

**BRIGHTON & HOVE CITY COUNCIL  
ROAD TRAFFIC REGULATION ACT 1984**

**BRIGHTON & HOVE (COLDEAN & MOULSECOOMB)  
(EVENT DAYS) PARKING ORDER 2013**

Brighton & Hove City Council ("the Council") in exercise of its powers under Sections 1, 2, 3, 4, 19, 32, 35, 35A, 45, 46, 46A, 47, 49, 51, 53, 55, 61, 63, 63A, 66, 117 and 124 (1) (c) & (d) of the Road Traffic Regulation Act 1984 ("the 1984 Act") as amended and Part 6 of the Traffic Management Act 2004 and of all other enabling powers after consultation with the Chief Officer of Police in accordance with Part III of Schedule 9 to the 1984 Act hereby makes the above named Order.

**Index**

<b>PART 1 - GENERAL</b>	<b>1</b>
<b>PART 2 - PERMIT PARKING PLACES</b>	<b>5</b>
<b>PART 3 - PARKING PERMITS</b>	<b>6</b>
<b>PART 4 - SUSPENSIONS</b>	<b>13</b>
<b>PART 5 - CONTRAVENTIONS</b>	<b>14</b>
<b>PART 6 - LIST OF SCHEDULES</b>	<b>15</b>

**PART 1 - GENERAL**

1. This Order shall come into operation on the 17<sup>th</sup> day of *June* 2013 and may be cited as the "Brighton & Hove (Coldean & Moulsecoomb) (Event Days) Parking Order 2013".
2. In this Order, except where the context otherwise requires, the following expressions have the meanings assigned to them:-
  - **"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;
  - **"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);
  - **"Business"** means for the purposes of Part 3 of this Order any trade or profession conducted from premises wholly or principally used or adapted for use for those purposes within a Permit Parking Zone such premises being listed in either a local or central non-domestic rating list;
  - **"Business Permit"** means a Permit issued by the Council to a Business under the provisions of Part 3 of this Order;
  - **"Carer"** is a person who provides care on a non-professional basis to a resident whose normal place of abode is within a Permit Parking Zone and who needs to be cared for by virtue of physical or mental infirmity or for antenatal or postnatal reasons;
  - **"Carer Permit"** means a Permit issued by the Council to a Carer under the provisions of Part 3 of this Order;

- **“Chief Officer of Police”** means the Chief Officer of Police for Brighton & Hove;
- **“Civil Enforcement Officer”** has the same meaning as in Section 76 of the Traffic Management Act 2004;
- **“Disabled Badge Holder’s Parking Place”** means a length of road indicated by Traffic Signs authorizing it to be used for the leaving of vehicles in accordance with the provisions of the Brighton & Hove (Waiting & Loading/Unloading Restrictions and Parking Places) Consolidation Order 2008 as amended;
- **“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 for display in a vehicle permitting that vehicle to be left in a Permit Parking Place subject to the provisions of this Order;
- **“Driver”** in relation to a vehicle waiting in a Permit Parking Place or any Restricted Road referred to in this Order means the person driving the vehicle at the time it was parked in the Permit Parking Place or Restricted Road;
- **“Fire Service Vehicle”** means any vehicle used operationally by the Fire Service;
- **“Goods”** means any item (including cash or other valuable securities) that needs to be transported by vehicle for the purpose of delivering or collecting (including checking the item for delivery or collection) usually but not exclusively in the course of trade or business;
- **Head of Transport”** means an officer appointed by the Council for the time being and shall include his authorized agent and representative and any successor of his;
- **“Invalid Carriage”** for the purposes of this Order has the same meaning as in Section 136 of the 1984 Act;
- **“Limited Waiting Parking Place”** means a length of road indicated by Traffic Signs authorizing it to be used for the leaving of vehicles in accordance with the provisions of the Brighton & Hove (Waiting & Loading/Unloading Restrictions and Parking Places) Consolidation Order 2008 as amended;
- **“Event Day”** means any day when a football match or other large event is held at the American Express Community Stadium, Brighton (as advertised in advance on Traffic Signs) and shall be the full 24 hours of such a day;
- **“Motorcycle”** means a mechanically propelled vehicle with two wheels (not being an Invalid Carriage) and without trailer;
- **“Pedal Cycle”** means a pedal bicycle, pedal tricycle or a pedal cycle having four or more wheels, not being in any case capable of being mechanically propelled;
- **“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;

- **“Permit”** means a permission in writing issued by the Council at its absolute discretion allowing a vehicle or vehicle of a specific class to park or wait in a Permit Parking Place in accordance with the provisions of this Order;
- **“Permit Holder”** means a person to whom a Permit has been issued under the provisions of Part 3 of this Order;
- **“Permit Parking Place”** means a road or length of road identified in Schedule 1 and indicated by Traffic Signs authorizing it to be used by vehicles in accordance with the provisions of this Order;

PROVIDED that for the purposes of this Order a Permit Parking Place shall not include any Disabled Badge Holder’s Parking Place, Limited Waiting Parking Place or any length of Restricted Road located in any of those roads or lengths of road;

- **“Permit Parking Zone”** means an area identified in Schedule 1 by an unique letter within which the roads are regulated by parking restrictions as described in this Order;
- **“Police Vehicle”** means a vehicle used by a police officer in exercise of his duties;
- **“Postal Packets”** has the same meaning as in Section 125 of the Postal Services Act 2000;
- **“Professional Carer Badge”** means a badge issued by the Council in accordance with the provisions of the Brighton & Hove Various Controlled Parking Zones Consolidation Order 2008 as amended;
- **“Protective Cover”** means a transparent holder issued by the Council for the protection and display of a Permit under the provisions of Part 3 of this Order;
- **“Registered Keeper”** means:
  - (a) the person who keeps a vehicle and whose name appears on the vehicle registration certificate of that vehicle; or
  - (b) the person who keeps a vehicle that is registered in the name of his employer or that is subject to a hire or lease agreement;
- **“Relevant Position”** in the case of a Disabled Person’s Badge has the meaning described in the Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000;
- **“Resident”** means a person aged 17 years or over whose normal place of abode for not less than 5 nights per week is premises the postal address of which is within the list of streets identified in Schedule 2 for the Permit Parking Zone for which the Permit is required;
- PROVIDED that for the purposes of this Order “premises” does not include any vehicle constructed or adapted for human habitation nor any trailer or caravan similarly constructed or adapted.
- **“Resident Permit”** means a Permit issued by the Council to a Resident under the provisions of Part 3 of this Order;
- **“Resident Visitor (1 Day) Permit”** means a 1 day Permit issued to a Resident for use by visitors of that Resident under the provisions of Part 3 of this Order;

- **“Resident Visitor (Transferable) Permit”** means a transferable Permit issued to a Resident for use by visitors of that Resident under the provisions of Part 3 of this Order;
- **“Restricted Road”** means any road or length of road indicated by Traffic Signs in which loading and unloading and/or waiting is prohibited at all times or at certain times in accordance with the provisions of the Brighton & Hove (Waiting & Loading/Unloading Restrictions and Parking Places) Consolidation Order 2008 as amended;
- **“School Permit”** means a Permit issued by the Council under the provisions of Part 3 of this Order;
- **“Telecommunications Apparatus”** has the same meaning as in the Telecommunications Act 1984 Schedule 2;
- **“Trader Permit”** means a Permit issued by the Council in accordance with the provisions of the Brighton & Hove Various Controlled Parking Zones Consolidation Order 2008 as amended;
- **“Traffic Sign”** has the same meaning as in Section 64 (1) of the 1984 Act;
- **“Undertaker”** has the same meaning as in Section 48 (4) of the New Roads and Street Works Act 1991;
- **“Vehicle Registration Certificate”** means the certificate or equivalent document issued by the Driver and Vehicle Licensing Authority and showing vehicle details including the name and address of the Registered Keeper;

3.

- (1) Any reference in this Order to any enactment shall be construed as a reference to that enactment as amended applied consolidated or re-enacted by or as having effect by virtue of any subsequent enactment.
- (2) Any reference in this Order to a numbered Article is a reference to the Article bearing that number in that same Part of this Order and any reference to a numbered Schedule is a reference to the Schedule to this Order bearing that number unless specified otherwise.
- (3) The restrictions imposed by this Order shall be in addition to and not in derogation from any restriction or requirement imposed by any regulations made or having effect as if made by the Act or by any other enactment.

4. Nothing in this Order unless otherwise specified shall apply to a Pedal Cycle.
5. Neither the Council nor its authorized representatives shall be liable for any loss of or damage to any vehicle in a Permit Parking Place or its fittings or contents or in consequence of any vehicle being removed from a Permit Parking Place identified in this Order.

## **PART 2 – PERMIT PARKING PLACES**

1. Each road or length of road identified in Schedule 1 is hereby authorized to be used as a Permit Parking Place during Event Days for vehicles displaying a valid Resident, Resident Visitor (1 Day), Resident Visitor (Transferable), Business, School or Carer Permit.

PROVIDED that a Permit Parking Place may also be used:

- (1) by a vehicle displaying a valid Trader Permit issued for that vehicle if the vehicle is being used for a purpose for which the permit was issued; or
  - (2) by a vehicle displaying a valid Professional Carer Badge if it is left for a period not exceeding one hour or such other period authorized by the Council and is being used for a purpose for which the badge was issued; or
  - (3) by a vehicle displaying a valid Dispensation issued for that vehicle if it is left for a period not exceeding one hour or such other period specified by the Council on the Dispensation and is being used for a purpose for which the Dispensation was issued.
2. Without prejudice to the foregoing provisions of this Part any vehicle may wait in a Permit Parking Place during Event Days other than a Permit Parking Place or part thereof the use of which has been suspended if it cannot conveniently be used for such purposes in any other road:
  - (1) to enable a person or persons to board or alight from the vehicle.
  - (2) if the vehicle is being used for the purpose of delivering or collecting Goods including loading or unloading the vehicle at premises adjoining that road.
  - (3) for the purpose of loading or unloading the vehicle while the vehicle is in actual 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.
  - (4) to enable the vehicle to be used in connection with any of the following operations in an emergency; building works, the removal of any obstruction to traffic, the maintenance, improvement or reconstruction of a Permit Parking Place, or the laying, erection, alteration or repair in or adjacent to any Permit Parking Place by an Undertaker of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity or any telecommunications apparatus.
  - (5) if the vehicle is being used in the course of an emergency for Fire Service Ambulance Service or Police purposes or it is a vehicle in the service of a local authority being used in pursuance of its statutory powers or duties.
  - (6) if the vehicle is waiting owing to the Driver being prevented from proceeding by circumstances beyond his control or if he is required by law to stop or if such waiting is necessary in order to avoid an accident.
  - (7) if the vehicle is in the service of or employed by a provider of a postal service licensed by the Postal Services Commission pursuant to the provisions of the Postal Services Act 2000 and is waiting while Postal Packets addressed to premises adjacent to that road are being unloaded from the vehicle or having unloaded there

from are being delivered or while Postal Packets are being collected from premises or posting boxes adjacent to that road or is in use in conjunction with the cleaning of telephone kiosks adjacent to that road.

- (8) if Goods are sold from the vehicle by a person licensed by the Council to sell goods from a stationary pitch situated in that Permit Parking Place.
  - (9) if the vehicle is displaying a valid Disabled Person's Badge in the Relevant Position and provided that the badge is being used in accordance with the provisions of the Blue Badge Scheme.
3. No person shall except upon the direction or with the permission of a Civil Enforcement Officer Police Constable in uniform or person authorized by the Council cause or permit any vehicle other than a vehicle left in accordance with the provisions of this Part to wait at any time in a Permit Parking Place.
4. A Driver of a vehicle shall not use a Permit Parking Place:
- (1) so as unreasonably to prevent access to any premises adjoining the road or the use of the road by other persons or so as to be a nuisance.
  - (2) where under the provisions of Part 4 of this Order the Permit Parking Place or part thereof has been suspended.
5. The Driver of a vehicle using a Permit Parking Place shall stop the engine as soon as the vehicle is in position in the Permit Parking Place and shall not start the engine except when about to change the position of the vehicle in or to depart from the Permit Parking Place.
6. No person shall use any vehicle while it is in a Permit Parking Place or any part thereof without the written consent from the Head of Transport in connection with the sale or attempted sale of any article or in connection with the selling or offering for hire of his skill or services to any person in or near the Permit Parking Place or for the purpose of any exhibition and no vehicle shall be advertised for sale while it is standing in a Permit Parking Place.
- PROVIDED that nothing in this Article shall prevent the sale of goods from a vehicle if the goods are immediately delivered at or taken into premises adjacent to the vehicle from which the sale is effected.
7. Any person who wilfully or carelessly damages in any way or interferes with the fabric or structure or equipment of a Permit Parking Place or Traffic Sign shall be in contravention of this Order and shall be liable for the cost of repair of the damage.
8. There shall be no requirement for a Permit to be displayed on a Motorcycle when left in a Permit Parking Place.

### **PART 3 – PARKING PERMITS**

#### **PART 3.1 – General**

1. The provisions of this Part apply to all Permits referred to herein including replacement Permits unless otherwise specified.

## **Application and Issue**

2. An application for a Permit shall be made on a form issued by and obtainable from the Council and shall when stipulated be accompanied by the appropriate charge for that Permit as identified in Schedule 3.
3. The Council may at any time in addition to the evidence required by the application form and that identified in Part 3.2 of this Order in respect of all types of Permit require an applicant for a Permit or a Permit Holder to produce to an officer of the Council such evidence as may reasonably be required to verify any particulars or information given or in respect of any Permit issued to verify that the Permit is valid.
4. Upon receipt of an application duly made under the foregoing provisions of this Part the Council upon being satisfied that the applicant has provided the requisite documentation and any payment required and meets the criteria necessary for the issue of that particular type of Permit shall at its absolute discretion issue to the applicant one Permit and Protective Cover for leaving a vehicle during Event Days in any Permit Parking Place within the Permit Parking Zone for which the Permit was issued.

PROVIDED that:

- (i) in the case of Resident Visitor (1 Day) Permits a Protective Cover is not issued and the number of permits to be issued to any applicant is regulated in accordance with Part 3.2 Article 17.
  - (ii) the provisions of this Article shall apply to any application for the renewal of a Permit save that a further Protective Cover will not be issued unless requested.
5. If a Permit is lost or destroyed the Permit Holder must notify the Council and may apply for the issue to him of a replacement Permit and the Council upon being satisfied as to such loss or destruction shall at its absolute discretion issue a replacement Permit subject to payment when stipulated in Schedule 3 of the requisite fee and upon such issue the previous permit shall become invalid.

PROVIDED that the provisions of this Article shall not apply in the case of Resident Visitor (1 Day) Permits for which no replacement permits shall be issued.

## **Permit Particulars**

6. A Permit shall where applicable have the following particulars printed thereon:
  - (1) the registration mark of the vehicle in respect of which the Permit has been issued.
  - (2) the period during which subject to the provisions of Article 11 of this Part the Permit shall remain valid.
  - (3) the type of Permit and indication that it has been issued by the Council.
  - (4) indication of the Permit Parking Zone for which the Permit has been issued.

PROVIDED that:

- (i) for Resident Visitor (Transferable) Permits and School Permits Article 6 (1) shall not apply.

- (ii) for Resident Visitor (1 Day) Permits Article 6 (1) shall not apply and instead the registration mark of the vehicle for which the permit is required and in which it is to be displayed shall be written by the Resident or a person authorized in that behalf by the Resident in permanent ink in the section marked and provided for that purpose.
- (iii) for Resident Visitor (1 Day) Permits additional particulars being the day of the week date month and year for which the permit is to be used or such other particulars described in the instructions printed on the permit shall be revealed by the Resident or a person authorized in that behalf by the Resident by scratching out one panel only for each of those particulars in each of the sections marked and provided for that purpose or indicated by such other means described on the permit.

### **Display of Permit**

7. At all times during which a vehicle is left in a Permit Parking Place during Event Days the Driver thereof shall cause to be displayed in a Protective Cover affixed to the inside of the front windscreen of the vehicle a valid Permit relating to the Permit Parking Zone in which that Permit Parking Place is located so that all of the particulars referred to in Article 6 are visible and can be read in their entirety from the outside of the vehicle either from the front or nearside.

PROVIDED that:

- (i) as a protective cover is not required for Resident Visitor (1 Day) Permits the Permit or Permits should be displayed inside the vehicle either on the nearside of the dashboard or affixed to a side window nearest to the edge of the road so that the particulars referred to in Article 6 are visible and can be read in their entirety from the outside of the vehicle either from the front or nearside.
- (ii) a Resident Visitor (Transferable) Permit may be displayed either in a Protective Cover or inside the vehicle on the nearside of the dashboard so that the particulars referred to in Article 6 are visible and can be read in their entirety from the outside of the vehicle either from the front or nearside.
- (iii) where the vehicle is fitted with a windscreen that is not enclosed or is not fitted with a windscreen the Permit is to be displayed on the dashboard or facia in a suitable and securely affixed holder so that all of the particulars referred to in Article 6 are visible and can be read in their entirety from the outside of the vehicle either from the front or nearside.
- (iv) where the vehicle is fitted with neither a windscreen, dashboard or facia the Permit is to be displayed in a conspicuous and secure position on the vehicle so that the particulars referred to Article 6 are visible and can be read in their entirety from the outside of the vehicle either from the front or nearside.

8.

- (1) Where a Permit has been displayed on a vehicle in accordance with the provisions of Article 7 no person not being the Driver of the vehicle shall remove the Permit from the vehicle unless authorized to do so by the Driver.



- (2) In the event that a Permit has not been displayed in accordance with the provisions of Article 7 or its details are illegible because of one or more of the events described in Article 9 then in such circumstances there shall be a contravention of this Order.
9. If a Permit is mutilated or accidentally defaced or the figures or particulars thereon have been altered or become illegible or the colour of the Permit has become altered by fading or otherwise the Permit shall become invalid and the Permit Holder must surrender it to the Council and apply to the Council for the issue to him of a replacement Permit subject to payment when stipulated in Schedule 3 of the requisite fee.

PROVIDED that:

- (i) if it is satisfied that a Permit has been obtained defaced or altered in an attempt to defraud the Council then the Council shall at its absolute discretion be entitled to refuse to issue a replacement Permit.
- (ii) the provisions of this Article shall not apply in the case of Resident Visitor (1 Day) Permits for which no replacement Permits shall be issued.

### **Dishonoured Cheques**

10. Where a Permit is issued pursuant to Article 4 of this Part upon receipt of a cheque and the cheque is subsequently dishonoured the Permit shall cease to be valid and the Council shall, by notice in writing served on the Permit Holder by sending the same by Recorded Delivery to him 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 place of business or in the case of a company it's registered office, require that person to surrender the Permit to the Council within the time period prescribed in that notice.

PROVIDED that nothing in this Article shall prevent the Council from requesting a replacement payment by such means and within such time period as shall be prescribed so that upon receipt of such payment the Permit shall remain valid.

### **Surrender and Withdrawal of Permits**

11. A Permit Holder may surrender their Permit to the Council at any time and shall be required to do on the occurrence of any one of the following events:
- (1) the address for the Permit Holder is no longer within the Permit Parking Zone for which the Permit was issued.
  - (2) the Permit Holder ceasing to be the Registered Keeper of the vehicle in respect of which the Permit was issued.
  - (3) the Permit Holder ceasing to use the vehicle for the purposes for which the Permit was issued.
  - (4) the Permit Holder ceasing to carry out the duties or functions for which the Permit was issued.
  - (5) the issue of a replacement Permit by the Council under the provisions of Article 9.
12. The Council may at its absolute discretion should any of the events in Article 11 occur withdraw the Permit by sending a notice in writing to the Permit Holder and the Permit

Holder shall surrender the Permit to the Council upon receipt of that notice before the expiration of the time period specified in the notice.

13. If the Permit Holder fails to surrender the Permit under the provisions of the preceding Article the Council may record in its records that the Permit has been cancelled and the Permit shall be deemed to be invalid from the date of cancellation and if it is then used in such circumstances that shall be deemed to be a contravention under Part 5 of this Order.
14. Notwithstanding the provisions of Articles 12 and 13 a Permit shall be deemed to be invalid on the occurrence of any of the events referred to in Article 11 or after the expiry date or period of validity specified thereon and if a Permit is then used in such circumstances that shall be deemed to be a contravention under Part 5 of this Order.

### **Refund of Charges**

15. A Permit Holder who surrenders unexpired Resident Visitor (1 Day) Permits to the Council in accordance with Article 11 (1) shall be entitled to a refund of the charge paid for those Permits.
16. In the event of the surrender of a replacement Permit no refund of any part of a fee paid for such permit will be available.

### **PART 3.2 – Types of Permit**

1. The provisions of Part 3.1 of this Order apply to each type of Permit described in this Part in addition to the provisions described herein unless specified otherwise.

#### **Resident Permits**

2. Any applicant for a Resident Parking Permit shall produce:
  - (1) such evidence as may be required by the Council to satisfy itself that the applicant is a Resident of the Permit Parking Zone for which the Permit is being applied for.
  - (2) the Vehicle Registration Certificate for the vehicle to show that it is registered in the name of the applicant and at the place of residence within the Permit Parking Zone for which the Permit is requested.

PROVIDED that a Resident who keeps and uses a vehicle but whose name and address are not shown on the Vehicle Registration Certificate only because the vehicle is registered in the name of his employer or because it is hired or leased to him shall not be prevented from applying for a Permit.

3. Application may be made by any Resident residing at any single postal address for one Resident Permit for a vehicle registered to that applicant at that address.
4. The issue and display of a valid Resident Permit allows the Permit Holder to park the vehicle during Event Days in a Permit Parking Place in the Permit Parking Zone for which the Permit was issued identified in Schedule 1.

#### **Temporary Resident Permit**

5. Any Resident who has a valid Resident Permit may apply on up to two occasions during the same period that the Resident Permit is valid for a Temporary Resident Permit to park a

different vehicle in the same Permit Parking Zone while the other vehicle is not available for use by the Resident.

6. The provisions of Articles 2 (1) and 4 shall apply to a Temporary Resident Permit as if it were a Resident Permit.

### **Resident Visitor (Transferable) Permits**

7. Any applicant for a Resident Visitor (Transferable) Permit shall produce such evidence as may be required by the Council to satisfy itself that the applicant is a Resident of the Permit Parking Zone for which the Permit is being applied for.
8. Application may be made by any Resident residing at any single postal address for one Resident Visitor (Transferable) Permit.
9. The issue and display of a valid Resident Visitor (Transferable) Permit allows the Permit Holder or a person visiting that Permit Holder to park a vehicle during Event Days in a Permit Parking Place in the Permit Parking Zone for which the Permit was issued identified in Schedule 1.

### **Resident Visitor (1 Day) Permits**

10. Any applicant for Resident Visitor (1 Day) Permits shall produce such evidence as may be required by the Council to satisfy itself that the applicant is a Resident of the Permit Parking Zone for which the Permits are being applied for.
11. Any Resident shall be entitled to a maximum of 25 Resident Visitor (1 Day) Permits in any 12 month period commencing from the date of issue of the first Resident Visitor (1 Day) Permit to that Resident.

PROVIDED that the Head of Transport or such other person authorized may at their absolute discretion where it appears justified on medical grounds issue to a Resident more than the entitlement of Permits in any 12 month period referred to in this Article where they are satisfied upon consideration of such supporting evidence as they may require that it would be appropriate in the circumstances.

12. The Council may at its absolute discretion apply the provisions of Article 11 to a Business or other institution which it is satisfied operates from premises situated within the Permit Parking Zone for which the Permits are being applied for
13. A Resident Visitor (1 Day) Permit shall be valid for the day and date only upon which the Permit is used.
14. Resident Visitor (1 Day) Permits may not be resold and any Permit Holder found to have done so may at the Council's absolute discretion lose any further entitlement arising under Article 11.
15. The issue and display of a valid Resident Visitor (1 Day) Permit allows the Permit Holder or a person visiting that Permit Holder to park a vehicle during Event Days in a Permit Parking Place in the Permit Parking Zone for which the Permit was issued as identified in Schedule 1.

### **Business Permits**

16. Any applicant for a Business Permit shall produce such evidence as may be required by the Council to satisfy itself that the application is being made on behalf of or in connection with a

Business which operates from premises situated within the Permit Parking Zone for which the Permit is being applied for.

17. Application may be made for one Business Permit for any vehicle used by that Business or its staff in connection with the operation of that Business which for the purposes of this Order shall include travelling to and from work.
18. The issue and display of a valid Business Permit allows the Permit Holder to park the vehicle during Event Days in a Permit Parking Place in the Permit Parking Zone for which the Permit was issued as identified in Schedule 1.
19. A Business Permit shall not be used for the parking of a vehicle in a Permit Parking Place outside of the operational hours of the Business unless it is necessary to do so for the purposes of that Business.

### **Carer Permits**

20. Any applicant for a Carer Permit shall produce such evidence as may be required by the Council to satisfy itself that:
  - (1) the applicant is a Carer and that the person or persons that they care for is or are Resident within the Permit Parking Zone for which the Permit is being applied for.
  - (2) the vehicle is to be used by the Carer in that capacity.
21. The issue and display of a valid Carer Permit allows the Permit Holder to park the vehicle during Event Days in a Permit Parking Place in the Permit Parking Zone for which the Permit was issued as identified in Schedule 1 provided that the vehicle is being used for the purpose for which the Permit was issued.

### **School Permits**

22. Any applicant for a School Permit shall produce such evidence as may be required by the Council to satisfy itself that:
  - (1) the application is made under the authority of the head teacher of the school and that the school premises are situated within the Permit Parking Zone for which the Permit is being applied for.
  - (2) the Permit is required for members of the school's teaching staff only and that there shall be no more than one Permit for each 6 members of those staff.
23. The issue and display of a valid School Permit allows the member of the teaching staff who has been assigned the use of the Permit by the head teacher to park a vehicle during Event Days in a Permit Parking Place in the Permit Parking Zone for which the Permit was issued as identified in Schedule 1.
24. A School Permit shall not be used for the parking of a vehicle in a Permit Parking Place outside of the operational hours of the school unless it is necessary to do so for the purposes of that school.

## **PART 4 – SUSPENSIONS**

1. Any person authorized by the Council may temporarily suspend for as long as may be necessary the use of any Permit Parking Place referred to in this Order or any part thereof for the following reasons:
  - (1) on any occasion when it is considered necessary or desirable for traffic management reasons or in the interests of public safety.
  - (2) for any special occasion, street festival, march etc. when the street will be thronged or obstructed in any way.
  - (3) for the purpose of enabling a Public Service Vehicle to wait there.
  - (4) for the purposes of any works by an Undertaker required in connection with any sewer, main, pipe or apparatus for the supply of gas, water or electricity or any telecommunication apparatus as defined in the Telecommunications Act 1984 in or adjacent to the Permit Parking Place.
  - (5) for the purposes of any emergency building operation demolition or excavation works in or adjacent to the Permit Parking Place.
  - (6) for any vehicle in the service of the Council being used in pursuance of its statutory powers or duties and that vehicle cannot reasonably be used for the same purpose in any other road.
  - (7) for the removal or delivery of furniture, plant, machinery, etc. from or to premises adjacent to the Permit Parking Place or for any general building operation, wedding, funeral or other activity connected with premises adjacent to the Permit Parking Place upon application and at the discretion of the Council.
2. Upon receipt of any request to suspend the use of any Permit Parking Place or any part thereof in accordance with Article 1 of this Part the Council may charge such amount in respect of the implementation of that suspension as may be set out in Schedule 3.
3. Any person suspending the use of a Permit Parking Place or any part thereof in accordance with the preceding Articles of this Part shall where appropriate place or cause to be placed in or as close as possible to that Permit Parking Place or part thereof the use of which is to be suspended a Traffic Sign indicating the period during which waiting by vehicles is prohibited.
4. Where a Traffic Sign indicating the suspension of a Permit Parking Place or any part thereof have been left in accordance with the provisions of Article 3 no person except a Civil Enforcement Officer Police Constable in uniform or a person authorized by the Council shall remove that sign.
5. No person shall at any time whether or not during an Event Day cause or permit a vehicle to be left in any Permit Parking Place or part of a Permit Parking Place during any period when the use of that place has been suspended as indicated under the provisions of Article 3 of this Part.

PROVIDED that nothing in this Article shall prevent a vehicle from waiting in a Permit Parking Place or part thereof the use of which has been suspended if it is being used for the purpose for which the suspension has been arranged or with the consent of a Civil

Enforcement Officer or person authorized by the Council or in the case of Article 1 (1) or (2) with the consent of a Police Constable in uniform.

6. A Police Constable in uniform may suspend a Permit Parking Place or any part thereof for a period not longer than 7 days for the purpose of promoting traffic movement or in the interests of public safety.
7. Nothing in this Part shall prevent any Ambulance Police or Fire Service Vehicle from waiting in any suspended Permit Parking Place or part thereof if the vehicle is being used for emergency purposes.

## **PART 5 – CONTRAVENTIONS**

### **Penalty Charge Notices**

1. If a vehicle is left in any Permit Parking Place identified in Schedule 1 to this Order during an Event Day without complying with the requirements of this Order a contravention shall have occurred and a Penalty Charge shall be payable. A Penalty Charge Notice showing the information required by the Traffic Management Act 2004 may then be issued by a Civil Enforcement Officer or the Council, as the enforcement authority for the purposes of the 2004 Act, in accordance with the requirements of that Act and the Penalty Charge shall be paid in accordance with the payment instructions on the Penalty Charge Notice.
2. Where a Penalty Charge Notice has been attached to a vehicle in accordance with this Part no person not being the Driver of the vehicle a Civil Enforcement Officer Police Constable in uniform or person authorized by the Council shall remove the notice from the vehicle until the vehicle is removed from the Permit Parking Place.

### **Removal of a vehicle from a Restricted Road or Permit Parking Place**

3. A Civil Enforcement Officer Police Constable in uniform or person authorized by the Council may, if he is of the opinion that any of the provisions contained in this Order have been contravened or not complied with and a Penalty Charge Notice has been issued or in the event of an emergency, in respect of a vehicle left in a Permit Parking Place, remove the vehicle or cause it to be removed and make such arrangements as may be reasonably necessary for the safe custody of the vehicle.

PROVIDED that:

- (i) when a vehicle is waiting in a Permit Parking Place in a position contravening any of the provisions of this Order a Civil Enforcement Officer Police Constable in uniform or person authorized by the Council may alter or cause to be altered the position of the vehicle in order that its position shall comply with those provisions; or
- (ii) a Civil Enforcement Officer Police Constable in uniform or person authorized by the Council may in the case of an emergency move or cause to be moved to any place he thinks fit any vehicle left in a Permit Parking Place; and
- (iii) any person authorized to either remove or move a vehicle or alter its position by virtue of the provisions of this Part may do so by towing or driving the vehicle or in such other manner as he may think necessary and may take such measures in relation to the

vehicle as he may think necessary to enable him to remove it or alter its position as the case may be.

4. If a vehicle is removed to a car pound after a Penalty Charge Notice has been issued under the provisions of Article 3 a fee shall be payable to the Council in respect of the removal of the vehicle and a charge per day commencing on midnight after the day of the removal of the vehicle shall be payable in respect of the storage of the vehicle.

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

### **Schedule 1: Permit Parking Places (Permit Parking only at any time on Event Days)**

Part 1: Area B (Coldean)

Part 2: Area D (Moulsecoomb)

### **Schedule 2: Roads or parts of roads for Permit eligibility:**

Part 1: Area B (Coldean)

Part 2: Area D (Moulsecoomb)

### **Schedule 3: Permit & Other Charges**

**SCHEDULE I**  
**Permit Parking Places**  
**(Permit Parking only at any time on Event Days)**

**Part I: Area B (Coldean)**

<b>Street Names</b>	<b>Specific Properties</b>
Arlington Crescent	
Ashburnham Close	
Ashburnham Drive	
Beatty Avenue	
Coldean Lane	From its junction with Lewes Road north-westwards to the prolongation of the northern kerb line of the northern arm of Hawkhurst Road only
Crawley Road	
Forest Road	
Haig Avenue	
Hawkhurst Road	
Highfields	
Ingham Drive	
Kenwards	
Middleton Rise	
Monk Close	
Nanson Road	
Park Close	
Park Road	
Reeves Hill	
Ridge View	
Roundway	
Rushlake Close	
Rushlake Road	
Rusper Road	
Saunders Hill	
Selham Close	
Selham Drive	
Standean Close	
Talbot Crescent	
The Byway	
The Charltons	
The Meads	
Twyford Road	
Waldron Avenue	
Walton Bank	
Woburn Place	
Wolseley Road	
Woodview Close	



## Part 2: Area D (Moulsecoomb)

Street Names	Specific Properties
Appledore Road	
Ashurst Road	
Barcombe Road	
Beech Grove	
Bevendean Crescent	
Birdham Road	
Bolney Road	
Broadfields	
Chailey Road	
Colbourne Avenue	
Egginton Close	
Egginton Road	
Friston Close	
Goodwood Way	
Halland Road	
Highbrook Close	
Highway Close	
Hillside	
Hodshrove Road	
Home Farm Road	
Lucraft Road	
Medmerry Hill	
Moulsecoomb Way	
Newick Road	
Nyetimber Hill	
Ringmer Close	
Ringmer Drive	
Ringmer Road	
Ryelands Drive	
Selba Drive	
Selsfield Drive	
Shortgate Road	
Staplefield Drive	
Stonecross Road	
Sullington Close	
The Crescent	
The Highway	69-114 inclusive only
Thorndean Road	
Westergate Road	
Wheatfield Way	
Widdicombe Way	
Wild Park Close	

**SCHEDULE 2**  
**Roads or parts of roads for Permit eligibility:**

**Part 1: Area B (Coldean)**

<b>Street Names</b>	<b>Specific Properties</b>
Arlington Crescent	
Ashburnham Close	
Ashburnham Drive	
Beatty Avenue	
Coldean Lane	From its junction with Lewes Road north-westwards to the prolongation of the northern kerb line of the northern arm of Hawkhurst Road only
Crawley Road	
Forest Road	
Haig Avenue	
Hawkhurst Road	
Highfields	
Ingham Drive	
Kenwards	
Middleton Rise	
Monk Close	
Nanson Road	
Park Close	
Park Road	
Reeves Hill	
Ridge View	
Roundway	
Rushlake Close	
Rushlake Road	
Rusper Road	
Saunders Hill	
Selham Close	
Selham Drive	
Standean Close	
Talbot Crescent	
The Byway	
The Charltons	
The Meads	
Twyford Road	
Waldron Avenue	
Walton Bank	
Woburn Place	
Wolseley Road	
Woodview Close	

## Part 2: Area D (Moulsecoomb)

Street Names	Specific Properties
Appledore Road	
Ashurst Road	
Barcombe Road	
Beech Grove	
Bevendean Crescent	
Birdham Road	
Bolney Road	
Broadfields	
Chailey Road	
Colbourne Avenue	
Eastergate Road	Including Fairway Trading Estate
Egginton Close	
Egginton Road	
Friston Close	
Goodwood Way	
Halland Road	
Highbrook Close	
Highway Close	
Hillside	
Hillside Way	
Hodshrove Lane	
Hodshrove Road	
Home Farm Road	Including Home Farm Business Centre
Lewes Road	From the boundary of 68/69 The Highway to the prolongation of the eastern kerb line of Coldean Lane only
Lucraft Road	
Medmerry Hill	
Moulsecoomb Way	Including Fairway Industrial Estate
Newick Road	
Nyetimber Hill	
Ringmer Close	
Ringmer Drive	
Ringmer Road	
Ryelands Drive	
Selba Drive	
Selsfield Drive	
Shortgate Road	
Staplefield Drive	
Stonecross Road	
Sullington Close	
The Crescent	
The Highway	69-114 inclusive only
Thorndean Road	
Westergate Road	Including Fairway Business Centre and Westergate Business Centre
Wheatfield Way	
Widdicombe Way	
Wild Park Close	

## SCHEDULE 3

### Permit and Other Charges

Permit Type	Charges		Item
Resident	Free	£10 for replacement permits and changes of vehicle	1
Business	Free		2
Carer	Free		3
School	Free		4
Resident Visitor (Transferable)	Free		5
Resident Visitor (1-Day)	£2.60 each		6
Suspension of Permit Parking Place (see note)			7
Daily charge during first 8 weeks	£40		8
Daily charge during subsequent periods	£20		9

**Note:**

Suspensions are charged at whichever daily rate applies for each 5.5 metres of Permit Parking Place

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

this 16<sup>th</sup> day of May 2013

**THE COMMON SEAL OF BRIGHTON & HOVE CITY  
COUNCIL** was affixed to this Order in the presence of



.....  
Authorised Officer

