

**BRIGHTON & HOVE
VARIOUS CONTROLLED PARKING ZONES
CONSOLIDATION ORDER 2008**

Brighton & Hove City Council (hereinafter referred to as "the Council"), in exercise of their powers under Sections 1, 2, 3, 4, 19, 32, 35, 35A, 44, 45, 46, 46A, 47, 49, 51, 53, 55, 61, 63, 63A, 66, 117 and 124 (1) (c) & (d) to the Road Traffic Regulation Act 1984 ("the Act") as amended and by Part 6 of the Traffic Management Act 2004 ("the 2004 Act") and of all other enabling powers hereby make the following Order :-

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PART I – GENERAL

1. This Order shall come into operation on the *15th* day of *December 2008* and may be cited as the "Brighton & Hove Various Controlled Parking Zones Consolidation Order 2008".
2.
 - (1) This Order is made for the purpose of a general scheme of control of the various restrictions in the roads identified in Schedule 1 to this Order for each of the Controlled Parking Zones referred to therein.
 - (2) This Order consolidates in whole or in part the Orders listed in Schedule 3 and for those parts only that the Council can enforce under the powers vested in it by the Traffic Management Act 2004, where there appears the definition of "Traffic Warden" or "Parking Attendant" it now means "Civil Enforcement Officer".

- I. In this Order, except where the context otherwise requires, the following expressions have the meanings assigned to them:-
- **“Administration Charge”** means a charge as set out in Schedule 2 Part I Items 7, 13 and 25;
 - **“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);
 - **“Bus”** means a Public Service Vehicle as described in the Public Passenger Vehicles Act 1981 as amended by the Transport Act 1985;
 - **“Bus Stand”** means a length of road indicated by Traffic Signs authorizing it to be used by Buses only operating a Local Service subject to the provisions of this Order;
 - **“Business”** means for the purposes of Part 4 of this Order any trade or profession conducted from premises wholly or principally used or adapted for use for those purposes within a CPZ 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 4 of this Order where the Council is satisfied that there is an essential need for a vehicle in the operation of that Business;
 - **“Car Club”** means a community car club or similar organisation (including any person or organisation acting on behalf of such club or organisation) approved in writing by the Council for the purposes of this order;
 - **“Car Club Parking Bay”** means an area within the limits of a Car Club Parking Place indicated by Traffic Signs authorizing it to be used for the leaving of an individual vehicle in accordance with the provisions of this Order;
 - **“Car Club Parking Place”** means a length of road indicated by Traffic Signs authorizing it to be used for the leaving of a vehicle in accordance with the provisions of this Order;
 - **“Car Club Permit”** means a Permit issued by the Council to a Car Club under the provisions of Part 4 of this Order;
 - **“Car Club Vehicle”** means a Motor Vehicle provided by a Car Club or by the Council for the use of persons who have paid any relevant membership or other car club fee and by means of a real-time or advance booking system may

have use of the vehicle for a specified period and which displays the Permit issued by the Council;

- **“Carer”** is a person who provides care on a non-professional basis to a resident whose normal place of abode is within a Controlled Parking Zone and who needs to be cared for by virtue of physical or mental infirmity or for antenatal or postnatal reasons;
- **“Carer’s Permit”** means a Permit issued by the Council to a Carer under the provisions of Part 4 of this Order;
- **“Carriageway”** means a way consisting of or comprised in a road being a way (other than a cycle track) over which the public have a right of way for the passage of vehicles and a surface suitable for the exercise of that right but excluding any Layby;
- **“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;
- **“Controlled Parking Zone”** or **“CPZ”** means an area identified in the Schedules to this Order by a unique letter or letters within which the streets are regulated by waiting loading and parking restrictions as described in this Order;
- **“Director of Environment”** means an officer appointed by the Council for the time being and shall include her authorized agent and representative and any successor of hers;
- **“Disabled Person’s Parking Bay”** means an area within the limits of a Disabled Person’s Parking Place indicated by Traffic Signs authorizing it to be used for the leaving of an individual vehicle in accordance with the provisions of this Order;
- **“Disabled Person’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 this Order;
- **“Disabled Person’s Badge”** has the same meaning as in the Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000;
- **“Disabled Person’s Parking Disc”** has the same meaning as in the Local Authorities’ Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000;
- **“Discounted Charge”** means a charge as set out in Schedule 2 Part 1 Items 4, 5 and 6 (inclusive);

- **“Dispensation”** means a permission in writing constrained by time issued by the Council at its discretion subject to the charge specified in Schedule 2 Part I for display in a vehicle permitting that vehicle to be left in a Restricted Road on yellow lines subject to the provisions of this Order;
- **“Doctor’s Parking Bay”** means an area within the limits of a Doctor’s Parking Place indicated by Traffic Signs authorizing it to be used for the leaving of an individual vehicle in accordance with the provisions of this Order;
- **“Doctor’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 this Order;
- **“Doctor’s Permit”** means a Permit issued by the Council to a Fully Registered Person under the provisions of Part 4 of this Order;
- **“Driver”** in relation to a vehicle waiting in a 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 Parking Place or Restricted Road;
- **“Driver and Vehicle Licensing Agency”** means the Executive Agency of the Department for Transport charged with facilitating road safety and general law enforcement by maintaining registers of drivers and vehicles and the collection of vehicle excise duty (car tax).
- **“Exclusive Pay & Display Parking Bay”** means an area within the limits of an Exclusive Pay & Display Parking Place indicated by Traffic Signs authorizing it to be used for the leaving of an individual vehicle in accordance with the provisions of this Order;
- **“Exclusive Pay & Display 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 this Order;
- **“Fire Service Vehicle”** means any vehicle used operationally by the Fire Service;
- **“Fully Registered Person”** means as defined by Section 55 of the Medical Act 1983 a fully registered medical practitioner or a visiting EU practitioner;
- **“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;
- **“Goods Vehicle”** means a vehicle constructed or adapted for use for the carriage of goods or burden of any description and not drawing a trailer;
- **“Hotel Guest Permits”** means a Permit or block of Permits issued by the Council to a Hotel for use by guests of that Hotel under the provisions of Part 4 of this Order;

- **“Hotel”** means for the purposes of Part 4 of this Order premises wholly or principally used or adapted for Hotel use such premises being listed in either a local or central non-domestic rating list;
- **“Initial Charge”** has the meaning assigned to it by Section 46(1) of the Act of 1984;
- **“Invalid Carriage”** for the purposes of this Order has the same meaning as in Section 136 of the Act of 1984;
- **“Layby”** means an area of Carriageway intended for the waiting of vehicles and indicated by the appropriate Traffic Signs;
- **“Licensed Taxi”** means in England and Wales a vehicle licensed under section 37 of the Town Police Clauses Act 1847;
- **“Local Service”** has the same meaning as in Section 2 of the Transport Act 1985;
- **“Low Emission Vehicle”** means a Motor Vehicle registered on or after 1st March 2001 which for the purposes of vehicle excise duty is recognised by the Driver and Vehicle Licensing Agency as qualifying for either tax Band A emitting up to 100g/km of CO₂ or tax Band B emitting between 101 to 120g/km of CO₂;
- **“Loading Bay”** means an area on a road indicated by Traffic Signs authorizing it to be used for the purposes of loading or unloading a vehicle;
- **“Motorcycle”** means a mechanically propelled vehicle with two wheels (not being an Invalid Carriage) without trailer or sidecar;
- **“Motorcycle Parking Place”** means a length of road indicated by Traffic Signs authorizing it to be used for the leaving of Motorcycles in accordance with the provisions of this Order;
- **“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 or in the case of a Car Club Vehicle 5.00 metres in overall length.
- **“Owner”** has the same meaning as in Section 92 of the Traffic Management Act 2004;
- **“Parking Bay”** means an area within the limits of a Parking Place indicated by Traffic Signs authorizing it to be used for the leaving of an individual vehicle in accordance with the provisions of this Order;

- **“Parking Place”** means a length of road indicated by Traffic Signs authorizing it to be used by vehicles in accordance with the provisions of this Order;
- **“Pay & Display Parking Bay”** means an area within the limits of an Exclusive Pay & Display Parking Place or a Shared Permit and Pay & Display Parking Place indicated by Traffic Signs authorizing it to be used for the leaving of an individual vehicle in accordance with the provisions of this Order;
- **“Pay & Display Parking Place”** means a length of road indicated by Traffic Signs authorizing it to be used as an Exclusive Pay & Display Parking Place or a Shared Permit and Pay & Display Parking Place for the leaving of vehicles in accordance with the provisions of this Order;
- **“Pay & Display Ticket”** means a ticket which allows a vehicle to be parked in a Pay & Display Parking Place upon payment of the appropriate charge as set out in Schedule 2 Part 2;
- **“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 any Parking Place where such a Permit is required 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 4 of this Order;
- **“Permit Parking Bay”** means an area within the limits of a Permit Parking Place indicated by Traffic Signs authorizing it to be used for the leaving of an individual vehicle in accordance with the provisions of this Order;
- **“Permit 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 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;

- **“Prescribed Hours”** means those days and hours specified in:
 - Schedule 1 Parts 1 to 3 (inclusive) for each of the Controlled Parking Zones referred to therein during which parking, waiting, stopping or loading/unloading is restricted in the Restricted Roads or parts thereof described therein subject to the provisions of this order and
 - Schedule 1 Parts 4 to 17 (inclusive) for each of the Controlled Parking Zones referred to therein during which vehicles or classes of vehicles may park, wait, stop or load/unload in the Parking Places described therein subject to the provisions of this Order;
- **“Professional Carer”** means a person who is employed professionally to provide medical or clinical care regularly away from their usual place of work to individuals in their homes;
- **“Professional Carer Badge”** means a badge issued by the Council to a Professional Carer under the provisions of Part 4 of this Order;
- **“Protective Cover”** means a transparent holder issued by the Council for the protection and display of a Permit under the provisions of Part 4 of this Order;
- **“Public Service Vehicle”** has the same meaning as in Section 1 of the Public Passenger Vehicles Act 1981;
- **“Public Telecommunications Operator”** has the same meaning as in Section 9 of the Telecommunications Act 1984;
- **“Registered local bus service”** has the same meaning as in section 2 of the Transport Act 1985;
- **“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 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;
- **“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 in column 2 of Schedule 1 Part 18 for the CPZ for which the Permit is required provided that:

- (a) 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.
- (b) no Resident’s Parking Permit can be obtained in respect of those premises and/or lengths of road identified as being excluded from eligibility in column 3 of Schedule 1 Part 18.

- **“Resident’s Permit”** means a Permit issued by the Council to a Resident under the provisions of Part 4 of this Order;
- **“Resident’s Visitor Permit(s)”** means a Permit or block of Permits issued to a Resident for use by visitors of that Resident under the provisions of Part 4 of this Order;
- **“Restricted Road”** means any road or part of a road specified in Schedule 1 Parts 1 to 3 (inclusive) for each of the Controlled Parking Zones referred to therein in which parking, waiting, stopping or loading/unloading is restricted by reference to time and/or place and/or day in accordance with the provisions of this Order;

PROVIDED that the expression “Restricted Road” shall not for the purposes of Part 2 of this Order include any part of a highway designated or authorized to be used as a Parking Place by any Order for the time being in force in respect of a Restricted Road;

- **“School Permit”** means a Permit issued by the Council to a school under the provisions of Part 4 of this Order;
- **“Shared Permit or Pay & Display Parking Bay”** means an area within the limits of a Shared Permit or Pay & Display Parking Place indicated by Traffic Signs authorizing it to be used for the leaving of an individual vehicle in accordance with the provisions of this Order;
- **“Shared Permit or Pay & Display 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 this Order;
- **“Tariff Type”** means the category of charge level (Low, Medium or High) for Pay & Display Parking Places described in Schedule 1 Parts 5 and 6 for each of the Controlled Parking Zones referred to therein and as specified in Schedule 2 Part 2;
- **“Telecommunications Apparatus”** has the same meaning as in the Telecommunications Act 1984 Schedule 2;
- **“Ticket Machine”** means an apparatus of a type and design approved by the Secretary of State for the Environment being apparatus designed to indicate the time by a clock and to issue numbered Parking Tickets indicating that a charge has been paid and showing the date and time of their validity;

- **“Trader”** means any tradesperson or business engaged in work that requires the use of a vehicle for the carrying of tools goods or materials to a number of different places of work within the Controlled Parking Zones during each working day;
- **“Trader’s Permit”** means a Permit issued by the Council to a Trader under the provisions of Part 4 of this Order;
- **“Traffic Sign”** has the same meaning as in Section 64 (1) of the Act;
- **“Undertaker”** has the same meaning as in Section 48 (4) of the New Roads and Street Works Act 1991;
- **“Vehicle Excise Duty”** has the same meaning as in Section 1 of the Vehicle Excise and Registration Act 1994;
- **“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;
- **“Waiver”** means a permission in writing issued by the Council at its discretion subject to the charge specified in Schedule 2 Part 1 for display in a vehicle permitting that vehicle to park in a specified Restricted Road or part of a Restricted Road on yellow lines.

2.

- (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) Any reference in this Order to a numbered Part of Schedule 1 shall be taken as a reference to that same numbered Part that appears in any or all of the Controlled Parking Zones identified in that Schedule unless specified otherwise.
- (4) 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.

3. Nothing in this Order unless otherwise specified shall apply to a Pedal Cycle.

4. Motorcycles may not be left in any Parking Place described in this Order unless otherwise specified.

5. Neither the Council nor its authorized 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.

PART 2 - WAITING OF VEHICLES

1. Subject to the provisions of Article 2 of this Part 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 to park, stop or wait in any Restricted Road during the Prescribed Hours.
2. Nothing in Article 1 of this Part shall prevent any person from using causing or permitting a vehicle to park, stop or wait in a Restricted Road during the Prescribed Hours;
 - (1) to enable a person or persons to board or alight from the vehicle provided that the vehicle cannot reasonably be used for the same purpose in any other road.
 - (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 (if it cannot reasonably be used for the same purpose in any other road) 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 any Restricted Road, or the laying, erection, alteration or repair in or adjacent to any Restricted Road **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 and that vehicle cannot reasonably be used for the same purpose in any other road.
 - (6) if the vehicle is a Licensed Taxi waiting upon any duly authorized stand and is available for hire.

- (7) 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.
- (8) 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 provided that the vehicle cannot reasonably be used for such purpose in any other road and for as long as may be necessary in conjunction with these purposes.
- (9) to enable the vehicle to take in petrol oil water or air from any garage situated on or adjacent to any Restricted Road.
- (10) if goods are sold from the vehicle by a person licensed by the Council to sell goods from a stationary pitch situated in that Restricted Road.
- (11) if the vehicle is displaying a Disabled Person's Badge and a Disabled Person's Parking Disc (on which the badge holder or other person in charge of the vehicle has indicated the time at which the period of waiting began) in the Relevant Positions and is waiting for a period not exceeding three hours (not being a period separated by an interval of less than one hour from a previous period of waiting by the same vehicle in such Restricted Road).

PROVIDED that the badge is being used in accordance with the provisions of the Blue Badge Scheme.

- (12) if the vehicle is displaying a Dispensation issued for that vehicle and is left for a period not exceeding 20 minutes or such other period specified by the Council on the Dispensation and is being used for a purpose for which the Dispensation was issued.
- (13) if the vehicle is displaying a Waiver issued for that vehicle and is left at a location and during a day and time period agreed by the Council and is being used for a purpose for which the Waiver was issued.
- (14) if the vehicle is displaying a Professional Carer's Badge and has been left in such a place for no longer than one hour or such other period authorized by the Council and because no suitable Parking Place was available and if the vehicle is being used for a purpose for which the Professional Carer's Badge was issued.
- (15) if the vehicle is being used in connection with the posting or removing of advertising material in the form of posters on or from, or the cleaning of windows or chimneys in, premises adjacent to that road and cannot reasonably be used for such purposes in any other road.

PROVIDED that:

- (i) in the case of Article 2 (12) and (13) a Dispensation or Waiver must be displayed in the front of the vehicle either on the inside of the windscreen or on the dashboard or fascia so that the details printed or written thereon on the front side are clearly visible and can be read in their entirety from the outside of the vehicle from the front or nearside.
 - (ii) in the case of Article 2 (14) a Professional Carer's Badge must be displayed in accordance with the provisions of Part 4.1 Article 8 (ii).
 - (iii) any vehicle left in accordance with the provisions of Article 2 of this Part is left in a position that does not cause an obstruction or danger to others and that the Driver shall move the vehicle on the instructions of a Civil Enforcement Officer Police Constable in uniform or person authorized by the Council whenever such moving may be reasonably necessary for the purpose of preventing obstruction or danger.
 - (iv) no vehicle except in the case of Article 2 (4) (5) and (7) of this Part shall wait in any part of a Restricted Road specified in Schedule I Parts 2 and 3 for each of the Controlled Parking Zones referred to therein during the Prescribed Hours for any purpose unless notice is given 48 hours in advance to the Council and a Waiver has been issued in accordance with Article 2 (13) of this Part.
3. In the case of Schedule I Parts 1.1 for George Street in Controlled Parking Zone N and New Road in Controlled Parking Zone Z the Secretary of State for Transport in exercise of his powers under Sections 64 and 65 of the Act has authorized and directed that only traffic signs and not road markings are to be used to identify the restrictions referred to therein.

PART 3 – PARKING PLACES

- I. Each length of road identified in Schedule I to which any of Parts 4 to 17 (inclusive) of that Schedule apply is hereby authorized to be used as a Parking Place during the Prescribed Hours for vehicles or classes of vehicles as set out below and any reference herein to a numbered Part of that Schedule shall be taken as a reference to that same numbered Part that appears in any or all of the Controlled Parking Zones identified in that Schedule.
 - (1) Permit Parking Places (Schedule I Part 4) for use by vehicles displaying a valid Resident's, Business, Carer's, Trader's, School, Resident's Visitor or Hotel Guest Permit or a Professional Carer's Badge only in accordance with Part 4 of this Order.

- (2) Shared Permit or Pay & Display Parking Places (Schedule I Part 5) for use by vehicles in accordance with Parts 4 and 5 of this Order.
- (3) Exclusive Pay & Display Parking Places (Schedule I Part 6) for use by vehicles in accordance with Part 5 of this Order.
- (4) Doctor's Parking Places (Schedule I Part 7) for use by vehicles displaying a valid Doctor's Permit only in accordance with Part 4 of this Order.
- (5) Car Club Parking Places (Schedule I Part 8) for use by vehicles displaying a valid Car Club Permit only in accordance with Part 4 of this Order.
- (6) Disabled Badge Holder's Parking Places:
 - (a) Schedule I Parts 9.1 and 9.2 for use by vehicles displaying a valid Disabled Person's Badge only.
 - (b) Schedule I Parts 9.3 (George Street, Hove) and 9.4 for use by vehicles displaying a valid Disabled Person's Badge and a Disabled Person's Parking Disc (on which the badge holder or other person in charge of the vehicle has marked the time at which the period of waiting began) and if the vehicle is waiting for a period not exceeding 3 hours (not being a period separated by an interval of less than one hour from a previous period of waiting by the same vehicle in the same length of road).

PROVIDED that the Disabled Person's Badge and additionally in the case of Schedule I Parts 9.3 and 9.4 the Disabled Person's Parking Disc is being displayed in the Relevant Position and is being used in accordance with the provisions of the Blue Badge Scheme.

- (7) Limited Waiting Parking Places:
 - (a) Schedule I Part 10.1 for use by vehicles waiting for no longer than 2 hours only with no return allowed before the expiration of 1 hour from the time that the same vehicle has been moved from such a Parking Place.
 - (b) Schedule I Part 10.2 (George Street, Hove) for use by vehicles waiting for no longer than 1 hour only with no return allowed before the expiration of 1 hour from the time that the same vehicle has been moved from such a Parking Place.
- (8) Motorcycle Parking Places (Schedule I Part 11) for use by Motorcycles only.
- (9) Loading Bays:

- (a) Schedule I Parts 12.1 to 12.8 inclusive for use by vehicles for the purpose of delivering or collecting Goods including loading or unloading the vehicle only.
 - (b) Schedule I Part 12.9 (George Street, Hove) for use by vehicles for the purpose of delivering or collecting Goods including loading or unloading the vehicle and waiting for no longer than 1 hour only with no return allowed before the expiration of 1 hour from the time that the same vehicle has been moved from such a Parking Place.
- (10) Taxi Ranks (Schedule I Part 13.1) for use by Licensed Taxis which are available for hire only.
 - (11) Taxi Rank and Loading Bay (Schedule I Part 13.2) for use by Licensed Taxis which are available for hire or vehicles being used for delivering or collecting Goods including loading or unloading the vehicle only.
 - (12) Ambulance Parking Bays (Schedule I Part 14) for use by Ambulances only.
 - (13) Police Parking Bays (Schedule I Part 15) for use by Police Vehicles only.
 - (14) Public Service Vehicle Parking Bays (Schedule I Part 16) for use by Public Service Vehicles only.
 - (15) Bus Stands (Schedule I Part 17) for use by Buses only with waiting limited to 20 minutes and no return allowed before the expiration of 1 hour from the time of leaving that Bus Stand.
2. The limits of each Parking Place shall be indicated by Traffic Signs and any vehicle standing in a Parking Place shall stand wholly within the marked limits.

PROVIDED that in the case of Schedule I Parts 9.3, 10.2 and 12.9 for George Street in Controlled Parking Zone N and Part 9.1 for New Road in Controlled Parking Zone Z the Secretary of State for Transport in exercise of his powers under Sections 64 and 65 of the Act has authorized and directed that only traffic signs and not road markings are to be used to identify the various restrictions referred to therein.

3. Without prejudice to the foregoing provisions of this Part any vehicle may wait in a Parking Place during the Prescribed Hours other than a 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 if:
- (1) in the case of Permit Parking Places, Pay & Display Parking Places and Limited Waiting Parking Places only the vehicle is being used for any purpose or eventuality specified in Part 2 Article 2 (1) (4) (5) (7) and (8) of this Order which said Articles shall be construed as if "Parking Place" was substituted for "Restricted Road" wherever the latter expression occurs or

- (2) in the case of all other Parking Places described in Article 1 of this Part the vehicle is being used for any purpose or eventuality specified in Part 2 Article 2 (4) (5) and (7) of this Order which said Articles shall be construed as if “Parking Place” was substituted for “Restricted Road” wherever the latter expression occurs.
4. 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 any of the Parking Places specified in this Part.
5. A Driver of a vehicle shall not use a 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) when for preventing obstruction of the streets the Council shall by order made on the occasion of any public procession rejoicing or illumination or when the streets are thronged or liable to be obstructed have closed all or any of such Parking Places and exhibited notice of such closing on or near such Parking Places.
 - (3) where under the provisions of Part 6 of this Order the Parking Place has been suspended.
6. The Driver of a vehicle using a Parking Place shall stop the engine as soon as the vehicle is in position in the Parking Place and shall not start the engine except when about to change the position of the vehicle in or to depart from the Parking Place.
7. No person shall use any vehicle while it is in a Parking Place or any part thereof without the written consent from the Director of Environment 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 Parking Place or for the purpose of any exhibition and no vehicle shall be advertised for sale while it is standing in a Parking Place.

PROVIDED that nothing in this Article shall:

- (i) 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 or
 - (ii) prevent the use of a Parking Place described in Article 1 (10) or (11) of this Part by a Licensed Taxi available for hire.
8. Where a vehicle having been left in a Parking Place remains there at the beginning of the Prescribed Hours either on the same day or on any subsequent day then the vehicle shall be treated for the purposes of this Part as if it had arrived in the Parking Place at the beginning of those hours.

9. The provisions of this Part shall apply to any Parking Bay as if it were a Parking Place unless specified otherwise.
10. Any person who wilfully or carelessly damages in any way or interferes with the fabric or structure or equipment of a Parking Place or Ticket Machine shall be in contravention of this Order and shall be liable for the cost of repair of the damage.

PART 4 – PARKING PERMITS

PART 4.1 – General

1. The provisions of this Part apply to all Permits referred to herein including replacement Permits unless otherwise specified.
2. For the purposes of this Part any reference to a Permit shall include reference to a Professional Carer's Badge except where a particular type of Permit is referred to expressly or unless specified otherwise.

Application and Issue

3. 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 set out in Schedule 2 Part 1.

PROVIDED that:

- (i) each type of Permit described in Part 4 of this Order shall only be issued for the Controlled Parking Zone or Zones where such Permits are authorized as identified in Schedule 2 Part 1.
 - (ii) in the case of Doctor's Permits the charge will be made for each Doctor's Permit Parking Bay and not for each permit issued for use in that bay.
 - (iii) if the application for a Resident Parking Permit is in respect of a Low Emission Vehicle then a Discounted Charge shall be paid as set out in Schedule 2 Part 1.
 - (iv) the holder of a Disabled Person's Badge who applies for a Resident Parking Permit shall pay an Administration Charge only as set out in Schedule 2 Part 1.
 - (v) in the case of a Business Permit the charge shall be paid by the Business and not an employee of that Business.
4. The Council may at any time in addition to the evidence required by the application form and that identified in Part 4.2 of this Order in respect of all different 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.

5. 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 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 the vehicle to which such Permit relates during the Prescribed Hours in such Parking Place or Places as is permitted by the particular Permit.

PROVIDED that:

- (i) in the case of Resident's Visitor Permits and Hotel Guest Parking Permits the number of permits to be issued to any applicant is regulated in accordance with Part 4.2 Articles 27 and 31 (2) of this Order respectively.
 - (ii) a Protective Cover is not issued in respect of Resident's Visitor Permits or Hotel Guest Permits.
 - (iii) the provisions of this Article shall apply to any application for the renewal of a Resident, Business, Doctor, Car Club, Trader, Carer, School Permit or Professional Carer's Badge save that a further Protective Cover will not be issued unless requested.
6. 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 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's Visitor Permits or Hotel Guest Permits for which no replacement Permits shall be issued.

Permit Particulars

7. 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 14 of this Part the Permit shall remain valid.
 - (3) the type of Permit and indication that it has been issued by the Council.
 - (4) details of the CPZ or Parking Place for which the Permit applies.

PROVIDED that:

- (i) for School Permits, Doctor's Permits and Professional Carer's Badges Article 7 (1) of this Part shall not apply.
- (ii) for Professional Carer's Badges and Trader's Permits Article 7 (4) of this Part shall not apply.
- (iii) for Resident's Visitor Permits Article 7 (1) of this Part 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.
- (iv) for Resident's Visitor Permits additional particulars being the day of the week the date and the month for which the Permit is to be used 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.
- (v) for Hotel Guest Permits Article 7 (1) of this Part 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 and also the name of the Hotel shall be written by the Hotel or Hotel guest or a person authorized in that behalf by the guest in permanent ink in the sections marked and provided for those purposes.
- (vi) for Hotel Guest Permits additional particulars being the day of the week the date the month and the year for which the Permit is to be used shall be revealed by the Hotel or Hotel guest or a person authorized in that behalf by the guest by scratching out one panel only for each of those particulars in each of the sections marked and provided for that purpose.
- (vii) for Hotel Guest Permits for CPZ "C" additional particulars being the next nearest hour after the time that the vehicle is first parked shall be revealed by the Hotel or Hotel guest or a person authorized in that behalf by the guest by scratching out one panel only to show that hour in the section marked and provided for that purpose.

Display of Permit

8. At all times during which a vehicle is left in a Parking Place where a Permit is required to be displayed during the Prescribed Hours 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 that Parking Place so that all of the particulars referred to in Article 7 of this Part 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's Visitor and Hotel Guest 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 7 of this Part are visible and can be read in their entirety from the outside of the vehicle either from the front or nearside.
- (ii) in the case of a Professional Carer's Badge the badge may be displayed as referred to herein or alternatively suspended from the Driver's rear view mirror in a plastic holder provided by the Council for that purpose provided that the particulars referred to in Article 7 of this Part 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 7 of this Part 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 7 of this Part are visible and can be read in their entirety from the outside of the vehicle either from the front or nearside.

9.

- (1) Where a Permit has been displayed on a vehicle in accordance with the provisions of Article 8 of this Part 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 8 of this Part or its details are illegible because of one or more of the events described in Article 10 of this Part then in such circumstances there shall be a contravention of this Order.

10. 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.

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's Visitor Permits or Hotel Guest Permits for which no replacement Permits shall be issued.

Dishonoured Cheques

11. Where a Permit is issued pursuant to Article 5 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:

- (i) 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.
- (ii) in the case of a dishonoured cheque received under the provisions of Article 3 (ii) of this Part all Permits issued for the same Parking Bay shall also cease to be valid subject to the provisions of this Article.

Surrender and Withdrawal of Permits

12. 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 events set out in Article 14 of this Part.

13. Where a charge has been paid for a Permit which is being surrendered under the provisions of the preceding Article the Permit Holder shall be entitled to a refund subject to the provisions of Articles 18 and 19 of this Part.

14. The events referred to in Article 12 of this Part are:

- (1) the address for the Permit Holder is no longer within the CPZ 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 vehicle in respect of which the Permit was issued was not of the class specified under the heading relating to that type of Permit in Part 4.2 of this Order or was adapted or used in such a manner that it is not a vehicle of the class so described.

- (5) the revocation of the designation of the Parking Place(s) to which the Permit relates.
 - (6) the Permit Holder ceases to carry out the duties or functions for which the Permit was issued.
 - (7) the issue of a replacement Permit by the Council under the provisions of Article 10 of this Part.
15. The Council may at its absolute discretion should any of the events in Article 14 of this Part occur withdraw the Permit by sending a notice in writing to the Permit Holder by the recorded delivery service 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.
16. 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 7 of this Order.
17. Notwithstanding the provisions of Articles 15 and 16 of this Part a Permit shall be deemed to be invalid on the occurrence of any of the events referred to in Article 14 of this Part 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 7 of this Order.

Refund of Charges

18. A Permit Holder who surrenders their Permit to the Council at any time or in respect of any of the events described in Article 14 of this Part with the exception of Article 14 (7) shall be entitled to a refund of part of the charge paid in connection with the issue thereof.

PROVIDED that :

- (i) no refund will be made in respect of Resident's Visitor Permits except when unexpired Permits are surrendered in accordance with Article 14 (1) of this Part.
 - (ii) no refund will be made in respect of Hotel Guest Permits except when unexpired Permits are surrendered in the event of the Hotel ceasing to operate in the CPZ for which the Permits were issued.
 - (iii) no refund is available if an Administration Charge only has been paid for a Permit.
19. The part of the charge which is refundable under the provisions of the preceding Article shall be the amount paid for any complete months of the period specified on the Permit which remain unexpired at the time when the Permit is surrendered to the Council calculated on a monthly pro rata basis and rounded

up to the nearest whole pound or in the case of Resident's Visitor Permits and Hotel Guest Permits the refundable amount shall be the charge paid for the Permits.

PART 4.2 – Types of Permit

1. The provisions of Part 4.1 of this Order apply to each type of Permit described in this Part in addition to the provisions described herein unless specified otherwise and any reference herein to a numbered Part of Schedule I shall be taken as a reference to that same numbered Part that appears in any or all of the Controlled Parking Zones identified in that Schedule.

Resident's Parking Permits

2. Any applicant for a Resident's Parking Permit shall produce:
 - (1) such evidence as may be required by the Council to satisfy itself that the applicant is a Resident and that the vehicle for which the application is made falls within the definition of Motor Vehicle used in this Order.
 - (2) the Vehicle Registration Certificate for the Motor Vehicle to show that it is registered in the name of the applicant and at the place of residence within the CPZ for which the Permit is required.

PROVIDED that a Resident who keeps and uses a Motor 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. No Permit shall be issued if the applicant has off-street parking facilities available or allocated for the vehicle at the place of residence or elsewhere within the CPZ for which the Permit has been applied for.
4. No Resident shall be allowed a Permit if a Permit has already been issued to that Resident and remains valid.
5. The total number of Resident's Parking Permits issued will be limited and in the event of excess demand there can be no guarantee that a Permit will be issued to more than 1 person residing at any single postal address or that the renewal of an existing Permit will be allowed when a Permit issued to another person residing at that same address remains valid. The Council will exercise its' discretion but cannot guarantee that every applicant will be issued with a Permit or that a Permit will be available immediately.
6. The issue and display of a valid Resident's Parking Permit allows the Permit Holder to park the Motor Vehicle during the Prescribed Hours in a Permit Parking Place or a Shared Permit or Pay & Display Parking Place in the CPZ for which the Permit was issued identified in Schedule I Parts 4 and 5.

Temporary Resident's Parking Permit

7. Any Resident who has a valid Resident's Parking Permit may apply on up to two occasions during the same period that the Resident's Parking Permit is valid (or if the Resident's Parking Permit is purchased quarterly once during any quarterly period subject to a maximum of 2 applications in any 12 month period) for a Temporary Resident's Parking Permit to park a different Motor Vehicle in the same CPZ while the other Motor Vehicle is not available for use by the Resident.
8. The provisions of Articles 2 (1), 3 and 6 of this Part shall apply to a Temporary Resident's Parking Permit as if it were a Resident's Parking Permit.

Business Parking Permits

9. Any applicant for a Business Parking Permit shall produce such evidence as may be required by the Council to satisfy itself that:
 - (1) the application is being made on behalf of a Business which operates from premises situated within the CPZ for which the Permit is being applied for provided that such Permits are authorized within that CPZ as identified in Schedule 2 Part 1.
 - (2) the vehicle for which the application is made falls within the definition of Motor Vehicle used in this Order and that it will be used frequently for purposes that the Council considers to be necessary for the essential operation of the Business.
10. No Permit shall be issued if the applicant has off-street parking facilities available or allocated for the vehicle at the premises of the Business or elsewhere within the CPZ for which the Permit has been applied for.
11. No Business shall be allowed more than two Business Permits for any single premises of that Business within a CPZ.
12. The total number of Business Permits issued shall be limited and in the event of excess demand there can be no guarantee that every applicant will be issued with a Permit or that a Permit will be available immediately.
13. The issue and display of a valid Business Permit allows the Permit Holder to park the Motor Vehicle during the Prescribed Hours in a Permit Parking Place or a Shared Permit or Pay & Display Parking Place in the CPZ for which the Permit was issued as identified in Schedule 1 Parts 4 and 5 provided that the vehicle is being used for a purpose for which the Permit was issued.

Doctor's Parking Permits

14. Any applicant for a Doctor's Permit shall produce such evidence as may be required by the Council to satisfy itself that:

- (1) the applicant is a Fully Registered Person at a surgery or consulting room the address of which is in a CPZ and for which a Doctor's Parking Bay or Bays has or have been designated as identified in Schedule I Part 7.
- (2) the applicant may be liable to be called of necessity to emergencies away from the surgery or consulting room to the extent that the need for special parking arrangements is justified.
- (3) the vehicle for which the Permit is required is registered to or used by a Fully Registered Person.

15. The issue and display of a valid Doctor's Parking Permit allows the Permit Holder to park the vehicle during the Prescribed Hours in a Doctor's Parking Bay designated for the surgery or consulting rooms for which the Permit was issued as identified in Schedule I Part 7.

Car Club Permit

16. Any applicant for a Car Club Permit shall produce such evidence as may be required by the Council to satisfy itself that:

- (1) the applicant is a Car Club recognised by the Council.
- (2) the vehicle falls within the definition of Car Club Vehicle used in this Order.

17. The issue and display of a valid Car Club Permit allows the Car Club Vehicle for which the Permit has been issued to be parked at all times in a Car Club Parking Bay for which the Council has designated its' use by that Car Club as identified in Schedule I Part 8.

Carer's Permits

18. Any applicant for a Carer's 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/are Resident within the CPZ for which the Permit is being applied for.
- (2) the vehicle is to be used by the Carer in that capacity and falls within the definition of Motor Vehicle used in this Order.

19. The issue and display of a valid Carer's Permit allows the Permit Holder to park the Motor Vehicle during the Prescribed Hours in a Permit Parking Place or a Shared Permit or Pay & Display Parking Place in the CPZ for which the Permit was issued as identified in Schedule I Parts 4 and 5 provided that the vehicle is being used for a purpose for which the Permit was issued.

Trader's Permits

20. Any applicant for a Trader's Permit shall produce such evidence as may be required by the Council to satisfy itself that the applicant is a Trader and that the

vehicle for which the application is made will be used for purposes essential to their trade or business.

21. The total number of Trader's Permits available will be limited and in the event of excess demand there can be no guarantee that every applicant will be issued with a Permit or that more than one Permit shall be allowed per Trader or that a Permit will be available immediately.
22. The issue and display of a valid Trader's Permit allows the Permit Holder to park the vehicle during the Prescribed Hours in a Permit Parking Place until 4pm or in a Pay & Display Parking Place as identified in Schedule 1 Parts 4, 5 and 6 respectively provided that the vehicle is being used for a purpose for which the Permit was issued.

School Permits

23. Any applicant for School Permits 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 CPZ for which the Permits are being applied for.
 - (2) the Permits are 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.
24. No Permit shall be issued if the school has off-street parking facilities available or allocated for the use of its teaching staff at the school premises or elsewhere within the CPZ for which the Permit has been applied for.
25. 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 Motor Vehicle during the Prescribed Hours in a Permit Parking Place or a Shared Permit or Pay & Display Parking Place in the CPZ for which the Permit was issued as identified in Schedule 1 Parts 4 and 5.

Resident's Visitor Permits

26. Any applicant for a Resident's Visitor Permit shall produce such evidence as may be required by the Council to satisfy itself that the applicant is a Resident of the CPZ for which the Permit(s) is/are being applied for.
27. A Resident shall be entitled to not more than 50 Resident's Visitor Permits in any 12 month period commencing from the date of issue of the first Resident's Visitor Permit to that Resident or 25 Resident's Visitor Permits if the Resident resides in CPZ "Y" or "Z".

PROVIDED that the Director of Environment 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.

28. A Resident's Visitor Permit shall be valid for the day and date only upon which the Permit is used.
29. Resident's Visitor Permits may not be resold by a Resident and any Resident found to have done so may at the Council's absolute discretion lose any further entitlement arising under Article 27 of this Part.
30. The issue and display of a valid Resident's Visitor Permit allows the Permit Holder or a person visiting that Permit Holder to park a vehicle during the Prescribed Hours in a Permit Parking Place or a Shared Permit or Pay & Display Parking Place in the CPZ for which the Permit was issued as identified in Schedule 1 Parts 4 and 5.

Hotel Guest Permits

31. Any applicant for Hotel Guest Permits shall produce such evidence as may be required by the Council to satisfy itself that:
 - (1) the application is being made on behalf of a Hotel that is situated in a CPZ within which such Permits are authorized as identified in Schedule 2 Part 1.
 - (2) the number of Permits issued shall not exceed the number of guest rooms minus the number of off-street parking places provided by the Hotel and the number of annual Residents Permits held by the owner plus one and then multiplied by the number of days the scheme operates within any 12 month period from the date of issue of the first Hotel Guest Permit.
32. A Hotel Guest Permit shall be valid in the case of CPZ "C" for 24 hours from the first hour for which the Permit is used and in the case of CPZ "N" for the day and date only for which the Permit is used expiring at midnight on that day.
33. The issue and display of a valid Hotel Guest Permit allows the hotel guest to park a vehicle during the Prescribed Hours in a Permit Parking Place or a Shared Permit or Pay & Display Parking Place in the CPZ for which the Permit was issued as identified in Schedule 1 Parts 4 and 5.

Professional Carer's Badge

34. Any Professional Carer or organisation employing Professional Carer's may apply for a Professional Carer's Badge and shall produce such evidence in support of the application as may be reasonably required by the Council to verify any particulars or information given.
35. The issue and display of a Professional Carer's Badge allows the Professional Carer to park a vehicle during the Prescribed Hours in a Permit Parking Place or

a Pay & Display Parking Place identified in Schedule I Parts 4, 5 and 6 (inclusive) for up to one hour or such other period authorized by the Council or, if there is no such place available, in a Restricted Road (on yellow lines) identified in Schedule I Part 1 for up to one hour or such other period authorized by the Council provided that it is not left in a position that causes an obstruction or danger to others.

PROVIDED that the vehicle is being used for a purpose for which the badge was issued.

PART 5 – PAY & DISPLAY PARKING PLACES

1. Each length of road identified in Schedule I Parts 5 and 6 is hereby authorized to be used as a Pay & Display Parking Place during the Prescribed Hours for vehicles and or classes of vehicles as described herein and any reference herein to a numbered Part of that Schedule shall be taken as a reference to that same numbered Part that appears in any or all of the Controlled Parking Zones identified in that Schedule.
2. The provisions of Part 3 of this Order apply to this Part and any contravention thereof shall be deemed to be a contravention under this Part and where in Part 3 the words “Parking Place” appear the words “Pay & Display Parking Place” shall be substituted.
3. Each Pay & Display Parking Place identified in Schedule I Parts 5 and 6 may be used subject to the provisions of this Part by vehicles during the Prescribed Hours on payment of such charges as are specified in Schedule 2 Part 2 provided that:
 - (1) those vehicles that display a valid Resident’s, Business, Carer’s, Residents’ Visitor, Hotel Guest or School Permit may be left with exemption from payment of the charges and any limits on time in any of the Parking Places which are in the CPZ for which the Permit has been issued and specified in Schedule I Part 5 only.
 - (2) those vehicles that display a valid Trader’s Permit may be left in any of the Parking Places specified in Schedule I Parts 5 and 6 with exemption from payment of the charges and any limits on time provided that the vehicle is being used for the purposes for which the Permit has been issued.
 - (3) those vehicles that display in the Relevant Position a valid Disabled Person’s Badge may be left in any of the Parking Places specified in Schedule I Parts 5 and 6 with exemption from payment of the charges and any limits on time provided that the badge is being used in accordance with the provisions of the Blue Badge Scheme.

- (4) those vehicles that display a valid Professional Carer's Badge may be left in any of the Parking Places specified in Schedule I Parts 5 and 6 with exemption from payment of the charges for a maximum period of one hour or such other period authorized by the Council provided that the vehicle is being used for the purposes for which the badge has been issued.
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 I Parts 5 and 6 and after a period of waiting shall not return the vehicle 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.
5. No person shall insert in a Ticket Machine relating to the Parking Place in which the vehicle is left any additional coin or coins or make additional payment by any other means identified on the machine after payment of the Initial Charge paid in respect of that vehicle.
6. Any person who wilfully avoids or seeks to avoid or assists in avoiding the payment of a parking charge at a Pay & Display Parking Place shall be in contravention of this Order.
7.
 - (1) The charge referred to in Article 3 of this Part shall be payable on the leaving of the vehicle in the Parking Place by the insertion of an appropriate coin or coins into the Ticket Machine provided for the purpose or by such other means as are identified on the Ticket Machine.
 - (2) No change shall be given if any sum is inserted into a Ticket Machine in addition to the Initial Charge referred to in the preceding part of this Article.
 - (3) Any Pay & Display Ticket issued on payment of the charge referred to in the preceding parts of this Article shall be valid for a Pay & Display Parking Place if and 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 sticking the Pay & Display Ticket on the inside surface of the windscreen on the nearside facing forwards so that 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 front of the vehicle on the nearside facing

forwards so that the expiry details are clearly visible and readable from the front or nearside of the vehicle.

- (b) the period paid for by the Initial Charge has not expired as indicated by the expiry date and time printed and displayed on the ticket.
 - (c) the payment made for the Initial Charge is correct for the Tariff Type applicable to the Parking Place in which the vehicle has been left.
8. When a Pay & Display ticket has been exhibited on a vehicle in accordance with the provisions of Article 7 (3) of this Part no person not being the Driver of the vehicle shall remove the ticket or tickets from the vehicle unless authorized to do so by the Driver.
9. 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.
10. The provisions of this Part shall apply to any Parking Bay as if it were a Parking Place unless specified otherwise.

PART 6 – SUSPENSIONS

- I. Any person authorized by the Council may temporarily suspend for as long as may be necessary the use of any 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 Parking Place.
 - (5) for the purposes of any emergency building operation demolition or excavation works in or adjacent to the 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 Parking Place or for any general building operation, wedding, funeral or other activity connected with premises adjacent to the Parking Place upon application and at the discretion of the Council.
2. Upon receipt of any request to suspend the use of any 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 is set out in Schedule 2 Part 1.
3. Any person suspending the use of a Parking Place or any part thereof in accordance with the preceding Articles of this Part shall where appropriate:
 - (1) place or cause to be placed over the Ticket Machines within that Parking Place or part thereof hoods or other covers indicating that the use of the Parking Place or part thereof is suspended and that waiting vehicles are prohibited and/or
 - (2) place or cause to be placed in or as close as possible to that 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 hoods or covers or a Traffic Sign indicating the suspension of a Parking Place or any part thereof have been left in accordance with the provisions of Article 3 of this Part no person except a Civil Enforcement Officer Police Constable in uniform or a person authorized by the Council shall remove those hoods covers or sign.
5. No person shall at any time whether or not within the Prescribed Hours cause or permit a vehicle to be left in any Parking Place or part of a 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 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) of this Part with the consent of a Police Constable in uniform.

6. A Police Constable in uniform may suspend a 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 Parking Place or part thereof if the vehicle is being used for emergency purposes.
8. The provisions of this Part shall apply to any Parking Bay as if it were a Parking Place.

PART 7 – CONTRAVENTIONS

Penalty Charge Notices

1. If a vehicle is left in any Restricted Road or Parking Place identified in Schedule I to this Order during the Prescribed Hours 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 Restricted Road or Parking Place.

Removal of a vehicle from a Restricted Road or 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 Restricted Road or 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 Restricted Road or 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 Restricted Road or 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 of this Part 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.

General

5. The provisions of this Part shall apply to any Parking Bay as if it were a Parking Place.

PART 8 - HIERARCHY OF RESTRICTIONS

1. For each of the Controlled Parking Zones identified therein the waiting restrictions imposed by Schedule 1 Part 1 in relation to any road do not apply to any length of that road which is subject to parking restrictions specified in Schedule 1 Parts 4, 5 and 6 (inclusive). The restrictions in Schedule 1 Parts 1, 4, 5 and 6 (inclusive) shall not apply to any length of a road specified in Schedule 1 Parts 7 to 17 (inclusive).

PART 9 - LIST OF SCHEDULES

Schedule 1: Waiting, Loading and Parking restrictions in the Controlled Parking Zones: C, H, J, M, N, O, Q, R, T, U, W, Y, and Z.

Schedule 2: Charges and Tariffs

Part 1: Permit, Dispensation, Waiver and Administration Charges

Part 2: Pay & Display Tariff Types and Charges (on-street)

Schedule 3: Orders to be Consolidated

PART 10 – INDEX OF SCHEDULE I

Index to the Waiting, Loading and Parking restrictions identified in Schedule I and the individual Controlled Parking Zones to which they apply

Parts		CPZ's
1	No Waiting Restrictions	
1.1	At Any Time	C,H,J,M,N,O,Q,R, T,U,W,Y,Z
1.2	Monday to Sunday 9am to 8pm	M
1.3	Monday to Sunday 9am to 6pm	C,Q,Z
1.4	Monday to Saturday 9am to 6pm	C,N,R,Y,Z
2	No Loading/Unloading	
2.1	At Any Time	C,J,Y,Z, M
2.2	Monday to Sunday 8am to 11pm	Z
2.3	Monday to Sunday 8am to 6pm	H
2.4	Monday to Sunday 8am to 9.30am & 11am to 6pm	Z
2.5	Monday to Saturday 8am to 6pm	N,Y
2.6	Monday to Saturday 9am to 6pm	Y,Z
2.7	Monday to Saturday 8am to 9.30am, 12pm to 2pm, 4.30pm to 6pm	Y,Z
2.8	Monday to Saturday 10am to 4pm	Y,Z
2.9	Monday to Saturday 8am to 9.30am & 4.30am to 6pm	Y
2.10	Monday to Saturday 8am to 9.30 am	Z
2.11	Monday to Saturday 4pm to 6pm	Y
2.12	Urban Clearway Monday to Saturday 8am to 9.30am and 4pm to 6pm	Y
3	No Stopping Restrictions	
3.1	Monday to Friday 8am to 9.30am & 2.30pm to 4pm on School Entrance Marking except August.	C,H,Q,U,Y,Z,N,R,
4	Permit Parking Places	
4.1	Monday to Sunday 9am to 8pm	H,J,M,N,O,Q,R,T, Y,Z
4.2	Monday to Saturday 9am to 8pm	C,O
4.3	Monday to Sunday 9am to 8pm except 9am to 4pm on any Saturday	Y
4.4	N and R CPZ Permit holders Monday to Sunday 9am to 8pm	R
4.5	Monday to Saturday 10am to 11am & 2pm to 3pm	U
4.6	Monday to Sunday 10am to 11am & 7pm to 8pm	W

5	Permit or Pay & Display Parking Places	
5.1	Low Tariff - Short Term - 2 hrs No Return 4 hrs Mon-Sun 9am to 8pm	H,M,N,Q,R
5.2	Low Tariff - Short Term- 2 hrs No Return 4 hrs Mon-Sun 9am to 8pm (N and R CPZ Permits)	R
5.3	Low Tariff - Short term - 2 hrs No Return 4 hrs Mon-Sat 9am to 8pm	C
5.4	Low Tariff – Medium Term - 4 hrs No Return 4hrs Mon- Sun 9am to 8pm	H,J,M,O,Q,R,T
5.5	Low Tariff – Medium Term - 4 hrs No Return 4hrs Mon-Sat 9am to 8pm	C,O
5.6	Low Tariff - Medium Term (School) 4 hrs No Return 4 hrs Mon-Sat 9am to 8pm	C
5.7	Low Tariff – Long Term - 11 hrs Mon–Sun 9am to 8pm	H,N,O,Q,R,T
5.8	Low Tariff – Long Term - 11 hrs Mon–Sun 9am to 8pm	Q
5.9	Low Tariff - Long Term (School) 11 hours Mon- Sat 9am to 8pm	C
5.10	Low Tariff - Long term – 11 hrs - Mon-Sat 9am to 8pm	C,O
5.11	Low Tariff - Long term - 9 hrs - Mon-Fri 9am to 6pm	N
5.12	Medium Tariff - Short Term - 2hrs No Return 4hrs Mon-Sun 9am to 8pm	Y,Z
5.13	Medium Tariff - Short Term - 2 hrs No Return 4 hrs Mon- Sat 9am to 8pm	C
5.14	Medium Tariff Short Term (School) 2hrs No Return 4 hrs Mon-Sat 9am to 8pm	C
5.15	Medium Tariff - Medium Term - 4hrs No Return 4hrs Mon-Sun 9am to 8pm	Y,Z
5.16	Medium Tariff - Medium Term - 4hrs No Return 4hrs Mon-Sat 9am to 8pm	C
5.17	Medium Tariff - Medium Term (School) - 4 hrs No Return 4 hrs Mon-Sat 9am to 8pm	C
5.18	High Tariff - Short Term - 2hrs No Return 4hrs Mon-Sun 9am to 8pm	Y,Z
5.19	Low Tariff Medium Term – 4hrs No Return 24 hrs Mon-Sun 9am to 8pm	N
6	Pay & Display Parking Places	
6.1	Low Tariff Short Term P&D 2 hours No Return 4hrs Mon-Sat 9am to 6pm	C,M,N,O,Q,H
6.2	Medium Tariff Short Term P&D 2 hours No Return 4 hrs Mon-Sun 9am to 6pm	Z,H
6.3	Medium Tariff Short Term P&D 2 hours No Return 4 hrs Mon-Sat 9am to 6pm	C,Y

6.4	High Tariff Short Term P&D 2 hours No Return 4hrs Mon-Sun 9am to 6pm	Z
6.5	High Tariff Short Term P&D 2 hours No Return 4hrs Mon-Sat 9am to 6pm	Y
7	Doctors Parking Places	
7.1	At Any Time	C,H,N,O,Q,R,W, Y
7.2	8am to 8pm on any day	C
7.3	Mon-Sat 8am to 7pm	Y
7.4	Mon-Fri 8.30am to 6pm	T
8	Car Club Parking Places	
8.1	At Any Time (City Car Club)	C,H,M,N,Q,Y,Z,R
8.2	At Any Time (Whizzgo)	C,N,O,Y,H,R
8.3	At Any Time (Streetcar)	M,O
9	Disabled Badge Holder's Parking Places	
9.1	At Any Time	C,H,J,M,N,O,Q,R, T,U,W,Y,Z
9.2	Mon to Sun 9am to 6pm	H,N, Z
9.3	Mon to Sat 8am to 6pm Maximum Stay 3 hours (No return within 1 hour)	N
9.4	Mon to Sun Maximum Stay 3 hours (No Return within 1 hour)	Z
9.5	Mon to Sun between 8am to 8pm	C
10	Limited Waiting Parking Places	
10.1	Mon –Sun 2 hours No Return in 1 hour 9am to 8pm	W
10.2	Mon-Sat 1 hour No Return in 1 hour 8am to 6pm	N
11	Motorcycle Parking Places	
11.1	At Any Time	C,H,J,M,N,O,Q,R, T,U,W,Y,Z
12	Loading Bays	
12.1	At Any Time	Y,Z
12.2	24 hours of any day 30mins no return within 1 hour residential roads	N
12.3	Mon-Sat 9am- 6pm 30mins no return within 1 hour commercial roads	N
12.4	Mon- Sun 9am to 8pm 1 hour no return within 30 minutes	M
12.5	Mon-Sat 8am to 6pm 30 mins no return within 1 hour	Q
12.6	Mon-Sat 9am to 6pm	C,H,M,Y
12.7	Mon-Sat 9am to 6pm 30 mins no return within 1 hour	J,R,Y,Z
12.8	Mon-Sat 9am to 6pm 1 hour no return within 1 hour	Q,O
12.9	Mon-Sat 8am to 6pm 1 hour no return within 1 hour	N
12.10	Mon-Sun 12am to 10am and 4pm to 12am Maximum Loading Period of one hour no return within 1 hour	Z

13	Taxi Ranks	
13.1	At Any Time	C,H,M,N,R,Y,Z
13.2	Taxi Rank and Loading bay	Z
14	Ambulance Parking Bays	
14.1	At Any Time	C,N,O,R,Y,Z
15	Police Parking Bays	
15.1	At Any Time	O,Z
16	Public Service Vehicle Parking Bays	
16.1	At Any Time	Z
17	Bus Stands	
17.1	Mon- Sun Waiting limited 20 mins no return within 1 hour	M
18	Streets Eligible for Resident's Permits	
18.1	Streets Eligible for Resident's Permits	C,H,J,M,N,O,Q,R, T,U,W,Y,Z

The Common Seal of Brighton & Hove
City Council was affixed on the 12th day
of *December* two thousand and 2008
in the presence of

Amalisa Mackenzie
Authorized Person

