

**DARLINGTON BOROUGH COUNCIL
ROAD TRAFFIC RESTRICTIONS
(AMENDMENT NO.2) ORDER 2020**

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

**PART 1
DARLINGTON BOROUGH COUNCIL
(OFF STREET PARKING PLACES)
CONSOLIDATION ORDER 2019**

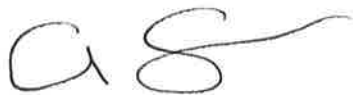
1. The Darlington Borough Council (Off Street Parking Places) Consolidation Order 2019 ('the 2019 Order') is amended as follows:-
 - 1.1 The definitions detailed in Schedule One to this Order are added to Article 2 of the 2019 Order
 - 1.2 Article 7(5) as detailed in Schedule Two to this Order is added to the 2019 Order
 - 1.3 The Articles detailed in Schedule Three to this Order are deleted from the 2019 Order and replaced by the Articles detailed in Schedule Four to this Order
 - 1.4 Part 8(E) as detailed in Schedule Five to this Order is added to the 2019 Order

**PART 2
GENERAL**

2. This Order is entitled the Darlington Borough Council Road Traffic Restrictions (Amendment No.2) Order 2020 and shall come into effect on the 26th October 2020.
3. All other provisions of the 2019 Order will continue in full force and effect.

Dated this 16th October 2020

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



Authorised Signatory



18381.

SCHEDULE ONE

ADDED TO THE 2019 ORDER

"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

"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

"Parking Space Contract Permit Holder" means a person or business or organisation to whom a Parking Space Contract Permit has been issued

SCHEDULE TWO

ADDED TO THE 2019 ORDER

7(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

SCHEDULE THREE

DELETED FROM THE 2019 ORDER

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 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. 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 and the issuing of a Contract Permit is at the discretion of the Council.

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.

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 or more parking spaces £800 per parking space per year

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.

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;
- (2) the Contract Permit Holder ceases to be the owner or user of the vehicle in respect of which the Contract Permit was issued;
- (3) the issue of a duplicate Contract Permit by the Council under the provisions of Articles 100 or 101 of this Order;
- (4) the withdrawal of the Contract Permit by the Council pursuant to the provisions of Articles 97 or 98 of this Order;
- (5) in respect of any Contract Permit for which the permit fee is being paid by monthly instalments the Contract Permit Holder fails to pay the monthly instalment when due

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.

SCHEDULE FOUR

ADDED TO THE 2019 ORDER

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.

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

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.

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;
- (2) the Contract Permit Holder ceases to be the owner or user of the vehicle in respect of which the Contract Permit was issued;
- (3) the issue of a duplicate Contract Permit by the Council under the provisions of Articles 100 or 101 of this Order;
- (4) the withdrawal of the Contract Permit by the Council pursuant to the provisions of Articles 97 or 98 of this Order;

(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.

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.

SCHEDULE FIVE

ADDED TO THE 2019 ORDER

PART 8(E)

PARKING SPACE CONTRACT PERMITS AND SMART CARDS

104A. 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.

104B. Any 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.

104C. 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.

