



Brent

LONDON BOROUGH OF BRENT

TRAFFIC MANAGEMENT ORDER

2013 No. 115

The Brent (Off-Street Parking Places) (No. 1) Order 2013

Made 1 October 2013

Coming into operation 14 October 2013

The Council of the London Borough of Brent, after consultation with the Commissioner of Police of the Metropolis, in exercise of the powers conferred by sections 32, 35 and 124 of, and Part IV of Schedule 9 to the Road Traffic Regulation Act 1984(a) as amended, and all other powers thereunto enabling hereby make the following Order:-

PART 1 - GENERAL

Commencement and citation

1. This Order shall come into operation on 14 October 2013 and may be cited as the Brent (Off-Street Parking Places) (No. 1) Order 2013.

Definitions and Interpretation

2. (1) In this Order, except where the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them:-

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

"authorised vehicle" means a motor vehicle constructed or adapted to carry not more than 8 passengers and goods vehicles not exceeding 1525 kgs unladen weight (the overall height of which does not exceed 2.00 metres and the overall length of which does not exceed 5.50 metres, except in the Elm Road parking place where the overall height of said vehicle does not exceed 1.90 metres and the overall length of which does not exceed 5.50 metres), a motor cycle or an invalid carriage;

"Brent vehicle band" means either band 1, 2, 3, 4, 5, 6 or 7 which is allocated to a vehicle under the provisions of Article 4(2) and Schedule 8, for the purposes of determining the charge for a resident's permit.

(a) 1984 c.27

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"business permit" means a permit issued under the provisions of either Article 30 or Article 31;

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

"business user" means a person who occupies premises the postal address of which is in any street or part of a street in the London Borough of Brent specified in Schedule 7 and who uses such premises for non-residential purposes;

"chargeable hours" means the hours specified in relation to a parking place as set out in Item 4 of Schedules 2, 3, 4, 5 or 6, being the hours during which a parking charge must be paid in respect of a vehicle left therein;

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

"credit card" and "debit card" have the same meanings as in Section 35A(6) of the Road Traffic Act 1984;

"disabled person's badge" has the same meaning as in Regulation 3(1) of the Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000(a);

"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;

"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 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;

"event day" means any day specified in Schedule 9 to this Order;

"hand-held device" means a wireless hand-held computer which is programmed to interface with the telephone or electronic payment system;

"invalid carriage", "motor vehicle", "motor cycle" and "trailer" have respectively the same meanings as in section 136 of the Act of 1984, provided that for the purpose of this Order the term "motor cycle" shall be deemed to include either a solo motor cycle or a motor cycle with sidecar attached;

"issue" in relation to a permit means to issue a permit made of paper, card or similar;

"owner" in relation to a vehicle means the person by whom such vehicle is kept;

"parking bay" means any area within a parking place which is provided for the leaving of only one vehicle at a time and is indicated as such by markings, being white lines or otherwise, placed on the surface of the parking place to show the limits of the parking bay;

"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, a vehicle may be left in a parking place;

"parking charge" means an amount referred to in Article 23 which is payable, subject to the provisions of this Order, either at a pay and display machine or by the telephone or electronic payment system in respect of a vehicle left in a parking place;

"parking place" means any area of land specified by name in Item 1 of either Schedule 1, Schedule 2, Schedule 3, Schedule 4, Schedule 5 or Schedule 6 provided by the Council under section 32 of the Road Traffic Regulation Act 1984 for use as an off-street parking place;

"particulars", in relation to a parking ticket, means the time and date of expiry of the parking period for which payment of the parking charge has been made in respect of a vehicle left in a parking place;

"pay and display machine" means an apparatus or device installed in a parking place which, for the purposes of this Order, is designed to accept payment of the parking charge and to issue a ticket;

"permit" without more means either a business permit or a resident's permit;

"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;

"relevant position" means:

(a) in relation to the display by a vehicle of a disabled person's badge, in the prescribed manner specified in Regulation 12 of the Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000; or

(b) in relation to the display by a vehicle of a valid ticket –

- (i) on the inside of the windscreen, the side window or dashboard of the vehicle; or
- (ii) where the vehicle does not have a windscreen, side window or dashboard, in a conspicuous position on the front or nearside of the vehicle;

"resident's permit" means a permit issued under the provisions of Article 29;

"season ticket" means a season ticket issued under the provisions of Article 28;

"season ticket holder" means a person to whom a season ticket has been issued;

"service provider" means the contractor authorised by the Council:

- (a) in relation to pay and display parking, to accept payment of the parking charge on its behalf and to keep a record of that parking charge and the vehicle, the parking place and parking period in respect of which payment has been made

- (b) in relation to residents/business permits & season tickets, to accept payment of the charge specified in Article 25, 26 or 27 on its behalf and to keep a record of that parking charge together with the name and address of the resident, business user or person who has made the payment

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

- (a) in relation to a vehicle parking in a pay and display parking place:
 - (i) the driver of a vehicle, or some other person authorised by that driver on their behalf, uses a telephone or electronic apparatus to communicate with the service provider and make payment of the parking charge in respect of a specified vehicle, a specified parking place and for a specified parking period by use of a debit or credit card, in accordance with instructions given by the service provider at the time of using the system; and
 - (ii) the service provider, on behalf of the Council, accepts payment of the parking charge by the method referred to in paragraph (a)(i) of this definition and records such payment together with the parking period for which payment has been made, the parking place in which the vehicle is left, and the registration mark of the vehicle in respect of which payment has been made; or
- (b) in relation to residents/business permits and season tickets:
 - (i) a resident uses a telephone or electronic apparatus to communicate with the service provider and make payment of the charge specified in Article 37 by use of a debit or credit card, in accordance with instructions given by the service provider at the time of using the system; and
 - (ii) the service provider, on behalf of the Council, accepts payment of the charge by the method referred to in paragraph (b)(i) of this definition and records such payment together with the name and address of the resident who has made the payment;

"ticket" means a ticket issued by a pay and display machine in accordance with Article 24(1) which indicates that the parking charge has been paid and the date and time of expiry of the parking period;

"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;

"valid", in relation to a ticket, means that:

- (i) the ticket is clearly displayed on the front of the vehicle in respect of which it was issued; and
- (ii) the date and time of expiry of the parking period indicated on that ticket has not elapsed.

(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.

Revocation

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 Brent (Off -Street Parking Places) (No. 1) Order 2012(a) is hereby revoked.

PART 2 - USE OF PARKING PLACES

Use of Land and Parking Places

4. (1) Each parking place specified in item 1 of Schedules 1 to 6 inclusive may be used, subject to the following provisions of this Order, as a parking place for such classes of vehicles in such positions on such days and during such hours and on payment of such charges as are specified in relation thereto in items 2 - 6 of Schedules 1 to 6 inclusive and Articles 25, 26 and 27 in relation to permits displayed in Kingsbury Road car park, Lonsdale Avenue car park or Preston Road car park.

(2) For the purposes of this Order, every vehicle in respect of which an application for a resident's permit is made in accordance with Article 29, shall have a vehicle band allocated to it in accordance with the provisions of Schedule 8.

5. The driver of a vehicle shall not permit it to wait in a parking place other than in a parking bay and for this purpose, except with the permission of the Council, every part of the vehicle must be within the limits of the parking bay and not more than one vehicle at a time shall occupy any one such parking bay.

6. (1) The driver of a vehicle shall not permit it to wait in a parking bay that has been reserved by means of a sign or surface marking specifically for use by electric vehicles unless:

(a) that vehicle is an electric vehicle; and

(b) as soon as it is reasonably possible to do so, that electric vehicle is connected to the electric charging point provided at that parking bay for the purposes of the recharging that vehicle's battery until immediately prior to it being taken away from that parking bay;

- (2) An electric vehicle shall not be left in a parking bay that has been reserved by means of a sign or surface marking specifically for the use by electric vehicles for a continuous period exceeding three hours.

(a) L.B.B. 2012/49 – the relevant amending Order is L.B.B 2012/99

- (3) No electric vehicle which has been taken away from a parking bay that has been reserved by means of a sign or surface marking specifically for use by electric vehicles shall until the expiration of three hours from the time it was taken away again be left in that parking bay or other parking bay reserved by means of a sign or surface marking specifically for use by electric vehicles in the same parking place.
7. The driver of a vehicle shall not permit it to wait in a parking bay that has been reserved by means of a sign or surface marking specifically for use by disabled persons unless:
- (a) the vehicle is displaying a disabled person's badge; and
 - (b) the vehicle is carrying a registered disabled person at the time the vehicle enters and leaves the parking bay and that person (whether the driver or a passenger) is the person to whom the badge was issued.
8. The driver of a vehicle shall not permit it to wait in a parking bay that has been reserved by means of a sign or surface marking specifically for use by business permit holders or resident permit holders unless:
- (a) the vehicle is displaying a valid business or residents permit, as the case may be; or
 - (b) the vehicle is displaying a disabled person's badge.
9. The driver of a motor vehicle using a parking place shall stop the engine as soon as the vehicle is in position in that parking place and shall not start the engine except when about to change the position of the vehicle within or to depart from the parking place.
10. No person shall within a parking place -
- (a) sell or offer for sale or for hire any article, skill or service;
 - (b) do anything in connection with the selling or hiring of any article, skill or service whether from a vehicle or otherwise;
 - (c) advertise any product or service;
 - (d) distribute any leaflets:
- without the prior written consent of the Council.
11. The driver of a motor vehicle using a parking place is not permitted to drive any vehicle without due care and consideration or in a manner likely to endanger any other person or at speeds in excess of 15 mph.
12. The driver of a vehicle using a parking place shall not sound any horn, or other similar instrument except in the interests of safety.
13. No person shall, except with the permission of the Council or any person duly authorised by them, drive any vehicle in a parking place other than for the purpose of leaving that vehicle in the parking place in accordance with the provisions of this Order or for the purpose of departing from the parking place.
14. No person shall use any part of a parking place or any vehicle left in a parking place -

- (a) for sleeping or camping purposes; or
 - (b) for cooking purposes, including the lighting of a fire for any reason; or
 - (c) for the purpose of servicing, washing, cleaning, constructing, maintaining or repairing any vehicle or part thereof other than is reasonably necessary to enable that vehicle to depart from the parking place.
15. In a parking place, no person shall erect or cause or permit to be erected any tent, booth, stand, building or other structure without the written consent of the Council.
16. Any person using a parking place as a means of passage proceeding from one road to another road or for access purposes to property or land adjacent to but not forming any part of the parking place shall be deemed to be so using by licence of the Council and not as of right.
17. Where in a parking place signs are erected or surface markings are laid for the purpose of indicating -
- (a) the entrance to or exit from the parking place, or
 - (b) that a vehicle using the parking place shall proceed in a specified direction within the parking place
- no person shall drive or cause or permit to be driven any vehicle -
- (i) so that it enters the parking place otherwise than by an entrance, or leaves the parking place otherwise than by an exit, so indicated, or
 - (ii) in a direction other than that specified
- as the case may be.
18. The driver of a vehicle drawing a trailer having a combined length exceeding 5.50 metres shall not permit the vehicle or the trailer to wait in a parking place unless they have been disconnected, and unless the registration number of the vehicle is clearly displayed on the trailer and for the purposes of this Order, the vehicle and the trailer shall be deemed to be separate vehicles and the said driver shall be deemed to be the driver of each of the said vehicles.
19. (i) No vehicle other than an authorised vehicle may enter or be left in any parking place except with the permission of the Council.
- (ii) The Elm Road car park will be shut outside the car park opening times specified in Item 8 of Schedule 6 to this Order and access to and egress from it will be prohibited. No vehicle shall remain or be left in the Elm Road parking place outside the car parking opening times specified in Item 8 of Schedule 6.
- (iii) The lower two tiers of the Preston Road car park will be shut outside car park opening times specified in Item 8 of Schedule 5 and vehicular access to and vehicular egress from it will be prohibited. No vehicle shall remain or be left in the Preston Road parking place outside the car parking opening times specified in Item 8 of Schedule 5.

20. Notwithstanding the provisions of this Order, the Council may by notice displayed at or near a parking place close or reserve for any purpose such a parking place or part thereof for any period and no driver of any vehicle shall use such parking place or part thereof when it is so closed or reserved except with the prior permission of the Council.
21. If at any time in or on a parking bay or bays or in any position adjacent thereto a particular bay or bays is or are reserved by means of a sign or surface marking for the use of any person or category of persons authorised by the Council or for the leaving of solo motor cycles, no person shall leave a vehicle in any such parking bay other than for the purpose so specified.
22. The Council does not undertake to supervise any parking place and entry to and exit from and use of the parking bays is entirely at the users risk and the Council or its servants or agents do not accept any liability for any damage to or loss of vehicles or their contents which arise from any act or omission outside their reasonable control.

Amount and Method of Payment

23. The driver of a vehicle who leaves that vehicle in a parking place during the chargeable hours shall on leaving the vehicle in a parking place, immediately pay the appropriate parking charge as set out in item 5 of Schedules 2, 3, 4, 5 or 6.
24. (1) The parking charge referred to in Article 23 shall be paid by either –
 - (a) the insertion into a pay and display machine provided in the parking place of the appropriate coin or combination of coins accepted by that pay and display machine, together making up the amount of the parking charge for the parking period for which payment is being made, provided that if any payment is made over the appropriate parking charge, the parking charge together with the amount of the over payment shall be deemed to be the parking charge;
 - (b) where a pay and display machine situated in the parking place in which the vehicle is left accepts a credit card or a debit card, the insertion in that pay and display machine of a valid credit card or debit card (which shall be debited with the amount of the parking charge for the parking period for which payment is being made); or
 - (c) where the telephone or electronic payment system is available for use in the parking place in which the vehicle is left, the driver of the vehicle, or a person authorised by the driver to act on their behalf, and by following the instructions for payment of the parking charge as indicated on that ticket machine or, as the case may be on a sign relating to that parking place, instructing the service provider to accept payment of the parking charge for a specified parking period and in respect of a specified vehicle by using the telephone or electronic payment system and by the service provider accepting such payment.
- (2) Payment of the charge for a vehicle left in a parking place shall be indicated by the issue by a pay and display machine of a ticket showing the day and time of expiry of the charge and by the clear display of that ticket on the vehicle in accordance with paragraphs (4) and (5) of this Article:

Provided that where the telephone or electronic payment system is available for use in the parking place in which the vehicle is left, the requirement for that vehicle to clearly display a valid ticket shall not apply if the driver of that vehicle, or a person

authorised by the driver to act on their behalf, has paid the parking charge using the telephone or electronic payment system.

- (3) Any ticket purchased in accordance with paragraphs (1) and (2) of this Article is not transferable between one vehicle and another and may only be used in the parking place in which it was issued.
 - (4) Any ticket issued by a ticket parking meter in respect of a parking charge shall be displayed on the vehicle in respect of which it was issued for the duration of the parking period as follows -
 - (a) in the case of a vehicle which is fitted with a transparent windscreen, by affixing the ticket to the inside surface of the windscreen so that it is facing forwards and can be easily seen from the front of the vehicle, or
 - (b) in the case of a vehicle which is not fitted with a transparent windscreen by affixing the ticket on the front of the vehicle facing forwards not more than 5.50 metres or less than 0.75 metres above the surface of the parking bay in which the vehicle is parked.
 - (5) A ticket shall be so displayed so that the time and other particulars shown thereon are clearly visible from outside the vehicle.
25. The charge in connection with the use of a resident permit issued for the leaving of any authorised vehicle in any parking bay in Kingsbury Road car park shall be:
- (a) for any period of twelve months running from the beginning of the month in which a permit first becomes valid, in any parking place described in Schedule 2, item 1 (b) shall be the amount specified in the following table in column (3), (4) or (5) according to whether the permit is a first, second or third permit and in relation to the Brent vehicle band allocated to that vehicle specified in column (2) of that item:

Item No.	Brent Vehicle Band	Charge for a first Residents' permit valid for a period of 12 months	Charge for a second Residents' permit valid for a period of 12 months	Charge for a third Residents' permit valid for a period of 12 months
(1)	(2)	(3)	(4)	(5)
1.	1	£0	£41	£83
2.	2	£54	£95	£136
3.	3	£81	£122	£163
4.	4	£107	£149	£190
5.	5	£133	£175	£216
6.	6	£160	£201	£243
7.	7	£214	£255	£296

- (b) for any period of six months running from the beginning of the month in which a permit first becomes valid, in any parking place described in Schedule 2, item 1 (b) shall be the amount specified in the following table in column (3), (4) or (5) according to whether the permit is a first, second or third permit and in relation to the Brent vehicle band allocated to that vehicle specified in column (2) of that item:

Item No.	Brent Vehicle Band	Charge for a first Residents' permit valid for a period of 6 months	Charge for a second Residents' permit valid for a period of 6 months	Charge for a third Residents' permit valid for a period of 6 months
(1)	(2)	(3)	(4)	(5)
1.	1	£0	£25	£50
2.	2	£32	£57	£82
3.	3	£49	£73	£98
4.	4	£64	£89	£114
5.	5	£80	£104	£129
6.	6	£96	£121	£146
7.	7	£128	£153	£178

- (c) for any period of three months running from the beginning of the month in which a permit first becomes valid, in any parking place described in Schedule 2, item 1 (b) shall be the amount specified in the following table in column (3), (4) or (5) according to whether the permit is a first, second or third permit and in relation to the Brent vehicle band allocated to that vehicle specified in column (2) of that item:

Item No.	Brent Vehicle Band	Charge for a first Residents' permit valid for a period of 3 months	Charge for a second Residents' permit valid for a period of 3 months	Charge for a third Residents' permit valid for a period of 3 months
(1)	(2)	(3)	(4)	(5)
1.	1	£0	£17	£33
2.	2	£22	£38	£55
3.	3	£32	£49	£65
4.	4	£43	£60	£76
5.	5	£54	£70	£87
6.	6	£64	£81	£97
7.	7	£86	£102	£119

26. The charge in connection with the use of a business permit issued for the leaving of any authorised vehicle in any business parking bay in Kingsbury Road car park, Lonsdale Avenue car park or Preston Road car park shall be:

- three hundred and fifty pounds for a period of twelve months running from the beginning of the month in which a permit becomes first valid;
- two hundred and ten pounds for a period of six months running from the beginning of the month in which a permit becomes first valid;
- one hundred and forty pounds for a period of three months running from the beginning of the month in which a permit becomes first valid.

27. The charge in connection with the use of season tickets issued for the leaving of any authorised vehicle in any parking bay in Preston Road car park shall be:

- eight hundred and six pounds for a half day season ticket for a period of six months running from the beginning of the month in which a season ticket becomes first valid;

- (b) one thousand pounds for a full day season ticket for a period of six months running from the beginning of the month in which a season ticket becomes first valid;
- (c) one thousand, six hundred and six pounds for a half day season ticket for a period of twelve months running from the beginning of the month in which a season ticket becomes first valid;
- (d) two thousand pounds for a full day season ticket for a period of twelve months running from the beginning of the month in which a season ticket becomes first valid.

Application for and issue of season tickets in respect of the Preston Road Car Park

28. (1) Any person who is the owner of an authorised vehicle, may apply to the Council or authorised agent for the issue of a season ticket in respect of that vehicle any such application shall be made either –
- (a) on a form issued by and obtainable from the Council, either by post or internet and shall include the particulars and information required by such to be supplied; or
 - (b) by telephone, providing details required by the Council or authorised agent to be supplied and paying the appropriate parking charge specified in Article 27.
- (2) The Council or authorised agent may at any time require an applicant for a season ticket or season ticket holder to produce to an officer of the Council such evidence in respect of an application for a season ticket made to them as they may reasonably call for to verify any particulars or information given to them in respect of any season ticket issued by them as they may reasonably call for to verify that the season ticket is valid.
- (3) On receipt of an application duly made under the foregoing provisions of this Article and upon receipt of the appropriate charge specified in Article 27 the Council, upon being satisfied that the applicant is the owner of an authorised vehicle, shall issue to the applicant therefor one season ticket for the leaving in any parking bay in Preston Road car park, by the owner of such vehicle or by any person using such vehicle with the consent of the owner other than a person to whom such vehicle has been let for hire or reward.

Application for and issue of resident permits for Kingsbury Road Car Park

29. (1) Any person whose usual place of abode is at premises the postal address of which is between Nos. 455 to 517 inclusive, Kingsbury Road who is the owner of an authorised vehicle, may apply to the Council for the issue of a resident permit in respect of that vehicle and any such application shall be made either –
- (a) on a form issued by and obtainable from the Council, either by post or internet and shall include the particulars and information required by such to be supplied; or
 - (b) by telephone, providing details required by the Council or authorised agent to be supplied and paying the appropriate parking charge specified in Article 25.
- (2) The Council may at any time require an applicant for a permit or a permit holder to produce to an officer of the Council such evidence in respect of an application for a permit made to them as they may reasonably call for to verify any particulars or

information given to them in respect of any permit issued by them as they may reasonably call for to verify that the permit is valid.

(3) On receipt of an application duly made under the foregoing provisions of this Article and upon receipt of the appropriate charge specified in Article 25 the Council, upon being satisfied that the applicant is a resident and is the owner of an authorised vehicle, shall issue to the applicant therefor one permit for the leaving in any parking bay in Kingsbury Road car park, by the owner of such vehicle or by any person using such vehicle with the consent of the owner other than a person to whom such vehicle has been let for hire or reward:

Provided that, subject to the provisions of Article 33, the Council shall not issue a permit to any person whose usual place of abode is at premises the postal address of which is between Nos. 455 to 517 inclusive, Kingsbury Road which would be valid for any period during which any other permit issued to that postal address is or would be valid.

Application for and issue of business permits for Kingsbury and Preston Road Car Parks

30. (1) Any a person who occupies premises the postal address of which is in Kingsbury Road or Preston Road and who uses such premises for non-residential purposes and who is the owner of an authorised vehicle, may apply to the Council for the issue of a business permit in respect of that vehicle and any such application shall be made either –

- (a) on a form issued by and obtainable from the Council, either by post or internet and shall include the particulars and information required by such to be supplied; or
- (b) by telephone, providing details required by the Council or authorised agent to be supplied and paying the appropriate parking charge specified in Article 26.

(2) The Council may at any time require an applicant for a permit or a permit holder to produce to an officer of the Council such evidence in respect of an application for a permit made to them as they may reasonably call for to verify any particulars or information given to them in respect of any permit issued by them as they may reasonably call for to verify that the permit is valid.

(3) On receipt of an application duly made under the foregoing provisions of this Article and upon receipt of the appropriate charge specified in Article 26 the Council, upon being satisfied that the applicant is business user and is the owner of an authorised vehicle shall issue to the applicant therefor one permit for the leaving in any parking bay in Kingsbury Car Park or in any parking bay in Preston Road Car Park to which such permit relates by the owner of such vehicle or by any person using such vehicle with the consent of the owner other than a person to whom such vehicle has been let for hire or reward:

Provided that, subject to the provisions of Article 33, the Council shall not issue a permit to any business user which would be valid for any period during which any other permit issued to that resident is or would be valid.

(4) The maximum number of business permits that will be issued to any non-residential postal address in Kingsbury Road would be six per annum and to any non-residential postal address in Preston Road would be three per annum.

Application for and issue of business permits for Lonsdale Avenue, Wembley, Car Park

31. (1) Any business user who is the owner of an authorised vehicle may apply to the Council for the issue of a business permit in respect of that vehicle and any such application shall be made either –

(a) on a form issued by and obtainable from the Council, either by post or internet and shall include the particulars and information required by such to be supplied; or

(b) by telephone, providing details required by the Council or authorised agent to be supplied and paying the appropriate parking charge specified in Article 26.

(2) The Council may at any time require an applicant for a permit or a permit holder to produce to an officer of the Council such evidence in respect of an application for a permit made to them as they may reasonably call for to verify any particulars or information given to them in respect of any permit issued by them as they may reasonably call for to verify that the permit is valid.

(3) On receipt of an application duly made under the foregoing provisions of this Article and upon receipt of the appropriate charge specified in Article 26 the Council, upon being satisfied that the applicant is business user and is the owner of an authorised vehicle shall issue to the applicant therefor one permit for the leaving in any parking bay in Lonsdale Avenue Car Park to which such permit relates by the owner of such vehicle or by any person using such vehicle with the consent of the owner other than a person to whom such vehicle has been let for hire or reward:

Provided that, subject to the provisions of Article 33, the Council shall not issue a permit to any business user which would be valid for any period during which any other permit issued to that resident is or would be valid.

Surrender, withdrawal and validity of permits

32. (1) A permit holder may surrender a permit to the Council or authorised agent at any time and shall surrender a permit to the Council on the occurrence of any one of the events set out in paragraph (3) of this Article.

(2) The Council may, by notice in writing served on the permit holder by sending the same by the recorded delivery service to the permit holder at the address shown by that person on the application for the permit or any other address believed to be that person's place of abode, withdraw a permit if it appears to the Council that any one of the events set out in paragraphs (3)(a), (3)(b) or (3)(f) of this Article has occurred and the permit holder shall surrender the permit to the Council within 48 hours of the receipt of the aforementioned notice.

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

(a) the permit holder ceasing to be a resident, business user or a person who occupies non-residential premises the postal address of which is in Kingsbury Road or Preston Road;

(b) the permit holder ceasing to be the owner of the vehicle in respect of which the permit was issued;

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

- (d) the vehicle in respect of which such permit was issued being adapted or used in such a manner that it is not an authorised vehicle;
- (e) the issue of a duplicate permit by the Council under the provisions of Article 33;
- (f) the 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 permit shall cease to be valid at the expiration of the period specified thereon (which period shall not exceed a period of 12 months from the date on which it is issued) or on the concurrence of any one of the events set out in paragraphs (3)(a), (3)(b), (3)(c), (3)(d) or (3)(e) of this Article, whichever is the earlier.

(5) Where a permit is issued to any person upon receipt of a cheque and the cheque is subsequently dishonoured, the permit shall cease to be of any effect and the Council shall by notice in writing served on the person to whom such permit was issued by sending the same by the recorded delivery service to the permit holder at the address shown by that person on the application for the permit or at any other address believed to be that person's place of abode, require that person to surrender the permit to the Council within 48 hours of the receipt of the aforementioned notice.

Application for and issue of duplicate permits

33. (1) If a permit is mutilated or accidentally defaced or the figures or particulars thereon have become illegible or the colour of the permit has become altered by fading or otherwise, the permit holder shall either surrender it to the Council or apply to the Council for the issue to him of a duplicate permit and the Council, upon the receipt of the permit, shall issue a duplicate permit so marked and upon such issue the permit shall become invalid.

(2) If a permit is lost or destroyed, the permit holder may apply to the Council for the issue to him of a duplicate permit and the Council, upon being satisfied as to such loss or destruction, shall issue a duplicate permit so marked and upon such issue the permit become invalid.

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

(4) The charge for the issue of a duplicate permit shall be fifteen pounds.

Form of permits

34. A permit shall be in writing and shall include the following particulars:

- (a) the registration mark of the vehicle in respect of which the permit has been issued;
- (b) the period during which, subject to the provisions of Article 32(4), the permit shall remain valid;
- (c) the hours during which the vehicle may be left in a parking place; and
- (d) an indication that the permit has been issued by the Council.

Refund of fee paid in respect of a permit

35. (1) A permit holder who surrenders a permit to the Council before it becomes valid shall be entitled to a refund of the fee paid in respect thereof.

(2) A permit holder who surrenders to the Council a permit issued by the Council under the provisions of paragraph (3)(b) or paragraph (3)(c) of Article 32 after the permit has become valid shall be entitled to a refund in respect of the unexpired period of part of the fee paid in respect of the permit calculated in accordance with the provisions of the next following paragraph.

(3) In respect of any part of the unexpired period which consists of a complete month, the amount of such refund shall be:-

- (a) (i) one twelfth of the charge specified in column 3 of the tables in Article 24(a), (b) and (c) in relation to the Brent vehicle band allocated to that vehicle specified in column 2 in respect of each month, for permits issued for twelve months, subject to a maximum refund of 4 months;
- (ii) one sixth of the charge specified in column 4 of the tables in Article 24(a), (b) and (c) in relation to the Brent vehicle band allocated to that vehicle specified in column 2, in respect of each month, for permits issued for six months, subject to a maximum refund of 2 months;
- (iii) one third of the charge specified in column 5 of the tables in Article 24(a), (b) and (c) in relation to the Brent vehicle band allocated to that vehicle specified in column 2, in respect of each month, for permits issued for three months, subject to a maximum refund of 1 month.
- (b) (i) one twelfth of the charge specified in Article 25(a) in respect of each month, for permits issued for twelve months, subject to a maximum refund of 4 months;
- (ii) one sixth of the charge specified in Article 25(b) in respect of each month, for permits issued for six months, subject to a maximum refund of 2 months;
- (iii) one third of the charge specified in Article 25(c) in respect of each month, for permits issued for three months, subject to a maximum refund of 1 month.

(4) In this Article, the expression "unexpired period" means, in relation to a permit surrendered to the Council, that part of the period specified on the permit during which it shall remain valid which remains unexpired when the permit is so surrendered and the day on which permit is received by the Council shall for the purposes of this Article be treated as not forming any part of the unexpired period.

36. The following vehicles left in a parking place shall be exempt from the payment of any charge specified in Item 5 of Schedules 2, 3, 4, 5 and 6 -

- (a) an invalid carriage;
- (b) a vehicle bearing a disabled person's badge provided the vehicle is carrying a registered disabled person at the time the vehicle enters and leaves the parking

place and that person (whether the driver or a passenger) is the person to whom the badge was issued;

- (c) a vehicle bearing a residents parking permit issued by the London Borough of Brent.

Contravention in Parking Places

- 37. If a vehicle is left in a parking place at any time without complying with the provisions of this order, then a contravention of, or a failure to comply with the provisions of this Order shall be deemed to have occurred.

Restrictions on Removal of Tickets

- 38. Where a ticket has been exhibited on a vehicle in accordance with the provisions of Article 24 no person, not being the owner or driver of the vehicle, shall remove the ticket from the vehicle unless authorised to do so by the owner or driver or a car park manager or authorised agent.

Removal of a Vehicle left in a Parking Place

- 39. (i) The Council or any duly authorised agent of the Council or a police constable in uniform may move or cause to be moved, in case of emergency, to any place he thinks fit, any vehicle left in a parking place;
- (ii) Where any vehicle is standing in a parking place in contravention of any of the provisions contained in this Order, a person authorised in that behalf by the Council may:-
 - (a) immobilise the vehicle by the use of wheel clamps or any other such device, and the vehicle shall not be released until the amount specified in item 6 of Schedules 2, 3, 4, 5 and 6 and the penalty charge, together with any outstanding penalty charges, have been paid;
 - (b) alter or cause to be altered the position of the vehicle and he may remove the vehicle from the parking place or cause it to be removed;
- (iii) Any person removing or altering the position of a vehicle by virtue of the foregoing provisions of this Article, may do so by towing or driving the vehicle or in such other manner as he may think necessary to enable him to remove it or alter its position, as the case may be;
- (iv) Any person removing or arranging for the removal of a vehicle by virtue of paragraph (i), (ii)(b) or (iii) of this Article shall make such arrangements as he considers to be reasonably necessary for the safety of the vehicle in the place to which it is removed and the Council or its duly authorised agents shall not be liable for any loss or damage caused to the vehicle or its contents as a result of its being moved within the parking place or removed from the parking place under the provisions of this Article.

Disposal of Vehicles abandoned in a Parking Place

40. The Council, as respects any vehicle which has been or could at any time be removed from a parking place in pursuance of Article 39, if it appears to them to have been abandoned, may sell or otherwise dispose of the vehicle and may recover any expenses and charges from any person responsible.

Right to refuse entry to Parking Place

41. The Council or its authorised agent may refuse entry to any person or to any vehicle.

Dated this 1st day of October 2013.

A handwritten signature in black ink, appearing to be 'A. Hume', written in a cursive style.

Head of Transportation
(The officer appointed for this purpose).

SCHEDULE 1

(Free Car Parks)

- | | |
|---|--|
| 1. Name of Parking Place | - (a) Brent Town Hall Car Park, Forty Lane, Wembley; |
| | (b) Church End Shopping Centre, Church Road, NW10. |
| 2. Position in which authorised vehicles may wait | - Wholly within a parking bay. |
| 3. Days of Operation | - Every Day. |
| 4. Hours of Operation | - At all times. |
| 5. Scale of Charges | - None. |

SCHEDULE 2

(Variable Charges Car Parks)

- | | | | |
|----|--|---|--|
| 1. | Name of Parking Place | - | (a) Cecil Avenue, Wembley;
(b) Lonsdale Avenue, Wembley;
(c) Neasden Lane Shopping Precinct,
Neasden Lane, NW10;
(d) St. John's Road, Wembley. |
| 2. | Position in which authorised vehicles may wait | - | Wholly within a parking bay. |
| 3. | Days of Operation | - | Every Day. |
| 4. | Chargeable Hours | - | 8.00 a.m. to 6.30 p.m. on any day not being an event day; or

8.00 a.m. to 12 midnight on an event day: |
| 5. | Scale of Charges | - | Up to 1 hour - £1.50
Up to 2 hours - £3.50

On any day not being an event day:
Up to 3 hours - £5.00
Over 3 hours - £8.00

[note: maximum parking period on an event day is 2 hours]

The parking charges stated in this item will be reduced by £0.50 where payment of the parking charge is made using any accepted payment method other than by cash |
| 6. | Charge for the removal of Wheel Clamps | - | £70.00 |

SCHEDULE 3(Variable Charges Car
Parks)

- | | | | |
|----|--|---|---|
| 1. | Name of Parking Place | - | (a) Kingsbury Road NW9, Rear of Nos. 455 to 515;

(b) Salusbury Road, Queens Park;

(c) Wendover Road, NW10. |
| 2. | Position in which authorised vehicles may wait | - | Wholly within a parking bay. |
| 3. | Days of Operation | - | Every Day. |
| 4. | Chargeable Hours | - | 8.00 a.m. to 6.30 p.m. |
| 5. | Scale of Charges | - | Up to 1 hour - £1.50
Up to 2 hours - £3.50
Up to 3 hours - £5.00
Over 3 hours - £8.00

The parking charges stated in this item will be reduced by £0.50 where payment of the parking charge is made using any accepted payment method other than by cash |
| 6. | Charge for the removal of Wheel Clamps | - | £70.00 |
| 7. | Coin Denomination | - | 5p, 10p, 20p, 50p, £1 or £2 |

SCHEDULE 4

(Variable Charges Car Park)

1. Name of Parking Place - Barham Park.
2. Position in which authorised vehicles may wait - Wholly within a parking bay.
3. Days of Operation - Every Day.
4. Chargeable Hours - 10.00 a.m. to 3.00 p.m. Monday to Friday on any day not being an event day; or
8.00 a.m. to 12 midnight on an event day:
5. Scale of Charges -
Up to 1 hour - £1.50
Up to 2 hours - £3.50

On any day not being an event day:
Up to 3 hours - £5.00
Over 3 hours - £8.00

[note: maximum parking period on an event day is 2 hours]

The parking charges stated in this item will be reduced by £0.50 where payment of the parking charge is made using any accepted payment method other than by cash
6. Charge for the removal of Wheel Clamps - £70.00

SCHEDULE 5(Variable Charges Car Park)

1. Name of Parking Place - Preston Road;
2. Position in which authorised vehicles may wait - Wholly within a parking bay.
3. Days of Operation - Every Day.
4. Chargeable Hours - 8.00 a.m. to 6.30 p.m. Monday to Saturday on any day not being an event day; or
8.00 a.m. to 12 midnight on an event day:
5. Scale of Charges -
 - Up to 1 hour - Free
 - Up to 2 hours - £1.50, plus 20p for every 10 minutes after the first hour
 - Up to 3 hours - £3.50, plus 25p for every 10 minutes after the second hour
 - Over 3 hours - £8.00

The parking charges stated in this item will be reduced by £0.50 where payment of the parking charge is made using any accepted payment method other than by cash
6. Charge for the removal of Wheel Clamps - £70.00
7. Car park opening times for the lower two tiers of the car park, outside of which vehicular access to and egress from the lower two tiers of the car park is prohibited - 8.00 a.m. to 8.00 p.m. midnight Monday to Sunday inclusive, on any day not being an event day; or
8.00 a.m. to 12 midnight on an event day:

SCHEDULE 6(Variable Charges Car Park)

- | | | | |
|----|---|---|---|
| 1. | Name of Parking Place | - | Elm Road, Wembley; |
| 2. | Position in which vehicles may wait | - | Wholly within a parking bay. |
| 3. | Days of Operation | - | Every Day. |
| 4. | Chargeable Hours | - | 8.00 a.m. to 10.00 p.m. Monday to Saturday.
10.00 a.m. to 5.00 p.m. Sunday. |
| 5. | Scale of Charges | - | Up to 1 hour - £1.50
Up to 2 hours - £3.50

On any day not being an event day:
Up to 3 hours - £5.00
Over 3 hours - £8.00

[note: maximum parking period on an event day is 2 hours]

The parking charges stated in this item will be reduced by £0.50 where payment of the parking charge is made using any accepted payment method other than by cash |
| 6. | Charge for the removal of Wheel Clamps | - | £70.00 |
| 7. | Car park opening times, outside of which access to and egress from the car park is prohibited | - | 7.30 a.m. to 10.00 p.m. Monday to Saturday and from 10.00 a.m. to 5.00 p.m. on Sunday, provided that day is not Christmas Day, Good Friday or a Bank Holiday |

SCHEDULE 7

Streets or parts of Streets for the purpose of the issue of Business Permits

1. Acacia Avenue
2. Beatrice Avenue
3. Castleton Avenue
the south-east side, between its junction with St. John's Road and the north-eastern boundary of No. 93 Castleton Avenue.
4. Cecil Avenue
5. Chaplin Road
between its junction with Ealing Road, Wembley and a point 11.00 metres south-east of a point opposite the south-western wall of No. 81 Chaplin Road.
6. Chatsworth Avenue
7. Copland Mews
8. Copland Road
9. Crawford Avenue
between its junction with High Road, Wembley and a point 12.19 metres south-west of the western kerb-line Harrowdene Road.
10. Curtis Lane
11. Ealing Road
between its junction with High Road, Wembley and a point opposite the party- wall of Nos. 98 and 100 Ealing Road.
12. Ecclestone Place
13. Elm Road
14. Elspeth Road
15. Fairview Avenue
16. Harley Close
17. Harrow Road
 - (a) between its junction with High Road, Wembley and a point 18.29 metres south-east of the south-eastern kerb-line of Neeld Crescent;
 - (b) between its junction with High Road, Wembley and the common boundary of Nos. 1 to 16 Morritt House, Harrow Road and No. 591 Harrow Road.
18. High Road, Wembley
between the common boundary of Nos. 1 to 16 Morritt House, Harrow

Road and No. 591 Harrow Road and its junction with Harrow Road including the roadway surrounding the island site known as "The Triangle" at the junction of Harrow Road, High Road, Wembley and Wembley Hill Road.

19. Keswick Gardens
20. Lancelot Road
between its junction with High Road, Wembley and a point 35.50 metres north-west of a point opposite the north-western wall of No. 73 Lancelot Road.
21. Lantern Close
22. Lincoln Road
between its junction with Scarle Road and a point opposite the party wall of Nos. 20 and 22 Lincoln Road.
23. London Road
24. Lonsdale Avenue
25. Montrose Crescent
26. Napier Road
27. Norton Road
between its junction with Chaplin Road and a point 48.00 metres south-east of that junction.
28. Oakington Manor Drive
between its junction with Harrow Road, Wembley and a point opposite the party wall of Nos. 39 and 41 Oakington Manor Drive.
29. Park Lane
between its junction with High Road, Wembley and a point 18 29 metres north-east of the north-eastern kerb-line of Dagmar Avenue.
30. Park Road
31. Princes Court
32. Ranelagh Road
33. Rosecroft Walk
34. Rosemead Avenue
35. Rupert Avenue
36. St. Anne's Road
37. St. John's Close
38. St. John's Road

- (a) the north-east side, between its junction with High Road, Wembley and the south-eastern kerb-line of Castleton Avenue;
 - (b) the south-west side, between its junction with High Road, Wembley and a point opposite the party wall of Nos. 149 and 151 St. John's Road.
- 39. Scarle Road
between its junction with Chaplin Road and a point opposite the party wall of Nos. 44 and 46 Scarle Road.
- 40. Station Grove
- 41. Swinderby Road
between its junction with Chaplin Road and a point opposite the south-eastern wall of No. 44 and 46 Swinderby Road.
- 42. Talbot Road
- 43. Thurlby Road
between the south-eastern kerb-line of Lincoln Road and a point opposite the party wall of Nos. 5 and 7 Thurlby Road.
- 44. Thurlow Gardens
- 45. Turton Road
- 46. Union Road
- 47. Vivian Gardens
between its junction with Oakington Manor Drive and a point 1.83 metres north-west of a point opposite the south-eastern wall of No. 1 Vivian Gardens.
- 48. Walrond Avenue
- 49. Waverley Avenue
- 50. Wembley Hill Road
between its junction with Harrow Road, Wembley and High Road, Wembley and a point 20.00 metres north-east of the north-western kerb-line of Ecclestone Place, the northern east to west arm.

SCHEDULE 8 (see Article 2 for definition of "Brent vehicle band" and Article 4(2))

PART 1

TABLE A

Brent vehicle bands for passenger vehicles, the registration date of which is 1st March 2001 or later (see Part 2, paragraphs (2) and (5) below)

Item No. (1)	Vehicle Emissions (gCO₂/km) (2)	Brent Vehicle Band (3)
1.	Less than 110	1
2.	110-130	2
3.	131-150	3
4.	151-175	4
5.	176-200	5
6.	201-255	6
7.	Over 255	7

TABLE B

Brent vehicle bands for passenger vehicles, the registration date of which is before 1st March 2001 and goods carrying vehicles (see Part 2, paragraphs (3), (4) and (5) below)

Item No. (1)	Cylinder capacity of vehicle's engine (cc) (2)	Brent Vehicle Band (3)
1.	Less than 1101	1
2.	1101-1200	2
3.	1201-1550	3
4.	1551-1800	4
5.	1801-2400	5
6.	2401-3000	6
7.	Over 3000	7

PART 2

For the purposes of and subject to the provisions of this Order, the Brent vehicle band that applies to a vehicle shall be determined in accordance with the following Provisions of this Part:-

- (1) Subject to the provisos to paragraphs (3) and (4) of this Part, where reference is made in this Part to the cylinder capacity of a vehicle's engine, measured in cubic centimetres, or to the quantity of carbon dioxide (CO₂) gas emitted by a vehicle, the quantities shall be taken to be those which are specified on the UK registration certificate issued in respect of that vehicle.
- (2) In relation to a passenger vehicle the registration date of which is 1st March 2001 or later, the Brent vehicle band shall be deemed to be that specified in column (3) of an item in Table A of this Schedule where the quantity of carbon dioxide (CO₂) gas emitted by the vehicle, measured in grams per kilometre driven (g/km), falls within the range of values set out in column (2) of that item.
- (3) In relation to a passenger vehicle the registration date of which is before 1st March 2001, the Brent vehicle band shall be deemed to be that specified in column (3) of an item in Table B of this Schedule where the cylinder capacity of that vehicle's engine, measured in cubic centimetres, falls within the range of values set out in column (2) of that item:

Provided that where the registration certificate does not specify the cylinder capacity of the vehicle's engine, measured in cubic centimetres, the Brent vehicle band shall be deemed to be Brent vehicle band 4.

- (4) In relation to a goods carrying vehicle the registration date of which is any date, the vehicle band shall be deemed to be that specified in column (3) of an item in Table B of this Schedule where the cylinder capacity of that vehicle's engine, measured in cubic centimetres, falls within the range of values set out in column 2 of that item:

Provided that where the registration certificate does not specify the cylinder capacity of the vehicle's engine, measured in cubic centimetres, the Brent vehicle band shall be deemed to be Brent vehicle band 4.

- (5) Where the vehicle is an electric vehicle, the Brent vehicle band shall be deemed to be Brent vehicle band 1.

SCHEDULE 9 (see Article 2 for definition of "event day")

~~15 / 18 and 27 of October 2013~~

~~15 / 16 / 19 / 23 and 30 of November 2013~~

~~19 of December 2013~~

