



**DARLINGTON**

Borough Council

**DARLINGTON BOROUGH COUNCIL  
(OFF STREET PARKING PLACES)  
CONSOLIDATION ORDER 2024**



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### SCHEDULES

Schedule	
71.01	Off Street short stay pay and display parking
71.02	Off street long stay pay and display parking
71.03	Off Street Business Parking
71.05	Off Street Pay on Foot Parking

Darlington Borough Council in exercise of its powers under Sections 32, 33 and 35 and Part IV of Schedule 9 to the Road Traffic Regulation Act 1984 ("the 1984 Act"), the Traffic Management Act 2004 ("the 2004 Act") and of all other enabling powers and after consultation with the Chief Officer of Police in accordance with Part III of Schedule 9 of the 1984 Act hereby make the following Order:

**PART 1**

**GENERAL**

1.

- (1) The following Orders are hereby revoked and their provisions insofar as they relate to matters contained in this Order are consolidated in this Order:
  - (a) Darlington Borough Council (Off Street Parking Places) Consolidation Order 2019;
  - (b) Darlington Borough Council Road Traffic Restrictions (Amendment No.1) Order 2019;
  - (c) Darlington Borough Council Road Traffic Restrictions (Amendment No.2) Order 2020;
  - (d) Darlington Borough Council Road Traffic Restrictions (Amendment No.2) Order 2021;
  - (e) Darlington Borough Council Road Traffic Restrictions (Amendment No.3) Order 2021;
  - (f) Darlington Borough Council Road Traffic Restrictions (Amendment No.3) Order 2022;
  - (g) Darlington Borough Council Road Traffic Restrictions (Amendment No.1 Part 1) Order 2024; and
  - (h) Darlington Borough Council Road Traffic Restrictions (Amendment No.2) Order 2024
- (2) This Order may be cited as the Darlington Borough Council (Off Street Parking Places) Consolidation Order 2024 and will come into operation on the 9<sup>th</sup> December 2024.

## PART 2

### INTERPRETATION

#### 2. In this Order:

- (1) "Beaumont Street West Parking Place" means Beaumont Street West Car Park as specified in Schedule 71.03 to this Order;
- (2) "bus" has the same meaning as stated in Schedule 1 to the Traffic Signs Regulations and General Directions 2016;
- (3) "Business Parking Place" means a parking place designated as such by this Order;
- (4) "Business Permit" means a permit issued pursuant to the provisions of Part 6 of this Order;
- (5) "Business Permit Holder" means a person to whom a Business Permit has been issued;
- (6) "CCTV parking space" means a parking space which is provided for the use of a CCTV vehicle and is indicated by markings on the surface of Area Two of the Town Hall Business Car Park and/or a sign;
- (7) "CCTV vehicle" means a police vehicle or CCTV maintenance vehicle which is driven by a person visiting the CCTV room in the Town Hall basement;
- (8) "Central House" means Central House, Gladstone Street, Darlington;
- (9) "Central House Parking Place" means Central House Car Park as specified in Schedule 71.03 to this Order;
- (10) "Central House Staff" means any person who is employed by the Council and whose place of work is based at Central House;
- (11) "Central Park Business" means a business which operates from Central Park, Darlington;
- (12) "charging hours" means any period specified in Column 4 of the Schedules to this Order in respect of which a charge is made as set out within this Order and in Column 5 of the Schedules;
- (13) "Civil Enforcement Officer" means a person authorised by or on behalf of the Council under Section 76 of the 2004 Act to supervise and enforce the road traffic contraventions for which the Council is the enforcement authority;
- (14) "Civil Enforcement Vehicle" means a vehicle being used by a Civil Enforcement Officer;

- (15) "coach" has the same meaning as stated in Regulation 3 of the Road Vehicles (Construction and Use) Regulations 1986;
- (16) "Contract Parking Space" means a parking space:
- (i) indicated by markings on the surface and/or by a sign in Feethams Parking Place for the leaving of a vehicle of a Parking Space Contract Permit Holder or a Contract Permit Holder; and
  - (ii) for which a Parking Space Contract Permit or Contract Permit has been allocated for use;
- (17) "Contract Permit" means a permit issued pursuant to the provisions of Part 8(D) of this Order for use by the Contract Permit Holder from Monday to Friday;
- (18) "Contract Permit Holder" means a person or business or organisation to whom a Contract Permit has been issued;
- (19) "the Council" means Darlington Borough Council and for the purposes of this Order any person or organisation authorised by the Council to act on its behalf;
- (20) "Council Department" means any Department of the Council;
- (21) "Council Employee" means a person employed by the Council;
- (22) "daily ticket" means a ticket valid for all of the charging hours on the day of purchase or the same period of parking purchased by making a mobile phone payment. A daily ticket may be purchased to cover a period of up to seven days commencing on the day of purchase;
- (23) "Department for Education Employee" means a person employed by the Department for Education whose usual place of work is at the Feethams office of the Department for Education;
- (24) "disabled person's badge" means a badge in the form prescribed by the Disabled Persons (Badge for Motor Vehicles) (England) Regulations 2000 (as amended) issued by a local authority for display on a motor vehicle driven by a disabled person, or used for the carriage of a disabled person and includes a replacement badge issued in accordance with those Regulations;
- (25) "disabled person's vehicle" means a vehicle displaying a disabled person's badge in the relevant position provided that the vehicle immediately before or after the act of parking has been or is about to be driven or used by the person to whom the badge has been issued or, as the case may be, used for carrying of that person as passenger;

- (26) "disabled person's vehicle parking space" means a parking space which is provided for the leaving of a disabled person's vehicle and is indicated by markings on the surface of the parking place and/or by a sign;
- (27) "electric vehicle" means any vehicle that can be powered by an electric motor that draws electricity from a battery and is capable of being charged from an external source;
- (28) "electric vehicle charging space" means a parking space which is provided for the charging of electric vehicles and is indicated by markings on the surface of the parking place and/or a sign;
- (29) "enforcement authority" means the Council;
- (30) "Feethams Parking Place" means Feethams Car Park as specified in Schedule 71.05 to this Order;
- (31) "Four Riggs Parking Place" means Four Riggs Car Park as specified in Schedule 71.03 to this Order;
- (32) "HGV" means a heavy goods vehicle as defined in section 89A of the Road Traffic Act 1988;
- (33) "HGV parking space" means a parking space which is provided for the leaving of an HGV, coach or bus and is indicated by markings on the surface of the parking place or a sign;
- (34) "Lifeline parking space" means a parking space which is provided for the use of staff working for the Lifeline Service located at the Town Hall and is indicated by markings on the surface of Area Two of the Town Hall Business Car Park and/or a sign;
- (35) "mobile phone payment" means a payment by debit or credit card made by mobile phone to the number displayed in a parking place allowing the vehicle to be parked for the period of time for which payment has been made, to be used where such facility is advertised and provided for in a parking place and the use of which is specified by notice in the parking place;
- (36) "Morton Palms Business Park Parking Place" means Morton Palms Car Park as specified in Schedule 71.03 to this Order;
- (37) "Morton Palms Staff" means an employee of a business operating from Morton Palms Business Park
- (38) "motor cycle" has the same meaning as stated in section 136(4) of the 1984 Act;

- (39) "motor cycle parking space" means a parking space or parking area which is provided for the leaving of motor cycles and is indicated by markings on the surface of the parking place and/or a sign;
- (40) "motor vehicle" has the same meaning as stated in section 136(1) of the 1984 Act;
- (41) "Paper Staff Permit" means a staff permit issued to the applicant pursuant to the provisions of Part 8(A) of this Order in physical form to be displayed in a vehicle;
- (42) "Paper Workplace Staff Permit" means a Workplace Staff Permit issued to the applicant pursuant to the provisions of Part 8(C) of this Order in physical form to be displayed in a vehicle
- (43) "park" refers to a vehicle which waits in a parking place in accordance with this Order;
- (44) "parking" has a corresponding meaning to park;
- (45) "parking area" means an area in a parking place which is provided for the parking of more than one vehicle and which is marked on the surface of the parking places by lines or otherwise or which is indicated by signs;
- (46) "parking charge" means the charge as set out within Column 5 of the Schedules to this Order in respect of a vehicle left in a parking place;
- (47) "parking contravention" has the same meaning assigned to it by Section 73 and Part 1 of Schedule 7 to the 2004 Act;
- (48) "parking disc" has the same meaning as in Regulation 3 of the Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000;
- (49) "parking place" means any area of land or land including buildings specified by name in Column 1 of the Schedules to this Order provided by the Council under section 32 of the 1984 Act for use as a parking place;
- (50) "Parking Places Parking Permits: Terms and Conditions of Use" means the document with that title produced by the Council;
- (51) "parking space" means a space in a pay and display parking place or a pay on exit parking place which is provided for the parking of one vehicle and which is marked on the surface of the parking places by lines and/or otherwise and/or which is indicated by signs;
- (52) "Parking Space Contract Permit" means a permit issued pursuant to the provisions of Part 8(E) of this Order for use by the Parking Space Contract Permit Holder at all times;

- (53) "Parking Space Contract Permit Holder" means a person or business or organisation to whom a Parking Space Contract Permit has been issued;
- (54) "Partnership Employee" means a person employed by an organisation working in partnership with the Council which meets the criteria set out in the Parking Places Parking Permits: Terms and Conditions of Use;
- (55) "pay and display parking place" means a parking place designated as such by this Order;
- (56) "pay on foot parking place" means a parking place designated as such by this Order;
- (57) "PCSO" means a Police Community Support Officer authorised to carry out traffic duties;
- (58) "Penalty Charge" means a charge set by the Council in accordance with the provisions of Section 77 and Schedule 9 of the 2004 Act and Regulations made thereunder and in accordance with any guidance given by the Secretary of State;
- (59) "Penalty Charge Notice" means a notice issued by a Civil Parking Enforcement Officer pursuant to the provisions of Section 78 of the 2004 Act and Regulations made thereunder;
- (60) "a permit" means a Staff Permit, a Visitor Permit or a Workplace Staff Permit;
- (61) "permit expiry date" means the date shown on the permit as the date at which the permit expires;
- (62) "permit term" means the period for which a permit is valid;
- (63)(i) "relevant position" in relation to a disabled person's badge or parking disc has the same meaning as in Regulation 4(1) of the Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000;
- (ii) "relevant position" in relation to a ticket or permit (other than a Virtual Staff Permit or a Virtual Workplace Staff Permit) means:
- (i) where a vehicle is fitted with a windscreen and/or dashboard or fascia the ticket or permit is exhibited on the inside of the windscreen, driver's window or on the dashboard or fascia; or
  - (ii) in any other case the ticket or permit is exhibited in a conspicuous position on the vehicle

so that the front of the ticket or permit is clearly legible from the outside of the vehicle;

- (64) "Silver Place Parking Place" means Silver Place Car Park as specified in Schedule 71.03 to this Order;
- (65) "Smart Card" means a device issued by the Council to be used in lieu of payment in a pay on foot car park on the terms defined in the Parking places Parking Permits: Terms and Conditions of Use;
- (66) "Staff Permit" means either a Paper Staff Permit or Virtual Staff Permit;
- (67) "Staff Permit Holder" means a person to whom a Staff Permit has been issued;
- (68) "ticket" means a ticket purchased from a ticket machine or issued by an automated ticket issuing device;
- (69) "ticket machine" means an apparatus or device approved in accordance with section 35 of the 1984 Act;
- (70) "town centre" means Darlington town centre bounded by the Inner Ring Road, Victoria Road, Grange Road and Skinnergate;
- (71) "Town Centre Business" means a business which operates from the town centre;
- (72) "Town Hall" means Darlington Town Hall;
- (73) "Town Hall Business Car Park" means Town Hall Business Car Park as specified in Schedule 71.03 to this Order;
- (74) "Town Hall Parking Place" means Town Hall Car Park as specified in Schedule 71.01 to this Order;
- (75) "vehicle" means a motor vehicle;
- (76) "Virtual Staff Permit" means a Staff Permit issued to the applicant pursuant to the provisions of Part 8(A) of this Order and entered into the Council's records and is valid at time of parking, but is not provided to the applicant in physical form to be displayed in a vehicle;
- (77) "Virtual Workplace Staff Permit" means a Workplace Staff Permit issued to the applicant pursuant to the provisions of Part 8(C) of this Order and entered into the Council's records and is valid at the time of parking, but is not provided to the applicant in physical form to be displayed in a vehicle;
- (78) "Visitor" means a person visiting the Town Hall;
- (79) "Visitor Permit" means a permit issued pursuant to the provisions of Part 8(B) of this Order;



(80) "weekly ticket" means a ticket valid for the charging hours for a period of seven days from and including the day of purchase or a period of 168 hours when purchased by a mobile phone payment (where such facility is available);

(81) "Winston Street West Parking Place" means Winston Street West Car Park as specified in Schedule 71.03 to this Order;

(82) "Workplace Staff Permit" means either a Paper Workplace Staff Permit or a Virtual Workplace Staff Permit;

(83) "Workplace Staff Permit Holder" means a person to whom a Workplace Staff Permit has been issued;

(84) "Workplace Travel Plan" means a travel plan in a form approved by the Council and which meets the criteria set out in the Parking Places Parking Permits: Terms and Conditions of Use

### **PART 3**

#### **USE OF PARKING PLACES**

3. Each area of land or land including buildings specified by name in Column 1 of each Schedule to this Order is hereby designated to be used as a parking place for such classes of vehicles on such days during such hours and on payment of such charges as are specified in relation to that area of land or land including buildings in the said Schedules or by vehicles displaying a permit subject to the provisions of this Order or by vehicles permitted to wait pursuant to the provisions of Part 7 of this Order.
4. Where in Column 2 of the Schedules to this Order a parking place is described as available for vehicles of a specified class a vehicle shall not be permitted to wait in that parking place unless it is of the specified class.
5. No vehicle shall wait in a disabled person's vehicle parking space unless it is a disabled person's vehicle.
6. Where within a parking place there is a sign or surface marking which indicates that a parking space is available only for loading or unloading no vehicle shall wait in that parking space unless the driver is loading or unloading to or from a property adjacent to that parking place.
7.
  - (1) No vehicle shall wait in a motor cycle parking space unless it is a motor cycle;
  - (2) No vehicle shall wait in an HGV parking space unless it is an HGV, coach or bus;
  - (3) No vehicle shall wait in a Lifeline parking space unless it is a vehicle required for emergency call-out by a member of staff the Lifeline Service;

- (4) No person shall cause a vehicle to wait in a CCTV parking space unless it is a CCTV vehicle;
  - (5) No person shall cause a vehicle to wait in a Contract Parking Space unless it is displaying a valid Parking Space Contract Permit or Contract Permit in the relevant position which has been allocated for use in that Contract Parking Space
8.
  - (1) No person shall cause a vehicle to be left in an electric vehicle charging space at any time unless it is an electric vehicle; and
  - (2) No person shall cause or permit an electric vehicle to be left in an electric vehicle charging space if it is not being charged
9. Any vehicle left in a parking place shall be positioned wholly within the marked boundaries of a parking space. In a pay and display parking place a vehicle may be left within the marked boundaries of two adjoining parking spaces provided that two tickets have been purchased and displayed in accordance with the provisions of this Order.
10. No person shall leave a vehicle wholly or partially on an area of the parking place upon which there are cross hatched surface markings or the surface markings state 'keep clear' which shall be classed as a restricted area.
11. No person shall, except with the permission of the Council, drive any vehicle in a parking place other than for the purpose of leaving that vehicle in the parking place in accordance with the provisions of this Order or for the purpose of departing from the parking place.
12. No person shall use a vehicle while it is in a parking place in connection with the sale of any article to persons in or near the parking place or in connection with the selling or offering for hire of his skills or services without the written consent of the Council and no person shall while a vehicle is in a parking place affix or place on that vehicle any notice or advertisement without the written consent of the Council which may be issued or withheld at its absolute discretion.
13. The engine of a vehicle using a parking place shall be stopped as soon as the vehicle is in position in a parking space and shall not be started except when about to change position in or about to depart from the parking place.
14. The driver of a vehicle using a parking place shall not sound any horn or other similar instrument except when required to sound a warning to avoid an accident.
15. No person shall use any part of a parking place or cause or permit any vehicle to be left in a parking place:
  - (1) for sleeping or camping or cooking purposes;

- (2) for the purposes of servicing or washing any vehicle or part thereof other than is necessary to enable that vehicle to depart from the parking place

16. In a parking place no person shall:

- (1) erect or cause or permit to be erected any tent, booth, stand, skip, building or other structure without the written consent of the Council which may be issued or withheld at its absolute discretion;
- (2) cause or permit to be lit any fire;
- (3) play or take part in any game;
- (4) wantonly shout or otherwise make a loud noise to the nuisance or annoyance of users of the parking place or residents or occupiers of premises in the neighbourhood;
- (5) use any threatening, abusive or insulting language, gesture or conduct with intent to put any person in fear or so as to occasion a breach of the peace or whereby a breach of the peace is likely to be occasioned;
- (6) deposit any litter other than in any receptacles provided for the depositing of litter;
- (7) drink alcohol.

17. Where in a parking place signs are erected or surface markings are laid for the purpose of:

- (1) indicating the entrance to or exit from the parking place, or
- (2) indicating that a vehicle using the parking place shall proceed in a specified direction within the parking place

no person shall drive or cause or permit to be driven any vehicle:

- (a) so that it enters the parking place otherwise than by an entrance or leaves the parking place otherwise than by an exit so indicated, or
- (b) in a direction other than that specified.

18. If a vehicle is left in a parking place in contravention of any of the provisions of this Order a person authorised in that behalf by the Council may remove the vehicle or arrange for it to be moved from that parking place.

19. If a vehicle is left in a parking place in a position other than in accordance with the provisions of this Order a person authorised by the Council may alter or cause to be

altered the position of the vehicle so that its position is in accordance with the said provisions.

20. For the purposes of meeting the requirements of an emergency a person authorised by the Council or a police officer in uniform or a PCSO may alter or cause to be altered the position of a vehicle in a parking place or remove or arrange for the removal of a vehicle from a parking place.
21. Where it appears to the Council that a vehicle left in a parking place has been abandoned a person authorised in that behalf by the Council may remove the vehicle or arrange for it to be moved from that parking place provided that where the Council propose to move such a vehicle which in their opinion is in such a condition that it ought to be destroyed then they shall not less than 7 days before removing it cause to be affixed to the vehicle a notice stating that they propose to remove it for destruction at the end of the period specified in section 101 of the 1984 Act.
22. Any person altering or causing the alteration of the position of a vehicle or causing the removal of a vehicle by authority of the foregoing provisions of this Order may do so by towing 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 alter or cause to alter the position or removal of it as aforesaid.
23. When a person authorised by the Council removes or makes arrangements for the removal of a vehicle from a parking place by authority of the foregoing provisions of this Order he shall except in the case of a vehicle which in the opinion of the Council is in such condition that it ought to be destroyed make such arrangements as may be deemed reasonably necessary for the safe custody of the vehicle.
24. No vehicle shall display a ticket which has been previously displayed on another vehicle.
25. In so far as a vehicle is left in a parking place during the charging hours the driver thereof shall pay such charge or charges as are specified in the following provisions of this Order.

#### **PART 4**

##### **PAY AND DISPLAY PARKING PLACES**

26. The parking places specified in Schedule 71.01 and 71.02 to this Order are hereby designated pay and display parking places and are subject to the provisions of this Order.
27. Subject to the provisions of Part 7 of this Order no person may leave or cause any vehicle to be left in a pay and display parking place during the charging hours except:
  - (1) upon the payment of the parking charge referred to in Article 28 of this Order and the display of a valid ticket as defined in Article 31 of this Order; or

- (2) upon the display of a Paper Staff Permit, Paper Workplace Staff Permit or Visitor Permit as set out in Article 33 of this Order; or
  - (3) if the person holds a valid Virtual Staff Permit or Virtual Workplace Staff Permit which can be used for that vehicle in that parking place
28. The parking charge for a vehicle left in a pay and display parking place during the charging hours shall be the amount specified in Column 5 of Schedules 71.01 and 71.02 to this Order relating to the said parking place.
29. The parking charge shall be payable at the time of leaving the vehicle in a parking place:
  - (1) by the insertion of the appropriate coin or coins into a ticket machine and thereby purchasing a ticket or by purchasing a ticket by a credit/debit card (at such ticket machines which indicate that the facility to pay by credit/debit card is available); or
  - (2) by mobile phone payment (where such facility is available in the said parking place).
30. The driver of a vehicle waiting in a pay and display parking place must have a valid ticket or permit for the whole time that the vehicle is waiting in the parking place during the charging hours, or have made a mobile phone payment (where such facility is available in the said parking place).
31. A ticket used in a pay and display parking place shall only be valid if:
  - (1) it has been purchased at or before the time the vehicle commenced waiting from a ticket machine in the parking place where the vehicle is waiting subject to the provisions of Article 32 of this Order;
  - (2) it is exhibited on the vehicle in the relevant position continuously for the whole period of waiting in the parking place; and
  - (3) the period for which it was purchased has not expired.
32. A daily ticket, two day ticket, three day ticket or weekly ticket (where applicable) purchased at any of the parking places detailed in Column 1 of the Schedules to this Order shall be valid at all the parking places detailed in that Schedule on the days specified in Column 6 for each parking place only. Where Column 6 is marked 'not applicable':
  - (a) tickets purchased at that parking place are not transferable to other parking places; and
  - (b) tickets purchased other parking places cannot be used at that parking place

EXCEPTING THAT a ticket purchased at any of the parking places detailed in Column 1 of Schedule 71.01 for display on a disabled person's vehicle is transferable and shall be valid for that vehicle for the period of time for which it was purchased at all of the parking places detailed in Column 1 of Schedule 71.01.

33. A Paper Staff Permit, Paper Workplace Staff Permit or Visitor Permit used in a pay and display parking place shall only be valid if:
  - (1) it is exhibited on the vehicle in the relevant position continuously for the whole period of waiting in the parking place; and
  - (2) it is exhibited at such times and on such days as are stated in the conditions of use issued to the permit holder
34. The details stated on the ticket or permit shall be conclusive evidence of those facts for the purposes of this Order and any legal proceedings taken thereunder.
35. The period for which a vehicle may be left in a parking place during the charging hours after a Penalty Charge Notice has been issued shall not exceed 24 hours.
36. If a vehicle is left in a parking place during the charging hours for more than 24 hours after a Penalty Charge Notice has been issued it shall be the duty of a Civil Enforcement Officer to attach to the vehicle in a conspicuous position a notice which shall include the following particulars:
  - (1) the registration mark of the vehicle or, where the vehicle is being used under a trade licence, the number of the trade plate carried by the vehicle;
  - (2) the time at which he first observed that the vehicle had been left in the parking place for more than 24 hours after a Penalty Charge Notice has been issued;
  - (3) a statement that it is an offence under the 1984 Act for the driver of a vehicle who has left the vehicle in a parking place to leave the vehicle therein for longer than 24 hours after a Penalty Charge Notice has been issued.
37. Where a ticket or permit has been displayed on a vehicle no person other than the driver or someone authorised by the driver shall remove the ticket or permit from the vehicle.
38. Where all the ticket machines at a parking place carry notices placed upon them by a person duly authorised by the Council indicating that they are out of order the driver of a vehicle shall be exempt from the payment of the charge for the remainder of the charging hours for that day PROVIDED THAT where a mobile phone payment has been made no refund of that payment shall be due from the Council.

## PART 5

### PAY ON FOOT PARKING PLACES

39. The parking places specified in Schedule 71.05 to this Order are hereby designated pay on foot parking places and are subject to the provisions of this Order.
40. Pay on foot parking places are controlled by entry and exit barriers. The driver of a vehicle gains entry by taking a ticket at the entry barrier from an automated ticket issuing device. This ticket shall be submitted to a pay station at the end of the parking period and validated by making the appropriate payment in accordance with the parking charges specified in Column 5 of Schedule 71.05 to this Order subject to the provisions of Parts 7 and 8 of this Order. The validated ticket shall then be used to operate the exit barrier. No person shall cause or permit any vehicle to be left in a pay on foot parking place if a period of less than one hour has elapsed since the termination during the charging hours of the last period of waiting (if any) of the vehicle in the same parking place.
41. In the event that a driver of a vehicle is unable to produce a ticket through loss or any other cause whatsoever they may obtain exit by making a payment of £10 per day or part thereof for the period that the vehicle has been parked in the parking place.

## PART 6

### BUSINESS PARKING PLACES AND BUSINESS PERMITS

42. The parking places specified in Schedule 71.03 to this Order are hereby designated as Business Parking Places and are subject to the provisions of this Order.
- 43.
- (1) Any person may apply to the Council for the issue of a Business Permit to facilitate the leaving of a vehicle in the Four Riggs Parking Place during the hours specified in Column 4 of Schedule 71.03 to this Order subject to the provisions of this Part 6. The permit fee is specified in Article 47;
  - (2) Central House Staff may apply to the Council for the issue of a Business Permit to facilitate the leaving of a vehicle in the Central House Parking Place during the hours specified in Column 4 of Schedule 71.03 to this Order subject to the provisions of this Part 6. The permit fee is specified in Article 47;
  - (3) Any Town Centre Business may apply to the Council for the issue one or more Business Permits to facilitate the leaving of one or more vehicles in the Beaumont Street West Parking place during the hours specified in Column 4 of Schedule 71.03 to this Order subject to the provisions of this Part 6. A Town Centre Business with more than 5 employees is required to submit a Workplace Travel Plan. The permit fees are specified in Article 47;

- (4) The Council may issue a Business Permit to:
- (a) Council Departments which require an operational vehicle to be kept at the Town Hall;
  - (b) a Department for Education employee who is registered disabled;
  - (c) a Council Employee whose usual place of work is at the Town Hall and who is registered disabled; or
  - (d) a Council Employee who has a referral from the Council's Occupational Health section on medical grounds.

Persons issued with a Business Permit for these reasons may park their vehicle in Area One of the Town Hall Business Car Park during the hours specified in Column 4 of Schedule 71.03 to this Order subject to the provisions of this Part 6. The permit fee for (a) and (b) is nil. The permit fee for (c) is £8.57 per calendar month. The permit fee for (d) is £14.42 per calendar month;

- (5) Any Central Park Business may apply to the Council for the issue one or more Business Permits to facilitate the leaving of one or more vehicles in the Silver Place Parking Place during the hours specified in Column 4 of Schedule 71.03 to this Order subject to the provisions of this Part 6. The permit fees are specified in Article 47;
- (6) Morton Palms Staff may apply to the Council for the issue of a Business Permit to facilitate the leaving of a vehicle in the Morton Palms Business Park Parking Place during the hours specified in Column 4 of Schedule 71.03 to this Order subject to the provisions of this Part 6. The permit fees are specified in Article 47.
44. An application for a Business Permit shall include the particulars and information required by the Council to be supplied and shall be accompanied by the permit fee or an Agreement to pay by instalments as set out in the Parking Places Parking Permits: Terms and Conditions of Use and the issuing of a Business Permit is at the discretion of the Council.
45. The Council may require a Business Permit Holder or applicant for a Business Permit to produce to an officer of the Council such further evidence in respect of an application for a Business Permit or duplicate Business Permit as may reasonably be required so as to verify any particulars of information given by the applicant and the Business Permit Holder or applicant shall produce such evidence to the Council upon request. If the Business Permit Holder or applicant fails to provide the said evidence to the Council then the Council may refuse to issue a Business Permit.
46. Any Business Permit shall be subject to such conditions as may from time to time be determined by the Council and contained or referred to in the Parking Places Parking Permits: Terms and Conditions of Use.



47. The permit fees payable for a Business Permit are as follows

Parking Place	Eligible Applicant	Permit Fee
Beaumont Street West	Town Centre Business	1 space £950 per year 2 spaces £900 per space per year 3 spaces £860 per space per year 4 spaces £830 per space per year 5 to 9 spaces £800 per space per year 10 or more spaces £700 per space per year
Central House	Central House Staff	£14.42 per month
Four Riggs	Any person	£14.42 per month
Morton Palms	Morton Palms Staff	£300 per year
Silver Place	Central Park Business	£500 per space per year

48. A Business Permit for use in a Business Parking Place can only be issued by the Council if it has not exceeded the maximum number of permits available for that Business Parking Place.
49. A Business Permit is non-transferrable and in the event of a Business Permit being transferred the Council will have the right to withdraw the same in accordance with Article 51 of this Order unless the Council has given authority to the person to transfer the Business Permit to another person or vehicle.
50. Before or on the permit expiry date, if the Business Permit Holder requires a Business Permit for a further permit term, the Business Permit Holder is required to apply to the Council for a new Business Permit and provided that the Business Permit Holder still fulfils the necessary criteria a new Business Permit can be issued, the start date of which will be the day after the expiry of the current permit.
51. The Council may, by notice in writing served on the Business Permit Holder at the address given by that person on the application for the Business Permit or at any other address believed to be that person's place of abode or at that person's place of work, withdraw a Business Permit entirely at its own discretion and the Business Permit Holder shall surrender the Business Permit to the Council within 48 hours of the receipt of the aforementioned notice.

52. A Business Permit shall cease to be valid on the occurrence of any one of the following events or on the permit expiry date, whichever is the sooner:
- (1) in respect of a Business Permit issued pursuant to Article 43(2) of this Order, the Business Permit Holder ceases to be Central House Staff; or
  - (2) in respect of a Business Permit issued pursuant to Article 43(7) of this Order the Business Permit Holder ceases to be Morton Palms Staff; or
  - (3) the permit holder ceasing to be the owner or user of the vehicle in respect of which the permit was issued; or
  - (4) the issue of a duplicate Business Permit by the Council under the provisions of Articles 53 or 54 of this Order; or
  - (5) the withdrawal of the Business Permit by the Council pursuant to the provisions of Articles 49 or 51 of this Order; or
  - (6) in respect of any Business Permit for which the permit fee is being paid by monthly instalments the Business Permit Holder fails to pay the monthly instalment when due.
53. If a Business Permit is mutilated or accidentally defaced or the figures or particulars thereon have become illegible or the colour of the Business Permit has become altered by fading or otherwise, the Business Permit Holder shall surrender it to the Council and the Council, upon receipt of the Business Permit, shall issue a duplicate Business Permit so marked and upon such issue the original Business Permit shall become invalid.
54. If a Business Permit is lost or destroyed the Business Permit Holder may apply to the Council for the issue to him of a duplicate Business Permit and the Council, upon being satisfied as to such loss or destruction, shall issue a duplicate Business Permit so marked and upon such issue the Business Permit which it duplicates shall become invalid. A replacement Business Permit will only be issued upon payment of a charge of £10.
55. The provisions of this Order shall apply to a duplicate Business Permit and an application therefore as if it were a Business Permit.
56. A Business Permit shall be in writing and shall bear the words 'Parking Permit', and shall include the following particulars:
- (1) an issue number;
  - (2) an authentication that the permit has been issued by the Council;
  - (3) the permit expiry date;
  - (4) the name or names of the parking places where the Business Permit may be used;

- (5) where appropriate the numbered parking space or series of numbered parking spaces the permit is valid for.
57. The driver of a vehicle waiting in a Business Parking Place shall have a valid Business Permit exhibited on the vehicle in the relevant position for the whole of any period of waiting.
58. A vehicle left in a Business Parking Place must not be parked:
- (1) wholly or partially outside of the surface markings of a parking space;
  - (2) in a disabled person's vehicle parking space if the vehicle is not a disabled person's vehicle;
  - (3) in a parking space which is indicated by a sign adjacent to the parking space or a marking on the surface of the parking space as available for vehicles of a specified class and the vehicle is not of that class;
  - (4) in a numbered parking space unless it is displaying in the relevant position a Business Permit indicating that it is eligible to park in that parking space.

## **PART 7**

### **EXEMPTIONS**

59. The following vehicles shall be exempt from the payment of charges set out in this Order:
- (1) a motor cycle left in a motor cycle space in a pay and display parking place;
  - (2) a police, ambulance or fire service vehicle acting in an emergency in a pay and display parking place and a pay on foot parking place;
  - (3) a vehicle being used in connection with maintenance of the parking place or a ticket machine therein in a pay and display parking place and a pay on foot parking place;
  - (4) a vehicle being used in connection with the collections of money from a ticket machine within that parking place in a pay and display parking place and a pay on foot parking place;
  - (5) in a pay and display parking place a vehicle that carries the Council logo and is being used for official Council business for so long as necessary to carry out that business on occasions when there is no safe alternative parking available;
  - (6) a Civil Enforcement Vehicle parked whilst a Civil Enforcement Officer is in the course of carrying out their duties.

## PART 8

### PERMITS

#### PART 8(A)

##### STAFF PERMITS

60. A Council Employee or a Partnership Employee may apply to the Council for the issue of a Staff Permit to facilitate the leaving of a vehicle in a parking place during the permit term and any such application shall include the particulars and information required by the Council to be supplied and shall be accompanied by the permit fee or an Agreement to pay by instalments as set out in Parking Places Parking Permits: Terms and Conditions of Use.
61. The Council may require a Staff Permit Holder or applicant for a Staff Permit to produce to an officer of the Council such further evidence in respect of an application for a Staff Permit or duplicate Staff Permit as may reasonably be required so as to verify any particulars of information given by the applicant and the Staff Permit Holder or applicant shall produce such evidence to the Council upon request. If the Staff Permit Holder or applicant fails to provide the said evidence to the Council then the Council may refuse to issue a Staff Permit.
62. A Staff Permit will only be issued by the Council to a Council Employee or Partnership Employee who fulfils the criteria for receiving a Staff Permit as specified in the Parking Places Parking Permits: Terms and Conditions of Use and the issuing of a Staff Permit is at the discretion of the Council.
63. Any Staff Permit shall be subject to such conditions as may from time to time be determined by the Council and contained or referred to in the Parking Places Parking Permits: Terms and Conditions of Use.
64. The permit fee payable for a Staff Permit is £173.04 per year.
65. The issue of a Staff Permit shall not be construed as if any parking space is reserved solely for the use of the Staff Permit Holder and the issue of a Staff Permit shall not be construed as a guarantee that a parking space will be available at any time.
66. In addition to the provisions of Article 33 of this Order a Staff Permit is only valid:
  - (1) if the Council Employee or Partnership Employee has parked the vehicle in the parking place whilst that person is engaged on Council business;
  - (2) in respect of the parking place stated on the Staff Permit or in the terms and conditions notified to the Staff Permit Holder;
  - (3) for the days and times stated in the terms and conditions notified to the Staff Permit Holder.

67. A Staff Permit is non-transferrable and in the event of a Staff Permit being transferred the Council will have the right to withdraw the same in accordance with Article 68 of this Order unless the Council has given authority to the person to transfer the Staff Permit to another person or vehicle.
68. The Council may, by notice in writing served on the Staff Permit Holder at the address given by that person on the application for the Staff Permit or at any other address believed to be that person's place of abode or at that person's place of work, withdraw a Staff Permit entirely at its own discretion and the Staff Permit Holder shall surrender the Staff Permit to the Council within 48 hours of the receipt of the aforementioned notice.
69. A Staff Permit shall cease to be valid on the occurrence of any one of the following events or on the permit expiry date, whichever is the sooner:
- (1) the Staff Permit Holder ceasing to be a Council Employee or Partnership Employee;
  - (2) the permit holder ceasing to be the owner or user of the vehicle in respect of which the permit was issued;
  - (3) the issue of a duplicate permit by the Council under the provisions of Articles 70 or 71 of this Order;
  - (4) the withdrawal of the Staff Permit by the Council pursuant to the provisions of Articles 67 or 68 of this Order.
70. If a Paper Staff Permit is mutilated or accidentally defaced or the figures or particulars thereon have become illegible or the colour of the Paper Staff Permit has become altered by fading or otherwise, the Staff Permit Holder shall surrender it to the Council and the Council, upon receipt of the Paper Staff Permit, shall issue either a duplicate Paper Staff Permit so marked or a Virtual Staff Permit and upon such issue the original Paper Staff Permit shall become invalid.
71. If a Paper Staff Permit is lost or destroyed the Staff Permit Holder may apply to the Council for the issue to them of a duplicate Staff Permit and the Council, upon being satisfied as to such loss or destruction, shall issue either a duplicate Paper Staff Permit so marked or a Virtual Staff Permit and upon such issue the Paper Staff Permit which it duplicates shall become invalid. A replacement Staff Permit will only be issued upon payment of a charge of £10.
72. The provisions of this Order shall apply to a duplicate Staff Permit and an application therefore as if it were a Staff Permit.
73. A Paper Staff Permit shall be in writing and shall bear the words 'Parking Permit', and shall include the following particulars:
- (1) an issue number;

- (2) the registration mark of the vehicle or as otherwise authorised by the Council in respect of which the permit has been issued;
- (3) an authentication that the permit has been issued by the Council;
- (4) the permit expiry date;
- (5) the name or names of the parking places where the Paper Staff Permit may be used.

## **PART 8(B)**

### **VISITOR PERMITS**

74. The Council may issue to Council Departments which have offices based outside of the town centre a number of Visitor Permits to facilitate the leaving of a vehicle in a parking place by a Council Employee visiting the town centre whilst the person is engaged on Council business.
75. Any Visitor Permit issued by the Council shall be subject to such conditions as may from time to time be determined by the Council and contained or referred to in the Parking Places Parking Permits: Terms and Conditions of Use.
76. In addition to the provisions of Article 33 of this Order a Visitor Permit is only valid:
  - (1) if the Council Employee has parked the vehicle in the parking place whilst that person is engaged on Council business; and
  - (2) in respect of the parking place stated on the Visitor Permit or in the terms and conditions notified to the Council Departments.

## **PART 8(C)**

### **WORKPLACE STAFF PERMITS**

77. A Council Employee may apply to the Council for the issue of a Workplace Staff Permit to facilitate the leaving of a vehicle in a parking place during the permit term and any such application shall include the particulars and information required by the Council to be supplied and shall be accompanied by the permit fee or an Agreement to pay by instalments as set out in Parking Places Parking Permits: Terms and Conditions of Use.
78. The Council may require a Workplace Staff Permit Holder or applicant for a Workplace Staff Permit to produce to an officer of the Council such further evidence in respect of an application for a Workplace Staff Permit or duplicate Workplace Staff Permits as may reasonably be required so as to verify any particulars of information given by the applicant and the Workplace Staff Permit Holder or applicant shall produce such evidence to the Council upon request. If the Workplace Staff Permit Holder or applicant

fails to provide the said evidence to the Council then the Council may refuse to issue a Workplace Staff Permit.

79. A Workplace Staff Permit will only be issued by the Council to a Council Employee who fulfils the criteria for receiving a Workplace Staff Permit as specified in the Parking Places Parking Permits: Terms and Conditions of Use and the issuing of a Workplace Staff Permit is at the discretion of the Council.
80. Any Workplace Staff Permit shall be subject to such conditions as may from time to time be determined by the Council and contained or referred to in the Parking Places Parking Permits: Terms and Conditions of Use.
81. The permit fee payable for a Workplace Staff Permit which can be used in any of the parking places specified in Schedule 71.02 to this Order excepting the Park Lane Car Park is £690 per year EXCEPTING THAT the permit fee payable for a Workplace Staff Permit which can be used in the Chesnut Street Car Park only is £390 per year.
82. The issue of a Workplace Staff Permit shall not be construed as if any parking space is reserved solely for the use of the Workplace Staff Permit Holder and the issue of a Workplace Staff Permit shall not be construed as a guarantee that a parking space will be available at any time.
83. In addition to the provisions of Article 33 of this Order a Workplace Staff Permit is only valid:
  - (1) in respect of the parking place or parking places for which it is issued; and
  - (2) for the days and times stated in the terms and conditions notified to the Workplace Permit Holder.
84. A Workplace Staff Permit is non-transferrable and in the event of a Workplace Staff Permit being transferred the Council will have the right to withdraw the same in accordance with Articles 85 and 86 of this Order unless the Council has given authority to the person to transfer the Workplace Staff Permit to another person or vehicle.
85. The Council may, by notice in writing served on the Workplace Staff Permit Holder at the address given by that person on the application for the Workplace Staff Permit or at any other address believed to be that person's place of abode or at that person's place of work, withdraw a Workplace Staff Permit entirely at its own discretion and the Workplace Staff Permit Holder shall surrender the Workplace Staff Permit to the Council within 48 hours of the receipt of the aforementioned notice.
86. A Workplace Staff Permit shall cease to be valid on the occurrence of any one of the following events or on the permit expiry date, whichever is the sooner:
  - (1) the Workplace Staff Permit Holder ceasing to be a Council Employee; or

- (2) the Workplace Staff Permit Holder ceasing to travel to or from their place of work by car; or
  - (3) the Workplace Staff Permit ceasing to be the owner or user of the vehicle in respect of which the permit was issued; or
  - (4) the issue of a duplicate permit by the Council under the provisions of Articles 87 or 88 of this Order; or
  - (5) the withdrawal of the Workplace Staff Permit by the Council pursuant to the provisions of Articles 84 or 85 of this Order.
87. If a Paper Workplace Staff Permit is mutilated or accidentally defaced or the figures or particulars thereon have become illegible or the colour of the Paper Workplace Staff Permit has become altered by fading or otherwise, the Workplace Staff Permit Holder shall surrender it to the Council and the Council, upon receipt of the Paper Workplace Staff Permit, shall issue either a duplicate Paper Workplace Staff Permit so marked or a Virtual Workplace Staff Permit and upon such issue the original Paper Workplace Staff Permit shall become invalid.
88. If a Paper Workplace Staff Permit is lost or destroyed the Workplace Staff Permit Holder may apply to the Council for the issue to them of a duplicate Workplace Staff Permit and the Council, upon being satisfied as to such loss or destruction, shall issue either a duplicate Paper Workplace Staff Permit so marked or a Virtual Workplace Staff Permit and upon such issue the Paper Workplace Staff Permit which it duplicates shall become invalid. A replacement Workplace Staff Permit will only be issued upon payment of a charge of £10.
89. The provisions of this Order shall apply to a duplicate Workplace Staff Permit and an application therefore as if it were a Workplace Staff Permit.
90. A Paper Workplace Staff Permit shall be in writing and shall bear the words 'Parking Permit', and shall include the following particulars:
- (1) an issue number;
  - (2) the registration mark of the vehicle or as otherwise authorised by the Council in respect of which the permit has been issued;
  - (3) an authentication that the permit has been issued by the Council;
  - (4) the permit expiry date;
  - (5) the name or names of the parking places where the Paper Workplace Staff Permit may be used.



## PART 8(D)

### CONTRACT PERMITS AND SMART CARDS

91. The Council may issue a Contract Permit and Smart Card in accordance with conditions contained or referred to in the Parking Places Parking Permits: Terms and Conditions of Use or by separate Agreement which shall be valid in respect of payment in pay on foot parking places and shall only be used in accordance with the agreed terms at the time of issue and by the person business or organisation to whom it has been issued.
92. If required an application for a Contract Permit shall include the particulars and information required by the Council to be supplied and shall be accompanied by the permit fee or an Agreement to pay by instalments as set out in the Parking Places Parking Permits: Terms and Conditions of Use or by separate Agreement and the issuing of a Contract Permit is at the discretion of the Council.
93. The Council may require a Contract Permit Holder or applicant for a Contract Permit to produce to an officer of the Council such further evidence in respect of an application for a Contract Permit or duplicate Contract Permit as may reasonably be required so as to verify any particulars of information given by the applicant and the Contract Permit Holder or applicant shall produce such evidence to the Council upon request. If the Contract Permit Holder or applicant fails to provide the said evidence to the Council then the Council may refuse to issue a Contract Permit.
94. Any Contract Permit shall be subject to such conditions as may from time to time be determined by the Council and contained or referred to in the Parking Places Parking Permits: Terms and Conditions of Use or in such separate Agreement as exists between the Council and the Contract Permit Holder.
95. The permit fees payable for a Contract Permit are as follows:
- 1 parking space £950 per year
  - 2 parking spaces £900 per parking space per year
  - 3 parking spaces £860 per parking space per year
  - 4 parking spaces £830 per parking space per year
  - 5 to 9 parking spaces £800 per parking space per year
  - 10 or more parking spaces £700 per parking space per year
96. A Contract Permit and Smart Card are non-transferrable and in the event of either being transferred the Council will have the right to withdraw the same in accordance with Article 98 of this Order unless the Council has given authority to the person to transfer the Contract Permit to another person or vehicle.
97. Before or on the permit expiry date, if the Contract Permit Holder requires a Contract Permit for a further permit term, the Contract Permit Holder is required to apply to the Council for a new Contract Permit and provided that the Contract Permit Holder still fulfils the necessary criteria a new Contract Permit can be issued, the start date of which will be the day after the expiry of the current permit PROVIDED THAT the

provisions of this paragraph may be varied by separate Agreement as exists between the Council and the Contract Permit Holder.

98. The Council may, by notice in writing served on the Contract Permit Holder at the address given by that person on the application for the Contract Permit or at any other address believed to be that person's place of abode or at that person's place of work, withdraw a Contract Permit and Smart Card entirely at its own discretion and the Contract Permit Holder shall surrender the Contract Permit and Smart Card to the Council within 48 hours of the receipt of the aforementioned notice.
99. A Contract Permit shall cease to be valid on the occurrence of any one of the following events or on the permit expiry date, whichever is the sooner:
- (1) the Contract Permit Holder ceases to be eligible to hold a Contract Permit under the terms of the Parking places Parking Permits: Terms and Conditions of Use or such Agreement as exists between the Council and the Contract Permit Holder; or
  - (2) the Contract Permit Holder ceases to be the owner or user of the vehicle in respect of which the Contract Permit was issued; or
  - (3) the issue of a duplicate Contract Permit by the Council under the provisions of Articles 100 or 101 of this Order; or
  - (4) the withdrawal of the Contract Permit by the Council pursuant to the provisions of Articles 97 or 98 of this Order; or
  - (5) in respect of any Contract Permit for which the permit fee is being paid by instalments the Contract Permit Holder fails to pay the instalment when due.
100. If a Contract Permit is mutilated or accidentally defaced or the figures or particulars thereon have become illegible or the colour of the Contract Permit has become altered by fading or otherwise, the Contract Permit Holder shall surrender it to the Council and the Council, upon receipt of the Contract Permit, shall issue a duplicate Contract Permit so marked and upon such issue the original Contract Permit shall become invalid.
101. If a Contract Permit or Smart Card is lost or destroyed the Contract Permit Holder may apply to the Council for the issue to him of a duplicate Contract Permit and the Council, upon being satisfied as to such loss or destruction, shall issue a duplicate Contract Permit so marked and upon such issue the Contract Permit which it duplicates shall become invalid. A replacement Contract Permit or Smart Card will only be issued upon payment of a charge of £10.
102. The provisions of this Order shall apply to a duplicate Contract Permit and an application therefore as if it were a Contract Permit.

103. A Contract Permit shall be in writing and shall bear the words 'Parking Permit', and shall include the following particulars:

- (1) an issue number;
- (2) an authentication that the permit has been issued by the Council;
- (3) the permit expiry date;
- (4) the name or names of the parking places where the Contract Permit may be used.

104. A Contract Permit Holder shall have a valid Contract Permit exhibited on the vehicle in the relevant position for the whole of any period of waiting.

#### **PART 8(E)**

#### **PARKING SPACE CONTRACT PERMITS AND SMART CARDS**

105. The Council may issue a Parking Space Contract Permit and Smart Card in accordance with conditions contained or referred to in the Parking Places Parking Permits: Terms and Conditions of Use which shall be valid in respect of payment in pay on foot parking places and shall only be used in accordance with the agreed terms at the time of issue and by the person business or organisation to whom it has been issued.

106. A Parking Space Contract Permit shall be subject to such conditions as may from time to time be determined by the Council and contained or referred to in the Parking Places Parking Permits: Terms and Conditions of Use and any separate Agreement relating to its issue.

107. The driver of a vehicle waiting in a Contract Parking Space shall have a valid Parking Space Contract Permit exhibited on the vehicle in the relevant position for the whole of any period of waiting.

#### **PART 9**

#### **GENERAL**

108. The Council may suspend the use of a parking place or any part thereof whenever it considers such suspension reasonably necessary:

- (1) for the purpose of facilitating the movement of traffic or promoting its safety;
- (2) for the purpose of any building operation, demolition or excavation in or adjacent to the parking place or the maintenance, improvement or reconstruction of the parking place or the laying, erection, alteration, removal or repair in or adjacent to the parking place of any sewer or of any main, pipe or apparatus for the supply of

gas, water or electricity or of any electronic communications apparatus or of any sign, surface marking or ticket machine or automatic ticket issuing device or pay station;

- (3) for the convenience of occupiers of premises adjacent to the parking place on any occasion of the removal of furniture to or from any premises adjacent to the parking place;
- (4) on any occasion on which it is likely by reason of some special event that any adjacent street will be thronged or obstructed;
- (5) for such other purpose as the Council may consider to be reasonable.

109. A police officer in uniform or a PCSO may suspend the use of a parking place or any part thereof whenever he considers such suspension reasonably necessary for the purpose of facilitating the movement of traffic or promoting its safety.

110. Any person suspending the use of a parking place or any part thereof may place or cause to be placed in or adjacent to that part or those parts a sign or signs indicating that waiting is prohibited.

111. No person shall cause or permit a vehicle to be left in any part of a parking place during such period as there is in or adjacent to that part of the parking place a sign placed in pursuance of Article 110 of this Order other than:

- (1) a vehicle being used for fire brigade, ambulance or police purposes; or
- (2) any other vehicle left with the permission of the Council or a police officer in uniform or PCSO.

112. Where a vehicle is removed by the Council from a parking place in pursuance of the provisions of this Order there shall be payable to the Council charges pursuant to section 102 of the 1984 Act and the Removal and Disposal of Vehicles Regulations 1986 and the Removal and Disposal of Vehicles (Charges) Regulations 1993.

## **PART 10**

### **MISCELLANEOUS**

113. The Interpretation Act 1978 shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.

114. Unless the context otherwise requires words denoting the singular shall include the plural and vice versa and words denoting the persons shall include either gender, bodies corporate, unincorporated associations and partnerships.



115. Headings of Parts of this Order, headings of Schedules and the contents of the Table of Contents are for information only and do not form part of the Order and are not to be taken into account in its construction or interpretation.

## PART 11

### CONTRAVENTION OF RESTRICTIONS

116. Where a vehicle has been left or used in contravention of the provisions of this Order a Penalty Charge shall be incurred, the amount of which will be set by the Council under the provisions of the 2004 Act and the Regulations made thereunder.
117. Where a Penalty Charge is payable a Penalty Charge Notice shall be issued by a Civil Enforcement Officer pursuant to and in accordance with the 2004 Act.
118. The Penalty Charge shall be payable to the Council in such a manner and within such a period as is specified in the Penalty Charge Notice.
119. Where a Penalty Charge Notice has been attached to a vehicle no person not being the driver of the vehicle or duly authorised representative of the Council shall remove the Penalty Charge Notice from the vehicle unless authorised to do so by the driver.
120. The Penalty Charge Notices referred to in Article 117 of this Order shall be written and issued by hand or by the use of a hand-held data capture device and printer as approved by the Council.
121. The particulars detailed in a Penalty Charge Notice may be stored electronically via the hand-held data captive devices referred to in Article 120 of this Order on a central database as approved by the Council. This information may be retrieved at a later date from the central database and produced as a facsimile of the original Penalty Charge Notice. Any such information so produced may be used as evidence that a Penalty Charge Notice was so incurred and may be used in any proceedings taken.

Dated this 4<sup>th</sup> December 2024

THE COMMON SEAL of DARLINGTON  
BOROUGH COUNCIL was hereunto  
affixed in the presence of:



Authorised Signatory



200257

**SCHEDULE 71.01**  
**Off Street Short Stay Pay & Display Parking**

Column1	Column2	Column3	Column4	Column5	Column6
Name and description of Car park	Classes of Vehicles	Days of Operation	Charging Hours	Charge	Transferable tickets
Abbott's Yard Car Park area of land off Bondgate bounded on north by 9-14 Bondgate, on east by Royal Oak Yard and 27-40 High Row, on south by Barclays Bank and on west by 57-61 Skinnergate and 4 Kcartons Yard	Any vehicle with a height less than 7 feet 9 inches that displays either a valid ticket issued under this Order or a valid permit issued by the Council	All days	All days 8am-6pm	£1 per hour or part thereof	not applicable
Commercial Street East Car Park area of land off Commercial Street bounded on north by St Augustine's Way, on east by Northgate Roundabout, on south by Commercial Street and JSU Club and on west by subway	Any vehicle that displays either a valid ticket issued under this Order or a valid permit issued by the Council	All days	All days 8am-6pm	£1 per hour or part thereof	not applicable
Commercial Street West Car Park area of land off Commercial Street bounded on the east and south by Commercial Street and on the west and north-west by King Street and St Augustine's Way	Any vehicle that displays either a valid ticket issued under this Order or a valid permit issued by the Council	All days	All days 8am-6pm	£1 per hour or part thereof	not applicable

**SCHEDULE 71.01 (continued)**

Column1	Column2	Column3	Column4	Column5	Column6
Name and description of Car park	Classes of Vehicles	Days of Operation	Charging Hours	Charge	Transferable tickets
East Street Car Park multi storey car park situated above Wilkinsons with access off East Street Access Road	Any vehicle with a height less than 7 feet that displays either a valid ticket issued under this Order or a valid permit issued by the Council	All days	Mon-Sat 8am-6pm  Sun 9.30am-5pm	£1 per hour or part thereof £2 daily ticket  £1 for the period	not applicable
Skerne Bridge Car Park area of land off John Street bounded on north by John Street Cycleway, on east by the River Skerne, on south by JD Gyms Darlington and on west by 94 - 124 High Northgate	Any vehicle that displays either a valid ticket issued under this Order or a valid permit issued by the Council	All days	All days 8am-6pm	£1 per hour or part thereof £4 daily ticket	not applicable
Town Hall Car Park area of land under the Council Chamber and to the east of the Town Hall annex	Disabled persons' vehicles	All days	All days 8am-6pm	£1 per hour or part thereof	not applicable



**SCHEDULE 71.01 (continued)**

Column1	Column2	Column3	Column4	Column5	Column6
Name and description of Car park	Classes of Vehicles	Days of Operation	Charging Hours	Charge	Transferable tickets
Winston Street North Car Park area of land off Winston Street bounded on the east by Barnard Street East Back, on the south by Winston Street, on the west by Barnard Street and on the north by the Telephone Exchange	Any vehicle that displays either a valid ticket issued under this Order or a valid permit issued by the Council	All days	All days 8am-6pm	£1 per hour or part thereof	not applicable
Winston Street South Car Park area of land off Barnard Street bounded to the north by Winston Street, on the east by Raby Terrace, on the south by Duke Street North Back and on the west by Barnard Street	Any vehicle that displays either a valid ticket issued under this Order or a valid permit issued by the Council	All days	All days 8am-6pm	£1 per hour or part thereof	not applicable
Winston Street West Car Park area of land off Barnard Street bounded on east by Barnard Street, on the south by Duke Street North Back, on the west by Barnard Street West Back and on the north by the Telephone Exchange	Any vehicle that displays either a valid ticket issued under this Order or a valid permit issued by the Council	All days	All days 8am-6pm	£1 per hour or part thereof	not applicable

**SCHEDULE 71.02  
Off Street Long Stay Pay & Display Parking**

Column1	Column2	Column3	Column4	Column5	Column6
Name and description of Car park	Classes of Vehicles	Days of Operation	Charging Hours	Charge	Transferable tickets
Archer Street Car Park area of land off Upper Archer Street bounded on the north by Upper Archer Street, on the east by Archer Street, on the south by Temperance Place and on the west by Four Riggs	Any vehicle that displays either a valid ticket issued under this Order or a valid permit issued by the Council	All days	Mon-Sat 8am-6pm	£1 per hour or part thereof £4 daily ticket £8 two day ticket £12 three day ticket £16 weekly ticket	All days
Central House Car Park car park area within the boundaries of Central House off Gladstone Street	Any vehicle that displays either a valid ticket issued under this Order or a permit issued by the Council	Saturday, Sunday and bank holidays only	Sat and bank holidays 8am-6pm Sun 8am-6pm	£4 daily ticket £1 for the period	not applicable
Chesnut Street Car Park area of land off eastern end of Chesnut Street bounded on north by Sherwoods, on east by open land, on south by Lodge Street and on west by Chesnut Street properties	Any private classification of vehicle that displays a valid ticket issued under this Order or a valid permit issued by the Council	All days	Mon-Sat 8am-6pm Sun 8am-6pm	£2 daily ticket or £8 weekly ticket £1 for the period	not applicable

**SCHEDULE 71.02 (continued)**

Column1 Name and description of Car park	Column2 Classes of Vehicles	Column3 Days of Operation	Column4 Charging Hours	Column5 Charge	Column6 Transferable tickets
Chesnut Street Car Park area of land off eastern end of Chesnut Street bounded on north by Sherwoods, on east by open land, on south by Lodge Street and on west by Chesnut Street properties	Any goods vehicle, bus or coach occupying the designated HGV spaces that displays a valid ticket	All days	All days 8am-6pm	No charge	not applicable
Chesnut Street Car Park area of land off eastern end of Chesnut Street bounded on north by Sherwoods, on east by open land, on south by Lodge Street and on west by Chesnut Street properties	Any goods vehicle, bus or coach occupying the designated HGV spaces that displays a valid ticket	All days	All days 6pm-8am	£4	not applicable
Garden Street Car Park area of land off Garden Street bounded on north by Garden Street, on west by Weaver's Way, on south by l'Anson Square and on east by Allied Carpets and 8-24 Garden Street	Any vehicle with a height less than 7 feet 6 inches that displays either a valid ticket issued under this Order or a valid permit issued by the Council	All days	Mon-Sat 8am-6pm  Sun 8am-6pm	£1 per hour or part thereof £4 daily ticket £8 two day ticket £12 three day ticket £16 weekly ticket  £1 for the period	All days

**SCHEDULE 71.02 (continued)**

Column1	Column2	Column3	Column4	Column5	Column6
Name and description of Car park	Classes of Vehicles	Days of Operation	Charging Hours	Charge	Transferable tickets
Hird Street Car Park area of land off Hird Street bounded on south by Hird Street, east by 118-120 Parkgate, north by Parkgate South Back and west by 98-102 Parkgate	Any vehicle that displays either a valid ticket issued under this Order or a valid permit issued by the Council	All days	Mon-Sat 8am-6pm	£1 per hour or part thereof £4 daily ticket £8 two day ticket £12 three day ticket £16 weekly ticket	All days
Kendrew Street East Car Park area of land off Kendrew Street bounded on north by Gladstone Street, on east and south by Holly Street and on west by Kendrew Street	Any vehicle that displays either a valid ticket issued under this Order or a valid permit issued by the Council	All days	Sun 8am-6pm	£1 for the period	All days
			Mon-Sat 8am-6pm	£1 per hour or part thereof £4 daily ticket £8 two day ticket £12 three day ticket £16 weekly ticket	All days
			Sun	£1 for the period	

**SCHEDULE 71.02 (continued)**

Column1	Column2	Column3	Column4	Column5	Column6
Name and description of Car park	Classes of Vehicles	Days of Operation	Charging Hours	Charge	Transferable tickets
Kendrew Street West Car Park area of land off Kendrew Street bounded on north by Gladstone Street, on east by Kendrew Street, on south by Dr Piper House and JSU Club and on west by King Street	Any vehicle that displays either a valid ticket issued under this Order or a valid permit issued by the Council	All days	Mon-Sat 8am-6pm	£1 per hour or part thereof £4 daily ticket £8 two day ticket £12 three day ticket £16 weekly ticket  £1 for the period	All days
Park Lane Car Park area of land off Park Lane bounded on east by Park Lane, north by Waverley Terrace and west and south by Cattle Mart	Any vehicle that displays either a valid ticket issued under this Order or a permit issued by the Council	All days	Monday-Saturday 8am-6pm  Sun 8am-6pm	£5 daily ticket  £1 for the period	not applicable
Park Place East Car Park area of land off Hird Street bounded on north and east by Hird Street, south side by Health Centre and on west by Park Place	Any vehicle that displays either a valid ticket issued under this Order or a valid permit issued by the Council	All days	Mon-Sat 8am-6pm  Sun 8am-6pm	£1 per hour or part thereof £4 daily ticket £8 two day ticket £12 three day ticket £16 weekly ticket  £1 for the period	All days

**SCHEDULE 71.02 (continued)**

Column1	Column2	Column3	Column4	Column5	Column6
Name and description of Car park	Classes of Vehicles	Days of Operation	Charging Hours	Charge	Transferable tickets
Park Place West Car Park area of land off Park Place bounded on north by Fire Station, on east by Park Place, on south by Victoria Road North Back and on west by Royal Mail House	Any vehicle that displays either a valid ticket issued under this Order or a valid permit issued by the Council	All days	Mon-Sat 8am-6pm	£1 per hour or part thereof £4 daily ticket £8 two day ticket £12 three day ticket £16 weekly ticket	All days
St Hilda's Car Park area of land off Tannery Yard bounded on south by Parkgate, east by Tannery Yard and northwest by St Hilda's Church	Any vehicle that displays either a valid ticket issued under this Order or a valid permit issued by the Council	All days	Sun 8am-6pm	£1 for the period	All days
			Mon-Sat 8am-6pm	£1 per hour or part thereof £4 daily ticket £8 two day ticket £12 three day ticket £16 weekly ticket	All days
			Sun 8am-6pm	£1 for the period	

**SCHEDULE 71.03**  
**Off Street Business Parking**

Column1	Column2	Column3	Column4	Column5	Column6
Name and description of Car park	Classes of Vehicles	Days of Operation	Charging Hours	Charge	Transferable tickets
Beaumont Street West Car Park area of land off Beaumont Street West bounded on north by Beaumont Street West, on east by footpath linking Beaumont Street West and Elwin Lane and on south and west by Elwin Lane	Any vehicle that displays a valid permit issued by the Council	All days	At all times	See article 47 of this Order	not applicable
Central House Car Park car park area within the boundaries of Central House off Gladstone Street	Any vehicle that displays a valid permit issued by the Council	Monday - Friday 8am-6pm exc. bank holidays	Monday-Friday exc bank holidays 8am-6pm	See article 47 of this Order	not applicable
Four Riggs Car Park area of land on east side of Four Riggs	Any vehicle that displays a valid permit issued by the Council	All days	At all times	See article 47 of this Order	not applicable
Morton Palms Car Park area of land off Alderman Best Way bounded north by open land, on east by Alderman Best Way, on west by Steel Works and on the south by open land	Any vehicle that displays a valid permit issued by the Council	All days	At all times	See article 47 of this Order	not applicable

**SCHEDULE 71.03 (continued)**

Column1	Column2	Column3	Column4	Column5	Column6
Name and description of Car park	Classes of Vehicles	Days of Operation	Charging Hours	Charge	Transferable tickets
Silver Place Car Park area of land adjacent to John Williams Boulevard South bounded on north by open land, on east by Rocket Street, on west by John Williams Boulevard South and on south by unnamed access road	Any vehicle displaying a valid permit issued under this Order	All days	At all times	See article 47 of this Order	not applicable
Town Hall Business Car Park Area One area of land bounded by the Town Hall, Bishopsgate House and Feethams Leisure	Any vehicle that displays a valid permit issued by the Council in accordance with article 40(11) of this Order	All days	At all times	See article 43(4) of this Order	not applicable
Town Hall Business Car Park Area Two area of land between Bishopsgate House and St Cuthbert's Church	Any vehicle that displays a valid permit issued by the Council in accordance with article 40(12) of this Order	All days	At all times	Nil for vehicles authorised to park in parking spaces	not applicable



**SCHEDULE 71.05**  
**Off Street Pay on Foot Parking**

Column1	Column2	Column3	Column4	Column5	Column6
Name and description of Car park	Classes of Vehicles	Days of Operation	Charging Hours	Charge	Transferable tickets
Feethams Car Park multi storey car park situated on Beaumont Street with access off the north side of Beaumont Street	Any vehicle with a height less than 6 feet 9 inches	All days	All days 8am-6pm	£1 per hour or part thereof	not applicable

