

**THE SURREY COUNTY COUNCIL (GARDENS ESTATE HORLEY CONTROLLED
PARKING ZONE) (PROHIBITION AND RESTRICTION OF WAITING AND FREE
STREET PARKING PLACES) ORDER 2013 (AMENDMENT NO.2) 2016**

**THE SURREY COUNTY COUNCIL (GARDENS ESTATE HORLEY CONTROLLED
PARKING ZONE) (PROHIBITION AND RESTRICTION OF WAITING AND FREE
STREET PARKING PLACES) ORDER 2013 (AMENDMENT NO.2) 2016**

SURREY COUNTY COUNCIL in exercise of their powers under Sections 1(1) and 2(1) to (3) and 4(2) 32 35 36 of and Part IV of Schedule 9 to the Road Traffic Regulation Act 1984 ("the Act") and of all other enabling powers and after consultation with the Chief Officer of Police in accordance with Part III of Schedule 9 to the Act hereby make the following Order:-

1 THIS Order may be cited as "The Surrey County Council (Gardens Estate Horley Controlled Parking Zone) (Prohibition and Restriction of Waiting and Free Street Parking Places) Order 2013 (Amendment No.2) 2016" and shall come into operation on 25 July 2016

- 2
- (1) In this Order "the Principal Order" means The Surrey County Council (Gardens Estate Horley Controlled Parking Zone) (Prohibition and Restriction of Waiting and Free Street Parking Places) Order 2013
 - (2) In this Order the expression "enactment" means any enactment whether public general or local and includes any order byelaw rule regulation scheme or other instrument having effect by virtue of an enactment
 - (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) Unless the context otherwise requires any expression used in this Order which is also used in the Principal Order shall have the same meaning as in that Order

3 WITHOUT prejudice to the validity of anything done or to any liability incurred in respect of any act or omission before the coming into operation of this Order the Principal Order shall have effect as though

(a) for the Second Schedule to the Principal Order there was substituted the Schedule set out in the Schedule to this Order

(b) there was added to Part IV Section IIII of the Arrangement of Articles in the

Principal Order immediately after Article 46 the following Articles -

“SECTION III

PART IVA

CARERS' PARKING PERMITS

Application for and issue of a Carer's Parking Permit..	..	..	..	46(a)
Fee to be paid in respect of a Carer's Parking Permit..	..	..	..	46(b)
Refund of fee paid in respect of a Carer's Parking Permit..	..	..	..	46(c)
Form of Carer's Parking Permit..	..	..	..	46(d)
Display of Carer's Parking Permit..	..	..	..	46(e)”

(c) The following Articles were inserted into the Principal Order immediately after Article 46

SECTION III

PART IVA

CARERS' PARKING PERMITS

Application for and issue of a Carer's Parking Permit

46(a) (1) ANY person –

- (a) who is resident or ordinarily resident at any premises the postal address of which is in the roads and lengths of roads specified and described in the First Part of the First Schedule and
- (b) is housebound and
- (c) in need of regular short term visits from carers or community care personnel

may apply to the Borough Council for the issue of a Carer's Parking Permit for the leaving in any residents only parking place situated within Gardens Estate Horley Controlled Parking Zone on any of the plans during the permitted hours of either a passenger vehicle or goods vehicle and belonging to or being used by a person visiting that resident at those premises to carry out carer's duties and any such application shall be made either electronically or on a form issued by and obtainable from the Borough Council and shall include the particulars and information required to be supplied and the Borough Council may in its absolute discretion issue a Carer's Parking Permit to such carers or community care personnel

- (2) THE Borough Council may at any time require an applicant for a Carer's Parking Permit or a Carer's Parking Permit holder to produce to an Officer of that Council such evidence in respect of an application for a Carer's Parking Permit made to them as they may reasonably call for to verify any particulars or information given to them or in respect of any Carer's Parking Permit issued by them to that person as they may reasonably call for to verify that the Carer's Parking Permit is valid
- (3) UPON receipt of an application duly made under the foregoing provisions of this Article and upon being satisfied that the applicant is housebound and in need of such short term visits by carers or community care personnel and that the carer or the community care personnel is or are either the owner of either a passenger vehicle or goods vehicle or a person authorised to use such a vehicle by the owner thereof the Borough Council may in its absolute discretion issue to the applicant therefor one Carer's Parking Permit for the leaving without time limit and free of charge during the permitted hours in any residents only parking place situated within the area shown marked by a black broken line and labelled as Gardens Estate Horley Controlled Parking Zone on any of the plans of a vehicle belonging to or being used by a person visiting that resident as a carer or as community care personnel in the course of their duties

PROVIDED THAT the Carer's Parking Permit is only valid in respect of any resident's premises that are situated in the roads or parts of the roads specified and described in the First Part of the First Schedule

- (4) IN any respect not specifically mentioned in paragraphs (1), (2) and (3) of this Article and Articles 46(b) and 46(c) the procedure validity and terms of use of a Carer's Parking Permit shall be the same as the procedure validity and terms of use of a Residents' Parking Permit and this paragraph shall be construed accordingly

Fee to be paid in respect of a Carer's Parking Permit

46(b) THE fee payable to the Borough Council in respect of a Carer's Parking Permit shall be ten pounds permit which subject to the provisions of this Order shall be valid for a period of twelve months

Refund of the fee paid in respect of a Carer's Parking Permit

- 46(c) (1) A Carer's Parking Permit holder who surrenders their Carer's Parking Permit to the Borough Council before the said parking permit becomes valid shall be entitled to a refund of the fee paid in respect thereof
- (2) A Carer's Parking Permit holder who surrenders their Carer's Parking Permit to the said Borough Council after the said parking permit has become valid shall not be entitled to a refund

Form of Carer's Parking Permit

46(d) A Carer's Parking Permit shall either –

- (a) be in writing and shall include the following particulars –
- (i) a serial number identifiable in the office of issue
 - (ii) the words "CARER"
 - (iii) the period during which the Carer's Parking Permit shall remain valid
 - (iv) an indication that the Carer's Parking Permit has been issued by the Borough Council
 - (v) the words "Gardens Estate Horley Controlled Parking Zone"

Display of Carer's Parking Permit

46(e) AT all times during which a passenger vehicle or a goods vehicle which is being used for the purposes specified in paragraph (1) of Article 46(a) is left in a residents' only parking place identified on the plans during the permitted hours a valid Carer's Parking Permit shall either –

- (a) be displayed on the vehicle in respect of which it is to be used on the front or near-side of the vehicle so that all the particulars on the Carer's Parking Permit are readily visible from the front or near-side of the vehicle"

(d) The following expressions and the meanings assigned to them were added to Article 2(1) of the Principal Order -

"carer" means a person who looks after another person who is either elderly disabled or in ill health and is unable to manage and/or cope by themselves without assistance

"Carer's Parking Permit" means a Carer's Parking Permit issued by the Borough Council under the provisions of 46(a)"

(e) the following expressions and the meanings assigned to them were substituted in

Article 2(1) of the Principal Order -

""parking permit", without more, means a residents' parking permit or, as the case may be, a residents' visitor's parking permit or, as the case may be, an operational parking permit, as the case may be, a carers parking permit

"parking permit holder" means a person to whom a residents' parking permit or, as the case may be, a residents' visitor's parking permit or, as the case may be, an operational parking permit, or as the case may be, a carer parking permit has been issued"

"valid parking permit" means a valid Residents' Parking Permit or a Residents' Visitor's Parking Permit or an Operational Permit or a Carer Parking Permit issued in accordance with the provisions of this Order"

THE SCHEDULE
SECOND SCHEDULE
LIST OF DRAWINGS

Drawing No	Date Drawn	Rev'n	Date Revised	Rev'n	Date Revised	Rev'n	Date Revised
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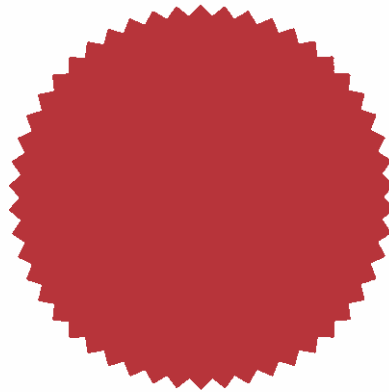
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Executed as a Deed by Surrey County Council on 20 July 2016

EXECUTED AS A DEED by)
affixing THE COMMON SEAL of)
SURREY COUNTY COUNCIL)
in the presence of and attested by:)



Nancy D. Metten
Authorised Signatory

SURREY COUNTY COUNCIL

DATED 20 JULY 2016

No. IN SEALING
REGISTER 16224
REIGATE & BANSTEAD
ORDERED TO LOCAL COMMITTEE
BE SEALED 8/6/15 ITEM 12/15

**ROAD TRAFFIC REGULATION ACT 1984
SECTIONS 1(1) 2(1) TO (3) AND 4(2) 32 35 36
OF
AND PART IV OF SCHEDULE 9**

**THE SURREY COUNTY COUNCIL (GARDENS
ESTATE HORLEY CONTROLLED PARKING
ZONE) (PROHIBITION AND RESTRICTION
OF WAITING AND FREE STREET PARKING
PLACES) ORDER 2013 (AMENDMENT NO.2)**

2016