issued by sending the same by the recorded delivery service to them 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 or authorised agent within 48 hours of the receipt of the aforementioned notice. In these circumstances the Council will cancel the permit and seek payment for any outstanding amount(s) in relation to any full or part period that has already been used in relation to that cheque payment.

4. 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 Orders (B) shall have effect as though:-

(a) for the expression "permit holder" in Article 2(1) to that Order there were substituted the items set out below:-

"permit holder" means a person to whom a permit or virtual permit has been issued;

(b) the following expressions were added to Article 2(1) to that Order:-

"hard copy permit" means a hard copy permit issued under the provisions of Articles 14(3) or 15(6) of Part I to this Order;

"surrenders" in the case of a virtual permit means that the permit holder notifies the Council that that the virtual permit is no longer required;

"virtual permit" means a permit issued under the provisions of Articles 14(3) or 15(6) of Part I to this Order,

which although not in actual form, is nevertheless a permit, by virtue of the vehicle's registration mark appearing on a list of vehicles authorised by the Council;

(c) for Article 12 to that Order there were substituted the Article similarly numbered and set out below:-

Permits and residents' visitor's permits to be displayed on vehicles left in a permit parking place

12. At all times during which a vehicle, other than a vehicle excepted by Part I of this Order, is left in a permit parking place during the permitted hours the driver thereof shall:-

(a) cause a valid hard copy permit issued in respect of that vehicle to be displayed in the protective cover, or a validated residents' visitors' permit to be displayed on the front or nearside of the vehicle so that all the particulars referred to in Articles 16 or 21 as the case shall be are readily visible from the front or nearside of the vehicle. Or;

(b) ensure that a virtual permit has been issued in respect of that vehicle and that the permit is valid at the time of its use.

(d) for Article 13(1) to that Order there were substituted the Article similarly numbered and set out below:-

Restriction on the removal of permits and penalty charge notices

13. (1) Where a hard permit has been displayed on a vehicle in accordance with the provisions of Article 12, no person, not being the driver of the vehicle, shall remove the hard copy permit from the vehicle unless authorised to do so by the driver of the vehicle.

(e) for Article 17(3) to that Order there were substituted the Article similarly numbered and set out below:-

Application for and issue of resident or business user permits

17. (3) Upon receipt of an application duly made under the foregoing provisions of this Article and upon receipt of the charge specified in paragraph (4) of this Article, the Council or authorised agent, upon being satisfied that the applicant is a resident or a business user and is the owner of a vehicle of the class specified in paragraph (1) of this Article, shall issue to the applicant therefore one hard copy permit and one protective cover for the display therein of a hard copy permit, or a virtual permit for the leaving during the permitted hours in a permit parking space in any permit parking place 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:

(f) for Article 18(5) to that Order there were substituted the Article similarly numbered and set out below:-

Application for and issue of essential service and essential service transferable permits

16. (5) Upon receipt of an application duly made under the foregoing provisions of this Article and upon receipt of the charge specified in paragraph (7) of this Article, the Council or authorised agent, upon being satisfied that the applicant/organisation qualifies for such a permit and is the owner or controller of a vehicle of the class specified in paragraph (1) of this Article, shall issue to the applicant therefore one hard copy permit and one protective cover, or one virtual permit, for leaving in the period during which the permit shall remain valid, in a permit parking space in any residents permit parking place - subject to the type of permit specified in paragraph (4) of this Article - 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:

Provided that:-

(i) subject to the provisions of Article 19, the Council or authorised agent shall not issue an essential service permit to any organisation which would be valid for any period during which any other essential service permit or an essential service permit issued to that organisation is or would be valid;

(ii) the decision to issue an essential service permit shall be at the discretion of the appropriate delegated authority who may issue such a permit if the applicant can demonstrate a genuine need, arising from any business, employment or other special services, to use more than one vehicle within the controlled parking zone;

(iii) The address being visited must be displayed with the essential service permit.

(g) for Article 20 to that Order there were substituted the Article similarly numbered and set out below:-

<u>Surrender, withdrawal and validity of permits</u>

20. (1) A permit holder may surrender a permit to the Council or authorised agent at any time and shall surrender a permit to the Council or authorised agent 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 or authorised agent may, by notice in writing served on the permit holder 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, withdraw a permit if it appears to the Council or authorised agent that any one 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 or authorised agent within 48 hours of the receipt of the aforementioned notice. In the event that it has not been possible for the Council to contact the permit holder, no formal notification may be given.

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

(a) the permit holder ceasing to be a resident or business user, as the case may be;

(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 or authorised agent 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 4(1);

(e) the issue of a duplicate permit by the Council or authorised agent under the provisions of Article 19;

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

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

(4) 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) or (g) of this Article, whichever is the earlier and on the occurrence of the event set out in paragraph (3) (g) of this Article the council may permanently suspend or cancel a permit holders account and will not provide either a full, or partial, refund where a permit had been cancelled in these circumstances

(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 or authorised agent shall by notice in writing served on the person to whom such permit was issued by sending the same by the recorded delivery service to them 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 or authorised agent within 48 hours of the receipt of the aforementioned notice. In these circumstances the Council will cancel the permit and seek payment for any outstanding amount(s) in relation to any full or part period that has already been used in relation to that cheque payment.

Dated 9th March 2021

Ann Cunningham
Head of Highways and Parking