THE NORTH YORKSHIRE COUNCIL

(HARROGATE, KNARESBOROUGH, PANNAL AND BURN BRIDGE) (PARKING AND WAITING) (NO 75) ORDER 2026

The North Yorkshire Council (hereinafter referred to as "the Council") in exercise of their powers under Sections 1(1), 2(1) to (3), 4(2), 32(1) and 35(1) of the Road Traffic Regulation Act 1984 ("the 1984 Act") and Part IV of Schedule 9 to the 1984 Act and under the Traffic Management Act 2004 ("the 2004 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 1984 Act, hereby make the following Order:-

PART I
GENERAL

1. (1) When used in this Order each of the following expressions has the meaning assigned to it below:-

"Carriageway" means that part of the Road over which the public have right of way for the passage of Motor Vehicles and excludes any way over which the public have right of way on foot only;

"Charge certificate" means the statement that the Penalty charge has been increased in accordance with Regulation 21 of The Civil Enforcement of Parking Contraventions (England) General Regulations 2007;

"Civil Enforcement Officer" means any officer of the Council who is duly authorised in writing in that behalf (from time to time) by the Council to enforce the provisions of this Order pursuant to Section 76 of the 2004 Act and Section 63A of the 1984 Act;

"Column" means a Column in a Schedule or Part of a Schedule referred to or last referred to;

"Cycle Track" has the same meaning as in Section 329 of the Highways Act 1980;

"Delivering" and or "collecting" in relation to any Goods includes checking the Goods for the purpose of their delivery or collection;

"Disabled Person" means a person who holds a Disabled Persons' Badge in accordance with the provisions of the Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000 (No. 682) (and in particular Regulation 4 thereof) or any re-enactment thereto;

"Disabled Person's Badge" means a badge issued in accordance with the provisions of the Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000 (as amended) (in particular Regulation 11 and the Schedule thereto) or under regulations having effect in Scotland and Wales under Section 21(1)(b) of the Chronically Sick and Disabled Persons Act 1970 as referred to currently by the Local Authorities Traffic Orders (Exemptions for Disabled) (England) Regulations 2000 (No. 683) or any subsequent further re-enactments thereof;

"Disabled Person's Vehicle" means a vehicle driven by a Disabled Person as defined in Regulation 4(2) of the Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000 (No. 682);

"Goods" shall mean items of any description which cannot easily be carried by one person and do not include Goods that are not pre-ordered, shopping, small fragile Goods or cash or other valuable securities which are being collected or delivered from a bank/building society (except in the case of security company collections);

"Goods Vehicle" means a Motor Vehicle constructed or adapted for the carriage or haulage of Goods or burden of any description (other than the effects of passengers) or a Trailer so constructed or adapted whether or not such Trailer may by

DRAFT

superimposition be attached to the Motor Vehicle in such a manner as to cause a substantial part of its weight to be borne by the Motor Vehicle;

"Heavy Commercial Vehicle" has the same meaning as in Section 138 of the 1984 Act and which has an operating weight exceeding 7.5 tonnes;

"Heavy Goods Vehicle" means a Goods Vehicle with a maximum gross weight exceeding 7.5 tonnes which is constructed or adapted to carry or haul Goods of any description or which is fitted with a special appliance, plant, machinery or apparatus, such appliance plant machinery of apparatus being included in the weight or, for the purposes of this Order, a 'Heavy Commercial Vehicle' as defined in Section 138 of the 1984 Act;

"Higher level contraventions" are as defined in The Civil Enforcement of Parking Contraventions (Guidelines on Levels of Charges) (England) Order 2007 or any amendment or re-enactment thereof;

"Junction" means, unless otherwise indicated in this Order, the intersection of the general alignment of the boundaries of two road kerblines or projected kerblines of roads;

"Length" referring to a Road means a length of road described in a Schedule;

"Loading" and/or "Unloading" means when a Motor Vehicle stops to load or unload Goods and "Loaded" and "Unloaded" shall be construed accordingly;

"Lower level contraventions" means all parking contraventions which are not Higher level contraventions as defined in The Civil Enforcement of Parking Contraventions (Guidelines on Levels of Charges) (England) Order 2007 or any amendment or re-enactment thereof;

"Motor Car" shall mean and include any mechanically propelled vehicle not being a Motor Cycle or an Invalid Carriage, which is constructed itself to carry passengers of which the weight unladen does not normally exceed 3500 kilograms subject always to the inclusion of the extended meaning to this term given in Section 136 of the 1984 Act (and whether or not it is being used for business purposes);

"Motor Cycle" and "Invalid Carriage" have the same meanings respectively as in Section 136(4) of the 1984 Act;

"Motor Vehicle" means any class of mechanically propelled vehicle including Motor Cycles, Motor Cars, Goods Vehicles and car derived vans, and shall bear the extended definition given thereto in Sections 136 and 137 of the 1984 Act (but shall not include any Heavy Commercial Vehicle as defined in Section 138 of the 1984 Act) (and whether or not it is being used for business purposes). Where reference is made to vehicle or Motor Vehicle in the Order these terms shall be deemed to have the same meaning and be interchangeable and to be interpreted accordingly;

"Officer" means an Officer of the Council duly authorised for any purpose;

"Owner" in relation to a Motor Vehicle means the person by whom such Motor Vehicle is kept and used;

"Paragraph" means a paragraph of the Article in which the word appears unless otherwise stated;

"Parking Disc" means, in relation to Article 5(2) of this Order, a device which:-

(i) is 125 millimetres square and coloured blue, if issued on or after 1st April 2000, or orange if issued before that date;

(ii) has been issued by a local authority and has not ceased to be valid;

and

(ii) is capable of showing the quarter-hour period during which a period of waiting has begun;

"Penalty charge" means a charge set by the Council in accordance with charges set by the Secretary of State under the provisions of Section 77 and Schedule 9 of the 2004 Act and The Civil Enforcement of Parking Contraventions (Guidelines on Levels of Charges) (England) Order 2007 which is to be paid to the Council within 28 days beginning with the date of service endorsed upon the Penalty charge notice in the manner set out in the Penalty charge notice;

"Penalty charge notice" means a notice issued or served by a Civil Enforcement Officer or posted by the Council pursuant to the provisions of Section 78 of the 2004 Act and The Civil Enforcement of Parking Contraventions (England) General Regulations 2007;

"Post Office" and any reference to "post office vehicle" or "postal packets" shall be construed in the context of the Postal Services Act 2000 and the Postal Services Act 2000 (Consequential Modifications to Local Enactments No. 1) Order 2001 (SI No. 2001/648) and shall include therefore references to "universal service providers", as the context shall require;

"Quarter-hour period" means a period of quarter of an hour starting at any hour or fifteen, thirty or forty-five minutes past the hour which can be shown on the Parking Disc;

"Reduced penalty charge" means a charge set by the Council in accordance with charges set by the Secretary of State under the provisions of Section 77 and Schedule 9 of the 2004 Act and The Civil Enforcement of Parking Contraventions (Guidelines on Levels of Charges) (England) Order 2007 which is to be paid to the Council within 14 days following the date of service endorsed upon the Penalty charge notice in the manner set out in the Penalty charge notice;

"Registered keeper" means:-

(a) the person whose name appears in the Motor Vehicle registration document or book of the Motor Vehicle in whose name the vehicle is registered, or

(b) a person who has the permanent use of the Motor Vehicle vested in the name of his employer, or in the case of a leased Motor Vehicle in the name of the leasing company;

"Relevant Position" means:-

(a) in relation to a Disabled Person's Badge (in conformity with Regulation 12 of SI 2000 No. 682 referred to above), if

(i) the badge is exhibited on the dashboard or facia of the vehicle, or

(ii) where the vehicle is not fitted with a dashboard or facia, the badge is exhibited in a conspicuous position on the vehicle,

so that the front of the badge is clearly legible from the outside of the vehicle;

(b) in relation to a Parking Device or Parking Disc (in conformity with Regulation 4 of the Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000 (SI 2000 No. 683)):-

(a) the disc is exhibited on the dashboard or facia of the vehicle; or

(ii) where the vehicle does not have a dashboard or facia, the disc is exhibited in a conspicuous position on the vehicle,

so that, when marked to show the quarter-hour period during which a period of waiting began, that period is clearly legible from the outside of the vehicle.

"Road" means the full width of the highway including the carriageway and footway and any other Road to which the public has access and includes bridges over which a Road passes;

"Service" or "Served" in respect of a Penalty charge notice means the forms of service specified in regulations 9 and 10 of The Civil Enforcement of Parking Contraventions (England) General Regulations 2007 or any amendment or re-enactment thereof;

"Secretary of State" means the Secretary of State for Transport;

"the 1984 Act" means the Road Traffic Regulation Act 1984;

"the 2016 Regulations" means the Traffic Signs Regulations and General Directions 2016 (SI 2016/362);

"the 2004 Act" means the Traffic Management Act 2004;

"Verge" means any part of a Road which is not a carriageway, footway or lay-by.

(2) Except where otherwise stated, any reference in this Order to a numbered Article is a reference to the Article bearing that number in this Order, and any reference in this Order to a Schedule is a reference to a Schedule bearing that number in this Order.

2. For the purposes of this Order any reference to a length of Road shall be construed as a reference to the length specified in Column 4 of Schedule 1 to this Order of the side or sides of Road specified in respect of that length in Column 3 thereof in relation to the Road named in respect of that side or those sides in Column 2 of that Schedule.

PART II
PROHIBITION AND RESTRICTION OF WAITING

3. Save as provided in Article 4 of this Order no person shall, except upon the direction or with the permission of a Civil Enforcement Officer, cause or permit any Motor Vehicle to wait at any time in any length of Road specified in Schedules 1 and 2 to this Order.

Exemptions

4. (1) Nothing in Article 3 of this Order shall render it unlawful to cause or permit any Motor Vehicle to wait during the hours prescribed in the said Article 3 in any length of Road specified in Schedules 1 and 2 to this Order for so long as may be necessary to enable:-

(a) a person to board or alight from the Motor Vehicle;

(b) Goods to be Loaded on or Unloaded from the Motor Vehicle; or

(c) the Motor Vehicle if it cannot conveniently be used for such purposes in any other Road to be used in connection with any of the following operations:-

(i) building, industrial or demolition operations;

(ii) the removal of any obstruction to traffic;

(iii) the maintenance, improvement or reconstruction of any length of Road

specified in the said Schedule;

(iv) the laying, erection, alteration or repair in, or in land adjacent to any of the said lengths or sides of Road of any sewer or of any main, pipe, cable or apparatus for the supply of gas, water or electricity or of any electronic communications network or electronic communications service as defined in Schedule 3A and Section 32 of the Communications Act 2003; or

(v) a vehicle to be used for the purpose of delivering or collecting postal packets as defined in Section 125(1) of the Postal Services Act 2000 at or from premises fronting any length of Road specified in the said Schedule.

(d) the Motor Vehicle if it cannot conveniently be used for such purpose in any other Road to be used in the service of a local authority or a water authority for the purpose of the performance of the statutory functions of such authority;

(e) the Motor Vehicle to take in petrol, oil, water or air from any garage situated on or adjacent to any length of Road specified in the said Schedule;

(f) the Motor Vehicle to wait at or near to any premises situated on or adjacent to the length of Road specified in the said Schedule for so long as is reasonably necessary to enable the vehicle to be used for or in connection with the purposes of any wedding or funeral taking or to take place from or at any such premises,

(g) the Motor Vehicle to be used for Fire Brigade, Ambulance or Police purposes, or

(h) the Motor Vehicle to be Loaded or Unloaded whilst actually in use in connection with the removal of furniture from one office or dwelling-house to another, or the removal of furniture from such premises to a depository or to such premises from a depository.

(2) Nothing in Article 3 of this Order shall render it unlawful to cause or permit a Disabled Person's Vehicle which displays in the Relevant Position a Disabled Person's Badge whilst such Motor Vehicle is being used by or for the convenience of a Disabled Person and a Parking Disc (on which the Driver or other person in charge of the Motor Vehicle has marked the time at which the period of waiting began) to wait in any length of Road referred to in the said Articles during the hours prescribed in that Article for a period not exceeding three hours (not being a period separated by an interval of less than one hour from a previous period of waiting by the same Motor Vehicle in the same length of Road on the same day).

PART III
PENALTY CHARGE AND PAYMENT

5. Where a Motor Vehicle:-

i) waits, parks or is left on a Road in contravention of the foregoing provisions of this Order or otherwise contravenes or fails to comply with the provisions of this Order, insofar as it relates to a Motor Vehicle waiting, parking or being left on a Road; or

i) waits, parks or is left on a Road in contravention of any other Traffic Regulation Order the provisions of which are not consolidated into this Order or fails to comply with the provisions of any such Order insofar as it relates to a vehicle waiting, parking or being left on a Road; or

DRAFT

ii) parks in contravention of the provisions of Sections 19 or 21 of the Road Traffic Act 1988 (prohibition of parking of HGVs on Verges, central reservations and footways and driving or parking on Cycle Tracks),

a Penalty charge shall be payable by the Owner for each day of the said contravention or non-compliance.

6. The Penalty charge or Reduced penalty charge shall be in the sum of the following amounts:-

(a) The Penalty charge - Band 2 as set out in Section 1 of The Civil Enforcement of Parking Contraventions (Guidelines on Levels of Charges) (England) Order 2007 subject to payment being received by the Council as provided in Article 12 within 28 days beginning with the date of service of the Penalty charge notice.

(b) The Reduced penalty charge - a 50 per cent reduction of the Penalty charge subject to payment being received by the Council as provided in Article 12 within 14 days beginning with the date of service of the Penalty charge notice.

(c) On the issue of a Charge certificate in accordance with the provisions of Regulation 21 of The Civil Enforcement of Parking Contraventions (England) General Regulations 2007 to the effect that the Penalty charge in question is increased by 50 per cent.

7. Service of a Penalty charge notice or Charge certificate by post is deemed effective on the second working day after the day of posting.

8. In the case of a Motor Vehicle in respect of which a Penalty charge is payable under Article 7 a Penalty charge notice, which shall comply with the requirements of Regulation 9 and the Schedule to The Civil Enforcement of Parking Contraventions (England) General Regulations 2007, may be issued by a Civil Enforcement Officer and may accordingly be affixed to the Motor Vehicle in a conspicuous position or given to the person appearing to be in charge of the vehicle.

9. In the case of a Motor Vehicle in respect of which a Penalty charge is payable under Article 7 a Penalty charge notice, which shall comply with the requirements of Regulation 10 and the Schedule to The Civil Enforcement of Parking Contraventions (England) General Regulations 2007, may be issued by post by the Council if the Owner of the vehicle drives the vehicle away before the Civil Enforcement Officer has issued a Penalty charge notice or the Civil Enforcement Officer has been prevented from issuing a Penalty charge notice.

10. Payment of the Penalty charge to the Council shall be paid by electronic transfer, cash or by credit card or debit card, cheque or postal order in each case crossed and made payable to The North Yorkshire Council which shall be delivered or sent by post so as to reach the relevant Department/ Office of the Council as stated on the Penalty charge notice not later than 4:30pm, within 28 days beginning with the date of service of the Penalty charge notice, but should the said Council Department/Office be closed on that day, the period for receiving payment may be extended until 4:30pm on the next full working day. Payment may also be made in person or by phone as detailed on the Penalty charge notice.

11. Payment of the Reduced penalty charge to the Council shall be paid by electronic transfer, cash or by credit card or debit card, cheque or postal order in each case crossed and made payable to The North Yorkshire Council which shall be delivered or sent by post so as to reach the relevant Department/Office of the Council as stated on the Penalty charge notice not later than 4:30pm, within 14 days beginning with the date of service of the Penalty charge notice, but should the said Council Department/Office be closed on that day, the period for receiving payment may be extended until 4:30pm on the next full working day. Payment may also be made in person or by phone as detailed on the Penalty charge notice.

12. The particulars given in the Penalty charge notice attached to a vehicle, given to the person appearing to be in charge of the vehicle or issued by post by the Council in accordance with Articles 5-11 shall be treated as evidence in any proceedings relating to failure to pay such Penalty charge.

PART IV
REVOCATION OF EXISTING ORDERS

13. The Traffic Regulation Orders specified in Column 1 of Schedule 2 to this Order are hereby revoked to the extent specified in Column 2 of that Schedule, and to the extent that the provisions of this Order are inconsistent with, or incompatible with, the provisions of any other Order, Byelaws or enactment relating to traffic regulation in Harrogate, Knaresborough, Pannal and Burn Bridge area not specifically referred to in Schedule 2, the provisions of this Order shall prevail for all purposes.

PART V
OPERATION OF THE ORDER

14. The prohibitions and restrictions imposed by this Order shall be in addition to and not in derogation from any restriction or requirement imposed by any Order or regulations made or having effect as if made under the Act or by or under any other enactment.

15. This Order shall come into force on TBC and may be cited as "The North Yorkshire Council (Harrogate, Knaresborough, Pannal and Burn Bridge) (Parking and Waiting) (No 75) Order 2026.

DRAFT

SCHEDULE 1

WAITING PROHIBITED AT ALL TIMES WITH EXEMPTIONS

Column 1 Item	Column 2 Road	Column 3 Side	Column 4 Length
1	King Edward's Drive (U411), Harrogate	South east	From a point 10 metres north east of its junction with Albany Road to a point 10 metres south west of its junction with Albany Road.

SCHEDULE 2

REVOCATIONS

Column 1 Title of Order	Column 2 Extent of Revocation
North Yorkshire County Council (Harrogate, Knaresborough, Pannal and Burn Bridge) (Parking and Waiting) (No.16) Order 2013	In so far as it relates to Schedule 1 (No waiting at any time, item 1239 (King Edward's Drive, Harrogate; south east side; From a point 10 metres north east of its junction with Albany Road to a point 6.5 metres south west of its junction with Albany Road.
	In so far as it relates to Schedule 22 (No Stopping except buses at any time), item 12; King Edwards Drive, Harrogate; South east side, From a point 6.5 metres south west of its junction with Albany Road to a point 26 metres south west of its junction with Albany Road.

DRAFT

EXECUTED as a DEED by affixing the Common Seal)
of **THE NORTH YORKSHIRE COUNCIL** on the)
day of 2026 in the presence of:)

.....
Authorised signatory

DRAFT