

# **LONDON BOROUGH OF MERTON**

## **PROPOSED INTRODUCTION OF 'FG2' CONTROLLED PARKING ZONE IN THE RIALTO ROAD AREA**

### **THE MERTON (PARKING PLACES) (FG2) ORDER 202\***

### **THE MERTON (WAITING AND LOADING RESTRICTION) (FG2) ORDER 202\***

### **THE MERTON (WAITING AND LOADING RESTRICTION) (AMENDMENT NO. \*) ORDER 202\***

1. **NOTICE IS HEREBY GIVEN** that the Council of the London Borough of Merton propose to make the above-mentioned Orders under sections 6, 45, 46, 49 and 124 of and Part IV of Schedule 9 to the Road Traffic Regulation Act 1984, as amended.
2. The main effect of the Orders would be to introduce a controlled parking zone "FG2" to include the lengths of streets specified in the Schedule to this notice.
3. The general effect of the 'FG2 Parking Places' Order would be to: -
  - (a) designate parking places that would operate Mondays to Sundays between the hours of 8.30am and 6.30pm inclusive in certain lengths of the streets listed in the Schedule to this Notice,
  - (b) specify that:-
    - (i) each parking place may be used, subject to the provisions of the Order, for the leaving during permitted hours of such vehicles as are passenger vehicles, goods carrying vehicles, or invalid carriages for which has been issued a valid permit. Motor cycles and vehicles displaying a "blue badge" would park free;
    - (ii) residents' permits would be issued by the Council or its agents to persons whose usual place of abode is in the lengths of streets specified in the Schedule to this Notice and Eastfields Road, Nos. 37 to 41(odd) and Nos. 73a to 77(odd,) and subject to sub-paragraphs (iv) to (vi) below, the charges would be £90 per annum or £45 for six months for the first permit, £140 per annum or £70 for six months for the second permit and £190 per annum or £95 for six months for the third and subsequent permits;
    - (iii) charges for other permits would be, subject to sub-paragraphs (iv) to (vi) below, as follows: resident address permits would be charged at the same rate as residents' permits, free for housebound or registered disabled applicants; business permits would be £331 for 6 months, annual visitor permits (one per household) would be £340, residents would be entitled to 50 full day temporary visitors' permits at a charge of £3 or 100 half day temporary visitors' permits at a charge of £2 per permit valid between 8.30am and 2pm or 12 noon and 6.30pm Mondays to Sundays inclusive; teacher permits would be £180 per annum and all zone trader permits would be £900 per annum, £600 for 6 months, £375 for 3 months, £150 for 1 month and £50 for 1 week;
    - (iv) there may be an additional £25 charge for the administration of new permits issued and renewals of permits which would be waived if the successful applicant is granted a permit within 4 weeks of the Order coming into operation and when a permit holder applies for a renewal within 4 weeks of the permit expiring;
    - (v) an additional charge (diesel surcharge) of £150 would apply to resident, business, teacher and trade parking permits for all diesel vehicles. Permits issued for a duration of less than a year would be subject to the surcharge on a pro-rata basis;
    - (vi) the resident parking permit charge for electric vehicles would be set at a discounted

rate of £20 per annum and that a reduction of £40 per annum would apply to business, teacher and trade parking permit charges for electric vehicles, pro-rata for a minimum of 6 months.

4. The general effect of the 'Waiting and Loading' Orders would be to introduce waiting restrictions operating either 'at any time' or between the hours of 8.30am and 6.30pm Mondays to Sundays in certain lengths of the streets specified in Schedule to this Notice.
5. A copy of each of the proposed Orders and other documents giving more detailed particulars of the Orders, including a plan which indicates the lengths of streets to which the Orders relate can be inspected Monday to Friday during normal office hours at Merton Link, Merton Civic Centre, London Road, Morden, Surrey and at the Mitcham Library, 157 London Road, Mitcham CR4 2YR. Certain documents are also available for viewing at [www.merton.gov.uk/streets-parking-transport/traffic-management/consultations](http://www.merton.gov.uk/streets-parking-transport/traffic-management/consultations) and [www.merton.gov.uk/cpzfg2](http://www.merton.gov.uk/cpzfg2).
6. Any person desiring to comment on the proposed Orders should send a statement in writing of their representations or objections and the grounds thereof, to the Environment and Regeneration Department at the Merton Civic Centre, London Road, Morden, Surrey, SM4 5DX, or alternatively by email to [trafficandhighways@merton.gov.uk](mailto:trafficandhighways@merton.gov.uk), quoting reference **ES/CPZFG2** and providing a postal address, no later than 17 February 2023.

Dated: 26 January 2023.

Paul McGarry  
Head of futureMerton  
London Borough of Merton,  
Merton Civic Centre,  
London Road,  
Morden SM4 5DX

### **SCHEDULE**

Fowler Road, Guyatt Gardens, Ormerod Gardens, Priestley Road, Rialto Road, Roper Way, Sandy Lane – Between No. 28 south-west side and No. 41 north-east side to its junction with Rialto Road.



## LONDON BOROUGH OF MERTON

### TRAFFIC MANAGEMENT ORDER

202\* No. \*

---

The Merton (Parking Places) (FG2) Order 202\*

Made: \* 202\*

Coming into force: \* 202\*

---

### **ARRANGEMENT OF ARTICLES**

#### **PART I – PRELIMINARY**

	<u>Article</u>
Citation and commencement	1
Interpretation	2

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

Designation of parking places	3
Number and situation of parking spaces	4
Vehicles for which parking places are designated	5
Tickets and permits to be displayed on vehicles left in certain parking places	6
Contravention of the Order	7
Removal of a vehicle from a parking place	8
Alteration of position of a vehicle in a parking place	9
Movement of a vehicle in a parking place in an emergency	10
Exemptions for a vehicle displaying a disabled person's badge or floating car club vehicles	11

#### **PART III - SUPPLEMENTARY PROVISIONS**

##### **Section I - General**

Manner of standing in a parking place	12
Power to suspend the use of a parking place	13
Restriction on the use of a parking place	14
Restriction on waiting by a vehicle in a parking place	15
Installation of ticket parking machines, payment terminals, placing of traffic signs, etc.	16

**Section 2 – The parking charge and indications relating to ticket parking machines and tickets, payment terminals or the electronic parking charge payment system**

	<u>Article</u>
Amount of the parking charge at a ticket parking machine, payment terminal or using the electronic parking charge payment system and maximum parking period	17
Payment of the parking charge	18
Indications by ticket and ticket parking machine, by a hand-held device or by electronic parking charge payment system	19
Ticket, ticket parking machine, hand-held service, electronic parking system charge payment and permit indications as evidence	20
Exemptions from the parking charge	21
No additional payment of the parking charge to be made and no further tickets to be displayed	22
Prohibition on displaying multiple tickets	23
Restriction on the removal of tickets	24
Interval before a vehicle may again be left in certain parking places	25

**Section 3 - Residents' permits**

Application for and issue of residents' permits	26
Refund of charge paid in respect of a residents' permit	27
Surrender, withdrawal and validity of residents' permits	28
Application for and issue of duplicate residents' permits	29
Restriction on the removal of residents' permits	30
Form of residents' permits	31

**Section 4 - Business permits**

Application for and issue of business permits	32
Refund of charge paid in respect of a business permit	33
Surrender, withdrawal and validity of business permits	34
Application for and issue of duplicate business permits	35
Restriction on the removal of business permits	36
Form of business permits	37

**Section 5 - Visitor permits**

Application for and issue of visitor permits	38
Surrender, withdrawal and validity of visitor permits	39
Restriction on the removal of visitor permits	40
Form of visitor permits	41

**Section 6 – Trade Permits**

Application for and issue of trade permits	42
Surrender, withdrawal and validity of trade permits	43
Restriction on the removal of trade permits	44
Form of trade permits	45

## **Section 7 – Teacher Permits**

Application for and issue of teacher permits	46
Surrender, withdrawal and validity of teacher permits	47
Application for and issue of duplicate teacher permits	48
Restriction on the removal of teacher permits	49
Form of teacher permits	50

Schedules - Areas on streets designated as parking places.

The Council of the London Borough of Merton, having consulted 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 to, the Road Traffic Regulation Act 1984(a), as amended, and of all other powers thereunto enabling, hereby make the following Order:-

## **PART I - PRELIMINARY**

### **Citation and commencement**

1. This Order may be cited as the Merton (Parking Places) (FG2) Order 202\* and shall come into force on \* 202\*.

### **Interpretation**

2. (1) In this Order, unless the context otherwise requires:-

“business permit” means a permit issued under the provisions of Article 32;

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

“business user” means a person who carries out business at any premises the postal address of which is in a street or part of a street in the London Borough of Merton specified in Schedule 1;

“car club” means a formally constituted car-sharing scheme approved of by the Council to operate within its boundaries and which supports the planning and sustainable transport policy objectives of the Council. A car club must serve the immediate neighbourhood and be available to all eligible members of the local community;

“cash payment network outlet” means an outlet which accepts cash payments to pay a parking charge using electronic means on behalf of a customer;

“civil enforcement officer” means a civil enforcement officer appointed by the Council under section 76 of the Traffic Management Act 2004 (d);

“Company White List” means a list of vehicles by reference to VRN, make and model that the car club operator has for hire to members under the free-floating car club scheme from time to time;

“Council” means the Council of the London Borough of Merton;

“diesel vehicle” means a vehicle in which the motive power is wholly or partially derived directly or indirectly from a compression ignition engine.

“disabled person’s badge” has the same meaning as Regulation 2(1) of the Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000(e);

---

(a) 1984 c.27    (b) L.B.M 2019/90    (c) 1990 c.8    (d) 2004 c. 18    (e) S.I. 2000/682

“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;

"electronic communications network" has the same meaning as in the Communications Act 2003(a)

“electronic parking charge payment system” means a system to facilitate, record and monitor the payment of parking charges and any applicable service charges using any telephone or internet enabled device via communication with the service provider in accordance with instructions indicated on signs located at each parking place where the system is operational and which can transmit data to and receive data from handheld devices and receive data from payment terminals

"electronic payment system" means an electronic system, using an electronic application set up and maintained by the service provider whereby:

- (a) the driver of a vehicle, or some other person authorised by that driver on their behalf, uses a electronic apparatus to communicate with the service provider and make payment of the charge for a permit in respect of a specified vehicle, specified parking places and for a specified period by use of a debit or credit card or an electronic means of payment, in accordance with instructions given by the service provider at the time of using the system; and
- (b) the service provider, on behalf of the Council, accepts payment of the charge for a permit by the method referred to in paragraph (a) of this definition and records such payment together with the details of the permit for which payment has been made and the registration mark of the vehicle in respect of which payment has been made;

“electric vehicle” means a vehicle in which the electrical motive power is derived from an electrical storage battery which is not connected to any source of power derived from fossil fuel when the vehicle is in motion.

“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;

“foreign registration certificate”, in relation to a vehicle imported or temporarily brought into the United Kingdom, means a current document which is the equivalent of a UK registration certificate in the country from which the vehicle is imported or in which the vehicle was previously kept and used before being temporarily brought into the United Kingdom, as the case may be;

“floating car club operator” is a company which operates a vehicle rental mobility scheme in which Company vehicles are available for use in selected locations in London to members and which has made an agreement with the Council in which the Company provides a car club scheme in the London Borough of Merton and in consideration of the Company complying with the provisions of the Agreement the Council has agreed to issue the Company with electronic parking permits to authorise parking of those vehicles in parking places, not excluded under the Agreement, intended for vehicles displaying a resident permit;

“floating car club vehicle” means a vehicle provided for the use of persons who have paid the relevant membership fee and by means of a real-time or advance booking system may have access to the vehicle for a specified period and for which a floating car club permit has been issued by the Council and which displays the brand of the floating car club or the details of which are listed on the Company White List of a floating car club operator;

“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;

“hand-held device” means a wireless hand-held computer used by a Civil Enforcement Officer which is programmed to interface with the electronic payment system and the electronic parking charge payment system;”

“legal agreement” means a formal signed agreement entered into with the local planning authority under such legislation as the local planning authority may require to make the particular residential development “permit free”;

“motor car”, “motor cycle” and “invalid carriage” have the same meanings as in section 136 of the Road Traffic Regulation Act 1984;

“owner”, in relation to a vehicle, means the person by whom such a vehicle is kept;

“parking charge” means an amount specified in Article 17 which is payable, subject to the provisions of this Order, at a ticket parking machine or by using the electronic parking charge payment system in respect of a vehicle left in a parking place referred to in Schedules 3 or 4;

“parking disc” has the same meanings as in Regulation 3(1) of the Local Authorities’ Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000(a);

“parking period” means a period of time for which payment of the parking charge has been made in respect of a vehicle and during which, subject to the provisions of this Order, that vehicle may be left in a parking place referred to in Schedules 3 or 4;

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

“parking space” means a space in a parking place which is provided for the leaving of vehicles;

“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 eight passengers (exclusive of the driver) and their effects and not drawing a trailer;



“payment terminal” means an apparatus designed to facilitate the payment of parking charges, which does not issue tickets for display, which can transmit data to the electronic parking charge payment system and into which the user must input the VRN of the vehicle to which a parking charge applies;

“permit free” in relation to a housing unit or development means that the housing unit or development, which may or may not have its own on-site parking arrangements, is subject to a legal agreement with the Council as local planning authority restricting the eligibility of residents or occupiers of such housing unit or development from being able to purchase a residents’, business or visitor permit; or that the housing unit or development is included on a Council maintained list or database of properties, the residents or occupiers of which are shown as being not generally eligible to purchase a residents’, business or visitor permit;

“permitted hours”, in relation to a parking place, means the period specified at the beginning of the Schedule in which that parking place is referred to;

“protective cover”, means a protective cover issued by the Council under the provisions of Articles 26(3)(b), 32(3)(b), 42(3)(b) or 46(3)(b) of this Order;

“registered driver” means the driver of a vehicle who has, prior to leaving his vehicle in a parking place, registered so many of his personal details with a service provider as that service provider may require to enable the electronic parking charge payment system to be activated in favour of the said driver;

“registration date”, in relation to a vehicle, means the date of first registration of that vehicle as specified on the UK registration certificate issued in respect of that vehicle;

“resident” means a person whose usual place of abode is at premises the postal address of which is in any street or part of a street in the London Borough of Merton specified in Schedule 1;

“residents’ permit” means a permit issued under the provisions of Article 26;

“residents’ permit holder”, means a person to whom a residents’ permit has been issued;

“school term” means one of the following periods of time:-

1. September to December inclusive, known as the autumn term;
2. January to March inclusive, known as the spring term;
3. April to July inclusive, known as the summer term;

“service charge” means the charge payable to the service provider by persons using the electronic parking charge payment system;

“service provider” means the company authorised and appointed by the Council to operate, administer and maintain the process for the payment of parking charges using the electronic parking charge payment system or payment terminals, or charges for any permit issued under this Order using the electronic payment system;

“street” includes any part of a street;

“teachers permit” means a permit issued under Article 46;

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

“the Agreement” is the agreement made by a floating car club operator and the Council in which the Company provides a car club scheme in the London Borough of Merton and in consideration of the Company complying with the provisions of the Agreement the Council has agreed to issue the Company with electronic parking permits to authorise parking of those vehicles in parking places, not excluded under the Agreement, intended for vehicles displaying a resident permit;

“ticket” means a ticket issued by a ticket parking machine in accordance with Article 18(3) which indicates that the parking charge has been paid and the date and time of expiry of the parking period;

“ticket parking machine” means an apparatus or device installed in the vicinity of a parking place referred to in Schedules 3 or 4 which, for the purposes of this Order, is designed to accept payment of the parking charge and to issue a ticket;

“trade permit” means a permit issued under the provisions of Article 42;

“trades person” means a person who by following their trade or profession carries out building, servicing, maintenance or similar such work at premises the postal address of which is in any street or part of a street in the London Borough of Merton specified in Schedules 2 or 3;

“traffic sign” means a sign of any size, type and colour prescribed and authorised under, or as having effect as though prescribed or authorised under section 64 of the Road Traffic Regulation Act 1984;

“UK registration certificate” means a current registration document issued to a vehicle in the United Kingdom under the provisions of Regulation 10(4) and 10A of the Road Vehicles (Registration and Licensing) Regulations 2002(a);

“visitor” means a person who is visiting a resident and who has obtained a visitor permit from and with the permission of that resident;

“visitor permit” means a visitor permit issued under the provisions of Article 38;

“VRN” means vehicle registration number.

- (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) 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.

- (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(1) of the Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000.

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

### **Designation of parking places**

3. Whilst this Order continues in force, each area on a highway comprising the length of carriageway of a street specified in column 2 of Schedules 2, 3 or 4 and, unless otherwise so specified, bounded on one side of that length by the edge of the carriageway and having a width throughout of between 1.80 metres and 2.70 metres is designated as a parking place.

### **Number and situation of parking spaces**

4. The number of parking spaces in each parking place described in column 2 of Schedules 2 to 4 inclusive shall not exceed the number specified in relation thereto in column 3 of those Schedules and the number and situation of such parking spaces in each parking place shall be as may be determined by the Council:

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

5. (1) Each parking place may be used, subject to the provisions of this Order, for the leaving at any time during the permitted hours of vehicles of the following class, that is to say, passenger vehicles, goods carrying vehicles, motor cycles or invalid carriages that are able to stand in a parking place so that every part of the vehicle is within the limits of that parking space.
- (2) Each parking place referred to in Schedule 2 may be used, subject to the provisions of this Order, for the leaving at any time during the permitted hours of such vehicles of the class specified in paragraph (1) of this Article which are not motorcycles as display in the manner specified in Article 6(1) either a valid residents' permit or a valid business permit, or a valid trade permit or a valid visitor permit or a valid teacher permit, issued in respect of that vehicle, unless an indication that the applicable charge for a said permit has been paid as may be ascertained by a record that exists in the electronic payment parking system confirming that the applicable charge has been paid with respect to the vehicle.
- (3) Each parking place referred in Schedule 3 may be used, subject to the provisions of this Order, for the leaving at any time during the permitted hours of such vehicles of the class specified in paragraph (1) of this Article which are not motorcycles as display in the manner specified in Article 6(3) either a valid residents' permit or a valid business permit or a valid teachers' permit or a valid trade permit or a valid visitor permit or a valid ticket issued in respect of that vehicle, unless an indication that the applicable parking charge and service charge has been paid as may be ascertained by a record that exists in the electronic parking charge payment system confirming that the parking charge and service charge has been paid with respect to the vehicle.
- (4) Each parking place referred in Schedule 4 may be used, subject to the provisions of this Order, for the leaving at any time during the permitted hours of such vehicles of the class specified in paragraph (1) of this Article which are not motorcycles as display in the manner specified in Article 6(4) a valid ticket issued in respect of that vehicle, unless an indication that the applicable parking charge and service charge has been paid as may be ascertained by a record that exists in the electronic parking charge payment system

confirming that the parking charge and service charge has been paid with respect to the vehicle.

### **Tickets and permits to be displayed on vehicles left in certain parking places**

6. (1) At all times during which a vehicle is left in a parking place referred to in Schedule 2 during the permitted hours, there shall be displayed on the inside of its windscreen or nearside window either a valid residents' permit, or a valid trade permit, or a valid visitor permit or a valid business permit, or a valid teacher permit issued in respect of that vehicle, in accordance with the provisions of this Order, so that all the particulars on that business permit or on that residents' permit or on that visitor permit or on that teachers' permit or on that trade permit, as the case may be, are readily visible from the front or nearside of the vehicle, unless an indication that the applicable charge for a valid permit has been paid as may be ascertained by telephone or on submitting the registration mark of the vehicle with a hand-held device and a response is received via the hand-held device that a record exists in the electronic payments system confirming that the charge has been paid with respect to a valid permit for the vehicle.
- (2) At all times during which a vehicle is left in a parking place referred to in Schedule 3 during the permitted hours, it shall display on the inside of its windscreen or nearside window either a valid residents' permit or a valid visitor permit or a valid business permit or a valid trade permit, or a valid ticket issued in respect of that vehicle, so that all the particulars on that residents' permit or on that business permit or on that trade permit or on that visitor permit or on that ticket, as the case may be, are readily visible from outside that vehicle and from the front or nearside of that vehicle, unless an indication that the applicable parking charge and service charge has been paid as may be ascertained by a record that exists in the electronic parking charge payment system confirming that the parking charge and service charge has been paid with respect to the vehicle or unless an indication that the applicable charge for a valid permit has been paid as may be ascertained by telephone or on submitting the registration mark of the vehicle with a hand-held device and a response is received via the hand-held device that a record exists in the electronic payments system confirming that the charge has been paid with respect to a valid permit for the vehicle.
- (3) At all times during which a vehicle is left in a parking place referred to in Schedule 4 during the permitted hours, it shall display on the inside of its windscreen or nearside window a valid ticket issued in respect of that vehicle, so that all the particulars on that ticket, as the case may be, are readily visible from outside that vehicle and from the front or nearside of that vehicle, unless an indication that the applicable parking charge and service charge has been paid as may be ascertained by a record that exists in the electronic parking charge payment system confirming that the parking charge and service charge has been paid with respect to the vehicle.
- (4) In this Article any reference to particulars on a ticket shall be construed as those particulars which indicate that the parking charge has been paid and the day and time of expiry of the parking period for which payment was made by the parking charge, any reference to particulars on a resident's permit, shall be construed as those particulars referred to in Article 31 any reference to particulars on a business permit shall be construed as those particulars referred to in Article 37, any reference to particulars on a visitor permit shall be construed as those particulars referred to in Article 41 any reference to particulars on a trade permit shall be construed as those particulars referred

to in Article 45 and any reference to particulars on a teacher permit shall be construed as those particulars referred to in Article 50.

### **Contraventions**

7. If a vehicle is left in a parking place without complying with the provisions of this Order, then a contravention of this Order and a parking contravention within Part 1 of Schedule 7 to the Traffic Management Act 2004 shall have occurred.

### **Removal of a vehicle from a parking place**

8. (1) If a vehicle is left in a parking place without complying with the provisions of this Order, the vehicle may be removed or caused to be removed from that parking place as provided for by Regulations made under section 99 or 101 of the Road Traffic Act 1984.  
  
(2) Where a vehicle has been removed from a parking place in accordance with the provisions of paragraph (1) of this Article, a fee shall be payable to the Council in respect of the removal of that vehicle and a daily charge shall be payable in respect of the storage of that vehicle.

### **Alteration of position of a vehicle from a parking place**

9. Where any vehicle is standing in a parking place in contravention of the provisions of Article 11(2) or 12, 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 civil enforcement officer or a police constable in uniform may move or cause to be moved, in case of emergency, to any place they think fit, any vehicle left in a parking place.

### **Exemptions for a vehicle displaying a disabled person's badge or for floating car club vehicles**

11. (1) Notwithstanding the foregoing provisions of this Order, a vehicle which displays in the relevant position a disabled person's badge issued by any local authority may be left in a parking place without time limit, provided that the use of that part of the parking place which the vehicle is left has not been suspended, and no charge shall be incurred or payable in respect of that vehicle.  
  
(2) Without prejudice to the generality of this Article, a vehicle which displays in the relevant position a disabled person's badge shall stand in a parking place in accordance with the provisions of Article 12.

- (3) Notwithstanding the foregoing provisions of this Order, a floating car club vehicle may be left in any parking place in which a vehicle displaying a resident permit may be left provided that the use of that part of the parking place in which the vehicle is left has not been suspended and that parking place is not an excluded parking place location under the provisions of the Agreement.
- (4) Without prejudice to the generality of this Article, a vehicle, which displays the brand of a floating car club operator, or an indication that it is a floating car club vehicle may be ascertained by telephone or on submitting the registration mark of the vehicle with a hand-held device and a response is received via hand-held device that a record exists on the Company White List that the vehicle is a floating car club list, shall stand in a parking place in accordance with the provisions of Article 12.

### **PART III - SUPPLEMENTARY PROVISIONS**

#### **Section I – General**

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

- 12. The driver of a vehicle waiting in a parking place during the permitted hours shall cause it so to 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 4 of Schedules 2 or 3 so as to be in accordance with those provisions;
  - (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 wheels of the vehicle are not more than 300 millimetres away from the edge of the carriageway nearest the vehicle;
  - (c) so that every part of the vehicle is within the limits of a parking space;
  - (d) 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 Article 15(1)(g) or to or from which goods are being delivered or collected by virtue of the provisions of Article 15(1)(h).

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

- 13. (1) The Commissioner of Police of the Metropolis or any police officer above the rank of Chief Inspector may suspend the use of a parking place or any part thereof for a period not exceeding twenty-eight days whenever he considers such suspension necessary for maintaining the security of any person or premises in the vicinity of that parking place.

- (2) At the expiration of the period of twenty-eight days mentioned in paragraph (1) of this Article, the suspension of the parking place or any part thereof shall be reviewed by the person who suspended its use and any continuation of the suspension that they consider necessary shall be notified to the Council and shall not exceed a further period of twenty-eight days without similar review.
- (3) Any person duly authorised by the Council may suspend the use of a parking place or any part thereof whenever they consider such suspension reasonably necessary:-
- (a) for the purpose of facilitating the movement of traffic or promoting its safety;
  - (b) on any occasion on which it is likely, by reason of some special attraction or occurrence, that any street will be thronged or obstructed;
  - (c) 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 electronic communications network or the placing, maintenance or removal of any traffic sign;
  - (d) 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, or another office or dwelling-house;
  - (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 filming purposes.
- (4) A police constable in uniform may suspend for not longer than seven days 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; or
  - (b) on any occasion on which it is likely, by reason of some special attraction or occurrence, that any street will be thronged or obstructed.
- (5) On the suspension of the use of a parking place or any part thereof in accordance with the provisions of this Article, the person authorising or causing such suspension shall place or cause to be placed in or adjacent to that parking place or that part thereof, as the case may be, a traffic sign indicating that waiting by vehicles is prohibited.
- (6) No person shall wait in a parking place or any part thereof at any time during which there is displayed in or adjacent to that parking place or that part thereof, as the case may be, a traffic sign placed in pursuance of paragraph (5) of this Article:

Provided that nothing in this paragraph shall apply:-



- (a) in respect of any vehicle being used for ambulance, fire brigade or police purposes or any vehicle which is waiting for any reason specified in Article 15(1)(b), 15(1)(d), 15(1)(e) or 15(1)(j);
- (b) 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, or as the case may be, paragraph (3) of this Article, a police constable in uniform or a civil enforcement officer.

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

14. At any time 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 their skill in handicraft or their services in any other capacity:

Provided that nothing in this Article shall prevent the sale or offering or exposing for sale of goods from a vehicle:-

- (a) if the vehicle is a passenger vehicle, a goods carrying vehicle, a motor cycle or an 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 15(1)(h), 15(1)(i) or 15(1)(j) apply.

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

15. (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 civil enforcement officer may approve to enable a person to board or alight from the vehicle or load thereon or unload there from their personal luggage:

Provided that if the said person is a person suffering from any disability or injury which seriously impairs their ability to walk, or who is blind, the vehicle may wait for so long as may be necessary to enable that person to board or alight from the vehicle or load thereon or unload there from their personal luggage;

- (b) the vehicle is waiting owing to the driver being prevented from proceeding by circumstances beyond their control or to such waiting being necessary in order to avoid an accident;
- (c) the vehicle is being used for ambulance, fire brigade 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 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 there from, 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 so long as may be necessary to enable it to be used for any purpose specified in Article 13(3)(c);
  - (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 such purpose for more than twenty minutes or for such longer period as a civil enforcement officer may approve;
  - (i) the vehicle is waiting while 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;
  - (j) the vehicle is waiting with the written consent of the Council or authorised agent and such conditions and requirements as they may impose are being complied with.
- (2) Except as provided by this Order, no vehicle shall wait in a parking place during the permitted hours.
  - (3) The driver of a vehicle waiting in a parking place by virtue of the provisions of paragraph (1) of this Article shall stand in accordance with the provisions of Article 12.
  - (4) Nothing in the foregoing 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.

**Installation of ticket parking machines, payment terminals, placing of traffic signs, etc.**

- 16. (1) The Council shall:-
  - (a) place and maintain traffic signs indicating the limits of each parking place and of each parking space; referred to in Schedules 2, 3 and 4;

- (b) place and maintain in or in the vicinity of each parking place referred to in Schedules 2, 3 or 4 traffic signs indicating that such parking place may be used at any time during the permitted hours for the leaving only of the vehicles specified in Articles 5(2), 5(3) and 5(4) respectively;
  - (c) carry out such other work as is reasonably required for the purposes of the satisfactory operation of a parking place.
- (2) The Council may, at its discretion, install and maintain in proper working order payment terminals or ticket parking machines in such positions as they think fit in the vicinity of any parking place referred to in Schedules 3 and 4.

**Section 2 – The parking charge and indications relating to ticket parking machines and tickets, payment terminals or the electronic parking charge payment system**

**Amount of the parking charge at a ticket parking machine, payment terminal or using electronic parking charge payment system and maximum parking period**

17. (1) Subject to Article 21 and as hereinafter provided, the parking charge for a vehicle left in a parking place referred to in Schedule 3 at any time during the permitted hours shall be £3.00 per hour, pro rata for part of an hour, with a minimum payment of £1.00 for twenty minutes up to a maximum of £15.00 for up to 2 hours for parking places referred to in that Schedule where payment is made using a ticket parking machine.
- (2) Subject to Article 21 and as hereinafter provided, the parking charge for a vehicle left in a parking place referred to in Schedule 4 at any time during the permitted hours shall be £3.00 per hour, pro rata for part of an hour, with a minimum payment of £1.00 for twenty minutes up to a maximum of £6.00 for up to 2 hours where payment is made using a ticket parking machine or payment terminal.
- (3) The parking charge shall be increased by a £0.20 service charge where payment is made using the electronic parking charge payment system. The minimum and maximum payments detailed in paragraphs 17(1) and 17(2) shall also be increased by £0.20 where payment is made using the electronic parking charge payment system.

**Payment of the parking charge**

18. (1) Except as provided in Article 21, the parking charge shall be payable on the leaving of a vehicle in a parking place referred to in Schedules 3 or 4 at any time during the permitted hours:-
- (a) by the insertion in the ticket parking machine relating to that parking place of the appropriate coin or combination of coins accepted by that ticket parking machine, together making up the amount of the parking charge for the parking period for which payment is being made, subject to the minimum payment applicable; or
- (b) where a ticket parking machine is provided which facilitates payment by credit or debit card, by the use of that facility, for the amount of the parking charge for the parking period for which payment is being made, subject to the minimum payment applicable; or
- (c) by the insertion in the payment terminal (where a payment terminal accepting coins is provided) relating to that parking place of the appropriate coin or combination of coins accepted by that payment terminal, together making up the amount of the parking charge for the parking period for which payment is being made, subject to the minimum payment applicable; or
- (d) where a payment terminal is provided which facilitates payment by credit or debit card, by the use of that facility, for the amount of the parking charge for the parking period for which payment is being made, subject to the minimum payment applicable; or

- (e) by the use of the electronic parking charge payment system to pay the parking charge imposed by this Order for the parking period for which payment is being made, subject to the minimum payment applicable, by using a telephone or internet connected device, including at a cash payment network outlet, to communicate with the service provider at the time the vehicle is left in the parking place, in accordance with instructions indicated on signs located at the parking place.
- (2) Upon payment of the parking charge in the manner specified in paragraphs (1)(a) and (b) of this Article, the driver shall display or cause to be displayed on the vehicle, in accordance with the provisions of the next following paragraph, the ticket issued by the ticket parking machine following payment of that parking charge.
- (3) The ticket referred to in the preceding paragraph of this Article shall be displayed on the vehicle in respect of which it was issued at all times during which the vehicle is left in a parking place referred to in Schedules 3 and 4 during the permitted hours, so that all the particulars on that side of the ticket which bears the indication that a parking charge has been paid and the date and time of expiry of the parking period, are readily visible from outside the vehicle and from the front or nearside of the vehicle.
- (4) In any case where payment of the parking charge as described in paragraph (1) of this Article has been made and a ticket has been issued by a ticket parking machine in respect of a vehicle left in a parking place referred to in Schedules 3 or 4 that ticket shall not be transferred to another vehicle under any circumstance.

**Indications by ticket and ticket parking machine or by the electronic parking charge payment system or a payment terminal**

- 19. (1) Subject to Article 21, payment of the parking charge for a vehicle left in a parking place referred to in Schedules 3 or 4 shall be indicated by:
  - (a) the issue by a ticket parking machine of a ticket indicating that a parking charge has been paid, 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 Articles 18(2) and (3); or
  - (b) using the electronic parking charge payment system, an indication that payment has been made and the parking period for which payment has been made shall either:
    - (i) appear on a hand-held device; or
    - (ii) be obtained by a Civic Enforcement Officer contacting the service provider.
- (2) Subject to Article 21, where the expiry of the parking period for which the parking charge has been paid in respect of a vehicle left in a parking place referred to in Schedules 3 or 4 shall be indicated:
  - (a) when payment has been made using a ticket parking machine, when there is displayed on the vehicle a ticket issued by a ticket parking machine 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 on the clock of the said ticket parking machine is later than the time shown; or

- (b) when payment has been made using the electronic parking charge payment system, when there is displayed on the hand-held device or on the electronic parking charge payment system an indication that the parking period for which payment of the parking charge has been made has expired.

**Ticket, ticket parking machine, hand-held device, electronic parking charge payment system and permit indications as evidence**

20. (1) Subject to Article 21, if at any time while a vehicle is left in a parking place referred to in Schedules 3 or 4 during the permitted hours, no ticket issued by a ticket parking machine is displayed on that vehicle in accordance with the provisions of Article 18(2) and (3) and there is no indication payment of the parking charge has been made using the electronic parking charge payment system, it shall be presumed, unless the contrary is proved, that the parking charge has not been duly paid.
- (2) Subject to Article 21, if at any time while a vehicle is left in a parking place referred to in Schedules 3 or 4 during the permitted hours, the ticket issued by a ticket parking machine and displayed on the vehicle in accordance with the provisions of Article 18(2) and (3) shows a date that is not the date on which the vehicle is left or and the clock on the ticket parking machine that issued the ticket is later than the time shown on that ticket, it shall be presumed, that the parking charge has been duly paid in respect of that vehicle, and that the parking period has expired.
- (3) Subject to Article 21, if at any time while a vehicle is left in a parking place referred to in Schedules 3 or 4 during the permitted hours, payment has been made using the electronic parking charge payment system or a payment terminal and there is indication on the hand-held device or on the electronic parking charge system that the parking period has expired, it shall be presumed that the parking charge has been duly paid in respect of that vehicle, and that the parking period has expired.
- (4) If it is presumed, unless the contrary is proved, in accordance with the provisions of paragraph (1) of this Article that the parking charge has not been duly paid, or in accordance with paragraphs (2) and (3) of this Article that the parking period has expired, or in accordance with Article 21(2) that the exemption from payment of the parking charge does not apply, a contravention has occurred for the purposes of Article 7.
- (5) Any ticket issued by a ticket parking machine relating to a parking place referred to in Schedules 3 or 4 shall be presumed, to have been issued on the date and at the time shown on that ticket, unless the contrary is proved.

**Exemptions from the parking charge**

21. (1) Notwithstanding the provisions of Articles 17, 18, 19 and 20, a vehicle which displays, in accordance with Article 6(1) and (2), either a valid residents' permit or a valid business permit or a valid visitor permit or a valid trade permit, issued in respect of that vehicle, unless an indication that the applicable charge for a valid permit has been paid as may be ascertained by telephone or on submitting the registration mark of the vehicle with a hand-held device and a response is received via the hand-held device that a record exists in the electronic payments system confirming that the charge has

been paid with respect to a valid permit for the vehicle, may be left in a parking space referred to in Schedule 3 without time limit and without payment of the parking charge, provided that the use of that part of the parking space has not been suspended.

- (2) If a vehicle is left in a parking place referred to in Schedule 3 during the permitted hours without displaying a valid permit or no record exists in the electronic payments system confirming that the charge has been paid with respect to a valid permit for the vehicle in accordance with the provisions of Article 6(2), the provisions of paragraph (1) of this Article do not apply.

### **No additional payment of the parking charge to be made and no further tickets to be displayed**

22. (1) When payment of the parking charge for a parking period has been made at a ticket parking machine relating to a parking place in which a vehicle is left and a ticket displayed on that vehicle in accordance with Article 18(2) and (3), no additional coin or coins shall be inserted in that ticket parking machine or in any other ticket parking machine and no additional insertion of a credit card or debit card into that ticket parking machine shall be made, by way of payment of a further parking charge in respect of that vehicle, so as to extend the parking period beyond that initially paid for and no further ticket shall be displayed in that vehicle other than that originally displayed in the vehicle at the time the vehicle was first left in that parking place:

Provided that nothing in this paragraph shall apply in relation to a vehicle which is taken away from a parking place and is returned to that same parking place after expiration of at least one hour from the time the vehicle was taken away.

- (2) No person shall display on a vehicle left in a parking place referred to in Schedules 3 or 4 during the permitted hours any ticket issued by a ticket parking machine relating to that parking place other than the ticket issued by the ticket parking machine upon payment of the parking charge in respect of that vehicle.

### **Prohibition on displaying multiple tickets**

23. When a ticket is displayed on a vehicle in accordance with the provisions of Article 18(2) and (3), at any time during the permitted hours, no other ticket shall be displayed on that vehicle at the same time.

### **Restriction on the removal of tickets**

24. When a ticket is displayed on a vehicle in accordance with the provisions of Article 18(2) and (3), no person, other than the driver of the vehicle, shall remove that ticket from the vehicle unless authorised to do so by the driver of the vehicle.

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

25. No vehicle in respect of which payment of the parking charge has been made at a ticket parking machine or using the electronic parking charge payment system in accordance with the provisions of Article 18, and which has been taken away from a parking place referred to in Schedules 3 or 4, during the permitted hours, shall, until the expiration of one hour from the time that vehicle was taken away, again be left in that parking place during the permitted hours.



### **Section 3 – Residents’ permits**

#### **Application for and issue of residents’ permits**

26. (1) A resident who is the owner of a vehicle of the class specified in Article 5(1) may apply to the Council or authorised agent for the issue of a residents’ permit in respect of that vehicle and any such application shall be made 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 residents’ permit or a residents’ permit holder to produce to an officer of the Council or a representative of the authorised agent such evidence in respect of an application for a residents’ permit made to them as they may reasonably call for to verify the usual place of abode of the applicant, the owner of the vehicle in respect of which the residents’ permit would be issued or any other particulars or information given to them, or in respect of any residents’ permit which has been issued by them such similar evidence as they may reasonably call for to verify that the residents’ permit is valid. In particular such evidence shall include: the UK registration certificate or the foreign registration certificate;
- (3) Subject to paragraph 4 of this Article, upon receipt of an application duly made under the foregoing provisions of this Article, together with the charge specified in paragraph (5) of this Article, the registration certificate and, where applicable, the conversion certificate, the Council or authorised agent, upon being satisfied that the applicant is a resident, not residing in a permit free housing unit or permit free development and is the owner of a vehicle of the class specified in Article 5(1), shall issue to the applicant therefore:-
- (a) one residents’ permit for the leaving at any time during the permitted hours in a parking space in a parking place referred to in Schedule 2 or 3 of the vehicle to which such residents’ permit relates, by the owner of such vehicle or 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;
- (b) one protective cover for the display therein of the residents’ permit as applicable.
- (4) No residents’ permit shall be issued to a resident of any permit free (as defined in Article 2 of this Order) housing unit or permit free development unless there is any exception to the issuing of permits within the legal agreement relating to the residential unit in question.
- (5) The charge referred to in Article 26(3) shall be as follows:-
- (a) subject to sub-paragraphs (b) and (c) of Article 26(5), in respect of any vehicle of the class specified in Article 5(1), other than a motor cycle or an electric vehicle:-
- (i) forty-five pounds in respect of the first residents’ permit which shall be valid for a period of six months running from the date on which the residents’ permit first becomes valid; or

- (ii) ninety pounds in respect of the first residents' permit which shall be valid for a period of twelve months running from the date on which the residents' permit first becomes valid; or
- (iii) seventy pounds in respect of the second residents' permit which shall be valid for a period of six months running from the date on which the residents' permit first becomes valid; or
- (iv) one hundred and forty pounds in respect of the second residents' permit which shall be valid for a period of twelve months running from the date on which the residents' permit first becomes valid; or
- (v) ninety-five pounds in respect of the third residents' permit and an additional twenty-five pounds for each subsequent residents' permit which shall be valid for a period of six months running from the date on which the residents' permit first becomes valid; or
- (vi) one hundred and ninety pounds in respect of the third residents' permit and an additional twenty-five pounds for each subsequent residents' permit which shall be valid for a period of twelve months running from the date on which the residents' permit first becomes valid;
- (b) in respect of any vehicle of the class specified in Article 5(1), which is also a diesel vehicle, other than a motorcycle, the charge specified in paragraph (a) of Article 26(5), shall be increased by:-
  - (ii) £75 for a residents' permit valid for a period of six months running from the date on which the residents' permit first becomes valid;
  - (iv) £150 for a residents' permit valid for a period of twelve months running from the date on which the residents' permit first becomes valid;
- (c) in respect of any vehicle of the class specified in Article 5(1), which is also an electric vehicle, other than a motorcycle, the charge specified in paragraph (a) of Article 26(5) shall be £20 in respect of the first, second or third residents' permits which shall be valid for a period of one year running from the date on which the residents' permit first becomes valid;
- (d) there will be an additional charge of £25 for the administration of new resident permits issued and for renewals of permits. This charge is waived when a permit holder applies for a renewal within 4 weeks of the permit expiring.

### **Refund of charge paid in respect of a residents' permit**

27. (1) A residents' permit holder who surrenders a residents' permit to the Council or authorised agent before it becomes valid shall be entitled to a refund of the full charge paid in respect of that residents' permit, less any charge made by the Council for administration.
- (2) A residents' permit holder who surrenders a residents' permit to the Council or authorised agent after it has become valid shall be entitled to a refund of part of the charge paid in respect of that residents' permit, in accordance with paragraph (3) of this Article.
- (3) The part of the charge which is refundable under the provisions of paragraph (2) of this Article, shall be calculated as the total sum of the charge paid in respect of the residents' permit, divided by the number of days for which the permit is valid and multiplied by the number of complete calendar days which remain unexpired at the time the permit is surrendered to the Council or authorised agent, less any charge made by the Council for administration:

Provided that if no amount remains, after the calculation described in this paragraph, then no refund shall be payable.

- (4) Where the refund calculated in accordance with paragraph (3) of this Article includes a fraction of a penny, the amount of the refund shall be reduced to the nearest full penny.

### **Surrender, withdrawal and validity of residents' permits**

28. (1) A residents' permit holder may surrender a residents' permit to the Council or authorised agent at any time and shall surrender a residents' 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 residents' permit holder by sending the same by the recorded delivery service to the residents' permit holder at the address shown by that person on the application for the residents' permit or at any other address believed to be that person's place of abode, withdraw a residents' permit if it appears to the Council or authorised agent that any of the events set out in paragraph (3)(a), (3)(b) or (3)(d) of this Article has occurred and the residents' permit holder shall surrender the permit to the Council or authorised agent within 48 hours of the receipt of the afore-mentioned notice.
- (3) The events referred to in the foregoing provisions of this Article are:-
- (a) the residents' permit holder ceasing to be a resident;
  - (b) the residents' permit holder ceasing to be the owner of the vehicle in respect of which the residents' permit was issued;
  - (c) the withdrawal of such residents' permit by the Council or authorised agent under the provisions of paragraph (2) of this Article;
  - (d) the vehicle in respect of which such residents' permit was issued being adapted or used in such a manner that it is not a vehicle of the class specified in Article 5 (1);
  - (e) the issue of a duplicate residents' permit by the Council or authorised agent under the provisions of Article 29;
  - (f) the residents' 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, a residents' permit shall cease to be valid at the expiration of the period specified thereon (which period shall not exceed a period of 14 months from the date on which it was issued), or on the occurrence of any one of the events set out in paragraph (3)(a), (3)(b), (3)(c), (3)(d) or (3)(e) of this Article, whichever is the earlier.

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

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

29. (1) If a residents' permit is mutilated or accidentally defaced or the figures or particulars thereon have become illegible or the colour of the residents' permit has become altered by fading or otherwise, the residents' permit holder shall either surrender it to the Council or authorised agent or apply to the Council or authorised agent for the issue to them of a duplicate residents' permit and the Council or authorised agent, upon receipt of the residents' permit, shall issue a duplicate residents' permit, so marked, and upon such issue the residents' permit shall become invalid.
- (2) If a residents' permit is lost or destroyed, the residents' permit holder may apply to the Council or authorised agent for the issue to them of a duplicate residents' permit and the Council or authorised agent, upon being satisfied as to such loss or destruction, shall issue a duplicate residents' permit, so marked, and upon such issue the residents' permit shall become invalid.
- (3) The provisions of this Order shall apply to a duplicate residents' permit and an application therefore as if it were a residents' permit or, as the case may be, an application therefore.

#### **Restriction on the removal of residents' permits**

30. Where a vehicle displays a residents' permit in accordance with the provisions of Article 6(1) or 6(2); no person not being the driver of the vehicle shall remove the residents' permit unless authorised to do so by the driver of the vehicle:

Provided that nothing in this Article shall apply to a civil enforcement officer or a police constable in uniform or any other person removing the vehicle in pursuance of an arrangement made under regulations in pursuance of powers contained in sections 99, 100 and 101 of the Road Traffic Regulation Act 1984.

#### **Form of residents' permits**

31. A residents' permit shall be in writing and shall include the following particulars:-
- (a) the registration mark of the vehicle in respect of which the residents' permit has been issued;
- (b) the period during which, subject to the provisions of Article 28(4), the residents' permit shall remain valid;
- (c) an indication that the residents' permit has been issued by the Council or authorised agent; and

(d) an indication of the parking zone within which the residents' permit is valid.

## **Section 4 - Business permits**

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

32. (1) A business user who uses a vehicle of the class specified in Article 5(1) which:-
- (a) is essential to the operation of a business carried out at any premises the postal address of which is in a street or part of a street in the London Borough of Merton specified in Schedule 1; and
  - (b) is used in the activity of the purchase and sale of goods or services in connection with the said business, may apply to the Council or authorised agent for the issue of a business permit in respect of that vehicle and any such application shall be made 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 business permit or a business permit holder to produce to an officer of the Council or a representative of the authorised agent such evidence in respect of an application for a business permit made to them as they may reasonably call for to verify any particulars or information given to them in respect of any business permit issued by them as they may reasonably call for to verify that the business permit is valid.
- (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 business user whose business is not in a permit free housing unit or permit free development (as defined in Article 2 of this Order) who uses a vehicle of the description specified in Article 5(1), shall issue to the applicant therefor:-
- (a) one business permit for the leaving at any time during the permitted hours in a parking space in any parking place referred to in Schedules 2 or 3 of the vehicle to which such business permit relates, by the business user or by any person using such vehicle with the consent of the business user, other than a person to whom such vehicle has been let for hire or reward;
  - (b) one protective cover for the display thereof of the business permit, as applicable.
- (4) The charge referred to in Article 32(3) shall be as follows:-
- (a) subject to paragraph (b) of Article 32(4), in respect of any vehicle of the class specified in Article 5(1), other than a motor cycle, shall be three hundred and thirty-one pounds in respect of a business permit which shall be valid for a period of six months running from the date on which the business permit first becomes valid; and
  - (b) in respect of any vehicle being a diesel vehicle of the class specified in Article 5(1), other than a motor-cycle, the charge specified in paragraph (a) of Article 32(4), shall be increased by:-
    - (i) £75 for a business permit valid for a period of six months running from the date on which the business permit first becomes valid.

- (c) in respect of any vehicle being an electric vehicle of the class specified in Article 5(1), other than a motor-cycle, the charge specified in paragraph (a) of Article 32(4) shall be reduced by £40 per annum pro-rata for a minimum of 6 months;
- (d) there will be an additional £25 charge for the administration of new business permits issued and for renewal of business permits. This charge is waived when a business permit holder applies for a renewal within 4 weeks of the business permit expiring."

### **Refund of charge paid in respect of a business permit**

33. (1) A business permit holder who surrenders a business permit to the Council or authorised agent before it becomes valid shall be entitled to a refund of the full charge paid in respect of that business permit, less any charge made by the Council for administration.
- (2) A business permit holder who surrenders a business permit to the Council or authorised agent after it has become valid shall be entitled to a refund of part of the charge paid in respect of that business permit, in accordance with paragraph (3) of this Article.
- (3) The part of the charge which is refundable under the provisions of paragraph (2) of this Article, shall be calculated as the total sum of the charge paid in respect of the business permit, divided by the number of days for which the permit is valid and multiplied by the number of complete calendar days which remain unexpired at the time the permit is surrendered to the Council or authorised agent, less any charge made by the Council for administration:
- Provided that if no amount remains after the calculation described in this paragraph, then no refund shall be payable.
- (4) Where the refund calculated in accordance with paragraph (3) of this Article includes a fraction of a penny, the amount of the refund shall be reduced to the nearest full penny.

### **Surrender, withdrawal and validity of business permits**

34. (1) A business permit holder may surrender a business permit to the Council or authorised agent at any time and shall surrender a business 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 provision of paragraph (5) of this Article.
- (2) The Council or authorised agent may, by notice in writing served on the business permit holder by sending the same by the recorded delivery service to the business permit holder at the address shown by that person on the application for the business permit or at any other address believed to be that person's place of abode or business, withdraw a business permit if it appears to the Council or authorised agent that any of the events set out in paragraph (3)(a), (3)(b) or (3)(d) of this Article has occurred and the business permit holder shall surrender the business permit to the Council or authorised agent within 48 hours of the receipt of the afore-mentioned notice.
- (3) The events referred to in the foregoing provisions of this Article are:-

- (a) the business permit holder ceasing to be a business user;
  - (b) the business permit holder ceasing to be the user of the vehicle in respect of which the business permit was issued;
  - (c) the withdrawal of such business permit by the Council or authorised agent under the provisions of paragraph (2) of this Article;
  - (d) the vehicle in respect of which such business permit was issued being adapted or used in such a manner that it is not a vehicle of the class specified in Article 5(1);
  - (e) the issue of a duplicate business permit by the Council or authorised agent under the provisions of Article 35;
  - (f) the business 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, a business permit shall cease to be valid at the expiration of the period specified thereon (which period shall not exceed a period of 8 months from the date on which it was issued), or on the occurrence of any one of the events set out in paragraph (3)(a), (3)(b), (3)(c), (3)(d) or (3)(e) of this Article, whichever is the earlier.
- (5) Where a business permit is issued to any person upon receipt of a cheque and the cheque is subsequently dishonoured, the business permit shall cease to be of any effect and the Council or authorised agent shall, by notice served on the person to whom such business permit was issued by sending the same by the recorded delivery service to him or her at the address shown by that person on the application for the business permit or at any other address believed to be that person's place of abode or business, require that person to surrender the business permit to the Council or authorised agent within 48 hours of the receipt of the afore-mentioned notice.

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

35. (1) If a business permit is mutilated or accidentally defaced or the figures or particulars thereon have become illegible or the colour of the business permit has become altered by fading or otherwise, the business permit holder shall either surrender it to the Council or authorised agent or apply to the Council or authorised agent for the issue to them of a duplicate business permit and the Council or authorised agent, upon receipt of the business permit, shall issue a duplicate business permit, so marked, and upon such issue the business permit shall become invalid.
- (2) If a business permit is lost or destroyed, the business permit holder may apply to the Council or authorised agent for the issue to them of a duplicate business permit and the Council or authorised agent on being satisfied as to such loss or destruction, shall issue a duplicate business permit, so marked, and upon such issue the business permit shall become invalid.



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

### **Restriction on the removal of business permits**

36. Where a vehicle displays a business permit in accordance with the provisions of Articles 6(1) and 6(2), no person, other than the driver of the vehicle, shall remove the business permit unless authorised to do so by the driver of the vehicle.

Provided that nothing in this Article shall apply to a civil enforcement officer or a police constable in uniform or any other person removing the vehicle in pursuance of an arrangement made under regulations in pursuance of powers contained in sections 99, 100 and 101 of the Road Traffic Regulation Act 1984.

### **Form of business permits**

37. A business permit shall be in writing and shall include the following particulars:-
- (a) the registration mark of the vehicle in respect of which the business permit has been issued;
  - (b) the period during which, subject to the provisions of Article 34(4), the business permit shall remain valid;
  - (c) an indication that the business permit has been issued by the Council or authorised agent, and
  - (d) an indication of the parking zone or zones within which the business permit is valid.

## **Section 5 – Visitor permits**

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

38. (1) A resident not residing in a permit free housing unit or permit free development (as defined in Article 2 of this Order) may apply to the Council or authorised agent for the issue of five or more visitor permits in respect of a vehicle of the class specified in Article 5(1) and any such application shall be made 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.

A household not residing in a permit free housing unit or permit free development (as defined in Article 2 of this Order) may apply to the Council for the issue of an annual visitor permit. Only one annual visitor permit shall be issued per household.

- (2) The Council or authorised agent may at any time require an applicant for a temporary visitors permit visitor permits or annual visitor permit to produce to an officer of the Council or a representative of the authorised agent such evidence in respect of an application for visitor permits made to them as they may reasonably call for to verify any particulars or information given to them, or in respect of any visitor permits issued by them as they may reasonably call for to verify that the visitor permits are valid.
- (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, not residing in a permit free housing unit or permit free development (as defined in Article 2) shall issue to the applicant therefor five or more visitor permits for the leaving at any time during the permitted hours in a parking space in a parking place referred to in Schedule 2 or 3 to this Order of a vehicle of the class specified in Article 5(1).

Provided that the Council or authorised agent shall not issue more than fifty visitor permits to any resident during a period of one year.

- (4) Temporary visitor permits shall cost three pounds (£3.00) for day permits and two pounds (£2.00) for half-day permits. Each day permit is valid for the duration of the permitted hours on one day only. Half-day permits shall be valid on one day only but only for those hours of the permitted hours that fall either between 8.30 am and 2pm Mondays to Sundays or between 12 noon and 6.30 pm Mondays to Sundays. No more than 50 (fifty) such day visitor permits or 100 (one hundred) half-day permits may be issued to any one person in any twelve-month period. Ten days worth of permits is the minimum that can be bought at any one time. An annual visitor permit shall cost three hundred and forty pounds (£340).
- (5) Visitor permits are subject to the terms and conditions of use by the Council, and the correct day, date and month of the time of use should be correctly scratched off to ensure validity. If the permit is a half day permit, then the relevant part of the day in which it is being used should be scratched.

### **Surrender, withdrawal and validity of visitor permits**

39. (1) A resident may surrender a visitor permit to the Council or authorised agent at any time and shall surrender a visitor permit to the Council or authorised agent upon ceasing to be a resident.
- (2) The Council or authorised agent may, by notice in writing served on the resident by sending the same by the recorded delivery service to the address shown by that person on the application for the visitor permit or at any other address believed to be that person's place of abode, withdraw all visitor permits if it appears to the Council or authorised agent that the person has ceased to be a resident and they shall surrender the permits to the Council or authorised agent within 48 hours of the receipt of the aforementioned notice.
- (3) No refunds shall be payable by the Council or authorised agent in respect of a surrendered visitor permit.

### **Restriction on the removal of visitor permits**

40. Where a vehicle displays a visitor permit in accordance with the provisions of Article 6(1) or 6(2), no person, other than the driver of the vehicle shall remove the visitor permit unless authorised to do so by the driver of the vehicle:

Provided that nothing in this Article shall apply to a civil enforcement officer or a police constable in uniform or any other person removing the vehicle in pursuance of an arrangement made under regulations in pursuance of powers contained in sections 99, 100 and 101 of the Road Traffic Regulation Act 1984.

### **Form of visitor permits**

41. (1) A visitor permit shall be in writing and shall include the following particulars:-
- (a) the registration mark of the vehicle in respect of which the visitor permit has been validated;
  - (b) the date on which the visitor permit is valid;
  - (c) an indication that the visitor permit has been issued by the Council or authorised agent; and
  - (d) an indication of the parking zone within which the visitor permit is valid.
- (2) The particulars specified in paragraph 1(a) and (b) of this Article are to be completed by the resident who applied for the visitor permit before the permit is displayed in accordance with the provisions of Article 6(1) or 6(2).

## **Section 6 – Trade Permits**

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

42. (1) A trades person may apply to the Council or authorised agent for the issue of a trade permit or permits in respect of a vehicle of the class specified in Article 5(1) and any such application shall be made 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 trade permit to produce to an officer of the Council or a representative of the authorised agent such evidence in respect of an application for a trade permit made to them as they may reasonably call for to verify any particulars or information given to them or in respect of any trade permit issued by them as they may reasonably call for to verify that the trade permit is valid.
- (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, a business user or a trades person shall issue to the applicant therefor:
- (a) a trade permit, or permits as the case may be, for the leaving at any time during the permitted hours in a parking space in a parking place referred to in Schedule 2 or 3 of a vehicle of the class specified in Article 5(1); and
  - (b) a protective cover for the display therein of each trade permit, as applicable.
- (4) The charge referred to in Article 42(3) shall be:-
- (a) subject to sub-paragraphs (b) and (c) of Article 42(4), in respect of any vehicle of the class specified in Article 5(1), other than a motor cycle, shall be at the rate of either fifty pounds for a week, one hundred and fifty pounds for a month, three hundred and seventy pounds for 3 months, six hundred pounds for 6 months or nine hundred pounds for 12 months there being no restriction on the amount of such permits issued at any one time; and
  - (b) in respect of any vehicle being a diesel vehicle of the class specified in Article 5(1), other than a motor-cycle, the charge specified in paragraph (a) of Article 42(4), shall be increased by:-
    - (i) £2.85 for a trade permit valid for a period of one week running from the date on which the trade permit first becomes valid;
    - (ii) £12.50 for a trade permit valid for a period of one month running from the date on which the trade permit first becomes valid;
    - (iii) £37.50 for a trade permit valid for a period of three months running from the date on which the trade permit first becomes valid;
    - (iv) £75 for a trade permit valid for a period of six months running from the date on which the trade permit first becomes valid;
    - (v) £150 for a trade permit valid for a period of twelve months running from the date on which the trade permit first becomes valid;
  - (c) in respect of any vehicle being an electric vehicle of the class specified in Article 5(1), other than a motor-cycle, the charge specified in paragraph (a) of Article

42(4), shall be decreased by £40 per annum pro-rata for a minimum period of 6 months.

### **Surrender, withdrawal and validity of trade permits**

43. (1) A trades person may surrender a trade permit to the Council or authorised agent at any time and shall surrender such permit to the Council or authorised agent on ceasing to be a trades person, as the case may be.
- (2) The Council or authorised agent may, by notice in writing served on the trades person, as the case may be, by sending the same by the recorded delivery service to the address shown by that person on the application for the trade permit or at any other address believed to be that person's place of abode, withdraw all trade permits if it appears to the Council or authorised agent that the person has ceased to be a trades person, as the case may be, and they shall surrender the permit or permits to the Council or authorised agent within 48 hours of the receipt of the afore-mentioned notice.
- (3) No refund shall be payable by the Council or authorised agent in respect of any surrendered trade permit.

### **Restriction on the removal of trade permits**

44. Where a vehicle displays a trade permit in accordance with the provisions of Article 6(1) or 6(2), no person, other than the driver of the vehicle, shall remove the trade permit unless authorised to do so by the driver of the vehicle.

Provided that nothing in this Article shall apply to a civil enforcement officer or a police constable in uniform or any other person removing the vehicle in pursuance of an arrangement made under regulations in pursuance of powers contained in sections 99, 100 and 101 of the Road Traffic Regulation Act 1984.

### **Form of trade permits**

45. A trade permit shall be in writing and shall include the following particulars:
- (a) the registration mark of the vehicle in respect of which the trade permit has been validated
  - (b) the date on which the trade permit is valid,
  - (c) an indication that the trade permit has been issued by the Council or authorised agent.

## **Section 7 – Teacher Permits**

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

46. (1) A head teacher of a school which is situated within the boundary of a controlled parking zone and which has either an approved School Travel Plan or an approved Green Travel Plan, or both, may apply to the Council or authorised agent for the issue of a teacher permit or permits in respect of a vehicle of the class specified in Article 5(1) and any such application shall be made 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 teacher permit to produce to an officer of the Council or a representative of the authorised agent such evidence in respect of an application for a teacher permit made to them as they may reasonably call for to verify any particulars or information given to them or in respect of any teacher permit issued by them as they may reasonably call for to verify that the teacher permit is valid.
- (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 application is on behalf of a teacher shall issue to the applicant therefor:
- (a) a teacher permit, or permits as the case may be, for the leaving at any time during the permitted hours in a parking space in a parking place referred to in Schedules 2 or 3 of a vehicle of the class specified in Article 5(1); and
  - (b) a protective cover for the display therein of each teacher permit, as applicable.
- (4) The charge referred to in paragraph (3) of this Article shall be as follows:-
- (a) subject to paragraphs (b) and (c) of Article 46(4), in respect of any vehicle of the class specified in Article 5(1), other than a motor cycle, at the rate of either one hundred and eighty eight pounds per annum or £63 per school term; and
  - (b) in respect of any vehicle being a diesel vehicle of the class specified in Article 5(1), other than a motor-cycle, the charge specified in paragraph (a) of Article 46(4), shall be increased by:-
    - (i) £50 for a teacher permit valid for the period of one school term running from the date on which the teacher permit first becomes valid;
    - (ii) £100 for a teacher permit valid for the period of two school terms running from the date on which the teacher permit first becomes valid;
    - (iii) £150 for a teacher permit valid for a period of twelve months running from the date on which the teacher permit first becomes valid.
  - (c) in respect of any vehicle being an electric vehicle of the class specified in Article 5(1), other than a motor-cycle, the charge specified in paragraph (a) of Article 46(4), shall be decreased by £40 per annum pro-rata for a minimum period of 6 months.
- (5) A teacher permit shall be valid either a school term or for one year running from the beginning of the day on which it is validated by a teacher.

- (6) The Council shall not issue a permit to any teacher unless:
- (a) an assessment of spare parking capacity has been carried out; and
  - (b) the uptake of residents permits is less than 75% of full parking capacity and spare parking capacity is more than 25% and
  - (c) the number of available spaces is greater than the number of permits issued.

### **Surrender, withdrawal and validity of teacher permits**

47. (1) A permit holder may surrender a teacher permit to the Council or authorised agent at any time and shall surrender a teacher 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 provision of paragraph (5) of this Article.
- (2) The Council or authorised agent may, by notice in writing served on the teacher permit holder by sending the same by the recorded delivery service to the teacher permit holder at the address shown by that person on the application for the teacher permit or at any other address believed to be that person's place of abode or teacher, withdraw a teacher permit if it appears to the Council or authorised agent that any of the events set out in paragraph (3)(a), (3)(b) or (3)(d) of this Article has occurred and the teacher permit holder shall surrender the teacher permit to the Council or authorised agent within 48 hours of the receipt of the afore-mentioned notice.
- (3) The events referred to in the foregoing provisions of this Article are:-
- (a) the teacher permit holder ceasing to be a teacher;
  - (b) the teacher permit holder ceasing to be the user of the vehicle in respect of which the teacher permit was issued;
  - (c) the withdrawal of such a teacher permit by the Council or authorised agent under the provisions of paragraph (2) of this Article;
  - (d) the vehicle in respect of which such a teacher permit was issued being adapted or used in such a manner that it is not a vehicle of the class specified in Article 5(1);
  - (e) the issue of a duplicate teacher permit by the Council or authorised agent under the provisions of Article 48;
  - (f) the teacher 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, a teacher permit shall cease to be valid at the expiration of the period specified thereon (which period shall not exceed a period of 14 months from the date on which it was issued), or on the occurrence of any one of the events set out in paragraph (3)(a), (3)(b), (3)(c), (3)(d) or (3)(e) of this Article, whichever is the earlier.
- (5) Where a teacher permit is issued to any person upon receipt of a cheque and the cheque is subsequently dishonoured, the teacher permit shall cease to be of any effect and the Council or authorised agent shall, by notice served on the person to whom

such teacher permit was issued by sending the same by the recorded delivery service to him or her at the address shown by that person on the application for the teacher permit or at any other address believed to be that person's place of abode or place of work, require that person to surrender the teacher permit to the Council or authorised agent within 48 hours of the receipt of the afore-mentioned notice.

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

48. (1) If a teacher permit is mutilated or accidentally defaced or the figures or particulars thereon have become illegible or the colour of the teacher permit has become altered by fading or otherwise, the teacher permit holder shall either surrender it to the Council or authorised agent or apply to the Council or authorised agent for the issue to them of a duplicate teacher permit and the Council or authorised agent, upon receipt of the teacher permit, shall issue a duplicate teacher permit, so marked, and upon such issue the teacher permit shall become invalid.
- (2) If a teacher permit is lost or destroyed, the teacher permit holder may apply to the Council or authorised agent for the issue to them of a duplicate teacher permit and the Council or authorised agent on being satisfied as to such loss or destruction, shall issue a duplicate teacher permit, so marked, and upon such issue the teacher permit shall become invalid.
- (3) The provisions of this Order shall apply to a duplicate teacher permit and an application therefor as if it were a teacher permit or, as the case may be, an application therefor.

#### **Restriction on the removal of teacher permits**

49. Where a vehicle displays a teacher permit in accordance with the provisions of Article 6(1) or 6(2), no person, other than the driver of the vehicle, shall remove the teacher permit unless authorised to do so by the driver of the vehicle:

Provided that nothing in this Article shall apply to a civil enforcement officer or a police constable in uniform or any other person removing the vehicle in pursuance of an arrangement made under regulations in pursuance of powers contained in sections 99, 100 and 101 of the Road Traffic Regulation Act 1984.

#### **Form of teacher permits**

50. A teacher permit shall be in writing and shall include the following particulars:
- (a) the registration mark of the vehicle in respect of which the teacher permit has been validated;
  - (b) the period during which, subject to the provisions of Article 47(4), the teacher permit shall remain valid;
  - (c) an indication that the teacher permit has been issued by the Council or authorised agent; and



(d) an indication of the parking zone within which the teacher permit is valid.

Dated this \* day of \* 202\*.

Paul McGarry  
Head of futureMerton  
London Borough of Merton

## **SCHEDULE 1**

STREETS OR PARTS OF STREETS IN ZONE **FG2** FOR THE PURPOSE OF THE DEFINITION OF "RESIDENT" AND "BUSINESS"

### **ZONE FG2**

1. Eastfields Road - Nos. 73a to 77 (odd) and Nos. 37 and 41.
2. Fowler Road
3. Guyatt Gardens
4. Ormerod Gardens
5. Priestley Road
6. Rialto Road
7. Roper Way
8. Sandy Lane – Nos. 41 to 51 (odd) and Nos. 28 to 52 (even)

## SCHEDULE 2

IN RELATION TO A PARKING PLACE REFERRED TO IN THIS SCHEDULE THE EXPRESSION "PERMITTED HOURS" MEANS THE PERIOD FROM 8.30 AM TO 6.30 PM MONDAYS TO SUNDAYS ANY SUCH DAY NOT BEING CHRISTMAS DAY OR GOOD FRIDAY DURING WHICH A VEHICLE MAYBE LEFT IF IT DISPLAYS:-

- (A) A VALID RESIDENTS PERMIT OR A VALID VISITORS PERMIT ISSUED IN RESPECT OF ZONE FG2
- (B) A VALID BUSINESS PERMIT ISSUED IN RESPECT OF ZONE FG2
- (C) A VALID TRADE PERMIT
- (D) A VALID TEACHER PERMIT ISSUED IN RESPECT OF ZONE FG2

1. Item	2. Designated Parking Place	3. Maximum number of spaces	4. Special Manner of Parking
*	FOWLER ROAD, CR4; the south-west side, from a point 12 metres south-east of the south-eastern kerb-line of Ormerod Gardens south-eastward for a distance of 16 metres.	3	-
*	GUYATT GARDENS, CR4; the south-west side, from a point 7 metres south-east of the south-eastern kerb-line of Ormerod Gardens south-eastward for a distance of 22.5 metres.	4	-
*	GUYATT GARDENS, CR4; the south-west side, from a point 5 metres south-east of the south-eastern kerb-line of Roper Way south-eastward for a distance of 20 metres.	4	-
*	GUYATT GARDENS, CR4; the south-west side, from a point 6 metres north-west of the north-western kerb-line of Priestley Road north-westward for a distance of 19 metres.	4	-
*	ORMEROD GARDENS, CR4; the south-east side, from a point 7 metres north-east of the north-eastern kerb-line of Guyatt Gardens north-eastward for a distance of 20 metres.	4	-
*	ORMEROD GARDENS, CR4; the south-east side, from a point 8 metres south-west of the south-western kerb-line of Fowler Road south-westward for a distance of 17 metres.	3	-

1. Item	2. Designated Parking Place	3. Maximum number of spaces	4. Special Manner of Parking
*	ORMEROD GARDENS, CR4; the south-east side, from a point 9 metres north-east of the north-eastern kerb-line of Fowler Road north-eastward for a distance of 18 metres.	3	-
*	ORMEROD GARDENS, CR4; the south-east side, from a point 9 metres south-west of the south-western kerb-line of Sandy Lane south-westward for a distance of 20 metres.	4	-
*	PRIESTLEY ROAD, CR4; the north-west side, from a point 7 metres north-east of the north-eastern kerb-line of Guyatt Gardens, north-eastward for a distance of 20 metres.	4	-
*	PRIESTLEY ROAD, CR4; the north-west side, from a point 5.5 metres south-west of the south-western kerb-line of Fowler Road south-westward for a distance of 21.5 metres.	4	-
*	PRIESTLEY ROAD, CR4; the north-west side, from a point 6 metres north-east of the north-eastern kerb-line of Fowler Road north-eastward for a distance of 21 metres.	4	-
*	PRIESTLEY ROAD, CR4; the north-west side, from a point 7 metres south-west of the south-western kerb-line of Sandy Lane south-westward for a distance of 18 metres.	3	-
*	RIALTO ROAD, CR4; the north-west side, from a point 7 metres north-east of the north-eastern kerb-line of Eastfields Road north-eastward for a distance of 10.4 metres.	2	-
*	RIALTO ROAD, CR4; the north-west side, from a point 6 metres south-west of the common boundary of Nos. 1/3 and 5/7 Rialto Road north-eastward for a distance of 97.5 metres.	20	-
*	RIALTO ROAD, CR4; the north-west side, from a point 1 metre south-east of the north-east flank wall of Nos. 61 to 63 Rialto Road south-westward for a distance of 37 metres.	7	-
*	RIALTO ROAD, CR4; the north-west side, from a point 5 metres south-east of the south-eastern kerb-line of Sandy Lane south-eastward for a distance of 13 metres.	2	-

1. Item	2. Designated Parking Place	3. Maximum number of spaces	4. Special Manner of Parking
*	ROPER WAY, CR4; the north-west side, from a point 8 metres north-east of the north-eastern kerb-line of Eastfields Road north-eastward for a distance of 18 metres.	3	-
*	ROPER WAY, CR4; the north-west side, from a point 7 metres south-east of the south-eastern kerb-line of Guyatt Gardens, south-westward for a distance of 28 metres.	6	-
*	SANDY LANE, CR4; the south-west side, from a point 8 metres north-west of the north-western kerb-line of Priestley Road north-westward for a distance of 5.8 metres.	1	-
*	SANDY LANE, CR4; the south-west side, from a point 18.5 metres north-west of the north-western kerb-line of Priestley Road north-westward for a distance of 5.8 metres.	1	-

### **SCHEDULE 3**

IN RELATION TO A PARKING PLACE REFERRED TO IN THIS SCHEDULE THE EXPRESSION "PERMITTED HOURS" MEANS THE PERIOD FROM 8.30 AM TO 6.30 PM MONDAYS TO SUNDAYS ANY SUCH DAY NOT BEING CHRISTMAS DAY GOOD FRIDAY OR A BANK HOLIDAY DURING WHICH A VEHICLE MAY BE LEFT

- (A) FOR A MAXIMUM PERIOD OF 1 HOUR IF IT DISPLAYS A VALID TICKET FROM A TICKET PARKING MACHINE OR THE APPROPRIATE PAYMENT HAS BEEN MADE FOR THE PARKING PERIOD USING THE ELECTRONIC PARKING CHARGE PAYMENT SYSTEM, NO RETURN WITHIN 2 HOURS.
- (B) IF IT DISPLAYS A VALID RESIDENTS PERMIT OR A VALID VISITORS PERMIT ISSUED IN RESPECT OF ZONE FG2
- (C) IF IT DISPLAYS A VALID BUSINESS PERMIT ISSUED IN RESPECT OF ZONE FG2
- (D) IF IT DISPLAYS A VALID TRADE PERMIT
- (E) IF IT DISPLAYS A VALID TEACHER PERMIT ISSUED IN RESPECT OF ZONE FG2

1. Item	2. Designated Parking Place	3. Maximum number of spaces	4. Special Manner of Parking

#### **SCHEDULE 4**

IN RELATION TO A PARKING PLACE REFERRED TO IN THIS SCHEDULE THE EXPRESSION "PERMITTED HOURS" MEANS THE PERIOD FROM 8.30 AM TO 6.30 PM MONDAYS TO SUNDAYS ANY SUCH DAY NOT BEING CHRISTMAS DAY GOOD FRIDAY OR A BANK HOLIDAY DURING WHICH A VEHICLE MAY BE LEFT FOR A MAXIMUM PERIOD OF 1 HOUR IF IT DISPLAYS A VALID TICKET FROM A TICKET PARKING MACHINE OR THE APPROPRIATE PAYMENT HAS BEEN MADE FOR THE PARKING PERIOD USING THE ELECTRONIC PARKING CHARGE PAYMENT SYSTEM, NO RETURN WITHIN 2 HOURS.

1. Item	2. Designated Parking Place	3. Maximum number of spaces	4. Special Manner of Parking



## LONDON BOROUGH OF MERTON

### TRAFFIC MANAGEMENT ORDER

202\* No. \*

---

The Merton (Waiting and Loading Restriction) (FG2) Order 202\*

Made: \* 202\*

Coming into force: \* 202\*

---

#### ARRANGEMENT OF ARTICLES

##### PART I - PRELIMINARY

	<u>Article</u>
Commencement and citation	1
Revocations	2
Interpretation	3
Application of Order	4

##### PART II - RESTRICTIONS

Restrictions applicable to streets specified in Schedule 1 and Schedule 2	5
---	---

##### PART III - EXCEPTIONS AND EXEMPTIONS FROM RESTRICTIONS

Persons boarding or alighting from vehicles	6
Excepted vehicles	7
Furniture removals and other exceptional loading or unloading	8
Exemptions for vehicles displaying certain badges	9
Miscellaneous exemptions	10

##### PART IV - ADDITIONAL PROVISIONS

Power to suspend the use of a motorcycle parking area	11
Duty to move on	12
Restrictions on methods of loading or unloading vehicles	13
Restriction on street trading	14
Restriction on advertising	15



## **SCHEDULES**

1. Restricted streets referred to in Article 5(1)
2. Streets referred to in Article 5(2)(a)
3. Prescribed/Restricted Hours
4. Motorcycle Parking Areas

The Council of the London Borough of Merton, after consulting the Commissioner of Police of the Metropolis, in exercise of the powers conferred by sections 6 and 124 of, and Part IV of Schedule 9 to, the Road Traffic Regulation Act 1984(a), as amended by Section 8 of and Part 1 of Schedule 5 to the Local Government Act 1985(b), and of all other powers thereunto enabling, hereby make the following Order: -

### **PART 1 - PRELIMINARY**

#### **Commencement and citation**

1. This Order shall come into force on \* 202\* and may be cited as the Merton (Waiting and Loading Restriction) (FG2) Order 202\*.

#### **Revocations**

2. 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:-
  - (a) the provisions of Schedule 1 of the London Borough of Merton (Waiting and Loading Restrictions) Order 1977(c) are hereby revoked in so far as its provisions relate to any length of road specified in Schedule 1 to this Order.

#### **Interpretation**

3. (1) In this Order, except where the context otherwise requires:

"authorised agent" means the parking services contractor appointed by and acting on behalf of the Council for the purposes of the supervision and enforcement of the provisions of this Order;

"bus" means a vehicle constructed or adapted to carry more than 8 passengers (exclusive of the driver);

"civil enforcement officer" means a person in uniform authorised by or on behalf of the Council to enforce and supervise the provisions of this Order;

"Council" means the Council of the London Borough of Merton;

---

(a) 1984 c.27                      (b) 1985 c.51

"disabled person's badge" has the same meanings as in the Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000(a) and "relevant position" has the same meaning as in Regulation 4 of those Regulations;

"electronic communications network" has the same meaning as in the Communications Act 2003(b);

"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;

"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, include checking the goods for the purpose of their delivery or collection;

"hackney carriage" means a hackney carriage in respect of which there is in force a licence granted under section 6 of the Metropolitan Public Carriage Act 1869(c);

"health emergency badge" means a health emergency badge issued by London Councils for use by health care practitioners who provide emergency health care;

"kerb-line" in relation to a scheduled street shall mean an imaginary line which is the projection of the line formed by the edge of the main carriageway of the scheduled street adjacent to its junction with the side in question of any other street;

"London local service" has the same meaning as in section 179 of the Greater London Authority Act 1999(d);

"motor cycle parking area" means that part of a restricted street specified in Schedule 4;

"prescribed hours", in relation to a restricted street, means the time specified in column 2 of Schedule 3 in relation to the letter set out in column 1 of that Schedule and which letter is the letter set out in column 3 of Schedule 1 in relation to that street;

"public service vehicle" has the same meaning as in the Public Passenger Vehicles Act 1981(e);

"restricted hours" in relation to any street specified in Schedule 2, means the time specified in column 2 of Schedule 3 in relation to the number set out in column 3 of Schedule 3 and which number is the number set out in column 3 of Schedule 2 in relation to that street;

"restricted street" means any street within the London Borough of Merton specified in Schedule 1 (hereinafter referred to as a "scheduled street")

---

(a) 2000 No. 683 (b) 2003 c.21 (c) 1869 c.115 (Regnal 32&33 Vict) (d) 1999 c.29  
(e) 1981 c.14

Provided that the expression “restricted street” shall not for the purpose of this Order include any area on a highway or any place within the London Borough of Merton for the time being designated or described as:

- (a) a parking place by any Order made or having effect as if made under section 6, 9, 45 or 63 of the Road Traffic Regulation Act 1984; or
- (b) a loading bay or a loading place by any Order made or having effect as if made under section 6 of the Road Traffic Regulation Act 1984.

“Schedule” means a Schedule to this Order;

"solo motor cycle" – means a motor cycle without a side car and having two wheels;

“street” includes any part of a street;

"universal service provider", "provision of a universal postal service" and "postal packet" have the same meanings as in the Postal Services Act 2011(a).

- (2) For the purpose of this Order a vehicle shall be deemed to wait:
  - (a) in a restricted street if any point in that street is below the vehicle or its load (if any) and the vehicle is stationary: or
  - (b) for more than a specified period in the same place in a restricted street if any one point in that street is below the vehicle or its load (if any) throughout a period exceeding the specified period whether or not the vehicle is moved during that period.
- (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) Any reference in this Order to a length of street shall, unless otherwise specified, be construed as a reference to the whole width of that length of street.
- (5) The Interpretation Act 1978(b), as amended, shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.
- (6) The restrictions, prohibitions and requirements imposed by this Order are in addition to and not in derogation of any restriction, prohibition or requirement imposed by any other enactment and any exception or exemption from the provisions of this Order is without prejudice to the provisions of any other enactment.

#### Application of Order

- 4. The restrictions imposed by Part II of this Order are subject to the exceptions and exemptions set out in Part III of this Order, and any such exceptions or exemptions are subject to the provisions of Part IV of this Order.

---

(a) 2011 c.5 (b) 1978 c30

## **PART II**

### **RESTRICTIONS**

#### Restrictions applicable to streets specified in Schedule 1 or Schedule 2

5. (1) No person shall cause or permit any vehicle to wait during the prescribed hours in any restricted street except, subject to the provisions of the next paragraph, for so long as may be necessary for the purpose of delivering or collecting goods or loading or unloading the vehicle at premises adjacent to the street.
- (2) No person shall cause or permit any cause or permit any vehicle to wait for the purpose of delivering or collecting goods or loading or unloading the vehicle:-
- (a) in any of the streets specified in Schedule 2 (which consist of restricted streets or parts thereof), during the restricted hours, or
- (b) without prejudice to the provisions of the last foregoing sup-paragraph, for a period of more than 40 minutes in the same place during the prescribed hours in any part of any street in the London Borough of Merton which is a restricted street.

## **PART III**

### **EXCEPTIONS AND EXEMPTIONS FROM RESTRICTIONS**

#### Persons boarding or alighting from vehicles

6. Nothing in Article 5 of this Order shall render it unlawful to cause or permit a vehicle to wait in a restricted street during the prescribed hours for so long as may be reasonably necessary for the purpose of enabling any person to board or alight from the vehicle, or to load or unload their personal luggage:

#### Excepted vehicles

7. The restrictions imposed by Part II of this Order shall not apply in relation to the following vehicles, that is to say: -
- (a) a solo motorcycle not having a side-car attached thereto whilst waiting wholly within the limits of a motorcycle parking area;
- (b) public service vehicles operated by Transport for London, any subsidiary body of theirs, or any operator providing a London local service whilst waiting at an authorised stopping place or at a terminal or turning point;
- (c) vehicles when used for fire brigade purposes, ambulance purposes or police purposes;
- (d) vehicles when used in the service of the Council in pursuance of statutory powers or duties provided that in all the circumstances it is reasonably necessary in the exercise of such powers or the performance of such duties for the vehicle to wait in the place in which it is waiting;

- (e) hackney carriages whilst waiting upon any duly authorised cab rank;
- (f) vehicles whilst waiting in any restricted street for so long as may be necessary in connection with the taking in of petrol, oil, water or air, if such taking in cannot be effected unless the vehicle waits in the place where it is waiting and the vehicle is not left unattended at any time while it was so parked; or

#### Furniture removals and other exceptional loading or unloading

8. (1) Nothing in Article 5 of this Order shall apply so as to restrict the loading or unloading of any vehicle while the vehicle is in actual use in any restricted street in connection with the removal of furniture to or from one office, dwelling house or depository adjacent to that restricted street from or to another office, dwelling house or depository:

Provided that this paragraph shall not apply to a vehicle waiting in any restricted street to which the provisions of Article 5(2)(a) of this Order apply unless notice is given twenty-four hours in advance to the Council or their authorised agent, their consent is obtained, and any such reasonable conditions as they may impose are complied with.

- (2) Without prejudice to the provisions of the last foregoing paragraph, nothing in Article 5 of this Order shall apply so as to restrict the loading or unloading of any vehicle while the vehicle is in actual use in any restricted street in connection with the collection or delivery of goods from or to premises in or adjacent to that street if those goods cannot reasonably be loaded outside the restricted hours or within the time (if any) allowed in relation to that street, as the case may be, if notice is given twenty-four hours in advance to the Council, their consent is obtained, and such reasonable conditions they may impose are complied with and met.

#### Exemptions for vehicles displaying certain badges

9. (1) The restrictions imposed by Part II of this Order shall not apply in relation to a vehicle which clearly displays a valid Health Emergency Badge in accordance with the conditions of use in an emergency.
- (2) The restrictions imposed by Article 5(1) of this Order shall not apply in relation to a vehicle which displays in the relevant position a disabled person's badge issued by any local authority:

Provided that, where the prescribed hours are of a period of more than three hours duration, that vehicle may wait for a period of no more than three hours (being a period not separated by an interval of less than one hour from a previous period or waiting by the same vehicle in the same street on the same day).

#### Miscellaneous exemptions

- (10) (1) Nothing in Part II of this Order shall render it unlawful to cause or permit a vehicle to wait in any restricted street while: -
- (a) postal packets addressed to premises adjacent to any such street in which the vehicle being used for purposes of a universal postal service by a

universal service provider is waiting, are being unloaded from the vehicle or, having been unloaded therefrom, are being delivered;

- (b) postal packets are, by that universal service provider, being collected for loading on the vehicle from premises or posting boxes in or adjacent to any such street in which the vehicle is waiting or, having been so collected, are being loaded thereon; or
  - (c) the vehicle is being used in connection with any building operation, demolition or excavation in or adjacent to any such street, the removal of any obstruction to traffic in any street, the maintenance, improvement, reconstruction, cleansing or lighting of any street, the laying, erection, alteration or repair in or adjacent to any street of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity, or of any electronic communication network, or the placing, maintenance or removal of any traffic sign if the vehicle cannot conveniently and lawfully be used for that purpose in any street not being a restricted street or outside the prescribed hours;
  - (d) while any gate or other barrier at the entrance to premises, to which the vehicle requires access to or from which it has emerged, is being opened or closed, if it is not reasonably practicable for the vehicle to wait in any other place while such gate or barrier is being opened or closed.
- (2) Nothing in Part II of this Order shall apply to anything done on the direction of a police constable in uniform or with the permission of a Civil Enforcement Officer or where the person in control of the vehicle is required by law to stop, or wait or remain at rest or is obliged to do so in order to avoid an accident.
  - (3) Nothing in Part II of this Order shall render it unlawful for a person who is licensed by the Council of the London Borough of Merton to sell goods from a stationary vehicle on a pitch in any restricted street to cause or permit a vehicle to wait on that pitch for that purpose.
  - (4) Nothing in Part II of this Order shall render it unlawful to cause or permit a vehicle to wait in any restricted street where consent has been obtained in writing from the Council or their authorised agent and any such conditions as they may impose are complied with.

## **PART IV**

### **ADDITIONAL PROVISIONS**

#### **Power to suspend the use of a motor cycle parking area**

- 11. (1) Any person duly authorised by the Council or the Commissioner of Police of the Metropolis may suspend the use during the permitted hours of a motor cycle parking area or any part thereof whenever they consider 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 telegraphic line or the placing, maintenance or removal of any traffic sign;

- (c) for the convenience of occupiers of premises adjacent to the parking place or 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; or
  - (e) for the convenience of occupiers of premises adjacent to the parking place at times of weddings or funerals, or on any other special occasions; or
  - (f) for filming purposes.
- (2) A police constable in uniform, a traffic warden or civil enforcement officer may suspend for not more than twenty-four hours the use of a motorcycle parking area 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 suspending the use of a motorcycle 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 in or adjacent to that parking place or that part thereof, as the case may be, a traffic sign indicating that the waiting by motorcycles is prohibited.
- (4) No person shall cause or permit a vehicle to wait in a motorcycle parking place or any part thereof during such period as there is in or adjacent to that parking place or that part thereof a traffic sign placed in pursuance of paragraph (3) of this Article:

Provided that nothing in this paragraph shall apply to anything done with the permission of the Commissioner of Police of the Metropolis or a police constable in uniform or in relation to any vehicle being used for fire brigade, ambulance or police purposes or any vehicle which is waiting for any reason specified in paragraph (2) of Article 10 of this Order.

#### Duty to move on

12. Notwithstanding any exception or exemption contained in this Order, the person in control of a vehicle waiting during the prescribed hours in any restricted street shall move the vehicle on the instructions of a police constable in uniform or a civil enforcement officer whenever such moving may be reasonably necessary for the purpose of preventing or removing obstruction.

#### Restrictions on method of loading or unloading vehicles

13. (1) No person shall cause any goods to be loaded on to or unloaded from any vehicle in any street in the London Borough of Merton otherwise than in accordance with the following condition, that it is to say -

- (a) no such goods shall be deposited on any carriageway or footway except on the carriageway immediately at the rear of the vehicle and no goods shall remain on any carriageway before the arrival of or after the departure of the vehicle;
- (b) no part of any rope, chain, wire, apparatus or machinery used in connection with such loading or unloading, and no load suspended from a vehicle shall be less than 4.88 metres above a carriageway, except when over any vehicle being loaded or unloaded or less than 2.74 metres above the footway;
- (c) no such goods shall be passed from hand to hand across any part of any carriageway or footway:

Provided that nothing in this Article shall apply in relation to:-

- (i) any vehicle specified in sub-paragraph (c) or sub-paragraph (d) of Article 7 of this Order or any vehicle while it is being used as mentioned in paragraph (1)(c) of Article 10 of this Order; or
  - (ii) anything done with the permission or at the direction of a police constable in uniform or with the permission of a Civil Enforcement Officer.
- (2) Nothing in sub-paragraph (b) of paragraph (1) of this Article shall apply to any pipe, apparatus or machinery being used in connection with the loading of any petrol, water, oil or liquid fuel onto or from any vehicle in any street or from any premises adjacent to any street, provided that all necessary means are taken to give adequate warning of any possible obstruction.

#### Restriction on street trading

14. No person shall, on any day other than a Sunday, sell, offer or expose for sale goods from a vehicle which is in any restricted street unless:-
- (a) that person is licensed by the Council of the London Borough of Merton to sell goods from a stationary vehicle on a pitch in that street and sells goods from that pitch; or
  - (b) the goods are immediately delivered at or taken into premises adjacent to the vehicle from which sale is effected.

#### Restriction on advertising

15. No person shall, in any restricted street, either wholly or mainly for the purposes of advertisement, ride, drive, conduct, use or employ or cause to be ridden, driven, conducted, used or employed any animal or vehicle of any kind, or wear or cause to be worn any fancy dress or other costume.



Dated this \* day of \* 202\*.

Paul McGarry  
Head of futureMerton  
London Borough of Merton

## SCHEDULE 1

### Restricted streets referred to in Article 5(1)

1. Item No.	2. Street/Description	3. Prescribed hours
1.	<b>FOWLER ROAD, CR4;</b> (a) both sides, (i) from the south-eastern kerb-line of Ormerod Gardens south-eastward for a distance of 7 metres; (ii) from a point 7 metres south-east of the south-eastern kerb-line of Ormerod Gardens to a point 7 metres north-west of the north-western kerb-line of Priestly Gardens; (iii) from the north-western kerb-line of Priestly Gardens north-westward for a distance of 5.5 metres.	A  ZR  A
2.	<b>GUYATT GARDENS, CR4;</b> (a) the north-east side, (i) from the south-eastern kerb-line of Ormerod Gardens south-eastward for a distance of 7 metres; (ii) from a point 7 metres south-east of the south-eastern kerb-line of Ormerod Gardens south-eastward to a point 5 metres north-west of the north-western kerb-line of Priestly Gardens; (iii) from the north-western kerb-line of Priestley Gardens north-westward for a distance of 5 metres; (b) the south-west side, (i) from the south-eastern kerb-line of Ormerod Gardens south-eastward for a distance of 7 metres; (ii) from a point 7 metres south-east of the south-eastern kerb-line of Ormerod Gardens south-eastward to a point 6 metres north-west of the north-western kerb-line of Roper Way; (iii) from a point 6 metres north-west of the north-western kerb-line of Roper Way to a point 5 metres south-east of the south-eastern kerb-line of Roper Way; (iv) from a point 5 metres south-east of the south-eastern kerb-line of Roper Way south-eastward for a distance of 20 metres; (v) from a point 25 metres south-east of the south-eastern kerb-line of Roper Way south-eastward to a point 25 metres north-west of the north-western kerb-line of Priestley Road; (vi) from a point 25 metres north-west of the north-western kerb-line of Priestley Road south-eastward to a point 6 metres north-west of the north-western kerb-line of Priestley Road; (vii) from the north-western kerb-line of Priestley Road north-westward for a distance of 6 metres.	A  ZR  A  A  ZR  A  ZR  A
3.	<b>ORMEROD GARDENS, CR4;</b> (a) the north-west side, (i) from the south-western kerb-line of Sandy Lane south-westward for a distance of 9 metres;	A

1. Item No.	2. Street/Description	3. Prescribed hours
	<p>(ii) from a point 9 metres south-west of the south-western kerb-line of Sandy Lane to its south-western most extremity;</p> <p>(b) the south-east side,</p> <p>(i) from the south-western kerb-line of Sandy Lane south-westward for a distance of 9 metres;</p> <p>(ii) from a point 9 metres south-west of the south-western kerb-line of Sandy Lane to a point 9 metres north-east of the north-eastern kerb-line of Fowler Road;</p> <p>(iii) from a point 9 metres north-east of the north-eastern kerb-line of Fowler Road to a point 8 metres south-west of the south-western kerb-line of Fowler Road;</p> <p>(iv) from a point 8 metres south-west of the south-western kerb-line of Fowler Road to a point 7 metres north-east of the north-eastern kerb-line of Guyatt Gardens;</p> <p>(v) from a point 7 metres north-east of the north-eastern kerb-line of Guyatt Gardens to a point 8 metres south-east of the south-western kerb-line of Guyatt Gardens;</p> <p>(vi) from a point 8 metres south-west of the south-western kerb-line of Guyatt Gardens south-westward to its south-westernmost extremity;</p> <p>(c) the south-westernmost cul-de-sac extremity.</p>	<p>ZR</p> <p>A</p> <p>ZR</p> <p>A</p> <p>ZR</p> <p>A</p> <p>ZR</p> <p>ZR</p>
4.	<p><b>PRIESTLY ROAD, CR4;</b></p> <p>(a) the north-west side,</p> <p>(i) from the south-western kerb-line of Sandy Lane south-westward for a distance of 7 metres;</p> <p>(ii) from a point 7 metres south-west of the south-western kerb-line of Sandy Lane south-westward for a distance of 18 metres;</p> <p>(iii) from a point 25 metres south-west of the south-western kerb-line of Sandy Lane south-westward for a distance of 6 metres;</p> <p>(iv) from a point 27 metres north-east of the north-eastern kerb-line of Fowler Road south-westward to a point 6 metres north-west of the north-western kerb-line of Fowler Road;</p> <p>(v) from a point 6 metres north-west of the north-western kerb-line of Fowler Road to a point 5.5 metres south-west of the south-western kerb-line of Fowler Road;</p> <p>(vi) from a point 5.5 metres south-west of the south-western kerb-line of Fowler Road south-westward for a distance of 21.5 metres;</p> <p>(vii) from a point 27 metres south-west of the south-western kerb-line of Fowler Road south-westward for a distance of 6.5 metres;</p> <p>(viii) from a point 27 metres north-east of the north-eastern kerb-line of Guyatt Gardens south-westward to a point 7 metres north-east of the north-eastern kerb-line of Guyatt Gardens;</p> <p>(ix) from a point 7 metres north-east of north-eastern kerb-line of Guyatt Gardens to a point 6 metres south-west of the south-western kerb-line of Guyatt Gardens;</p>	<p>A</p> <p>ZR</p> <p>A</p> <p>ZR</p> <p>A</p> <p>ZR</p> <p>A</p> <p>ZR</p> <p>A</p>

1. Item No.	2. Street/Description	3. Prescribed hours
	(x) from a point 6 metres south-west of the south-western kerb-line of Guyatt Gardens to its south-westernmost extremity; (b) the south-east side, (i) from the south-western kerb-line of Sandy Lane south- westward for a distance of 7 metres; (ii) from a point 7 metres south-west of the south-western kerb-line of Sandy Lane south-westward to its south- westernmost extremity; (iii) the south-westernmost cul-de-sac extremity.	ZR   A  ZR  ZR
5.	<b>RIALTO ROAD, CR4;</b> (a) the north-west side, (i) from the south-western kerb-line of Sandy Lane south- westward for a distance of 5 metres; (ii) from a point 5 metres south-west of south-western kerb-line of Sandy Lane, south-westward for a distance of 13 metres; (iii) from a point 24 metres south-west of the south-western kerb-line of Sandy Lane south-westward to a point 1 metre south of the north-east flank wall of Nos. 61 to 63 Rialto Road; (iv) from a point 1 metre south-west of the north-east flank wall of Nos. 61 to 63 Rialto Road south-westward for a distance of 37 metres; (v) from a point 38 metres south-west of the north-east flank wall of Nos. 61 to 63 Rialto Road south-westward for a distance 2.5 metres; (vi) from a point 6 metres south-west of the common boundary of Nos. 1/3 and 5/7 Rialto Road north- eastward for a distance of 97.5 metres; (vii) from a point 6 metres south-west of the common boundary of Nos. 1/3 and 5/7 Rialto Road south- westward to a point 17.4 metres north-east of the north-eastern kerb-line of Eastfields Road; (viii) from a point 7 metres north-east of the north-eastern kerb-line of Eastfields Road north-eastward for a distance of 10.4 metres; (ix) from the north-eastern kerb-line of Eastfields Road north-eastward for a distance of 7 metres; (b) the south-east side.	A  ZR  A  ZR  A  ZR  A  A
6.	<b>ROPER WAY, CR4;</b> (a) the north-west side, (i) from the north-eastern kerb-line of Eastfields Road north-eastward for a distance of 8 metres; (ii) from a point 8 metres north-east of the north-eastern kerb-line of Eastfields Road north-eastward for a distance of 18 metres; (iii) from a point 26 metres north-east of the north-eastern kerb-line of Eastfields Road north-eastward for a distance of 5.5 metres;	A  ZR  A

1. Item No.	2. Street/Description	3. Prescribed hours
	<p>(iv) from a point 7 metres south-west of the south-western kerb-line of Guyatt Gardens south-westward for a distance of 28 metres;</p> <p>(v) from the south-western kerb-line of Guyatt Gardens south-westward for a distance of 7 metres;</p> <p>(b) the south-east side,</p> <p>(i) from the north-eastern kerb-line of Eastfields Road north-eastward for a distance of 30 metres;</p> <p>(ii) from a point 30 metres north-east of the north-eastern kerb-line of Eastfields Road north-eastward to point 7 metres south-west of the south-western kerb-line of Guyatt Gardens;</p> <p>(iii) from the south-western kerb-lien of Guyatt Gardens south-westward for a distance of 7 metres.</p>	<p>ZR</p> <p>A</p> <p>A</p> <p>ZR</p> <p>A</p>
7.	<p><b>SANDY LANE, CR4;</b></p> <p>(a) the north-east side,</p> <p>(i) from a point 7 metres north-west of a point opposite the north-western kerb-line of Ormerod Gardens to its junction with Rialto Road;</p> <p>(b) the south-west side,</p> <p>(i) from a point 7 metres north-west of the north-western kerb-line of Ormerod Gardens to a point 8 metres south-west of the south-western kerb-line of Ormerod Gardens;</p> <p>(ii) from a point 8 metres south-west of the south-western kerb-line of Ormerod Gardens to a point 8 metres north-west of the north-western kerb-line of Priestley Road;</p> <p>(iii) from a point a point 8 metres north-west of the north-western kerb-line of Priestley Road south-eastward to its junction with Rialto Road.</p>	<p>A</p> <p>A</p> <p>ZR</p> <p>A</p>

**SCHEDULE 2**

***[Restricted Streets Referred To In Article 5(2)(a)]***

<b>1.</b>	<b>2.</b>	<b>3.</b>
<b>Item No.</b>	<b>Street/Description</b>	<b>Prescribed hours</b>
	<b>No Items</b>	

### SCHEDULE 3

1	2	3
Prescribed Hours	Time	Restricted Hours
A	At Any Time	1
ZR	Between 8.30 am and 6.30 pm on Mondays to Sundays inclusive	68

**SCHEDULE 4**

***[Motor Cycle Parking Areas]***

No Items





## **LONDON BOROUGH OF MERTON**

### **TRAFFIC MANAGEMENT ORDER**

202\* No. \*

---

The Merton (Waiting and Loading Restriction) (Amendment No. \*) Order 202\*

Made: \* 202\*

Coming into force: \* 202\*

---

The Council of the London Borough of Merton, after consulting the Commissioner of Police of the Metropolis, in exercise of the powers conferred under sections 6 and 124 of, and Part IV of Schedule 9 to, the Road Traffic Regulation Act 1984(a), as amended by Section 8 of and Part 1 of Schedule 5 to the Local Government Act 1985(b), and of all other powers thereunto enabling, hereby make the following Order:-

1. This Order shall come into force on \* 202\* may be cited as the Merton (Waiting and Loading Restriction) (Amendment No. \*) Order 202\*.
2. 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 Merton (Waiting and Loading Restriction) Order 1977(c) shall have effect as though: -
  - (a) there were substituted for the item numbered 702 in Schedule 1 to that Order the item similarly numbered and set out in columns 1, 2 and 3 of the Schedule to this Order;
  - (b) there were omitted from Schedule 1 to that Order the items numbered 867(Rialto Road), 868(Roper Way), 917(Guyatt Gardens), 1023(Priestley Road), 1024(Ormerod Gardens), 1025(Fowler Road) and 3129(Ormerod Gardens).

---

(a) 1984 c.27 (b) 1985 c.51 (c) G.L.C. 1977/107 – as amended by L.B.M. 2005/45, 2008/12, 2012/70 2016/16, 2017/6 and 2018/105.

Dated this \* day of \* 202\*.

PAUL MCGARRY  
Head of futureMerton  
London Borough of Merton

## SCHEDULE

**[Restricted streets referred to in Article 5(1)]**

1.  Item No.	2.  Street/Description	3.  Prescribed hours
702.	<p><b>SANDY LANE,</b></p> <p>(a) the north-east side,</p> <p>(i) from the south-eastern kerb-line of Streatham Road south-eastward for 20 metres;</p> <p>(ii) from a point 20 metres south-east of the south-eastern kerb-line of Streatham Road south-eastward to a point 24 metres south of a point opposite the south-eastern kerb-line of Harbour Close;</p> <p>(iii) from a point 7 metres north-west of the north-western kerb-line of Summerhill Way south-eastward to a point 7 metres north-west of a point opposite the northwestern kerb-line of Ormerod Gardens.</p> <p>(b) the south-west side,</p> <p>(i) from the south-eastern kerb-line of Streatham Road south-eastward for 10 metres;</p> <p>(ii) from a point 6.5 metres north-west of the north-western kerb-line of Beaulieu Close south-eastward to a point 6.5 metres south-east of the south-eastern kerb-line of Beaulieu Close;</p> <p>(iii) from a point 7 metres north-west of the north-western kerb-line of Harbour Close south-eastward to a point 7 metres south-east of the south-eastern kerb-line of Harbour Close;</p> <p>(iv) from a point 7 metres north-west of the north-western kerb-line of Tide Close south-eastward to a point 5 metres south-east of the south-eastern kerb-line of Tide Close;</p> <p>(v) from a point 6.1 metres north-west of the north-western kerb-line of Fernlea Road south-eastward to a point 6 metres south-east of the south-eastern kerb-line of Fernlea Road;</p> <p>(vi) from a point 6 metres south-east of the south-eastern kerb-line of Fernlea Road to a point 7 metres north-west of the north-western kerb-line of Ormerod Gardens;</p>	<p>A</p> <p>ZK</p> <p>A</p> <p>A</p> <p>A</p> <p>A</p> <p>A</p> <p>ZK</p>



## **PROPOSED INTRODUCTION OF FG2 CONTROLLED PARKING ZONE – RIALTO ROAD AREA**

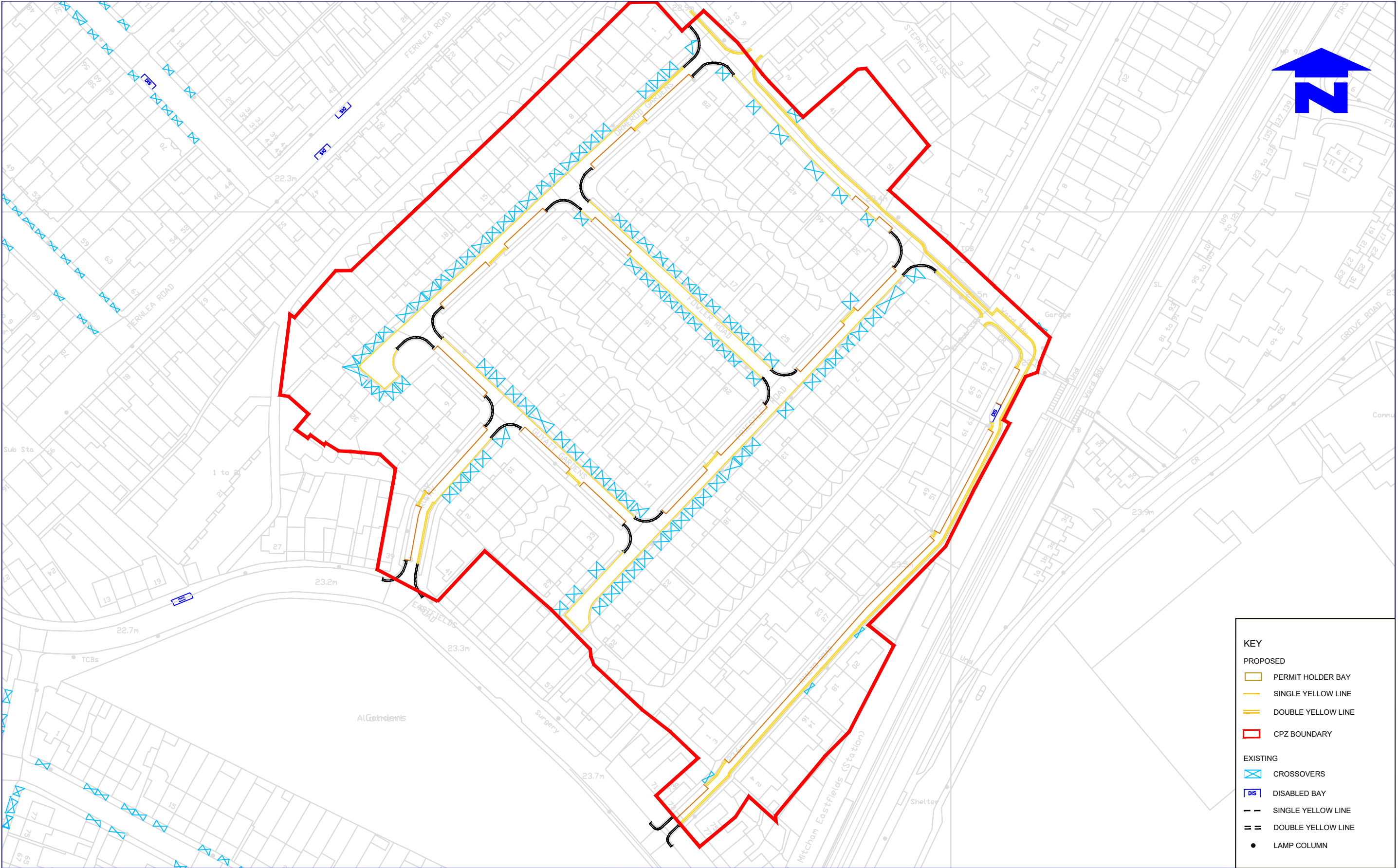
### **THE MERTON (PARKING PLACES) (FG2) ORDER 202\* THE MERTON (WAITING AND LOADING RESTRICTION) (FG2) ORDER 202\* THE MERTON (WAITING AND LOADING RESTRICTION) (AMENDMENT NO. \*) ORDER 202\***

#### **STATEMENT OF REASONS**

The policy of the Council is to improve the environment by regulating the number of parked vehicles and increasing safety for both motorists and pedestrians. The key objective of the controlled parking scheme in Rialto Road area is to reduce and control non-essential parking, to prioritise parking for Rialto Road area residents and to improve safety for all road users. This is in line with the Mayor's Transport strategy, which aims to tackle congestion and reduce traffic and specifically supports Controlled Parking restrictions.

A controlled parking zone aims to provide safe parking arrangements whilst giving priority access to parking space to residents. It is a way of controlling the parking whilst improving and maintaining safety for all road users.

The measures also include waiting restrictions. The proposed measures will improve access, sight lines and safety for all road users particularly for pedestrians and other vulnerable road users.



Notes  
Do not scale from this drawing

Rev.	Revisions	Drawn	Sig.	Date	Chkd.	Sig.	Date	App.	Sig.	Date



**Sustainable Communities**  
environment & regeneration

**FUTURE MERTON**

Reproduced from/based upon the Ordnance Survey's 1:250 maps with the permission of the Controller of H.M.S.O., Crown Copyright Reserved. Unauthorised reproduction infringes Crown copyright © and may lead to prosecution or civil proceedings. London Borough of Merton 100019259 >>YEAR<<		
Drawn by	Sig.	Date
SC		07.07.22
Designed by	Sig.	Date
PA		07.07.22
Approved by	Sig.	Date
PA		07.07.22

PROJECT	Controlled Parking Zones (CPZ)
TITLE	Rialto Road Area



**merton**

Merton Civic Centre  
London Road  
Morden, Surrey  
SM4 5DX  
www.merton.gov.uk

Drawing No.	Z78-373-01
Revision	
Classification	CONSULTATION
Scale	N.T.S