

## BRIGHTON & HOVE CITY COUNCIL

### ROAD TRAFFIC REGULATION ACT 1984

#### BRIGHTON & HOVE (OFF-STREET PARKING PLACES) CONSOLIDATION ORDER 2019

Brighton & Hove City Council ("the Council"), in exercise of their powers under section 35 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:

#### Index

PART 1 – GENERAL	1
PART 2 – PARKING PLACES	5
PART 3 – SUSPENSIONS	11
PART 4 – SEASON TICKETS & PERMITS	12
PART 5 – CONTRAVENTIONS	15
PART 6 - LIST OF SCHEDULES	16
PART 7 - INDEX OF SCHEDULE 1	16

#### PART 1 - GENERAL

1. This Order shall come into operation on the 2nd of January 2019 and may be cited as the "Brighton & Hove (Off-Street Parking Places) Order 2019"
2.
  - (1) This Order is made for the purpose of a general scheme of control of the various restrictions in the car parks identified in Schedule 1 to this Order.
  - (2) This Order consolidates in whole or in part the Orders listed in Schedule 3.
3. In this Order, except where the context otherwise requires, the following expressions have the meanings assigned to them:-
  - **"Access way"** means an access way provided within the limits of a parking place to enable a vehicle to have access to or egress from that parking place or to land or premises adjacent to that parking place in exercise of a private right of way or with the written permission of the Council;
  - **"Ambulance"** means a vehicle which is constructed or adapted and is being used primarily for the carriage of persons to a place where they will receive or

from a place they have received medical treatment and which by reason of design marking or equipment is readily identifiable;

- **"Authorised agent"** means a parking services contractor appointed by and acting on behalf of the Council for the purposes of the supervision and enforcement of the provisions of this Order;
- **"Bay markings"** means white or yellow lines marked on the surface of a parking place (or, where an access way is within the limits of a parking place, on the carriageway of that access way), to show the limits of each individual parking and loading bay;
- **"Blue Badge Scheme"** means the national arrangement of parking concessions for disabled and blind persons as described in the Chronically Sick and Disabled Persons Act 1970 (as amended);
- **"Charging Hours"** means the period of time specified in column (4) of Schedule 1 Part 1.1 in relation to a parking place or part thereof;
- **"Civil Enforcement Officer"** has the same meaning as in Section 76 of the Traffic Management Act 2004;
- **"Controlled Parking Zone"** or **"CPZ"** and any associated identification letter has the same meaning as in the Brighton & Hove Various Controlled Parking Zones Consolidation Order 2015;
- **"Disabled Person's Badge"** has the same meaning as in the Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000;
- **"Dispensation"** means a permission in writing constrained by time issued by the Council at its discretion subject to the provisions of Part 4 Article 6;
- **"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;
- **"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;
- **"Hand-held Device"** means a wireless hand-held computer which is programmed to interface with the telephone payment system;
- **"Hotel"** means premises wholly or principally used or adapted for hotel use such premises being listed in either a local or central non-domestic rating list;
- **"Invalid Carriage"** for the purposes of this Order has the same meaning as in Section 136 of the Act of 1984;
- **"Loading bay"** means that part of the parking place referred to in item 5(b) of Schedule 1 and indicated by bay markings
- **"Motor Car"** has the same meaning as in Section 136(2) of the Act;

- **“Motor Vehicle”** means a mechanically propelled vehicle (without trailer) with 3 or more wheels not being an Invalid Carriage or a Motorcycle and which:
  - (a) has an unladen weight not exceeding 2540 Kilograms.
  - (b) does not exceed 2.25 metres in overall height.
  - (c) does not exceed 6.00 metres in overall length
- **“Owner”** has the same meaning as in Section 92 of the Traffic Management Act 2004;
- **“Opening hours”**, in relation to a parking place, means any time of the day or night, excluding any time during which the parking place is closed or suspended under the provisions of Part 3 Article 1;
- **“Parking Bay”** means an area within the limits of a Parking Place indicated by Traffic Signs authorising it to be used for the leaving of an individual vehicle in accordance with the provisions of this Order;
- **“Parking Charge”** means an amount specified in column (6) of Schedule 1 Part 1.1 under the sub-heading “Parking period and parking charge”, which is payable, subject to the provisions of this Order, at a ticket parking meter or by any other means prescribed by the Council, in respect of a vehicle parked in a parking place for the parking period specified in relation to that parking charge;

PROVIDED that in the case of payment by the telephone payment system a transaction fee shall be payable to the service provider in addition to the amounts specified.

- **“Parking Period”** means a period of time specified in column (6) of Schedule 1 Part 1.1 under the sub-heading “Parking period and parking charge”, for which payment of the parking charge specified in relation thereto has been made and during which, subject to the provisions of this Order, a vehicle may be parked in a parking place;
- **“Parking Place”** means an area of land or building, including any access way, that is provided by the Council under section 32 of the Act, for use as an off-street parking place and which is specified by name in column (2) of Schedule 1 Part 1.1;
- **“Particulars”** means –
  - (a) in relation to a ticket issued in a parking place referred to in Schedule 1 those particulars which indicate that a parking charge has been paid and the date and time by which the parking period will expire;
  - (b) in relation to a season ticket, a staff permit or dispensation, those particulars specified in Part 4 Article 7;
- **“Penalty Charge”** means a charge set by the Council under the provisions of Section 77 of the Traffic Management Act 2004 with the approval of the Secretary of State for Transport which is to be paid in the manner described in the Penalty Charge Notice;

- **“Penalty Charge Notice”** has the meaning given by regulation 8 (1) of The Civil Enforcement of Parking Contraventions (England) General Regulations 2007;
- **“Relevant Position”** in the case of a Disabled Person’s Badge and Disabled Person’s Parking Disc the meanings are as described in the Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000 and the Local Authorities’ Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000 respectively;
- **“Season Ticket”** means any type of season ticket issued under the provisions of Part 4 Article 1 and identified in Schedules 1;
- **“Season Ticket Holder”** means a person to whom a season ticket has been issued under the provisions of Part 4 Article 15;
- **“Service Provider”** means the contractor authorised by the Council to accept payment of the parking charge on its behalf and to keep a record of that parking charge and the vehicle, parking place and parking period in respect of which that payment has been made by the telephone payment system;
- **“Staff Permit”** means a permit issued under the provisions of Part 4 Article 4;
- **“Staff Permit Holder”** means a person to whom a staff permit has been issued under the provisions of Part 4 Article 4;
- **“Telephone Payment System”** means an electronic system, using a telephone connection set up and maintained by the service provider whereby:
  - (a) the driver of a vehicle, or some other person authorised by that driver on their behalf, uses a telephone 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; and
  - (b) the service provider, on behalf of the Council, accepts payment of the parking charge by the method referred to in paragraph (a) 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;
- **“Ticket”** means –
  - (a) a ticket issued by a ticket parking meter in accordance with Part 2 Article 20 for a parking place referred to in Schedule 1 which indicates that the parking charge has been paid and the date and time by which the parking period, for which that parking charge has been paid, will expire; or
  - (b) a ticket issued by a ticket dispensing machine or by any other means prescribed by the Council in accordance with Part 2 Article 16 for a

parking place referred to in Schedule 1 Part 1.2 containing the date and time of entry of that vehicle into the parking place;

- **“Ticket Dispensing Machine”** means an apparatus or device installed at the entrance barrier to a parking place in Schedule 1 Part 1.2 that dispenses tickets to vehicles entering that parking place;
  - **“Ticket Parking Meter”** 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 or reissue a ticket in accordance with Part 2 Article 24;
  - **“Transaction Fee”** means a fee payable to the service provider in respect of a parking charge paid by means of the telephone payment system as identified on a ticket parking meter installed in that parking place or sign or notice displayed within or on that parking place.’
4. Any such reference in this Order to any enactment shall be construed as a reference to that enactment as amended, applied, consolidated, re-enacted or having effect by virtue of any subsequent enactment.
  5. 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.
  6. Neither the Council nor its authorised representatives shall be liable for any loss of or damage to any vehicle in a Parking Place or its fittings or contents or in consequence of any vehicle being removed from a Parking Place identified in this Order.

#### Revocation of Order

7. Without prejudice to the validity of anything done or to any liability incurred in respect of any act or omission before the coming into force of this Order, the Brighton & Hove (Off-Street Parking Places) Consolidation Order 2008 is hereby revoked and any reference to that Order in any enactment shall be construed as a reference to this Order.

## **PART 2 - PARKING PLACES**

### During the opening hours of a parking place

1. (1) Subject to Part 4 Article 6 (1), no person shall cause or permit any vehicle to enter or be parked in a parking place unless the vehicle is of the class specified for that parking place in column (3) of Schedule 1 Part 1.1 ;



- (2) No person shall cause or permit any vehicle to be parked in a parking place other than wholly within the limits of a parking bay;
- (3) Where there is a sign or surface marking within or adjacent to a parking bay indicating that the parking bay may be used only by vehicles displaying a disabled person's badge, no person shall leave any vehicle in that parking bay other than a vehicle displaying a disabled person's badge in the relevant position;
- (4) Where there is a sign or surface marking within or adjacent to a part of a parking place or a parking bay, indicating that that part of the parking place or that parking bay may only be used by certain specified vehicles (other than a vehicle displaying a disabled person's badge), no person shall leave a vehicle in that part of a parking place or in that parking bay, unless that vehicle is one of the specified vehicles;
- (5) Where in a parking place signs or surface markings are placed for the purpose of indicating the entrance to or exit from the parking place, no person shall cause or permit any vehicle to enter the parking place other than by that entrance so indicated or to leave the parking place other than by the exit so indicated;
- (6) Where in a parking place signs or surface markings are placed for the purpose of indicating the direction in which or the speed at which a vehicle shall proceed, no person shall cause or permit any vehicle to proceed in that parking place otherwise than in the direction or at the speed indicated, as the case may be;
- (7) No person shall cause or permit any vehicle to be parked in a parking place so that it causes an obstruction;
- (8) No person shall cause or permit any vehicle to wait at any time in the access ways of the parking place specified in item 5 of Schedule 1 Part 1.1 and as defined in the plan comprised in Schedule 4 to this Order, otherwise than in a parking bay or if loading or unloading in the loading bay. Any vehicle waiting in any part of the access ways of the parking place shall be considered to be in contravention of this Order by not being parked wholly within the limits of a parking bay or the loading bay;
- (9) Paragraphs (1) - (8) of this Article shall not apply to a vehicle used for fire and rescue, ambulance, police or coastguard purposes or a vehicle in the service of the Council, in either case being used in pursuance of statutory powers or duties.

#### Conditions of use of a parking place during the charging hours

2. (1) At all times during which a vehicle is parked in a parking place referred to in Schedule 1 Part 1.1, there shall be displayed on the inside of its windscreen or window or on the dashboard a valid ticket issued in accordance with the provisions of Article 3(3) of this part, so that all the particulars on that ticket are readily visible from outside the vehicle:

Provided that nothing in this paragraph shall apply in relation to:

- (i) a vehicle displaying a disabled person's badge in the relevant position;
- (ii) an invalid carriage;
- (iii) a vehicle being used for fire and rescue, ambulance, police or coastguard purposes or a vehicle in the service of the Council, in either case being used in pursuance of statutory powers or duties;
- (iv) a vehicle which is parked in a parking place in respect of which the words "Season Ticket" appear in column (6) of Schedule 1 Part 1.1, in relation to that parking place or part thereof, and displays a valid season ticket on the inside of its windscreen or window, so that all the particulars on that season ticket are readily visible from outside the vehicle;
- (v) a vehicle which is parked in a parking place in respect of which the words "Staff Permit" appear in column (6) of Schedule 1 Part 1.1, in relation to that parking place or part thereof, and displays a valid staff permit on the inside of its windscreen or window, so that all the particulars on that staff permit are readily visible from outside the vehicle;
- (vi) a vehicle in respect of which a dispensation has been issued by the Council or authorised agent and any such conditions as the Council or authorised agent may impose are being complied with and the vehicle displays the dispensation on the inside of its windscreen or window so that all the particulars on that dispensation are readily visible from outside the vehicle;
- (vii) a vehicle parked in the loading bay in accordance with paragraph (8) of Article 1 of this Part;
- (viii) a vehicle left in a parking place where the telephone payment system is available for use and the parking charge has been paid using that system."
- (2) Notwithstanding the proviso to paragraph (1) of this Article, the vehicles specified in that proviso shall be subject to the provisions of paragraph (4) of Article 1 of this Part;
- (3) A ticket shall not be transferred from one vehicle to another and shall only be used in the parking place in which the ticket has been issued;
- (4) No person shall cause or permit any vehicle to be parked in a parking place for longer than the period of time specified in column (5) of Schedule 1 Part 1.1 in relation to that parking place:

Provided that nothing in this paragraph shall apply to a vehicle displaying a dispensation which stipulates that the provisions of this paragraph do not apply or a vehicle specified in paragraph (1) (iii) of this Article;

- (5) No vehicle which has been parked in a parking place referred to in Schedule 1 Part 1.1 and is subsequently taken away from that parking place, shall again be parked in that parking place unless a period of more than 1 hour has elapsed from the time the vehicle was taken away.
- (6) No person shall cause or permit any vehicle to be parked in the loading bay situated in the part of the parking place referred to in item 5(b) of Schedule 1 Part 1.1, unless that vehicle is of the class specified in column (3) of that Part in relation to that part of the parking place and goods are being continually loaded on or unloaded from that vehicle;
- (7) To enable a vehicle to enter a parking place referred to in Schedule 1 Part 1.2:
- (i) a ticket shall be taken from the ticket dispensing machine and retained for payment of the parking charge or for validation in cases where the parking charge has been paid in advance before the vehicle exits the parking place, or
  - (ii) if the vehicle has a valid pass under Article 7 (b) of Part 4 for a season ticket, staff permit or dispensation, that pass shall be inserted into the designated slot at the ticket dispensing machine and shall be removed from the slot following its reissue;
- (8) To enable a vehicle to exit a parking place referred to in Schedule 1 Part 1.2, the following shall be inserted into the designated slot at the exit barrier:
- (i) a ticket reissued by a ticket parking meter under Article 5 of this part, indicating that the parking charge has been paid for that vehicle, or a pre-validated ticket if the parking charge has been paid in advance, or
  - (ii) where a season ticket, staff permit or dispensation for that vehicle has been issued, a valid pass for that vehicle under Article 7(b) of Part 4.

### Payment of parking charge

3. (1) Subject to Article 5 of this Part the parking charge for a vehicle parked in a parking place at any time during the charging hours shall be the amount specified for that parking place in column (6) of Schedule 1 Part 1.1 under the sub-heading "Parking period and parking charge" and where applicable under the sub-heading "Monday-Friday" or "Weekends" as appropriate for the period of parking for which payment of such parking charge is required.
- (2) Subject to Article 5 of this Part, the parking charge shall be payable on the parking of a vehicle in a parking place referred to in Schedule 1 Part 1.1 during the charging hours by one of the following means as



identified on a ticket parking meter installed in that parking place or sign or notice displayed within or on that parking place:

- (i) the insertion in a ticket parking meter installed in that parking place of the appropriate coin or combination of coins accepted by that ticket parking meter for the amount of the parking charge for the parking period for which payment is being made;
  - (ii) the insertion in a ticket parking meter installed in that parking place of a valid credit 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
  - (iii) the telephone payment system.
- (3) Upon payment of the parking charge on the parking of a vehicle in a parking place referred to in Schedule 1 Part 1.1 in the manner specified in paragraph (2) of this Article, the driver shall display or cause or permit to be displayed on the vehicle, in accordance with the provisions of paragraph (4) of this Article, the ticket issued by the ticket parking meter following payment of the parking charge.

PROVIDED that when payment of the parking charge has been made by means of the telephone payment system there shall be no requirement to display a ticket.

- (4) The ticket referred to in paragraph (3) of this Article shall be displayed on the inside of the windscreen or window or on the dashboard of the vehicle in respect of which it was issued at all times during which that vehicle is parked in a parking place referred to in Schedule 1 Part 1.1 during the charging hours, so that all the particulars on that ticket are readily visible from outside the vehicle.
- (5) Subject to Article 5 of this part and paragraph (6) of this Article, the parking charge shall be payable in a parking place referred to in Schedule 1 Part 1.2, no more than 15 minutes before the vehicle exits the parking place by the insertion of the ticket for that vehicle in a ticket parking meter installed in that parking place and also any credit/ debit card or cash accepted by that ticket parking meter (together making up the amount of the parking charge for the parking period for which payment is being made).
- (6) In the case of a parking charge for a parking place referred to in Schedule 1 Part 1.2 having been paid in advance should the vehicle not have exited the parking place within 15 minutes of the expiration of the parking period paid for any additional parking period must be paid for in accordance with the scale of charges for that parking place.

Ticket, Ticket Parking Metre and hand-held device indications as evidence

4. (1) When payment of the parking charge has been made at a parking meter in accordance with Article 3 (2) (i) or (ii) the ticket parking meter;
- (i) in a parking place referred to in Schedule 1 Part 1.1, shall issue a ticket indicating that the parking charge has been paid and the date and time by which the parking period expires; or
- (ii) in a parking place referred to in Schedule 1 Part 1.2, shall reissue the ticket indicating that the parking charge has been paid.
- (2) If at any time while a vehicle is parked in a parking place referred to in Schedule 1 during the charging hours, no ticket is displayed on that vehicle in accordance with the provisions of Articles 3(3) and (4) it shall be presumed that the parking charge has not been duly paid.

PROVIDED that when payment has been made by the telephone payment system evidence of payment shall be determined by the appearance on a hand-held device of an indication that the correct payment has been made in respect of that vehicle together with details of the date and time of expiry of the parking period for which that payment has been made

- (3) It shall be presumed that the parking period has expired if at any time while a vehicle is parked in a parking place referred to in Schedule 1 Part 1.1 during the charging hours either:
- (i) the ticket displayed on the vehicle in accordance with the provisions of Article 3(3) and (4) shows a date that is not the date on which the vehicle is parked;
- (ii) the time shown by the clock on the ticket parking meter that issued the ticket is later than the time shown on that ticket; or
- (iii) an indication of expiry of a parking period paid for by the telephone payment system appears on a hand-held device.
- (4) If it is presumed, in accordance with the provisions of paragraph (1) of this Article that the parking charge has not been duly paid, or in accordance with paragraph (3) of this Article that the parking period has expired, then these indications shall be evidence that a contravention of or failure to comply with the provisions of this Order has occurred for the purposes of Article 1 Part 5.
- (5) If the ticket issued on entry to a parking place referred to in Schedule 1 Part 1.2 is lost the amount of the full daily charge together with the lost ticket administration fee specified in column (6) of Schedule 1 Part 1.2 shall be payable to

release the car from the parking place except in the case of the parking charge having been paid in advance in which case the administration fee only shall be payable.

- (6) For a parking place referred to in Schedule 1 Part 1.2 it will be presumed that the parking charge has not been paid if someone attempts to exit the parking place in a vehicle without presenting a ticket for that vehicle or if the ticket presented has not been reissued under Article 4(1)(ii) of this Part.
- (7) A ticket shall be presumed, in all cases, to have been issued on the date shown thereon.

#### Exemptions from the parking charge

- 5. Notwithstanding the provisions of Article 3 (1), (2) and (5), a vehicle may be parked in a parking place without payment of the parking charge if:
  - (i) it is specified in the proviso to paragraph (a) of Article 2 for a parking place referred to in Schedule 1 Part 1.1, or
  - (ii) in respect of a parking place referred to in Schedule 1 Part 1.2, it is a vehicle being used for fire and rescue, ambulance, police or coastguard purposes or a vehicle in the service of the Council, in either case being used in pursuance of statutory powers and duties; or
  - (iii) in respect of a parking place referred to in Schedule 1 Part 1.2, that vehicle has a valid season ticket, staff permit or dispensation.

#### Restriction on the removal of tickets

- 6. Where a ticket has been displayed on a vehicle in accordance with the provisions of Article 3 (3) and (4), no person, other than the driver of the vehicle, shall remove the ticket from the vehicle unless authorised to do so by the driver of the vehicle:

Provided that nothing in this Article shall apply in relation to a parking attendant or an officer of the Council or a representative of the authorised agent who removes the ticket in the process of the vehicle being removed in accordance with Article 8.

#### Movement of a vehicle parked in a parking place

- 7. A civil enforcement officer may, in an emergency, move, cause or permit to be moved any vehicle parked in a parking place, to any place they think fit.

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

- 8. (1) Where a civil enforcement officer or an officer of the council or representative of an authorised agent is of the opinion that any of the provisions of this Order have been contravened or not complied with,

they may remove or cause or permit to be removed the vehicle from a parking place and where it is so removed, shall provide for the safe custody of the vehicle and any ticket displayed in or outside the vehicle.

- (2) Where a vehicle has been removed from a parking place in accordance with the provisions of paragraph (1) of this Article, a fee shall be payable to the Council in respect of the removal of that vehicle and a daily charge shall be payable in respect of the storage of that vehicle.

#### Installation of ticket parking meters, placing of signs etc

9. The Council shall:

- (i) install and maintain in proper working order, a ticket parking meter or meters in a parking place referred to in Schedule 1 and also a ticket dispensing machine or machines in a parking place referred to in Schedule 1 Part 1.2, in such position or positions as they think fit;
- (ii) in a parking place cause or permit the limits of each parking bay to be indicated on the surface of that parking place (or, where an access way is within the limits of a parking place, on the carriageway of that access way), by placing and maintaining bay markings thereon;
- (iii) install signs or notices in the parking places indicating the parking charges, parking periods and means of payment as imposed or provided for by the provisions of this Order
- (iv) carry out such other work as is reasonably required for the purposes of the satisfactory operation of a parking place.

### **PART 3 SUSPENSIONS**

1. (1) The Council may by notice or sign displayed at or near a parking place close, suspend or reserve for particular vehicles the use of that parking place or any part thereof for any purpose.  
  
(2) No person shall cause or permit any vehicle to be in a parking place or any part thereof if there is a notice or sign indicating that the use of that parking place or part thereof is closed, suspended or reserved for particular vehicles:

Provided that nothing in this paragraph shall apply if the vehicle displays a valid dispensation and such conditions as that dispensation prescribes are being complied with.

## **PART 4 SEASON TICKETS & PERMITS**

### **Application for and issue of Season Tickets**

1. (1) Subject to any qualification criteria described in column (6) of Schedule 1 Part 1.1 for those parking places where season tickets are issued as identified therein any person may apply to the Council or authorised agent for the issue of a season ticket in respect of a vehicle of the class specified in column (3) of Schedule 1 Part 1.1 in relation to that parking place or part thereof and any such application shall be made on a form issued by and obtainable from the Council or authorised agent and shall include the particulars and information required by such form to be supplied.
- (2) Upon receipt of an application duly made under the provisions of paragraph (1) of this Article and upon receipt of the charge specified in paragraph (3) of this Article, the Council or authorised agent shall issue to the applicant one season ticket allowing them to park a particular vehicle in a specified parking place or part thereof, during the charging hours relating to that parking place or part thereof subject to the provisions of paragraph (4) of this Article.
- (3) The charge for a season ticket referred to in paragraph (2) of this Article shall be the amount specified immediately after the reference to "Season ticket" in column (6) of Schedule 1 Part 1.1 in relation to the parking place or part thereof in respect of which the season ticket is to be issued.
- (4) The total number of any type of season ticket issued for any parking place may be limited at the absolute discretion of the Council and there will be no guarantee that a season ticket will be available immediately on application.

### **.Refund of charge paid in respect of a season ticket**

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

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



b) Where the amount of any refund calculated in accordance with paragraph (1a) of this Article includes a fraction of a penny, the amount of the refund shall be reduced to the nearest full penny.

#### Application for and issue of duplicate season tickets

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

#### Application for and issue of staff permits

4. (1) Where in column (6) of Schedule 1 in relation to a parking place or part thereof there are specified the words "Staff permit", any member of staff or officer or member of the Council may apply to the Council or authorised agent for the issue of a staff permit in respect of a vehicle of the class specified in column (3) of Schedule 1 in relation to that parking place or part thereof and any such application shall be made on a form issued by and obtainable from the Council or authorised agent and shall include the particulars and information required by such form to be supplied.
- (2) Upon receipt of an application duly made under the provisions of paragraph (1) of this Article, and upon being satisfied that the applicant is a member of staff or an officer or member of the Council, the Council or authorised agent shall issue to the applicant one staff permit allowing them to park a particular vehicle in a specified parking place or part thereof, during the charging hours relating to that parking place or part thereof.
- (3) A staff permit shall be valid for the period specified thereon.

#### Application for and issue of duplicate staff permits

5. (1) If a staff permit is mutilated or accidentally defaced or the figures or particulars thereon have become illegible or the colour of the staff permit has become altered by fading or otherwise, the staff permit holder, if they wish

to continue using a staff permit, shall surrender it to the Council or authorised agent and apply to the Council or authorised agent for the issue to them of a duplicate staff permit. The Council or authorised agent, upon receipt of the original staff permit, shall issue a duplicate staff permit so marked, and upon such issue the original staff permit shall become invalid.

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

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

#### Application for and issue of dispensations

6. (1) A person may apply to the Council or authorised agent, in writing or in person, for the issue to them of a dispensation to leave a vehicle in a parking place, whether that vehicle is of the class specified in column (3) of Schedule 1 or not.

(2) Upon receipt of an application duly made under the provisions of paragraph (1) of this Article, and at the discretion of the Council or authorised agent, the Council or authorised agent may issue to the applicant a dispensation to park a particular vehicle in a specified parking place.

(3) The dispensation may stipulate such conditions of use as the Council or authorised agent deem appropriate and it may be withdrawn or amended by the Council or authorised agent at any time, by giving notice in writing to the person to whom the dispensation is issued at the last known address of that person.

(4) Where a dispensation is withdrawn or amended in accordance with paragraph (3) of this Article, the person to whom the dispensation is issued shall return that dispensation to the Council or authorised agent.

(5) Where a dispensation stipulates conditions of use; those conditions shall be complied with when the dispensation is being used.

#### Form of season tickets, staff permits and dispensations

7. A season ticket, a staff permit or a dispensation for -

a) parking places referred to in Schedule 1 Part 1.1 shall be in writing and in the form of a letter, badge, permit, sticker or similar device for displaying in a vehicle and shall include the following particulars:-

i. the registration mark of the vehicle in respect of which the season ticket, staff permit or dispensation has been issued;

- ii. the period during which the season ticket, staff permit or dispensation shall remain valid;
- iii. an indication that the season ticket, staff permit or dispensation has been issued by the Council or authorised agent; and
- iv. an indication of the parking place in which the season ticket, staff permit or dispensation is valid.

b) parking places referred to in Schedule 1 Part 1.2 shall take the form of a pass which will be inserted into the designated slot at the entrance and exit barriers, to allow the vehicle to enter or exit the parking place under Articles 2 (7) and 2(8).

#### Restriction on the removal of season tickets, staff permits and dispensations

8. Where a season ticket, staff permit or a dispensation has been displayed in accordance with the proviso to paragraph (1) of Article 2, no person, other than the driver of the vehicle, shall remove the season ticket, staff permit or dispensation unless authorised to do so by the driver of the vehicle:

Provided that nothing in this Article shall apply in relation to a civil enforcement officer or an officer of the Council or a representative of the authorised agent who removes the season ticket, staff permit or dispensation in the process of the vehicle being removed in accordance with Article 8.

### **PART 5 - CONTRAVENTIONS**

1. If a vehicle is parked in a parking place at any time or leaves a parking place, without complying with the provisions of this Order, then a contravention of or failure to comply with the provisions of this Order shall be deemed to have occurred and a civil enforcement officer may issue a penalty charge notice in accordance with the provisions of the Traffic Management Act 2004.

### **PART 6 - LIST OF SCHEDULES**

Schedule 1: Car Parks and Charges and Fees

Schedule 2: List of Roads for London Road car park

Schedule 3: Orders to be consolidated

Schedule 4: Norton Road Car Park Plan

## **PART 7 – INDEX OF SCHEDULE 1**

Index to the Car Parks identified in Schedule 1

Parts	
1.1	Car Parks with no barrier on entrance
1.2	Car Parks with barrier on entrance

**MADE UNDER THE COMMON SEAL OF  
BRIGHTON & HOVE CITY COUNCIL**

this *19<sup>th</sup>* day of *December* 2018

Executed as a deed by affixing the common seal of  
**BRIGHTON & HOVE CITY COUNCIL** in the presence of

  
.....

Authorised Officer



## Schedule 1

Part 1.1 - Parking Places With No Barrier on Entrance/Exit					
Item (1)	Name of Off-Street Parking Place (2)	Classes of Vehicle (3)	Charging Hours (4)	Maximum Period (5)	Tariffs (6)
1	Black Rock Car Park	Motor cars or invalid carriages, the height of which must not exceed 1.99 metres	All days 9am - 6pm	9 hours	Parking period and parking charge 1 hour £1.00 2 hours £2.00 3 hours £4.00 4 hours £5.00 9 hours £6.00
2	High Street Car Park	Motor Cars and Invalid Carriages, the height of which must not exceed 1.93 metres.	All days 24 hours	24 hours	Parking period and parking charge 2 hours £4.20 4 hours £8.40 9 hours £11.00 24 hours £18.20 Quarterly season ticket £780.00 Annual season ticket £2,080.00
3	King Alfred Car Park	Motor cars or invalid carriages, the height of which must not exceed 1.99 metres.	All days 9am-6pm	4 hours	Parking period and parking charge 1 hour £1.60 2 hours £2.00 3 hours £3.00 4 hours £4.00 Annual Season Ticket £780



4	Marine Cliffs Car Park, Rottingdean	Motor cars or invalid carriages, the height of which must not exceed 1.99 metres.	All days 9am-8pm	9 hours	Parking period and parking charge 1 hour £1.00 2 hours £2.00 9 hours £3.00 Quarterly season ticket £52.00
5	Norton Road Car Park a) the part which constitutes the main structure edged in black on the plan in Schedule 4 and also those parts of the western access way shown in hexagon hatch on the plan;	Motor cars or invalid carriages, the height of which must not exceed 1.99 metres.	All days 8am – 8pm	12 hours	Parking period and parking charge 1 hour £1.00 2 hours £2.00 4 hours £3.20 5 hours £4.20 9 hours £5.20 12 hours £6.00 Annual season ticket £780.00
	(b) the loading bay on the southern access way shown in stipple on the plan in Schedule 4.	Motor Cars constructed for the conveyance of goods or burden of any description with an unladen weight as defined in Section 136(2)(b) of the Act, provided they are being continually loaded or unloaded.	All days 7am -11pm	20 minutes	None

6	Oxford Court Car Park	Motor Cars and Invalid Carriages	All days -24 hours	24 hours	Parking period and parking charge 2 hours £3.00 4 hours £8.00 9 hours £10.00 24 hours £18.00 Annual Season Ticket: £780.00
7	West Street Car Park, Rottingdean	Motor cars or invalid carriages, the height of which must not exceed 1.99 metres.	All days 9am-6pm	3 hours	Parking period and parking charge 1 hour £1.00 2 hours £2.00 3 hours £3.00

# Schedule 1

## Part 1.2 - Parking Places With Barrier on Entrance/Exit

Item (1)	Name of Off-Street Parking Place (2)	Classes of Vehicle (3)	Charging Hours (4)	Maximum Period (5)	Tariffs (6)		
					Parking period and parking charge	Monday to Friday	Weekends
1	The Lanes Car Park	Motor cars or invalid carriages, the height of which must not exceed 1.85 metres	All days - 24 hours	24 hours	1 hour	£2.00	£4.00
					2 hours	£6.00	£8.00
					4 hours	£14.00	£15.00
					9 hours	£20.00	£20.00
					24 hours	£23.00	£25.00
					Lost Ticket	£23.00	£25.00
					Evenings 18.00 - 24.00	£4.50	
					Night 00.00 - 11.00	£5.00	
					Lost Ticket Administration Fee	£5.00	
					Annual Season Ticket	£2,500.00	
					Reduced Charge Annual Season Ticket - 16.00 - 11.00 Monday to Friday (for residents on a waiting list for a resident parking permit for Controlled Parking Zone Z)		£1,500.00

2	London Road Car Park	Motor cars or invalid carriages, the height of which must not exceed 2 metres	All days - 24 hours	24 hours	Parking period and parking charge	
						Monday to Sunday
					1 hour	£1.50
					2 hours	£3.00
					4 hours	£6.00
					9 hours	£8.00
					24 hours	£15.00
					Lost Ticket	£15.00
					Evenings 18.00 - 24.00	£4.50
					Night 00.00 - 11.00	£5.00
					Lost Ticket Administration Fee	£5.00
					Weekly Season Ticket	£55.00
					Annual Season Ticket	£1,200.00
					Reduced Charge Annual Season Ticket - (for applicants whose place of residence or business is located in one of the streets listed in Schedule 2 to this order)	£800.00
					Reduced Charge Annual Season Ticket - 16.00 - 11.00 Monday to Friday (for residents on a waiting list for a resident parking permit for Controlled Parking Zone Y)	£420.00

3	Regency Square Car Park	Motor cars or invalid carriages, the height of which must not exceed 1.99 metres	All days 24 hours	24 hours	Parking period and parking charge	
						Monday to Sunday
					1 hour	£2.00
					2 hours	£4.50
					4 hours	£10.00
					9 hours	£13.00
					24 hours	£18.00
					Lost ticket	£18.00
					Evenings 18.00 - 24.00	£4.50
					Night 00.00 - 11.00	£5.00
					Lost Ticket Administration Fee	£5.00
					Quarterly season ticket	£300.00
					Annual Season Ticket	£1,000.00
					Reduced charge Annual Season Ticket - 16.00 to 11.00, Monday to Friday (for residents on a waiting list for a resident parking permit for Controlled Zone M)	£750.00



4	Trafalgar Street Car Park	Motor Cars and Invalid Carriages, the height of which must not exceed 1.93 metres.	All days 24 hours	24 hours	Parking period and parking charge		
						Monday to Friday	Weekends
					1 hour	£3.00	£2.50
					2 hours	£6.00	£4.50
					4 hours	£9.00	£8.00
					6 hours	£10.00	£10.00
					9 hours	£12.00	£12.00
					24 hours	£16.00	£18.00
					Lost ticket	£16.00	£18.00
					Evenings 18.00 - 24.00	£4.50	
					Night 00.00 - 11.00	£5.00	
					Lost Ticket Administration Fee	£5.00	
					Quarterly season ticket	£400.00	
					Annual season ticket	£1,200.00	
					Reduced charge Annual Season Ticket - 16.00 to 11.00 Monday to Friday (for residents on a waiting list for a resident parking permit for Controlled Parking Zone Y)	£750.00	

**Schedule 2 - list of roads  
London Road Car Park**

- Albert Road
- Alexandra Villas
- Alfred Road
- Ann Street
- Baker Street
- Bath Street
- Belmont Street
- Billington Way
- Blake Court
- Blackman Street
- Blenheim Place
- Boston Street
- Brunswick Road
- Brunswick Row
- Buckingham Close
- Buckingham Lodge
- Buckingham Place
- Buckingham Road
- Buckingham Street
- Camden Terrace
- Frederick Gardens
- Frederick Place
- Frederick Street
- Frederick Terrace
- Gloucester Passage

- Gloucester Place
- Gloucester Road
- Gloucester Street
- Grand Parade
- Guildford Road
- Guildford Street
- Hanover Place
- Howard Place
- Jubilee Street
- Junction Road
- Kemp Street
- Kensington Gardens
- Kensington Place
- Kensington Street
- Kenya Court
- Kew Street
- Kingsbury Road
- Kingsbury Street
- Leopold Road
- Lewes Road (south of the junction with Park Crescent Place)
- London Road (Preston Circus to St Peter's Place)
- London Terrace
- Marlborough Place
- Marshalls Row
- Montpelier Crescent
- Mount Zion Place
- New Dorset Street

- New England Street
- North Gardens
- North Place
- North Road
- Over Street
- Oxford Court
- Oxford Place
- Oxford Street
- Pavilion Court
- Pelham Square
- Pelham Street
- Powis Grove
- Powis Road
- Powis Square
- Powis Villas
- Providence Place
- Queen's Gardens
- Queen's Place
- Queen's Road (north of the junction with North Road)
- Queen's Road Quadrant
- Railway Street
- Richmond Place
- Richmond Terrace
- Robert Street
- Rose Hill Close
- Rose Hill Court
- Rose Hill Terrace
- St. Anne's Court

-	St. George's Mews
-	St. George's Place
-	St. Nicholas Road
-	St. Peter's Place
-	St. Peter's Street
-	St. Michael's Place
-	St. Nicholas Court
-	St. Nicholas Road
-	St. Peter's Place
-	Station Street
-	Stroudley Road
-	Surrey Street
-	Sydney Street
-	Temple Gardens
-	Terminus Place
-	Terminus Road
-	Terminus Street
-	Tidy Street
-	Trafalgar Court
-	Trafalgar Lane
-	Trafalgar Place
-	Trafalgar Street
-	Trafalgar Terrace
-	Union Road
-	Upper Gardner Street
-	Upper Gloucester Road
-	Vernon Terrace
-	Viaduct Road
-	Victoria Road



- Vine Place
- Vine Street
- Waterloo Place
- West Hill Place
- West Hill Road
- West Hill Street
- Westmorland Court
- Whitecross Street
- Windlesham Avenue
- Windlesham Court
- Windlesham Gardens
- Windlesham Road
- Worcester Court
- York Hill
- York Place
- Zion Gardens

**Schedule 3 - Orders to be Consolidated**

1	The Brighton & Hove (Off-Street Parking Places) Order 2008
2	The Brighton & Hove (Off-Street Parking Places) Order 2008 Amendment Order No.1 2008
3	The Brighton & Hove (Off-Street Parking Places) Order 2008 Amendment Order No.2 2008
4	The Brighton & Hove (Off-Street Parking Places) Order 2008 Partial Revocation Order 2008
5	The Brighton & Hove (Off-Street Parking Places) Order 2008 Amendment Order No.1 2009
6	The Brighton & Hove (Off-Street Parking Places) Order 2008 Amendment Order No.2 2009
7	Brighton & Hove (Off-Street Parking Places) Order 2008 Amendment Order No.1 2010
8	Brighton & Hove (Off-Street Parking Places) Order 2008 Amendment Order No.1 2011
9	Brighton & Hove (Off-Street Parking Places) Order 2008 Amendment Order No.1 2012
10	Brighton & Hove (Off-Street Parking Places) Order 2008 Amendment Order No.1 2013
11	The Brighton & Hove (Off-Street Parking Places) Order 2008 Amendment Order No.2 2013
12	Brighton & Hove (Off-Street Parking Places) Order 2008 Amendment Order No.1 2014
13	Brighton & Hove (Off-Street Parking Places) Order 2008 Amendment Order No.2 2014
14	The Brighton & Hove (Off-Street Parking Places) Order 2008 Amendment No.1 2015
15	The Brighton & Hove (Off-Street Parking Places) Order 2008 Amendment No.1 2016
16	The Brighton & Hove (Off-Street Parking Places) Order 2008 Amendment No.1 2017
17	The Brighton & Hove (Off-Street Parking Places) Order 2008 Amendment No.2 2017

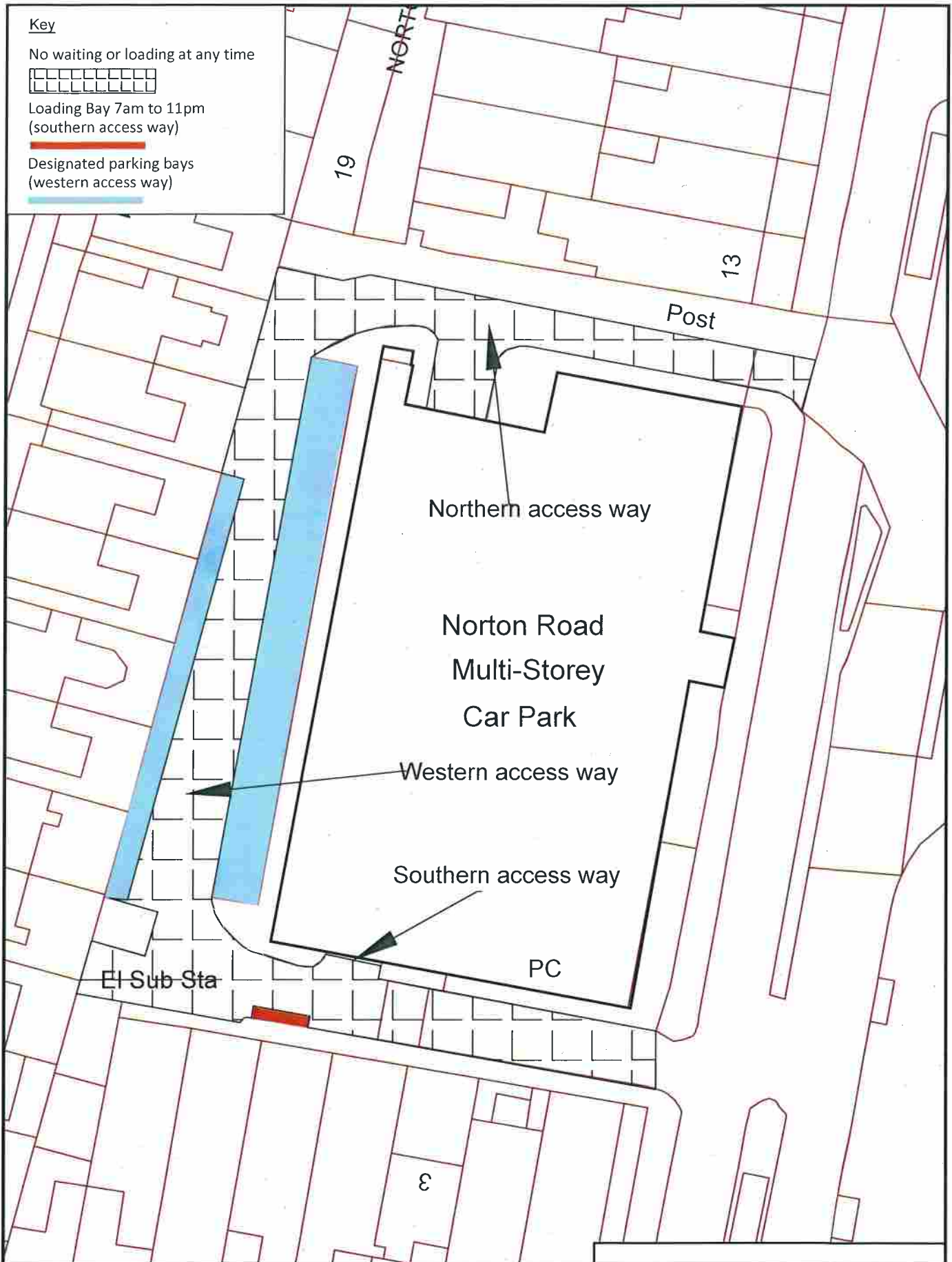
**Key**

No waiting or loading at any time



Loading Bay 7am to 11pm  
(southern access way)

Designated parking bays  
(western access way)



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Council, 2018

Project : Norton Road car park

Title : Schedule 4

Scale : NTS

Date : Dec 18

Drawn : RM

Drawing Number : B&H/002



