LONDON BOROUGH OF HARINGEY

TRAFFIC MANAGEMENT ORDER

2021 No. 63

The Haringey (Doctors Parking Places) (Amendment No. 1) 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 powers conferred by section 45, 46, 49 and 124 of and Part IV of Schedule 9 to the Road Traffic Regulation Act 1984(a), as amended and of all other powers thereunto enabling, hereby make the following Order: -

Citation and commencement

1. This Order shall come into force on 12th April 2021 and may be cited as the Haringey (Doctors Parking Places) (Amendment No. 1) Order 2021.

Interpretation

2. (1) In this Order "the Order of 1994" means the Haringey (Doctor Parking Places) (Special Parking Area) (No.1) Order 1994(**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 1994 shall have the same meaning as in that Order.

Amendment to the Order of 1994

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 Order of 1994 shall have effect as though:-

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

   "permit holder" means a person to whom a permit or virtual permit has been issued und er the provisions of Article 15(3((a);

   (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 Article 15(3)(a) 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;

(**a**) 1984 c.27 (**b**) L.B.H. 1994/1

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

<u>Permits to be displayed on vehicles left in a parking place</u>

12. At all times during which a vehicle, other than a vehicle 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 on the front or nearside of the vehicle so that all the particulars referred to in Article 19 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 15(3)(a) to that Order there were substituted the Article similarly numbered and set out below:-

15. (3) upon receipt of an application duly made under the foregoing provisions of this Article and upon receipt of the fee specified in paragraph (4) of this Article, the Council may issue to the applicant:

(a) hard copy permits, or virtual permits, for the leaving during the permitted hours in the parking place specified thereon of such vehicles specified in the application as they are satisfied are used by legally qualified medical practitioners who are liable to be called, of necessity, to emergencies away from the surgery or consulting room shown on such application to the extent that the need for special parking arrangements is justified and to whom no suitable alternative parking facility is available within a reasonable distance; and

(e) for Article 16 to that Order there were substituted the Article similarly numbered and set out below:-

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

16. (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) or 3(c) 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 vehicle or any vehicle in respect of which the permit was issued ceasing to be used by a legally qualified medical practitioner who is liable to called, of necessity, to emergencies away from the surgery or consulting room shown on the application for that permit to the extent that the need for special parking arrangements can be justified;

(b) the withdrawal of such permit by the Council under the provisions of paragraph (2) of this Article;

(c) the revocation of the designation of the parking place in respect of which the permit was issued;

(d) this issue of a revised permit or a duplicate permit by the Council under the provisionsof Article 17;

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

(f) 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) or (f) of this Article, whichever is the earlier and on the occurrence of the event set out in paragraph (3) (f) 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) Nothing in the forgoing provisions of this Article shall affect the validity of or require the surrender of or enable the Council to withdraw the permit on the grounds that the event set out in paragraph 3(a) of this Article has occurred if the permit holder has duly applied to the Council for the permit to be amended pursuant to Article 17(1).

(6) Where a permit relating to a parking place is issued pursuant to Article 15(3) to any person upon receipt of a cheque and the cheque is subsequently dishonoured, all the permits relating to that parking place shall cease to be of any effect and the Council shall by notice in writing served on the permit holder by sending the same by recorded delivery service to him at the address shown by that person on the application for the permit or permits or at any other address believed to be that person's place of abode, require that person to surrender all permits to the Council 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