

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

**BRIGHTON & HOVE VARIOUS CONTROLLED PARKING ZONES  
CONSOLIDATION ORDER 2008 AMENDMENT ORDER No.8 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 and Part IV of Schedule 9 to 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 following Order.

1. This Order comes into operation on the 2<sup>nd</sup> day of *September* 2013 and may be cited as the Brighton & Hove Various Controlled Parking Zones Consolidation Order 2008 Amendment Order No. 8 2013.

2. The provisions of the Brighton & Hove Various Controlled Parking Zones Consolidation Order 2008 are amended as follows:-

3. **PART I – GENERAL** is amended as follows:

In Article 3:

- 3.1 After the paragraph commencing "**Goods Vehicle**" insert a new paragraph as follows:

‘ "**Hand-held Device**" means a wireless hand-held computer which is programmed to interface with the Telephone Payment System;’

- 3.2 Delete the paragraph commencing "**Initial Charge**"

- 3.3 After the paragraph commencing "**School Permit**" insert a new paragraph as follows:

“**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;’

- 3.4 After the paragraph commencing "**Telecommunications Apparatus**" insert a new paragraph as follows:

“**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 and any additional Transaction

Fee 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;'

- 3.5 After the paragraph commencing **“Traffic Sign”** insert a new paragraph as follows:

**“Transaction Fee”** means a fee payable to the Service Provider in respect of a parking charge paid by means of the Telephone Payment System and indicated on a Traffic Sign or Ticket Machine associated with the Parking Place in which the vehicle for which the parking charge has been paid has been left.

4. **PART 5 – PAY & DISPLAY PARKING PLACES** is amended as follows:

- 4.1 Delete Article 4 and substitute the following:

“4. The Driver of a vehicle shall not permit it to wait in a Pay & Display Parking Place for longer than any maximum period permitted for waiting in that Parking Place as specified in Schedule 1 Parts 5 and 6 and upon leaving that Parking Place the vehicle shall not be returned to the same Parking Place before the elapse of any no return period specified in that Schedule and shown on the Traffic Sign subject to the provisions of Article 3 of this Part.”

- 4.2 Delete Article 5 and substitute “Not Used”

- 4.3 Delete Article 7 and substitute the following:

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- (1) A charge as referred to in Article 3 shall be payable on the leaving of a vehicle in a Pay & Display Parking Place by one of the following means as identified on the Ticket Machine and/or Traffic Sign associated with that Parking Place:
  - (a) the insertion of the appropriate coin or combination of coins accepted by that Ticket Machine for the amount of the parking charge for the parking period for which payment is being made;
  - (b) the insertion into that Ticket Machine 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
  - (c) the Telephone Payment System.

PROVIDED that additional payment(s) may be made by one of the means described for a further period or periods of parking subject to the total period of parking by that vehicle in that Parking Place not exceeding the maximum period permitted in accordance with Article 4.

- (2) If the sum of any coin or coins inserted into a Ticket Machine exceeds any of the exact amounts identified in Schedule 2 Part 2 and a Pay & Display Ticket has been issued by the machine then no change shall be given.
- (3) Upon payment of a charge by the means specified in either Article 7 (1) (a) or (b) a Pay & Display Ticket issued by the Ticket Machine shall be valid if and for so long as the following conditions are satisfied:
  - (a) the ticket is exhibited on the vehicle in the following manner throughout the period of parking paid for:
    - (i) in the case of a vehicle which is fitted with a transparent windscreen by either sticking the Pay & Display Ticket on the inside surface of the windscreen on the nearside facing forwards or by placing it on the dashboard on the nearside facing upwards so that in either case the expiry details are clearly visible and readable from the front or nearside of the vehicle; or
    - (ii) in the case of a vehicle which is not fitted with a transparent windscreen by affixing the Pay & Display Ticket securely on the dashboard on the nearside facing upwards so that the expiry details are clearly visible and readable from the front or nearside of the vehicle.
  - (b) the period paid for has not expired as indicated by the expiry date and time printed and displayed on the ticket and subject to the provisions of Article 4.
  - (c) the payment made is correct for the Tariff Type applicable to the Parking Place in which the vehicle has been left.
- (4) When payment has been made in accordance with Article 7 (1) (c) there shall be no requirement to display a Pay & Display Ticket and evidence of that the charge as referred to in Article 3 has been paid shall be provided by the appearance on a Hand-held Device of
  - (a) an indication that the correct payment according to the Tariff Type applicable to the Parking Place in which the vehicle has been left 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; and
  - (b) an indication that the parking period for which payment has been made has not expired."

4.4 Delete Article 9 and substitute the following:

- "9. In the case of either of the means of payment described in Articles 7 (1) (a) and (b) if at the time when a vehicle is left in a Pay & Display Parking Place during the Prescribed Hours the Ticket Machine nearest to that Parking Place is out of order payment should be made at another machine unless the machine carries a notice affixed by a person authorized by the Council indicating that the Driver shall be exempt from payment of the charge.."

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

this 8<sup>th</sup> day of August 2013

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

.....  
Authorised Officer

