

**BRECKLAND DISTRICT COUNCIL (OFF-STREET PARKING PLACES)  
(AMENDMENT NO. 1) ORDER 2018**

1. Breckland District Council ("the Council") in exercise of their powers under sections 32, 35 and 38 and with the consent of Norfolk County Council under section 39 of the Road Traffic Regulation Act 1984, the Traffic Management Act 2004 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 makes the following Order.
2. This Order is supplemental to the Breckland District Council (Off-Street Parking Places) Order 2014 ("the Original Order")
3. This Order shall come into operation on [ date ] and shall be cited as the Breckland District Council (Off-Street Parking Places) (Amendment no. 1) Order 2018.
4. Definitions set out in the Original Order shall apply in this Order,
5. The Breckland District Council (Off-Street Parking Places) Order 2014 is hereby amended as follows:

**PART I – GENERAL**

In Article 2 (Interpretation) the following definitions shall be added:

- |                           |  |
|---------------------------|--|
| "ANPR"                    | means Automatic Number Plate Recognition technology provided by the Council which uses optical character recognition on images obtained by cameras to read vehicle registration numbers and record the time at which a vehicle enters and leaves a Parking Place       |
| "Parking Place (Limited)" | means Parking Places no. 3 (Queens Square, Attleborough), and no. 10 (Pedlars car park, Swaffham), and no. 11 (Pit Lane, Swaffham), and no. 14 (Market Place, Swaffham) where waiting is limited during the periods detailed in column 6 of the Schedule to this Order |
| "Relevant Position"       | means exhibited on the dashboard or fascia of the vehicle or where the vehicle is not fitted with a dashboard or fascia in a conspicuous position on the vehicle   |
| "Parking Ticket"          | means a ticket issued by means of a Ticket Machine showing the period of validity of that ticket and to be displayed in the Relevant Position in the vehicle   |
| "Ticket Machine"          | means any apparatus or device that issues Parking Tickets indicating the date and time at which a vehicle entered a Parking Place and the time by which the vehicle must leave that Parking Place  |

## **PART II – DESIGNATION, AND PENALTY CHARGES**

1. Articles 8(1) to 8(9) shall be added as follows:

### **“Parking Places (Limited)**

#### **Parking Places (Limited) where Ticket Machines provided**

- 8(1) The Driver of any vehicle authorised by this Order to park in any Parking Place (Limited) where a Ticket Machine is provided by the Council shall, upon parking in that Parking Place (Limited), immediately obtain a Parking Ticket from the Ticket Machine and display that Parking Ticket in a Relevant Position on the vehicle in respect of which it was issued so that the front of the Parking Ticket showing the date and time by which the vehicle must leave the Parking Place is clearly visible from the front of the vehicle
- 8(2) A Parking Ticket is not transferable from one Parking Place (Limited) to another or from one vehicle to another
- 8(3) If at any time a vehicle is left in a Parking Place (Limited) where a Ticket Machine is provided by the Council and (subject to Article 8(6)) no Parking Ticket is displayed in the Relevant Position on that vehicle, then that vehicle shall be deemed to be parked contrary to the terms of this Order and shall be subject to the penalty provisions within this Order.
- 8(4) If at any time a vehicle is left in a Parking Place (Limited) where a Ticket Machine is provided by the Council and the time during which the vehicle is permitted to park in that Parking Place (Limited) as shown on the Parking Ticket issued for that vehicle has expired (or where Article 8(6) relates the maximum period for which that vehicle may wait (as detailed in column 6 of the Schedule to this Order) has expired) then that vehicle shall be deemed to be parked contrary to the terms of this Order and shall be subject to the penalty provisions within this Order.
- 8(5) If at any time when a vehicle is left during a period of waiting on the Days of Operation of a Parking Place (Limited) (as detailed in column 4 of the Schedule to this Order) and on the nearest Ticket Machine in that Parking Place (Limited) there is a notice placed by any person duly authorised by the Council indicating that the Ticket Machine is out of order then a Parking Ticket shall be obtained from another machine within that Parking Place (Limited) (where provided)
- 8(6) Where no valid Parking Ticket can be obtained as a result of all the Ticket Machines in a Parking Place (Limited) being designated as out of order in accordance with Article 8(5) above then vehicles may be left in the Parking Place (Limited) but for no longer than the maximum period for which that vehicle may wait (as detailed in column 6 of the Schedule to this Order)

#### **Parking Place (Limited) where ANPR provided**

- 8(7) Articles 8(1) to 8(6) shall not apply to any Parking Place (Limited) where the Council has provided ANPR and where the Council has not provided any Ticket

Machine such that the time that any vehicle is left in that Parking Place (Limited) is recorded on the ANPR

- 8(8) If at any time a vehicle is left in a Parking Place (Limited) to which Article 8(7) applies for longer than the maximum period for which that vehicle may wait (as detailed in column 6 of the Schedule to this Order) then that vehicle shall be deemed to be parked contrary to the terms of this Order and shall be subject to the penalty provisions within this Order.

**Parking Place (Limited) – Disabled Person's Vehicles**

- 8(9) Article 8 (additional 30 minutes for Disabled Person's Vehicles displaying valid Disabled Person's Badge and Parking Disc) shall not apply to the Parking Places (Limited)"

2. Article 16(1) shall be amended to read as follows:

"Where a driver has left a vehicle in a Parking Place in contravention of this Order a Penalty Charge shall become payable. A Penalty Charge Notice to that effect will be attached to the vehicle or handed to the driver by a Civil Enforcement Officer in accordance with Article 16(4) of this Order or, where the Parking Place is a Parking Place (Limited) where ANPR has been provided, shall be served by post in accordance with Article 17(1) of this Order"

3. Article 17(1) shall be amended to read as follows:

"Where a driver has left a vehicle in a Parking Place in contravention of this Order and either a Penalty Charge Notice could not be issued as specified in Article 16(1) of this Order or the contravention relates to a Parking Place (Limited) where ANPR has been provided then a Penalty Charge Notice may be issued by post by the enforcement authority in accordance with section 10 of the General Regulations 2007"

## SCHEDULE 1

1. Columns 2, 4, 5 and 6 of Schedule 1 as it relates to Parking Place Order no. 3 (Queens Square Car Park Attleborough) shall be amended to read as follows:

2.Classes of Vehicles	4.Days of Operation of Parking Place	5.Hours of Operation of Parking place	6.Maximum period for which vehicles may wait
Motor Car and Motor Cycle	Monday, Tuesday, Wednesday, Friday and Saturday	0800 hrs to 1800 hrs  1800 hrs to 0800 hrs	waiting limited to 2 hours with no return within 1 hour  waiting unlimited
Disabled Person's Vehicle displaying a Disabled Person's Badge and Parking Disc	Monday, Tuesday, Wednesday, Friday and Saturday	0800 hrs to 1800 hrs  1800 hrs to 0800 hrs	waiting limited to 3 hours with no return within 1 hour. Article 8 does not apply.  waiting unlimited
Motor Car and Motor Cycle and Disabled Person's Vehicle displaying a Disabled Person's Badge and Parking Disc	Sundays	At All times	Waiting unlimited
A vehicle belonging to a Market Trader on the Queens Square market	Thursday (Bays which are clearly marked and designated for use by Market Traders)	1400 hrs to midnight	Waiting unlimited within the operational period
Motor Car and Motor Cycle	Thursday (Bays which have no marking)	0800 hrs to 1800 hrs  1800 hrs to 0800 hrs	waiting limited to 2 hours with no return within 1 hour  waiting unlimited
Disabled Person's Vehicle displaying a Disabled Person's Badge and Parking Disc	Thursday (Bays which have no marking)	0800 hrs to 1800 hrs  1800 hrs to 0800 hrs	waiting limited to 3 hours with no return within 1 hour. Article 8 does not apply.  waiting unlimited

2. Columns 2, 4, 5 and 6 of Schedule 1 as it relates to Parking Place Order no. 10 (Pedlars Car Park, Swaffham) shall be amended to read as follows:

2.Classes of Vehicles	4.Days of Operation of Parking Place	5.Hours of Operation of Parking place	6.Maximum period for which vehicles may wait
Motor Car and Motor Cycle	Monday to Saturday	0800 hrs to 1800 hrs  1800 hrs to 0800 hrs	waiting limited to 2 hours with no return within 1 hour  waiting unlimited
Disabled Person's Vehicle displaying a Disabled Person's Badge and Parking Disc	Monday to Saturday	0800 hrs to 1800 hrs  1800 hrs to 0800 hrs	waiting limited to 3 hours with no return within 1 hour. Article 8 does not apply  waiting unlimited
Motor Car and Motor Cycle and Disabled Person's Vehicle displaying a Disabled Person's Badge and Parking Disc	Sunday	At All Times	Waiting unlimited

3. Columns 2, 4, 5 and 6 of Schedule 1 as it relates to Parking Place Order no. 11 (Pit Lane Car Park, Swaffham) shall be amended to read as follows:

2.Classes of Vehicles	4.Days of Operation of Parking Place	5.Hours of Operation of Parking place	6.Maximum period for which vehicles may wait
Motor Car and Motor Cycle	Monday to Saturday	0800 hrs to 1800 hrs	waiting limited to 2 hours with no return within 1 hour
Disabled Person's Vehicle displaying a Disabled Person's Badge and Parking Disc	Monday to Saturday	0800 hrs to 1800 hrs	waiting limited to 3 hours with no return within 1 hour. Article 8 does not apply
Motor Car and Motor Cycle and Disabled Person's Vehicle displaying a Disabled Person's Badge and Parking Disc	Monday to Friday	1800 hrs to 0800 hrs	waiting unlimited
	Saturday	0001 hrs to 0600 hrs and 1800 hrs to midnight	waiting unlimited
	Sunday	At All Times	waiting unlimited



4. Columns 2, 4, 5 and 6 of Schedule 1 as it relates to Parking Place Order no. 14 (The Market Place Car Park, Swaffham) shall be amended to read as follows:

2.Classes of Vehicles	4.Days of Operation of Parking Place	5.Hours of Operation of Parking place	6.Maximum period for which vehicles may wait
Motor Car and Motor Cycle	Monday to Friday	0800 hrs to 1800 hrs  1800 hrs to 0800 hrs	waiting limited to 2 hours with no return within 1 hour  waiting unlimited
Disabled Person's Vehicle displaying a Disabled Person's Badge and Parking Disc	Monday to Friday	0800 hrs to 1800 hrs  1800 hrs to 0800 hrs	waiting limited to 3 hours with no return within 1 hour. Article 8 does not apply  waiting unlimited
Motor Car and Motor Cycle and Disabled Person's Vehicle displaying a Disabled Person's Badge and Parking Disc	Saturday	0001 hrs to 0600 hrs 1800 hrs to midnight (there is no parking during market hours)	Waiting unlimited during the operational periods only
	1 <sup>st</sup> and 3 <sup>rd</sup> Sunday of each month	0100 hrs to 0800 hrs 1700 hrs to midnight (there is no parking during market hours)	
Motor Car and Motor Cycle and Disabled Person's Vehicle displaying a Disabled Person's Badge and Parking Disc	2 <sup>nd</sup> , 4 <sup>th</sup> and 5 <sup>th</sup> Sunday of each month	At All Times	waiting unlimited

THE COMMON SEAL of  
BRECKLAND DISTRICT COUNCIL  
was hereunto affixed this      day of  
2018 in the presence of:

Authorised Signatory