LONDON BOROUGH OF HARINGEY
TRAFFIC MANAGEMENT ORDER
2021 No. 243

The Haringey (Charged-For Parking Places) (Amendment No. 26) Order 2021

Made: 21st December 2021

Coming into force: 23rd December 2021

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, 51 and 124 of and Part IV of Schedule 9 to the Road Traffic Regulation Act 1984(**a**) as amended by the Local Government Act 1985 and the Traffic Management Act 2014 and of all other powers thereunto enabling, hereby make the following Order:

Citation and commencement

1. This Order may be cited as the Haringey (Charged-For Parking Places) (Amendment No. 26) Order 2021 and shall come into force on 23rd December 2021.

Interpretation

2. (1) In this Order:
"the Order of 2021" means The Haringey (Charged-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 operation of this Order, the Order of 2021 shall have effect as though:
(a) to remove the following expression from Article 3(1):

"companion badge" means a vehicle-specific badge issued by the Council to disabled persons badge holder which may be displayed on a specified vehicle left in a disabled persons parking place or any other on-street parking place or location within a restricted street within the London Borough of Haringey in or at which a vehicle displaying a valid disabled persons badge may be left under the provisions of this Order, as an alternative to the display of a disabled persons badge;

(b) Article 3(1) to include the following expression set out below:

"disabled virtual residential parking permit" means a vehicle-specific permit issued by the Council to a disabled persons badge holder or any other person who resides in the same household as disabled persons badge holder, which permits the vehicle to be left in a disabled persons parking place or any other on-street parking place or location within a restricted street within the London Borough of Haringey in or at which a vehicle displaying a valid disabled persons badge may be left under the provisions of this Order, as an alternative to the display of a disabled persons badge;

(**a**) 1984 c.27 (**b**) LBH 2021/182

(c) 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), or a disabled virtual residential parking permit granted or issued under the provisions of Article 38(3).

(d) 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
(h) a valid disabled virtual residential parking 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.

(e) 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
(i) a valid disabled virtual residential parking 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.

(f) 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 traders permit; or
(vi) a valid borough-wide or utilities permit; or
(vii) a valid special permit
(viii) a valid disabled virtual residential parking 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.

(g) 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
(ix) a valid disabled virtual residential parking 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.

(h) 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 or a valid disabled virtual residential parking has been granted in respect of that vehicle, in accordance with the provisions of this Order.

(i) 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, a valid permission to park permit has been granted in respect of that vehicle or a valid disabled

virtual residential parking has been granted in respect of that vehicle, in accordance with the provisions of this Order.

(j) 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, a valid permission to park permit, or a valid disabled virtual residential parking 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 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, a valid permission to park permit has been granted in respect of that vehicle or a valid disabled virtual residential parking 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.

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

(5) At all times during which a vehicle is left in a pay parking place during the permitted hours, either: the driver shall cause to be displayed in the relevant position a valid ticket from a ticket parking meter, in accordance with the provisions of this Order, so that all the particulars on that ticket are readily visible from the outside, or there shall be an indication by hand-held device that payment of the parking charge has been made by way of the electronic payment system in respect of that vehicle, or the vehicle is registered as holding a valid disabled virtual residential parking permit in accordance with the provisions of this Order.

(m) for Article 7 to that Order there was substituted the Article similarly numbered and set out below:-

7. (1) Notwithstanding the foregoing provisions of this Order, a vehicle which displays in the relevant position a valid disabled persons badge or the vehicle is registered as holding a valid disabled virtual residential parking permit may be left in a resident permit holders parking place, a permit holders parking place, a shared-use resident permit holders and pay parking place, a shared-use permit holders and pay parking place, or a pay parking place, without charge or time limit, provided the use of that parking place or part thereof has not been suspended.

(2) Without prejudice to the generality of this Article, a vehicle which displays in the relevant position a disabled persons badge or the vehicle is registered as holding a valid disabled virtual residential parking permit shall stand in a parking place in accordance with the provisions of Article 10.

(n) there were added to that Order the Article numbered 38 set out below:-

Application for and grant or issue of disabled virtual residential parking permit

38. (1) A resident who is a disabled person or a person who is resident at the same address as a disabled person and who is their nominated driver and who is the keeper of a vehicle of the class specified in Article 5(1), may apply to the Council or authorised agent for the grant or issue of a disabled virtual residential parking permit in respect of that vehicle, subject to the following criteria:-

(a) The disabled person must reside within the borough and be the holder of a Disabled Person's Blue Badge.

any such application shall be made by way of either 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.

(2) The Council or authorised agent may at any time require an applicant for a disabled virtual residential parking permit to produce to an officer of the Council or authorised agent such evidence in respect of an application for a disabled virtual residential parking 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 or granted by them as they may reasonably call for to verify that the permit is valid.

(3) Upon receipt of an application duly made under the foregoing provisions of this Article, the Council or authorised agent upon being satisfied that the applicant is a resident who is a disabled person or a person who is resident at the same address as a disabled person and who is their nominated driver and is the keeper of a vehicle of the class specified in paragraph (1) of this Article, shall grant or issue to the applicant one disabled virtual residential parking permit for the leaving during the permitted hours in any disabled badge holders only parking place, residential permit parking place, permit holder parking place, pay by phone parking place, shared use residential permit parking/pay by parking place, shared use permit holder permit parking/pay by parking place within the borough of Haringey, subject to such conditions and limitations as shall be indicated on the permit.

(4) Vehicles registered as holding a valid disabled virtual residential parking permit will be prohibited from parking on single or double yellow lines (However Disabled Badge holders may park for up to 3 hours on single or double yellow lines where loading restrictions do not apply, providing the badge and associated clock is displayed correctly).

(5) When using the disabled virtual residential parking permit, the disabled person to who the permit has been issued must be present either as the driver or passenger of the vehicle and therefore personally making use of the concession, unless parked outside the home of the blue badge holder.

(6) When using the disabled virtual residential parking permit, the Blue Badge must be available for inspection when requested by an Enforcement Officer.

(7) A disabled virtual residential parking 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) 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), (k) or (l) 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) in relation to a disabled virtual residential parking permit, the disabled virtual residential parking permit holder ceasing to meet the criteria set out in Article 38(1) or the permit holder ceasing to be the keeper of the vehicle in respect of which that permit was issued;

(m) 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;

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

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

(p) 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), (o) or (p) 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) , (o) or (p) of this Article, whichever is the earlier and on the occurrence of the event set out in paragraph (3)(p) 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.

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

<u>Disabled virtual residential parking permit</u>

16. The disabled virtual residential parking permit referred to in Article 38(3) shall be free of charge.

Dated: 21st December 2021

Ann Cunningham
Head of Highways & Parking

EXPLANATORY NOTE

(This is not part of the Order but used to help explain its purpose)
The Haringey (Charged-For Parking Places) (Amendment No. 26) Order 2021

The general effect of the Order, in conjunction with the Haringey (Free Parking Places, Loading Places and Waiting, Loading and Stopping Restrictions) (Amendment No.27) Order 2021, is to formalise and extend the concessions for the disabled virtual residential parking permit to include:

1. Extend eligibility for the disabled virtual residential parking permit to allow the vehicle to be registered to anyone in the same household.
2. The disabled virtual residential parking permit be extended borough-wide, allowing holders to park in non-dedicated disabled parking bays, residential permit parking bays, permit holders parking place, pay by phone bays, shared use residential permit parking place/pay by phone bays and shared use permit holder parking place/pay by phone bays.
3. Those permit holders would be prohibited from parking on single or double yellow lines (However Disabled Badge holders may park for up to 3 hours on single or double yellow lines where loading restrictions do not apply, providing the badge and associated clock is displayed correctly).
4. When using the disabled virtual residential parking permit, the Blue Badge must be available for inspection when requested by an Enforcement Officer.
5. When using the disabled virtual residential parking permit, the blue badge holder must be present either as the driver or passenger of the vehicle and therefore personally making use of the concession, unless parked outside the home of the blue badge holder.