

MANSFIELD DISTRICT COUNCIL

CIVIL ENFORCEMENT OFF-STREET PARKING PLACES

ORDER 2018

Mansfield District Council (hereinafter called "the Council") in exercise of its powers under Sections 32, 35 and Part IV of Schedule 9 of the Road Traffic Regulation Act 1984, as amended ("the 1984 Act") and under the Traffic Management Act 2004 as amended ("the 2004 Act") and of all other enabling powers, with the consent of the Nottinghamshire County Council in accordance with section 39(3) of the 1984 Act and after consultation with the Chief Constable of Nottinghamshire Police in accordance with Part III of Schedule 9 to the 1984 Act hereby makes the following Order:

PART I

GENERAL

Commencement and Citation

1. This Order shall come into operation on the 11 June 2018 and may be cited as the Mansfield District Council Civil Enforcement Off-Street Parking Places Order 2018. The Mansfield District Council Civil Enforcement Off-Street Parking Places Order 2018 Charges and Plans are incorporated into this order.

Interpretation

2. In this Order, except where the context otherwise requires, the following expressions have the meanings respectively assigned to them:

"Bank Holiday" has the same meaning as described in the Banking and Financial Dealings Act 1971. The first Monday of May shall be treated as if it were a Bank Holiday for the purposes of this Order.

"Civil Enforcement Officer" or "Parking Attendant" means a person authorised by or on behalf of the Council to supervise the Parking Places and enforce the restrictions imposed and the contraventions created by this Order.

"Charging Days", means those days other than Christmas Day and Easter Sunday, which are as specified at each Parking Place and in the Schedule of Parking Places.

"Charging Hours", means the period as specified at each Parking Place on all Charging Days and in the Schedule of Parking Places.

"Council" means Mansfield District Council.

"Disabled Persons' Badge" means a badge issued by any Local Authority in accordance with the provisions of the Local Authorities' Traffic Orders (Exemptions for Disabled Persons (England) Regulations 2000) or a badge having effect under those regulations as if it were a Disabled Person's Badge;

"Driver" in relation to a Parking Place means the person driving the Vehicle at the time it was left in the Parking Place.

"Electronic Payment" means a cashless parking payment method of charges for use in a Parking Place where facilities at that Parking Place allow payment by telephone or electronic means, allowing Vehicles of such classes, in such positions, on such days, during such hours and for such period as are specified at each Parking Place and specified in the Schedule of Parking Places to be parked for the period of time for which Electronic Payment has been made.

"Expiry Time" is the time indicated on the Pay and Display Ticket or Voucher and is the time by which the parking period for which the Pay and Display Ticket, Voucher or Electronic Payment period has expired.

"Free Period" means a period of parking for which a Voucher must be obtained but for which there is no charge as specified on site and which is specified in the Schedule of Parking Places as being at a charged of £0.00.

"Goods Vehicle" has the same meaning as that ascribed to it in Section 192 of the Road Traffic Act 1988 (RTA 1988).

"Loading Bay" means an area of a Parking Place, which is provided for the temporary parking of Vehicles of a class specified and indicated by markings on the surface of the Parking Place or signed or otherwise indicated by signs in the Parking Place for the purpose of Loading and Unloading of Goods

"Loading/Unloading" refers to when a Vehicle is parked wholly in a Loading Bay or in a Parking Place or Parking Bay marked for that purpose on site, for the purpose of delivering or collecting goods or merchandise or loading or unloading the Vehicle at premises adjacent to the Loading Bay, Parking Place or Parking Bay and the Vehicle does not park for more than twenty minutes or such longer period as a duly authorised officer of the Council may authorise.

"Motorcycle" refers to a solo Motorcycle only and excludes any motorcycle which has a side-car or trailer, or which has more than two wheels.

"Owner" in relation to a Vehicle means the person who is recorded as the registered keeper by the Driver and Vehicle Licensing Agency on the date on which the Vehicle was left in the Parking Place in question.

"Parking Bay" means an area of a Parking Place, which is provided for the leaving of a Vehicle of a class specified and indicated by markings on the surface of the Parking Place or signed or otherwise indicated by signs in the Parking Place.

"Parking Permit" means a season ticket, contract permit, business permit, resident's permit or other Parking Permit of a type and design issued by the Council.

"Parking Place" means the area coloured in green shown on the Plans and provided by the Council pursuant to Section 32(1) of the 1984 Act for the purpose of Vehicle parking and not closed (in part or in whole) by a notice sign or barrier erected or displayed thereon by authority of the Council in accordance with Article 12 of this Order.

"Pay and Display Parking Place" means a type of Parking Place where upon parking the Vehicle in a Parking Bay and prior to leaving the Parking Place a Pay and Display Ticket must be purchased or Electronic Payment must be made at the level of charge (if any) or a Voucher obtained for any Free Period in accordance with the scale of charges specified at that Parking Place and in the Schedule of Parking Places, as described in Article 22 of this Order.

"Pay and Display Ticket" means a ticket issued by a Ticket Machine located in the Parking Place in which the Vehicle has been left or issued by a person nominated by the Council and purchased in accordance with Article 22 of this Order on payment of a charge and valid for a parking period as specified at that Parking Place and in the Schedule of Parking Places. The Pay and Display Ticket must be displayed prominently on the Vehicle, where appropriate, in accordance with Article 24 of this Order.

"Pay on Foot/Pay on Exit" means a Parking Place where an entry ticket is taken at the entry barrier to access the Parking Place. Prior to leaving the Parking Place, this ticket is then inserted in to a Ticket Machine located in the Parking Place and the correct payment in accordance with scale of charges specified at that Parking Place and specified in the Schedule of Parking Places is made. The Ticket Machine produces an exit ticket which is then used to raise the barrier on exit.

"Penalty Charge" means the charge set by the Council under Section 77 of Part 6 of Schedule 9 of the 2004 Act and as specified at each Parking Place and specified in the Schedule of Parking Places which is to be paid to the Council following the issue of a Penalty Charge Notice and within the period notified on the Penalty Charge Notice, from the date of issue of that notice.

"Penalty Charge Notice" means a notice issued by or served by a Civil Enforcement Officer pursuant to the provisions of The Civil Enforcement of Parking Contraventions (England) General Regulations 2007.

"Plans" means the plans annexed to this Order and numbered OPO2018/100 to OPO2018/103 and OPO2018/1 to OPO2018/22 inclusive which identify the Parking Places affected by this Order.

"Public Holiday" means Christmas Day, Good Friday and any other day designated by the Government as a public holiday.

"Relevant Position" means

- (a) in respect of a Vehicle displaying a valid Disabled Person's Badge -
 - (i) in the case of a Vehicle fitted with a dashboard or fascia panel, the badge is exhibited thereon so that Part 1 (the front of the badge), is legible from outside the Vehicle; or
 - (ii) in the case of a Vehicle not fitted with a dashboard or fascia panel, the badge is exhibited in a conspicuous position on the Vehicle so that Part 1 of the badge is legible from outside the Vehicle
- (b) In respect of a Vehicle displaying a Pay and Display Ticket, Voucher or Parking Permit -

(i) the ticket, Voucher or permit is exhibited on the inside surface of the windscreen or in a clearly visible position so that the Expiry Time, date of purchase and serial number is visible and facing forwards and can be easily seen and read, from the front or side of the Vehicle; or

(ii) in the case of a Vehicle that is not fitted with a transparent windscreen, the ticket, Voucher or permit is exhibited on the front of the Vehicle facing forwards and clearly visible, whereby the Expiry Time, date of purchase and serial number should be visible.

(c) In respect of a Vehicle displaying a Hackney Carriage Plate –

(i) The plate must be affixed to the Vehicle in accordance with the instructions given within the licence as issued by the Council.

“Schedule of Parking Places” means a Schedule of Parking Places, locations, times of use of the said Parking Places, parking tariffs and charges including Free Periods (if any) attached to this Order.

“Specified Proportion” means such proportion, applicable to all cases where a Penalty Charge Notice has been issued, as may be determined by the Local Authorities acting through the Joint Committee of the National Parking Adjudication Service and any such successor organisation carrying out the same function.

“Ticket Machine” means an apparatus of a type and design approved by the appropriate Minister for the purpose of this Order, being apparatus designed to indicate the time by a clock and to issue Parking Tickets or Vouchers each of which permits the parking of a Vehicle in the Parking Place for the period specified thereon.

“Vehicle” means any motorcar, Motorcycle or other mechanically propelled automobile.

"Voucher" means free parking ticket obtained for a Free Period and issued by a Ticket Machine located in the Parking Place in which the Vehicle has been left or a free parking ticket issued by a person nominated by the Council and valid for a parking period as specified at that Parking Place and specified in the Schedule of Parking Places in accordance with Article 22 of this Order. The Voucher must be displayed prominently on the Vehicle, where appropriate, in accordance with Article 24 of this Order.

3. Except where the context requires otherwise, any reference in this Order to a numbered Article shall be construed as a reference to the Article bearing that number in this Order and any reference to a plan is a reference to the Plans incorporated into this Order.
4. Any reference in this Order to any enactment shall be construed as a reference to that enactment as amended, applied, consolidated, re-enacted by or as having effect by virtue of any subsequent enactment. Unless the context otherwise requires words denoting the singular shall include the plural and vice versa and words denoting persons shall include either gender, bodies corporate, unincorporated associations and partnerships
5. The Interpretation Act 1978 shall apply for the interpretation of this Order.

PART II

DESIGNATION AND USE OF PARKING PLACES

Designation

6. Each area of land or buildings, coloured in green shown on the Plans, may be used, subject to the provisions of this Order, as a place to leave Vehicles of such classes, in such positions, on such days, during such hours, for such period and on payment of such charges as are

specified at each Parking Place and as specified in the Schedule of Parking Places.

Class and position of Vehicle

7. Where by notice at a Parking Place, a Parking Place is described as available for Vehicles of a specified class or Vehicles to be left in a specified location, no person shall permit a Vehicle to park in that Parking Place or as the case maybe in any Parking Bay within the Parking Place,

(i) unless it is of the specified class;

(ii) that is parked beyond the Parking Bay markings; or

(iii) in a position other than that specified.

Disabled person's parking bays

8. No person shall cause or permit a Vehicle to park in a Parking Bay marked for disabled persons unless the Vehicle displays a valid Disabled Person's Badge in the Relevant Position and immediately before or immediately after the act of parking the Vehicle has been or is about to be used by the person(s) in respect of whom the Disabled Person's Badge has been issued. Where required the Vehicle shall also display the Disabled Badge clock in accordance with local regulations.

Taxi Ranks

9. No person shall cause or permit a Vehicle to park in a Parking Bay marked for Taxis unless the Vehicle displays a valid Hackney Carriage plate, issued by the Council, in the Relevant Position.

Loading and Unloading bays

10. No person shall cause or permit a Vehicle to park in a Parking Bay marked as a Loading Bay unless the Vehicle is being used for the purpose of Loading or Unloading.

Motorcycle parking bays

11. No person shall cause or permit a Vehicle to park in a Parking Bay marked for Motorcycles unless the Vehicle is a Motorcycle.

Power to close or suspend Parking Places

12. Nothing in this Order shall prevent the Council by notice, sign or barrier displayed in a Parking Place:
 - (i) from closing a Parking Place or any part thereof for any period; and/or
 - (ii) from suspending the use of a Parking Place or any part thereof for any period; and/or from setting aside a Parking Place or any part or parts thereof on all days or on certain days or during certain parts of days for use only by particular Vehicles or organisations.
13. Any person suspending the use of a Parking Place or any part thereof in accordance with the provisions of Article 12 shall thereupon place or cause to be placed in or adjacent to that Parking Place or that part thereof a notice or traffic sign indicating that the use of that Parking Place or that part thereof is suspended and that parking by Vehicles is prohibited.
14. No person shall cause or permit a Vehicle to be left in a Parking Place or any part thereof during such periods that the use of that Parking Place or that part thereof is closed or suspended or during such period as there is in or adjacent thereto a notice or traffic sign placed by or on behalf of the Council in pursuance of Article 13.

Use of Parking Place

15. No person shall while a Vehicle is in a Parking Place use the Parking Place for any purpose other than parking the Vehicle, boarding or alighting from the Vehicle or taking articles out of or into the Vehicle and in particular but without prejudice to the generality of the foregoing provisions of this Article no person shall:

(i) carry out any work of construction overhauling cleaning or repair in respect of the Vehicle except as may be necessary to enable the Vehicle to be moved from the Parking Place;

(ii) use the Parking Place to make deliveries except where authorisation is granted by an authorised officer of the Council.

(iii) use a Vehicle while it is in a Parking Place in connection with the sale of any article (including the Vehicle itself) to persons in or near the Parking Place or in connection with the selling or offering for hire of his or another person's skills or services in any capacity, unless with the express written permission of the Council;

(iv) except with the permission of an authorised officer of the Council or Civil Enforcement Officer drive any Vehicle in a Parking Place other than for the purpose of leaving that Vehicle in the Parking Place or for the purpose of departing from the Parking Place in accordance with the provisions of this Order.

Maximum Period of Stay

16. Where a Parking Place is described by a notice displayed within it or specified in the Schedule of Parking Places as being available on specified days, during specified hours or for a maximum period of stay, no person shall permit a Vehicle to park in that Parking Place on any day, during such hours or for any period other than or longer than those specified.

Period of no return

17. Where by notice on site or specified in the Schedule of Parking Places a Parking Place is described as having a period within which a Vehicle may not return no person shall permit a Vehicle to park in that Parking Place on any day during such period.

Parked with engine running

18. The Driver of a motor Vehicle using a Parking Place shall stop the engine as soon as the Vehicle is in the Parking Bay and shall not start the engine except when about to change the position of the Vehicle in or to depart from the Parking Place.

Parked causing an obstruction

19. The Driver of a motor Vehicle using a Parking Place shall not park the Vehicle in such a manner or place where it causes an obstruction to any other users of the Parking Place.

PART III

CHARGES FOR PARKING

Payment

20. The Driver of a Vehicle using a Pay and Display Parking Place shall upon parking the Vehicle in the Parking Place purchase or obtain a Pay and Display Ticket at the appropriate charge (if any), Voucher or make a payment by Electronic Payment method at the level of charge in accordance with the scale of current charges as specified on site and specified in the Schedule of Parking Places. Where a Free Period of parking is specified on site and specified in the Schedule of Parking Places for which a Voucher (free parking ticket) is required, a Voucher must be obtained for which there is no charge as specified on site and

which is specified in the Schedule of Parking Places as being at a charge of £0.00.

Pay on Exit / Pay on Foot Parking Places

21. The Driver of a Vehicle using a Pay on Exit/Pay on Foot Parking Place shall, upon arriving at the Parking Place, take a Parking Ticket from the Ticket Machine to establish the time of entry at the Parking Place and shall on return to the Vehicle prior to exit pay the appropriate fee (if any) at the Pay on Foot Ticket Machines or pay the attendant on duty, or a person nominated by the Council at the exit point as the case may be a parking fee at the level of charge and for the period required in accordance with the scale of charges as specified at that Parking place and in the Schedule of Parking Places.

Pay and Display Parking Places

22. The Driver of a Vehicle using a Pay and Display Parking Place or any Parking Bay within the Pay and Display Parking Place shall upon parking the Vehicle in a Parking Bay and prior to leaving the Parking Place purchase a Pay and Display Ticket at the appropriate level of charge (if any), obtain a Voucher or make an Electronic Payment at the level of charge and for the period required in accordance with the scale of charges as specified at that Parking Place and in the Schedule of Parking Places.

Means of payment

23. The charges (if any) referred to in Articles 20, 21 and 22 shall be payable in the manner as specified at that Parking Place and specified in the Schedule of Parking Places or by payment to a person nominated by the Council.

Display of Parking Ticket or Voucher

24. (a) Once a Vehicle has been parked within a Pay and Display Parking Place the Driver of the Vehicle shall:
- (i) ensure that a valid Pay and Display Ticket or Voucher has been obtained and is displayed at all times the Vehicle is parked, to cover the entire period that the Vehicle is parked in the Parking Place , and
 - (ii) display the Pay and Display Ticket or Voucher issued at that Parking Place in the Relevant Position on the Vehicle in respect of which it was issued.
- (b) Article 24 (a) does not apply if Payment is made via Electronic Payment.

Validity of Pay and Display Tickets or Voucher

25. A Pay and Display Ticket is not transferable from one Vehicle to another and on transfer the ticket ceases to be valid.
26. A Pay and Display Ticket or Voucher is valid only in the Parking Place in which it was issued. This is defined by the reference code of the Ticket Machine located in that Parking Place printed on the Pay and Display Ticket or Voucher.

Expiry of parking period

27. The expiry of the period for which a charge specified for the use of a Parking Place has been paid (as specified at the Parking Place and specified in the Schedule of Parking Places) shall be;
- (i) when there is exhibited on the Vehicle a Pay and Display Ticket or Voucher and the expiry date and time printed on the Pay and Display Ticket or Voucher is earlier than the date and time displayed on the clock of the issuing Ticket Machine or

(ii) where an alternative approved method of payment has been used when the period for which payment has been made and recorded is obtained and that period is earlier than the date and time displayed on the clock of the Ticket Machine.

No Pay and Display Ticket or Voucher displayed

28. If at any time while a Vehicle is left in a Parking Place no Pay and Display Ticket or Voucher is displayed on that Vehicle in the Relevant Position and in accordance with the provisions of Article 24 or where Electronic Payment is in operation and this system confirms non-payment it shall be deemed that the charge (if any) has not been paid or an appropriate Parking Ticket, Electronic Payment or Voucher has not been obtained.
29. If at the time when a Vehicle is left during the Charging Hours in a Pay and Display Parking Place and on the nearest Ticket Machine in that Parking Place there is a notice placed by any person duly authorised by the Council indicating that the said Ticket Machine is out of order then a Pay and Display Ticket or Voucher be obtained from another Ticket Machine within the same Parking Place (where another Ticket Machine is so provided) or from a person nominated by the Council or via Electronic Payment (where this facility is available). Otherwise Article 30 shall prevail where there is no Ticket Machine or all Ticket Machines are out of order, whether signed as such or not and if there is no person nominated by the Council for the purpose of issuing a ticket.
30. Where no valid Pay and Display Ticket, Voucher or Electronic Payment method can be obtained and/or displayed pursuant to the circumstances described in Article 29, Vehicles may be left in a Parking Place but may not be left for longer than the maximum period of parking specified at that Parking Place and specified in the Schedule of Parking Places.

Parking Permits

31. Parking Permits are available from the Council at the appropriate fee, for a Vehicle of a specific class and for a specific Parking Place subject to terms and conditions determined by the Council.
32. The Driver shall abide by the terms and conditions stipulated by the Council for the use of the Parking Permit.
33. A Parking Permit is only valid in the Parking Place in respect of which it was issued and up to the date of expiry shown on the Parking Permit.
34. A Parking Permit remains the property of the Council and must be surrendered on request. In such instances where a refund fee is appropriate this will be provided in accordance with the Council's terms and conditions.

Display of Parking Permit

35. The Driver of the Vehicle shall display the Parking Permit in the Relevant Position on the Vehicle in respect of which it was issued at all times during which the Vehicle is left in the Parking Place. Electronic permits are exempt from the need to display.

Replacement Parking Permits

36. Damaged or lost Parking Permits will be replaced on application to the Council and on payment of an administration fee. The damaged or lost Parking Permit will then become immediately invalid.

Surrender of Parking Permit

37. The holder of an annual Parking Permit shall on surrendering the Parking Permit be entitled to a refund based upon the number of complete months remaining un-expired from the beginning of the calendar month following the date on which the Council receives the surrendered Parking Permit. The refund will be one twelfth of the

annual rate for each un-expired calendar month less an administration fee. The Council may accept the transfer of a Parking Permit to a new Vehicle on the surrender of the existing Parking Permit to the Council subject to the relevant administration fee and subject to the procedure stated in the terms and conditions of holding such a permit.

Restriction on removal

38. When a Pay and Display Ticket, Voucher or Parking Permit has been exhibited on a Vehicle in the Relevant Position no person shall remove the Pay and Display Ticket or Parking Permit from the Vehicle until the Vehicle is removed from the Parking Place.

PART IV

EXEMPTIONS FROM DAILY CHARGES

39. No daily charge shall be payable in respect of;
- (i) a Vehicle which displays in the Relevant Position a valid Disabled Person's Badge and correctly set time clock provided that the Vehicle has been used or is about to be used by the persons(s) in respect of whom the badge is issued immediately before or immediately after the vehicle was parked in the Parking Bay, where such exemption is specified as applying at that Parking Place and specified in the Schedule of Parking Places; or
 - (ii) a Motorcycle which is left in a Parking Bay specified for such Vehicles (if any); or
 - (iii) a Vehicle left displaying in a Relevant Position a valid Parking Permit valid for that Parking Place and specified in the Schedule of Parking Places; or

(iv) a Vehicle left displaying in a Relevant Position a Voucher valid for that Parking Place in accordance with Article 24 and used in association with a Free Period

(v) an exempt Vehicle may be left in a Parking Place without payment of a daily charge, but may not be left for longer than the maximum period of parking in that Parking Place specified at that Parking Place and specified in the Schedule of Parking Places.

Absence of Ticket Machine

40. If at the time when a Vehicle is left in a Parking Place during the Charging Hours there is no Ticket Machine at the Parking Place and payment cannot be made via Electronic Payment, or all the Ticket Machines at that 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 that Vehicle shall be exempt from purchasing a Pay and Display Ticket or Voucher. Otherwise Article 30 shall prevail where there is no Ticket Machine, a ticket cannot be purchased or all Ticket Machines are out of order whether signed as such or not.

PART V

RELOCATION AND REMOVAL OF VEHICLES

Emergencies

41. A Civil Enforcement Officer, a person authorised by the Council or a Police Constable in uniform may, using such measures as are appropriate, move or cause to be moved in the case of an emergency to any place they think fit, any Vehicle left in a Parking Place.

Safe keeping

42. Any person removing a Vehicle from a Parking Place under Article 41 shall make such arrangements as may be reasonably necessary to provide for the safe keeping of the Vehicle

PART VI

LIABILITIES / PENALTIES

Liability

43. The Council accepts no liability for the loss or damage to Vehicles or other property left in any of the Parking Places to which this Order applies.

Wilful damage

44. Any person who damages or with intent to defraud interferes with the Ticket Machine or operates or attempts to operate it by the insertion of objects other than undamaged and unaltered coins of legal tender and of the appropriate denomination, or other approved method of payment, shall be liable to prosecution.

PART VII

CONTRAVENTION AND PENALTY CHARGE

Contravention

45. If a Vehicle is parked in a Parking Place 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 2004 Act may then be issued by a Civil Enforcement Officer in accordance with the requirements of the 2004 Act or any subsequent applicable legislation.

Penalty Charge Notice

46. In the case of a Vehicle in respect of which the Penalty Charge may have been incurred, it shall be the duty of a Civil Enforcement Officer to either hand the Penalty Charge Notice to the Driver of the Vehicle, post the Penalty Charge Notice to the Owner of the Vehicle or attach the Penalty Charge Notice to the Vehicle in a conspicuous position.

Restriction on removal of notices

47. A Penalty Charge Notice attached to a Vehicle in accordance with Article 46 shall not be removed or interfered with except by or under the authority of:

(i) the Owner or person in charge of the Vehicle;

(ii) the Council for the Parking Place in which the Vehicle in question was found.

Manner of Payment of Penalty Charge

48. The Penalty Charge shall be paid in accordance with the instructions contained on the Penalty Charge Notice. The recipient of a Penalty Charge Notice may be eligible to make representations or appeal against the Penalty Charge Notice issued, as detailed on the Penalty Charge Notice and in accordance with the requirements and procedures set out in the 2004 Act and its subordinate legislation.
49. If the Driver fails to pay the Penalty Charge by the end of the 28 day period, a notice to the Owner may be served. If the charge is then not paid within a further 28 days the charge may be increased by 50% on the issue of a charge certificate in accordance with the provisions of Section 21 of Part 5 of The Civil Enforcement of Parking Contraventions (England) General Regulations 2007, or such other percentage increase of charge as may be determined by amendments to the legislation from time to time. Continued failure to pay the Penalty

Charge may result in a judgement in the County Court against the Owner to enable the Council to recover the payments due.

50. Payment shall be received not later than 16:00 hours on the 28th day following the day on which such Penalty Charge was incurred or the 14th day following the day on which the Penalty Charge was incurred if the Specified Proportion is paid.

Indications as Evidence

51. The particulars given in the Penalty Charge Notice attached to a Vehicle in accordance with this Order shall be treated as evidence in any proceedings relating to failure to pay such Penalty Charge.

PART VIII

DISPOSAL OF VEHICLES

Disposal of Vehicles abandoned in Parking Places

52. The Council may sell or otherwise dispose of a Vehicle which has been or appears to have been abandoned, provided that this power of disposal shall not be exercisable unless the Council has taken such of the following steps as are applicable to the Vehicle in question, and there has elapsed a period of six weeks beginning with the taking of the first of those steps.
53. Where the Vehicle carries a registration mark the Council shall ascertain from the appropriate body the name and address of the person who is the registered keeper of the Vehicle pursuant to the Vehicles (Excise) Act 1971, unless the Council is satisfied that the true owner of the Vehicle has identified himself to them.
54. The Council shall, where by virtue of Articles 53, 55 and 56, it is aware of the name and address of a person who it appears may be the Owner of the Vehicle, send a notice to that person at that address stating that

it is the intention of the Council to sell or otherwise dispose of the Vehicle (which shall be sufficiently described in the notice) on or after a specified date (which shall not be less than two weeks from the date of the notice and in any event not earlier than six weeks from the date of the first step taken by the Council under this Part of this Order) unless it is in the meantime removed by or on behalf of that person from such place as is specified by the Council in the said notice or from such place as may be subsequently notified in writing by the Council to that person.

55. If any person to whom a notice is sent in accordance with Article 54 informs the Council of the name and address of some other person who he/she alleges may be the Owner of the Vehicle, a notice stating the particulars mentioned in Article 54 shall be sent to that other person and to any further person who the Council may in consequence of the sending of the notice to the said other person be led to believe may be the Owner of the Vehicle.
56. Where a Vehicle does not carry a registration mark the first step to be taken by the Council shall be to apply in writing to the Chief Officer of Police in whose area the Parking Place is situated enquiring whom that officer considers is the Owner of the Vehicle and the address of that person.
57. The Council shall then make such further enquiries as to ownership as it thinks fit. Should no information be received in accordance with Article 56 the Council may make any further enquiries as it thinks fit.
58. Upon the sale of a Vehicle by the Council, the Council shall apply the proceeds of sale in or towards the satisfaction of any costs incurred by it in connection with the disposal thereof and of any charge or payment to which it is entitled.
59. In the event that any such costs incurred by the Council in connection with the disposal of the Vehicle are not satisfied by virtue of Article 58,

the Council may recover those costs from the person who was the Owner of the Vehicle immediately before it was removed from the Parking Place, provided that that person was sent by the Council a notice under Article 54.

60. Any sums received by the Council on the sale of a Vehicle shall, after deducting any sum applied by virtue of Article 58, be payable within a period of one year from receipt hereof to any person to whom, but for such sale, the Vehicle would have belonged and insofar as any such sums are not claimed within the said period they shall be paid into the General Rate Fund of the Council.
61. Where under the foregoing provisions of this Order a notice is required to be or may be sent to a person the notice shall be sent by 1st class post.

PART IX

REVOCATIONS

Revocations

62. Mansfield District Council (Civil Enforcement Off-Street Parking Places) Order 2015, Mansfield District Council Off-Street Parking Places Notice of Variation (No. 1) 2015 and Mansfield District Council (Civil Enforcement Off-Street Parking Places) (Amendment No 1) Order 2017, are revoked as from the date this Order comes into operation

SCHEDULE OF PARKING PLACES

<u>Car Park</u>	<u>Times of operation</u>	<u>Parking Period</u>	<u>Fee</u>
Church Lane	All day every day	Up to half an hour Up to one hour Up to two hours Each additional hour or part hour	£0.00 80p £1.50 80p
Toothill Lane	All day every day	Up to half an hour Up to two hours Each additional hour or part hour	£0.00 £1.50 80p
Handley Arcade Toothill Road	All day everyday (max. Stay of 4 hours applies between 08:00.- 16:00)	Evening charge (applies between 18.30 – 08.00)	£2.00
Robin Hood Line	All day every day	Up to half an hour Up to one hour Each additional hour or part hour 24 hr ticket	£0.00 70p 70p £3.00
Grove Street	All day every day	Up to half an hour Up to one hour Each additional hour or part hour 24hr ticket	£0.00 50p 50p £3.00
Walkden Street (all days)	cars	Up to one hour	£1.00
		Up to two hours	£2.00
		Up to three hours	£2.00
		Each hour or part hour	£1.00
Four Seasons (all day)	motor cycles	Up to one hour	£1.00
		Up to two hour	£2.00
		Up to three hours	£2.00
		Each additional hour or part hour	£1.00
Water Meadows	All day every day (between 08:00- 15:00)	Up to half an hour Up to one hour Each additional hour or part hour Evening charge (applies 15:00-08:00)	£0.00 £1.00 £1.00 £0.00
Old Town Hall	All day every day (Max stay of 1 hour applies between 08:00 to 17:30)	Up to half an hour Up to one hour Evening charge (applies between 18.30 – 08.00)	£0.00 £1.00 £2.00
Garden Road	All day every day	Up to half an hour Up to one hour Each additional hour or part hour	£0.00 50p 50p
Victoria Street Note : the concession for disabled badge holders will not apply at this site	All day every day	Up to half an hour Up to one hour Each additional hour or part hour	£0.00 50p 50p
Clumber Street Note : the concession for disabled badge holders will not apply at this site.	All day every day (Max. stay of 4 hours applies between 08:00- 16:00) Unlimited stay (12:00-08:00)	Up to half an hour Up to one hour Each additional hour or part hour	£0.00 £1.00 £1.00

Civic Centre Note : the concession for disabled badge holders will not apply at this site.	08.00 to 18.00, Monday to Friday	Up to one hour Each additional hour or part hour	£0.00 70p
	08.00 to 18.00 Saturday	Up to half an hour Up to one hour Each additional hour or part hour Day Ticket	£0.00 70p 70p £3.00
Service Area 'D' Note : the concession for disabled badge holders will not apply at this site.	All day every day (Max stay of 2 hours applies between 08:00 to 16:00)	Up to half an hour Up to one hour Each additional hour or part hour Evening Charge (applies between 18.30 – 08.00)	£0.00 £1.00 £1.00 £2.00
Stockwell Gate North Note : the concession for disabled badge holders will not apply at this site	All day every day (max stay of 4 hours applies between 8.00 and 18.30)	Up to half an hour Up to one hour Each additional hour or part hour Evening charge (applies between 18:30-08:00)	£0.00 £1.00 £1.00 £2.00
Mansfield Railway Station	All day every day	Waiting restriction 20 minutes, no return within 4 hours	No charge
Mansfield Woodhouse Railway Station, Newgate Lane High Street Warsop Clumber Street Warsop	All day every day		No charge
Prince Charles Forest Town	Every day between 7.00 and 18.00		No charge

Season tickets for individuals per calendar month:

Gold (Four Seasons, Walkden Street) = £90;

Silver (Water Meadows, Toothill Lane, Church Lane, Victoria Street and Garden Road) = £65;

Bronze (Robin Hood Line, Grove Street) = £40;

Contract parking designated surface car parks - reserved spaces per calendar month and based on a minimum purchase of 2 passes

Gold (Four Seasons, Walkden Street) = £50;

Silver (Water Meadows, Toothill Lane, Church Lane, Victoria Street and Garden Road) = £40;

Bronze (Robin Hood Line, Grove Street) = £30

(Park and ride £1 per day -seasonal provision only)

Jacqueline Allen

Not to scale

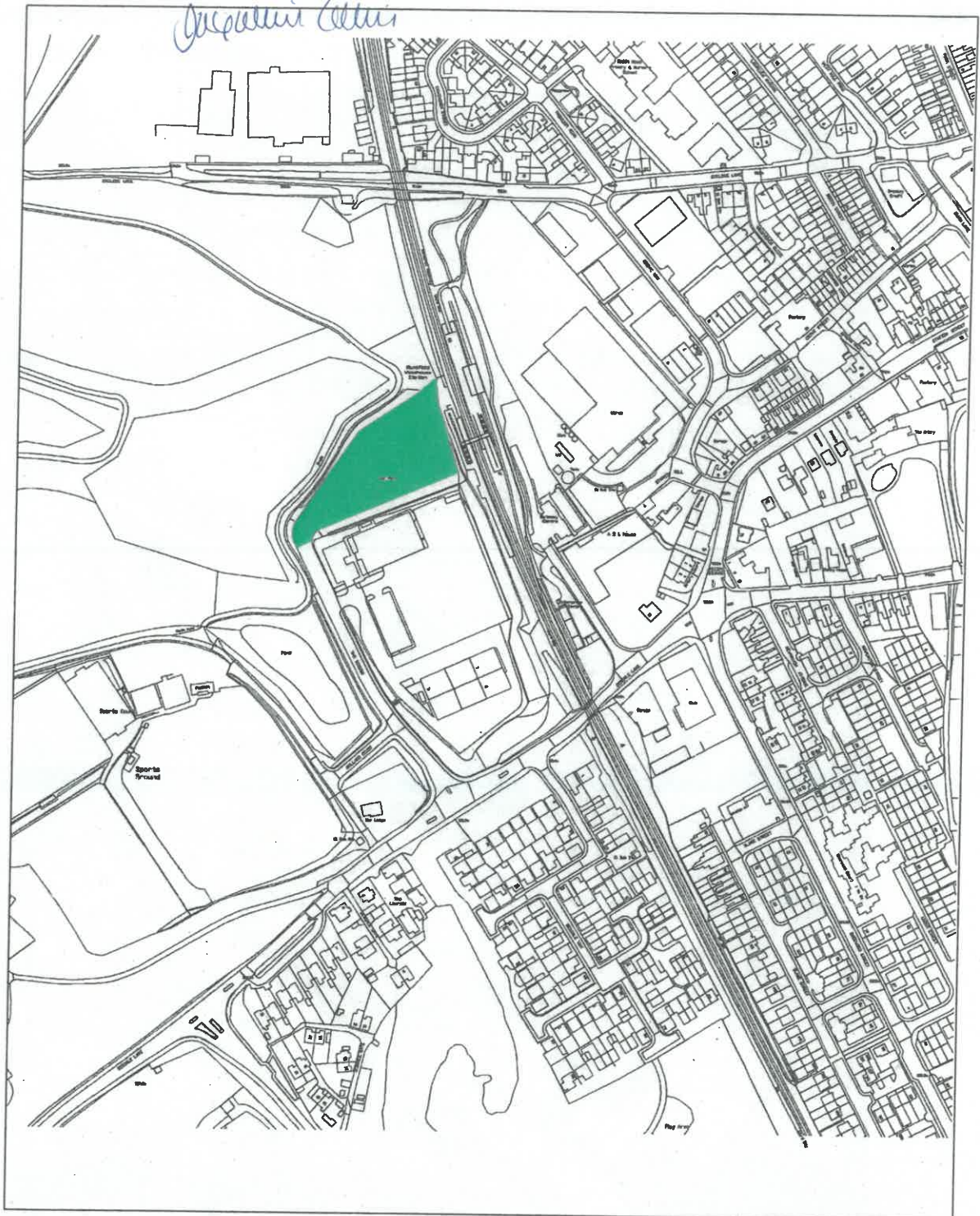


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Civic Centre, Chesterfield Road South,
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01623 463463

Drawing Ref. OPO2018 / 100
Car Park Location Plan
Mansfield
Scale: Not to scale

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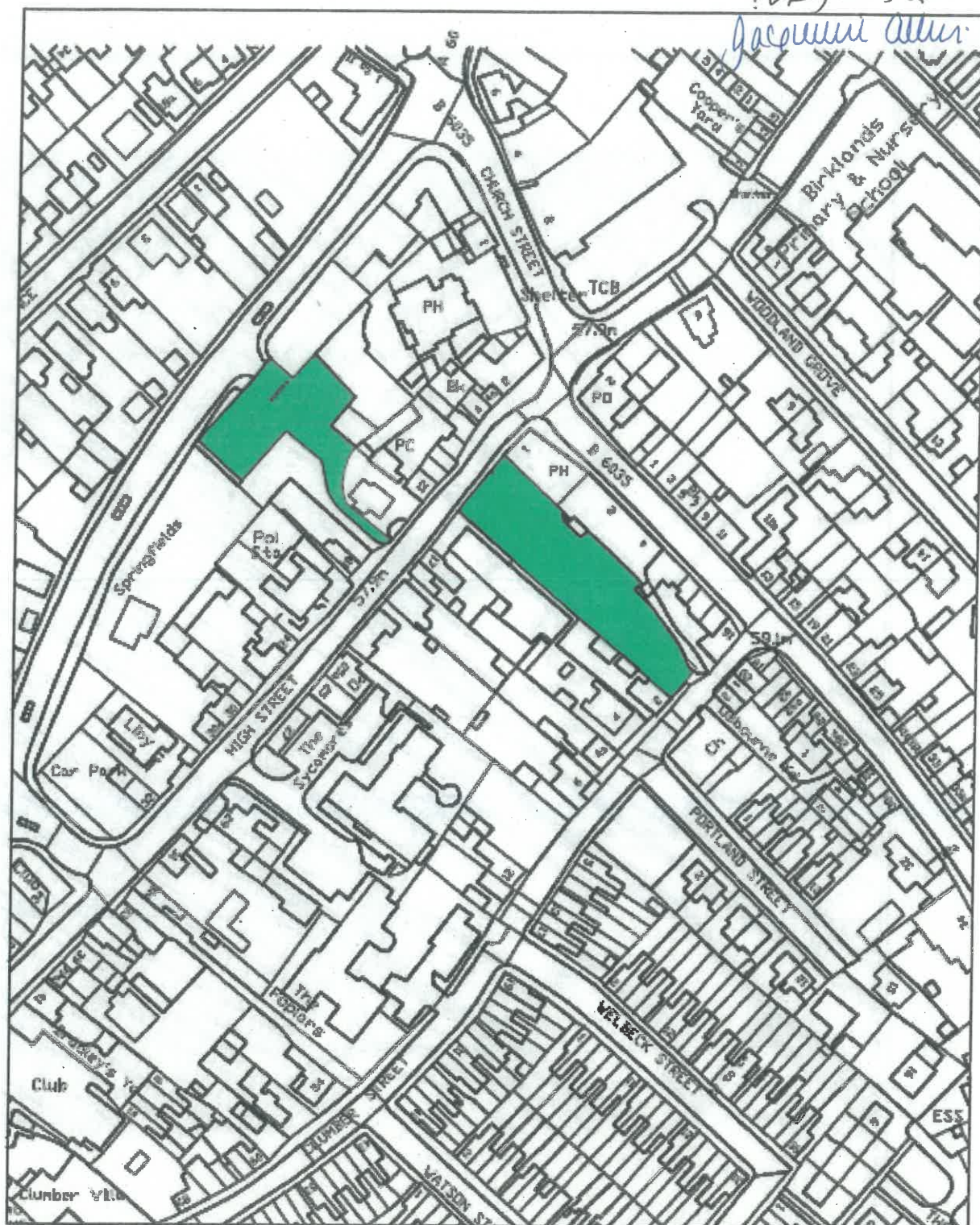
Anty sat
Dispersal Centre



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Drawing Ref. OPO2018 / 101
Car Park Location Plan
Mansfield Woodhouse
Scale: Not to scale

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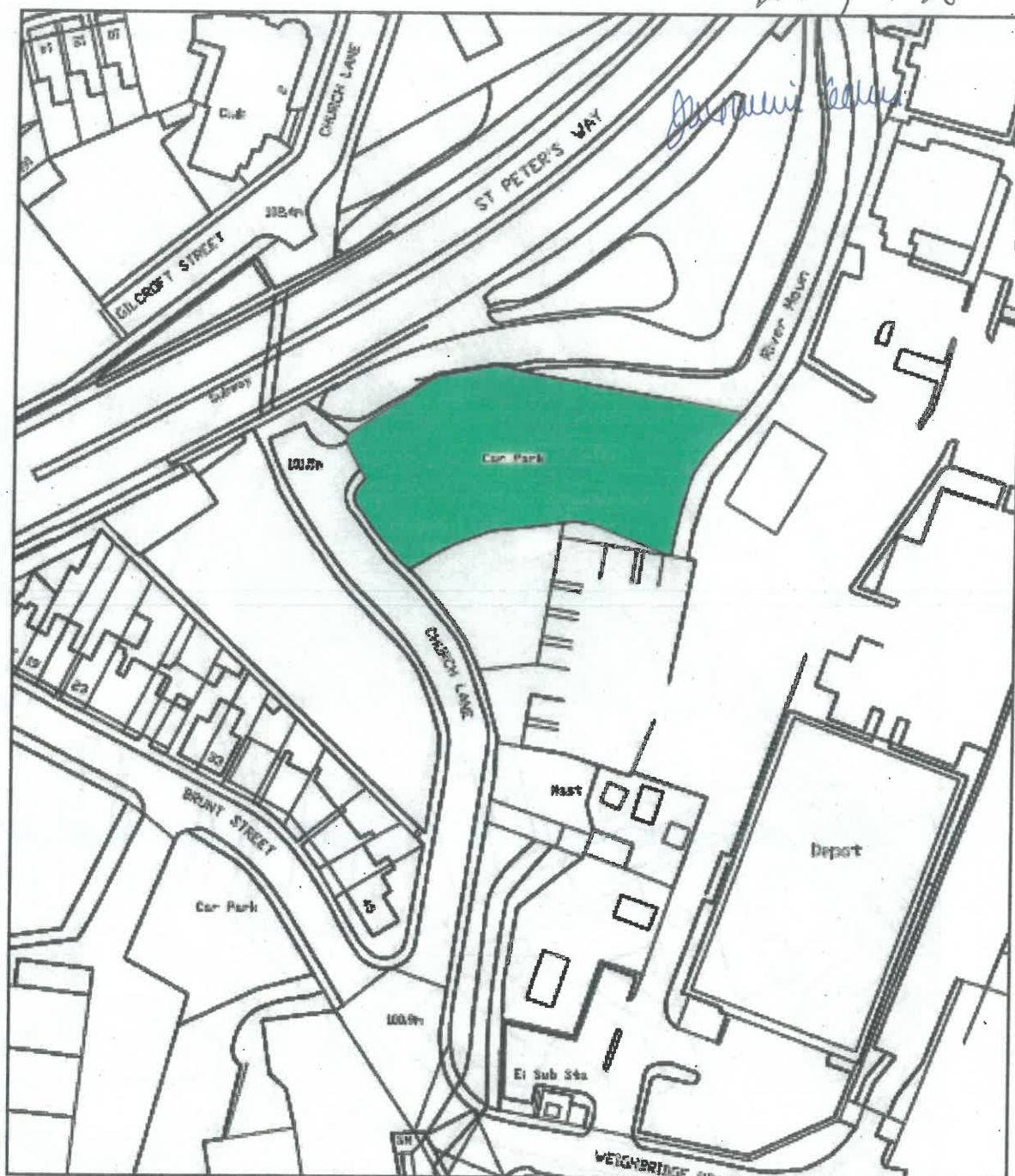


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Jacqueline Allen

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Drawing Ref, OPO2018 / 103
Car Park Location Plan
Warsop
Scale: Not to scale

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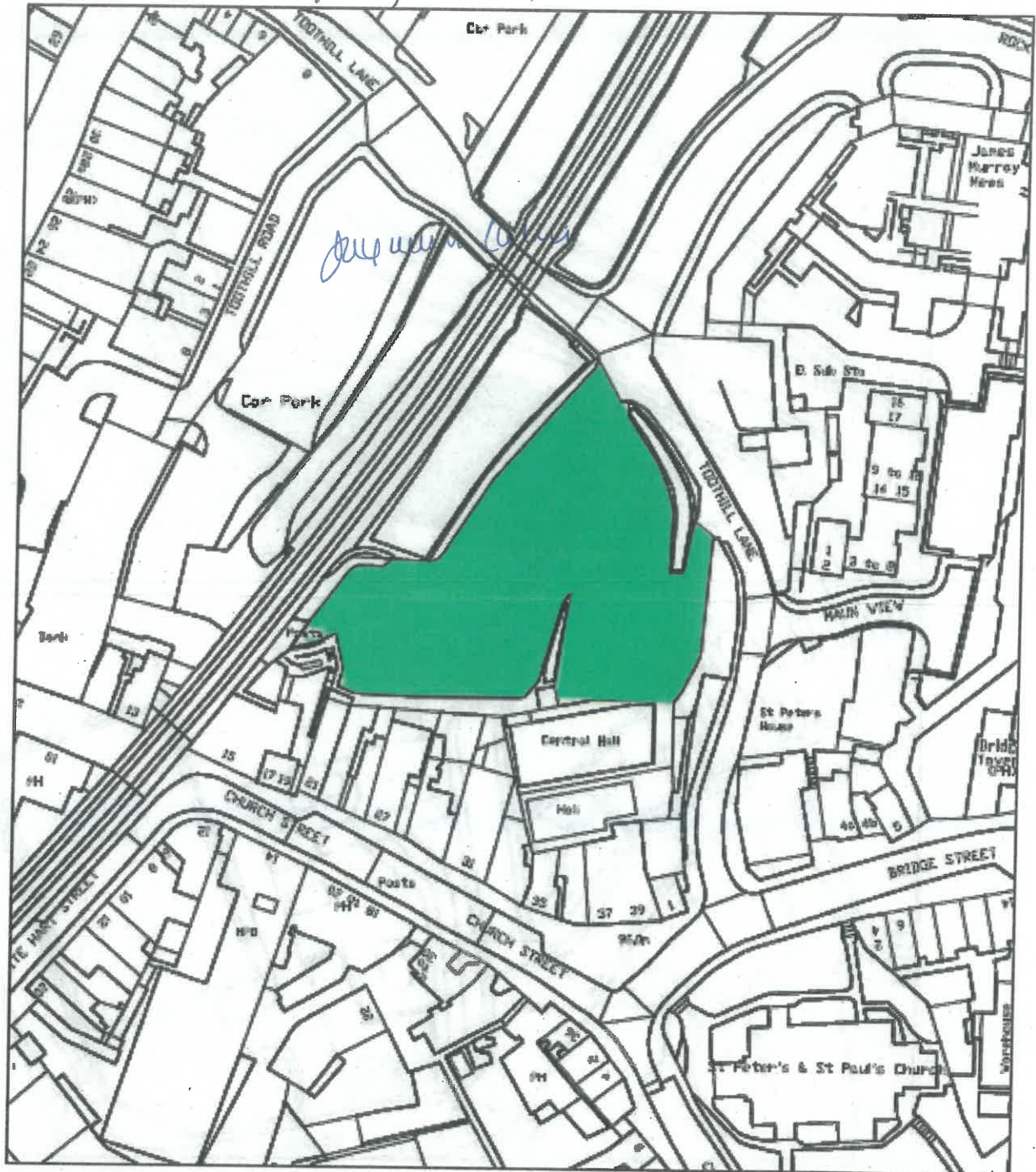
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Drawing Ref. OPO2018 /1
 Church Lane

Scale: Car Park
 1:1000

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Nodysa Satt



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Drawing Ref. OPO2018 / 2
Toothill Lane
Car Park
Scale: 1:1000

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Madge Sue

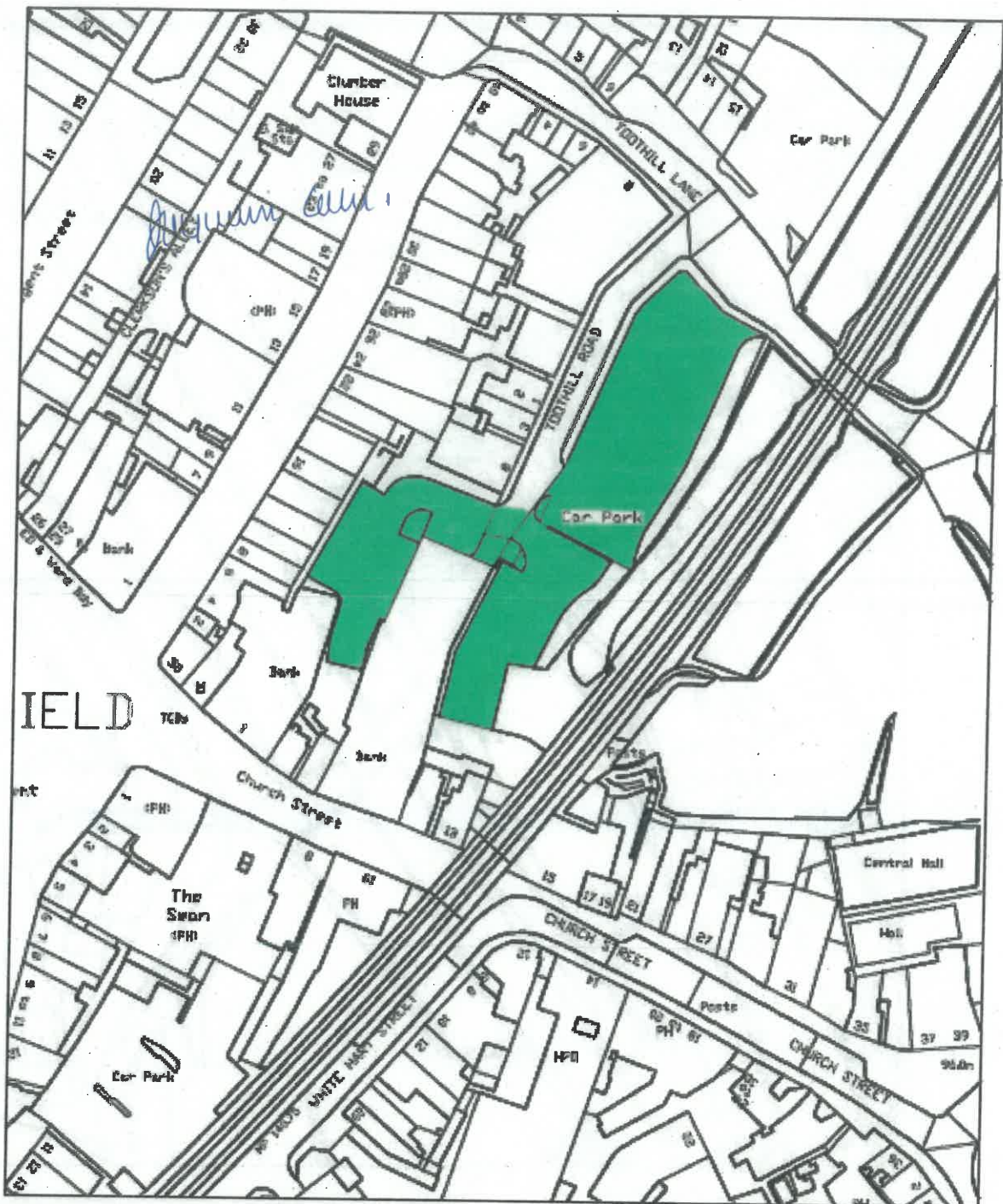


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Drawing Ref. OPO2018 / 3
Handley Arcade
Car Park
Scale: 1:1000

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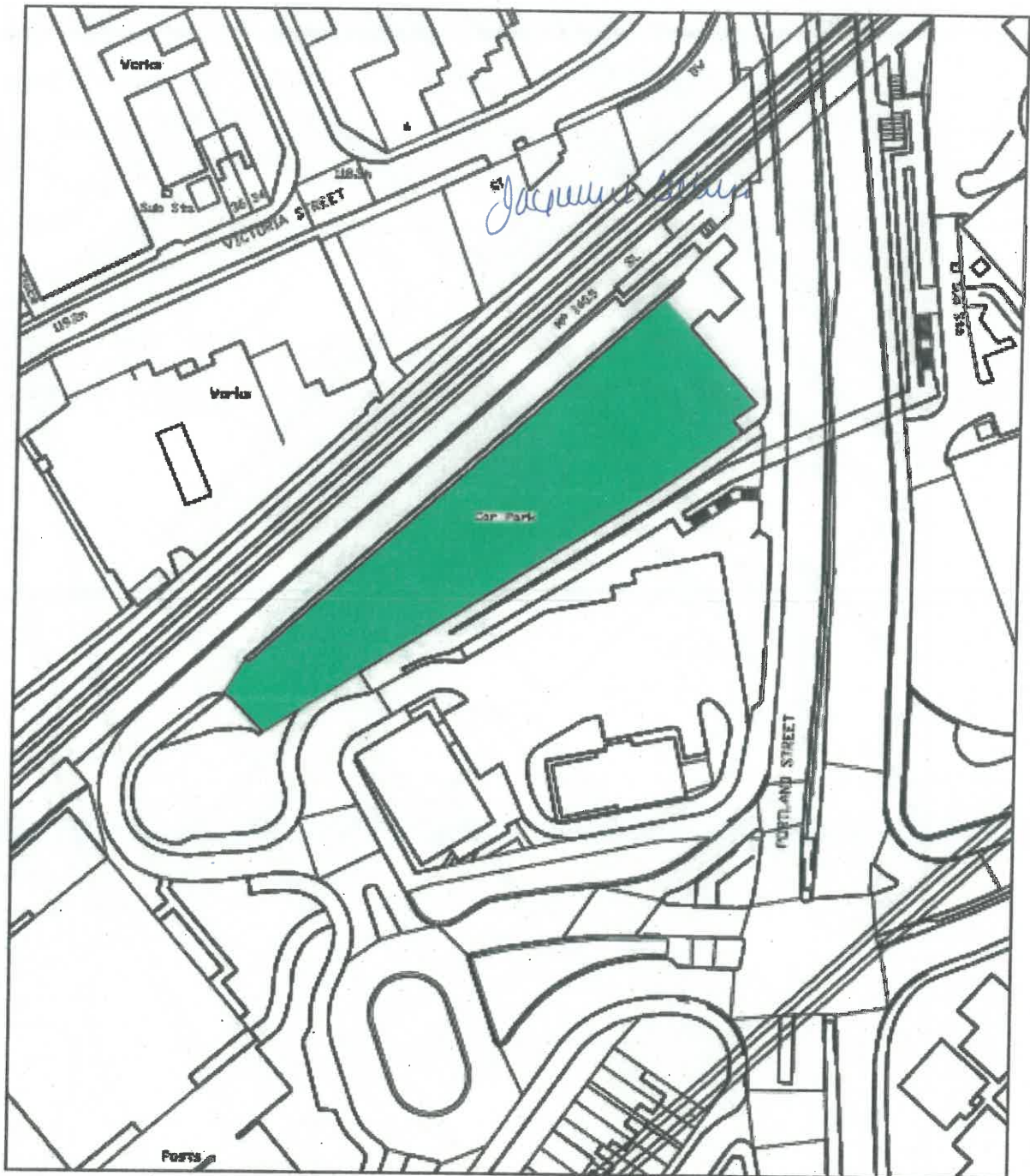


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Drawing Ref. OPO2018 / 4
Toothill Road
Car Park
Scale: 1:1000

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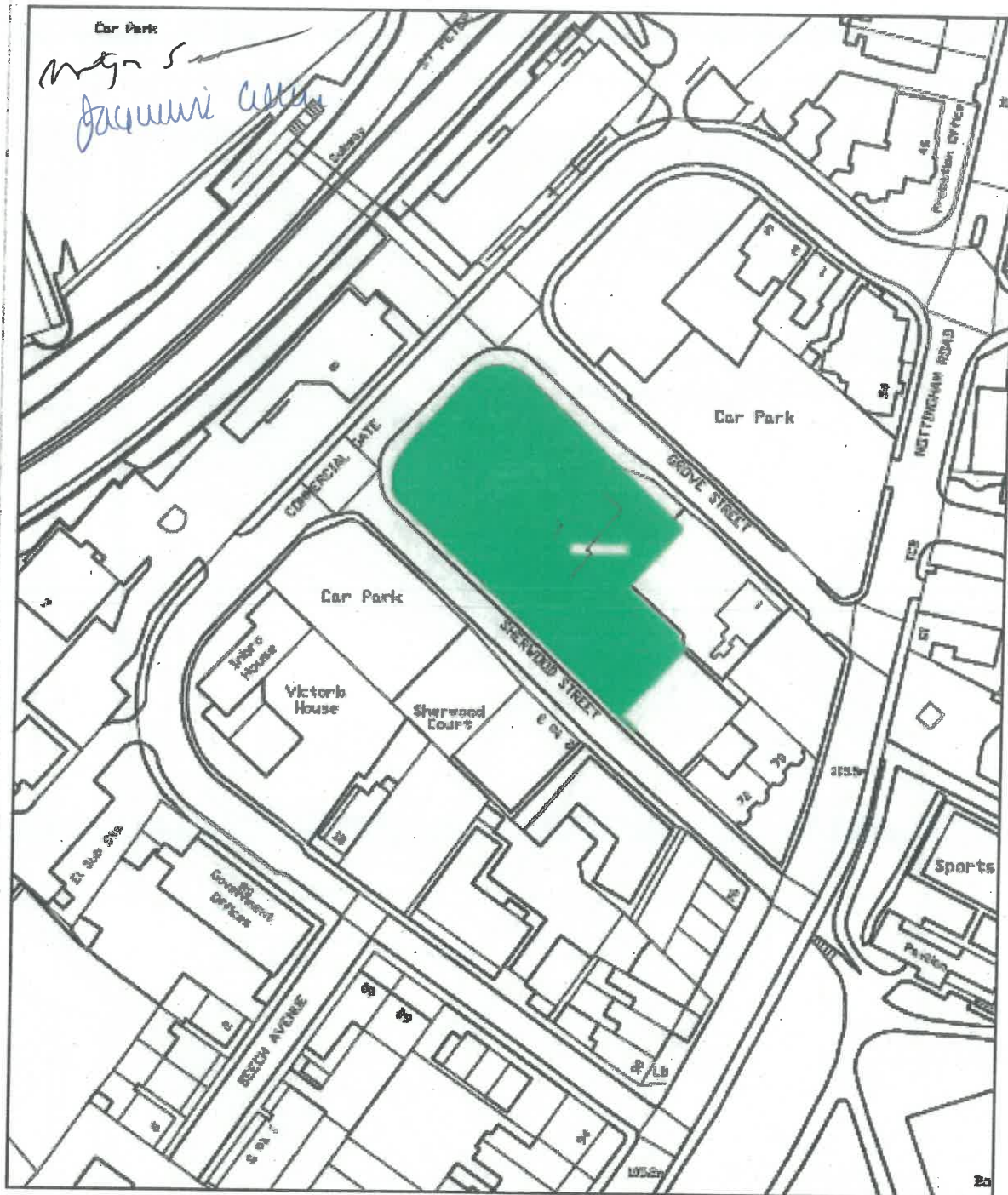
Not to scale



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Drawing Ref. OPO2018 / 5
Robin Hood Line
Car Park
Scale: 1:1000

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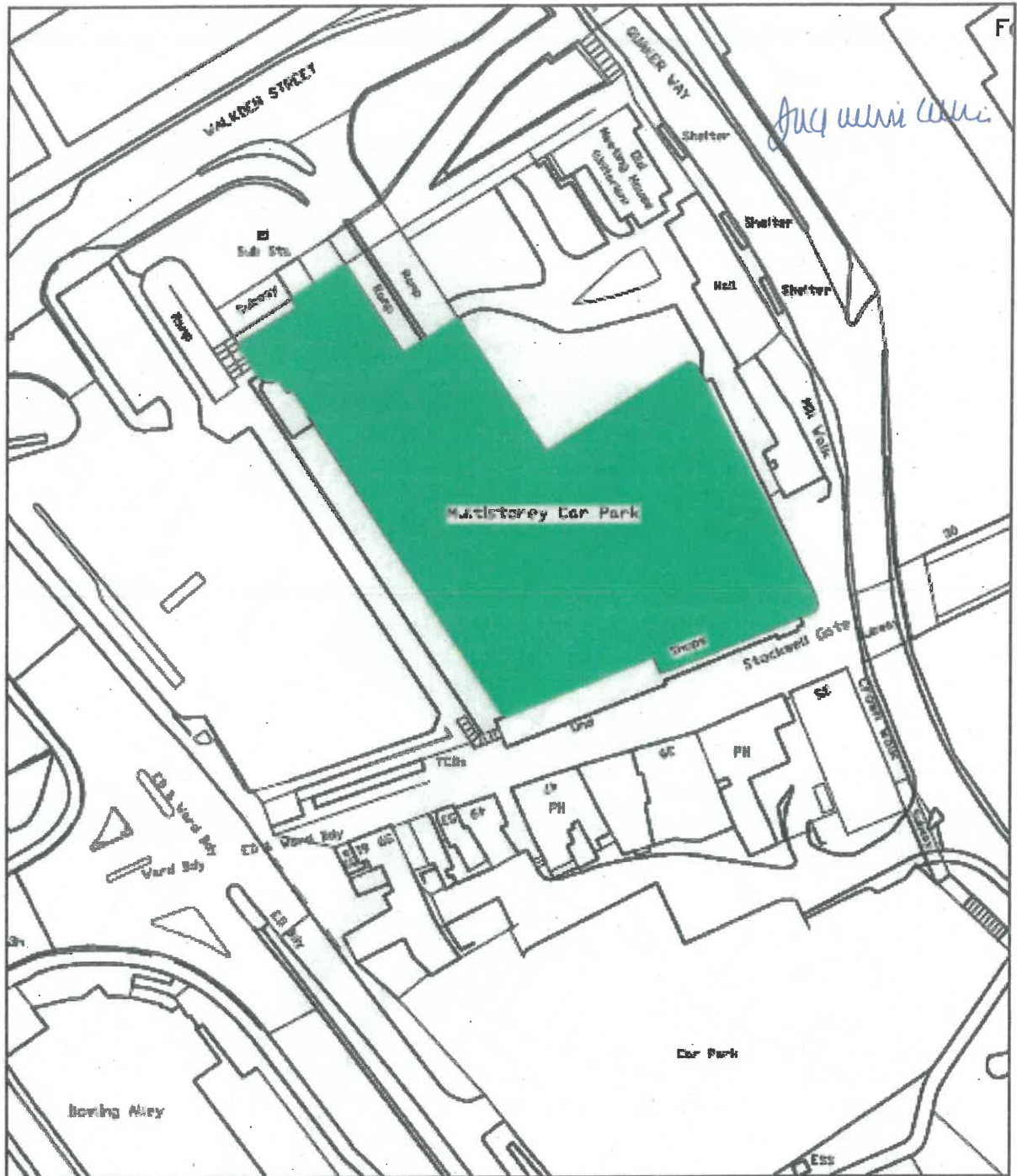


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Drawing Ref. OPO2018 / 6
Grove Street
Car Park
Scale: 1:1000

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Drawing Ref. OPO2018 / 7
Walkden Street
Car Park
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Anty 5m

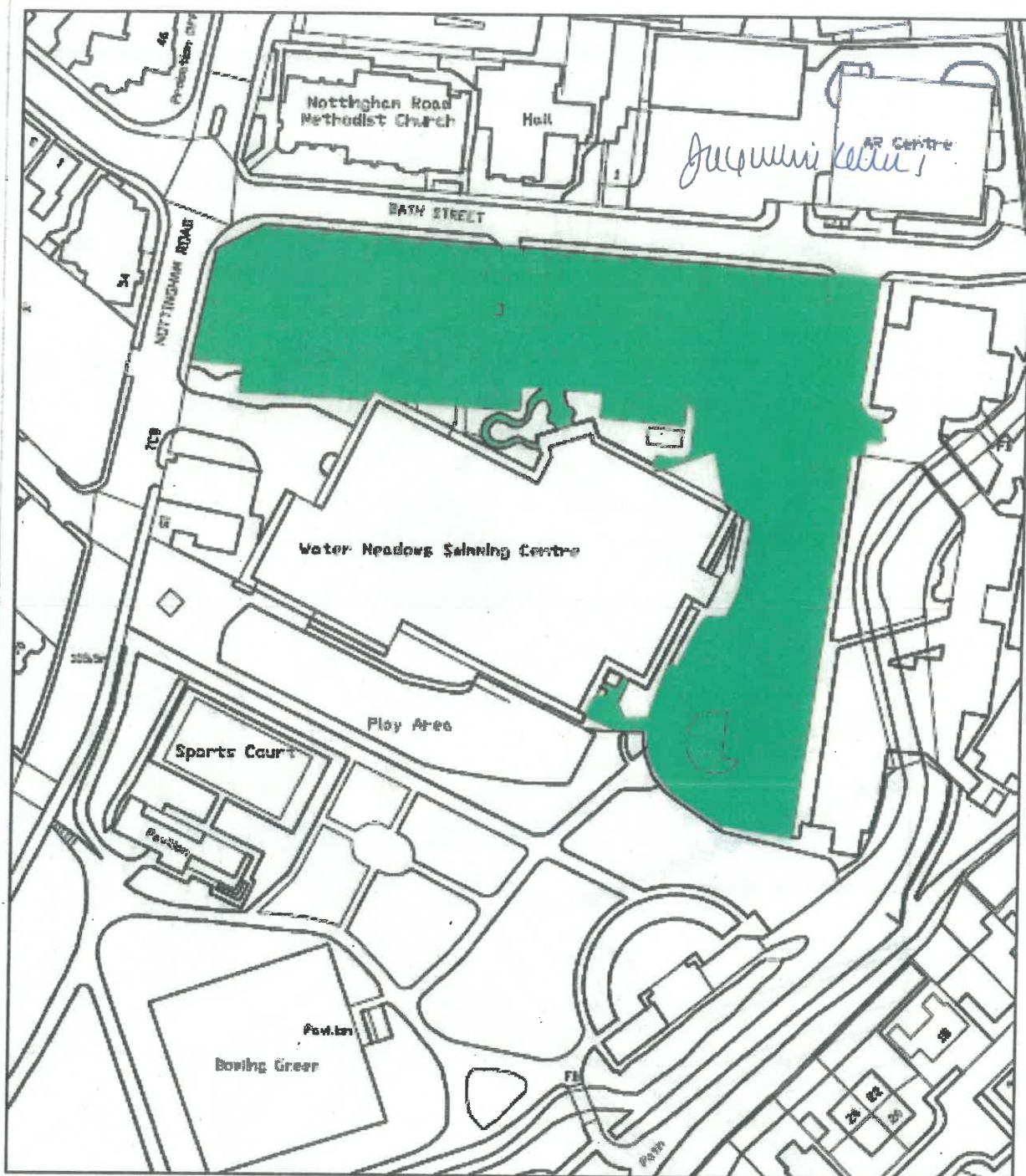


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Drawing Ref. OPO2018 /8
Four Seasons
Car Park
Scale: 1:1000

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Bridge SW



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Drawing Ref. OPO2018 / 9
Water Meadows
Car Park
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Drawing Ref. OPO2018 / 10
 Old Town Hall
 Car Park
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Drawing Ref. OPO2018 / 11
Garden Road
Car Park
Scale: 1:1000

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Notes -



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Drawing Ref. OPO2018/ 12
Victoria Street
Car Park
Scale: 1:1000

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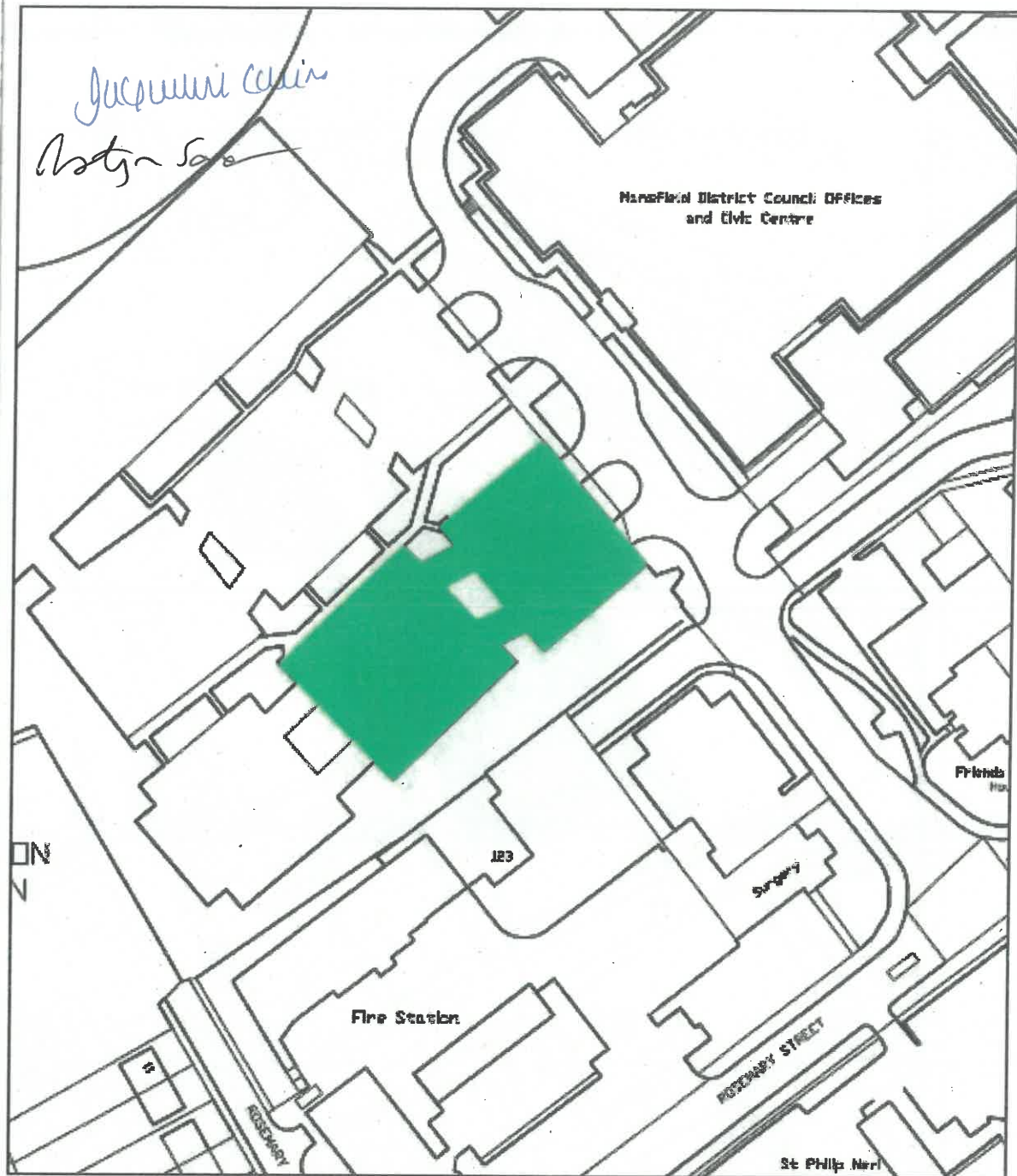
Jacqueline Allen



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Drawing Ref. OPO2018/13
 Clumber Street
 Car Park
Scale: 1:1000

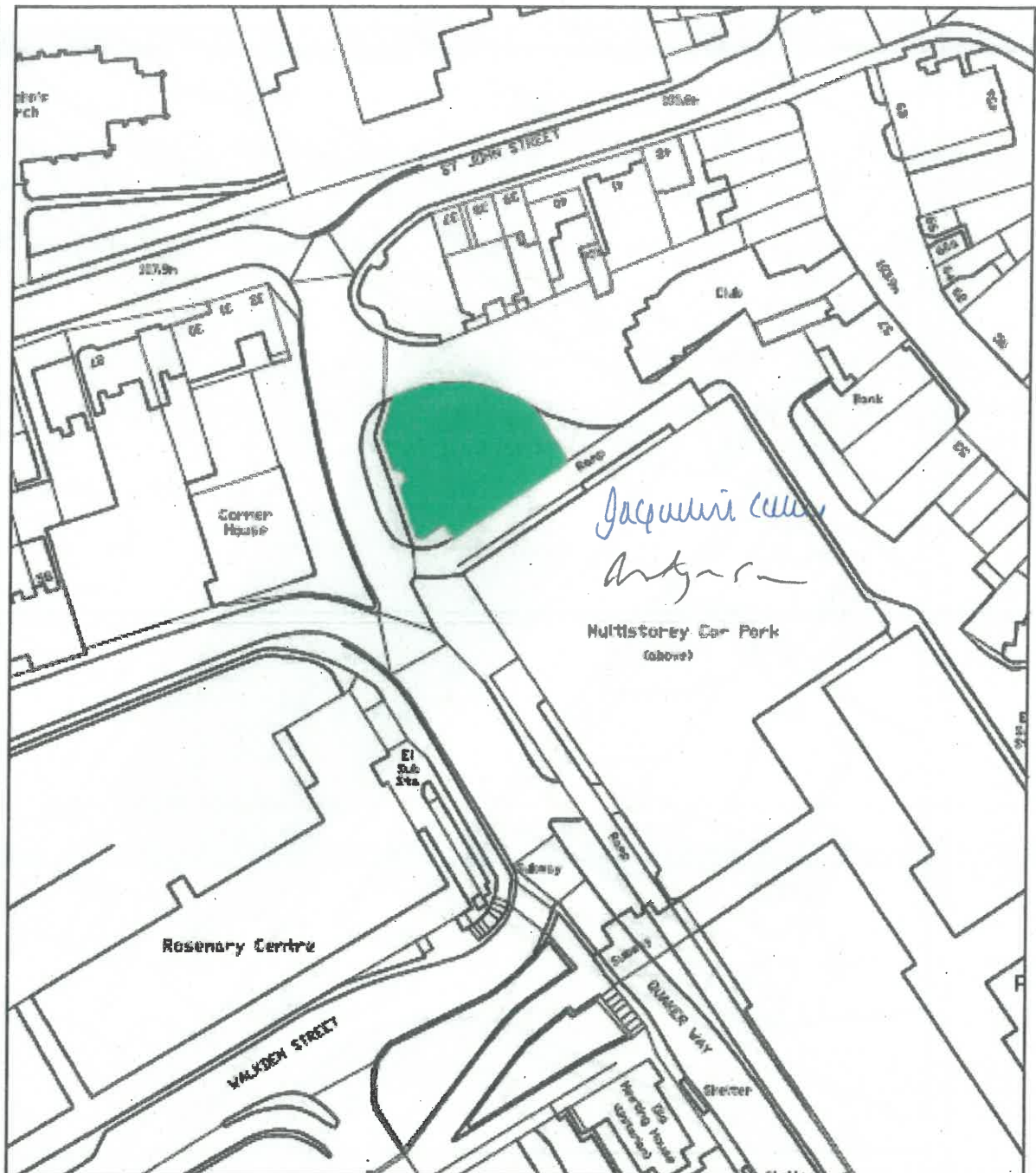
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Drawing Ref. OPO2018/14
Civic Centre
Car Park
Scale: 1:1000

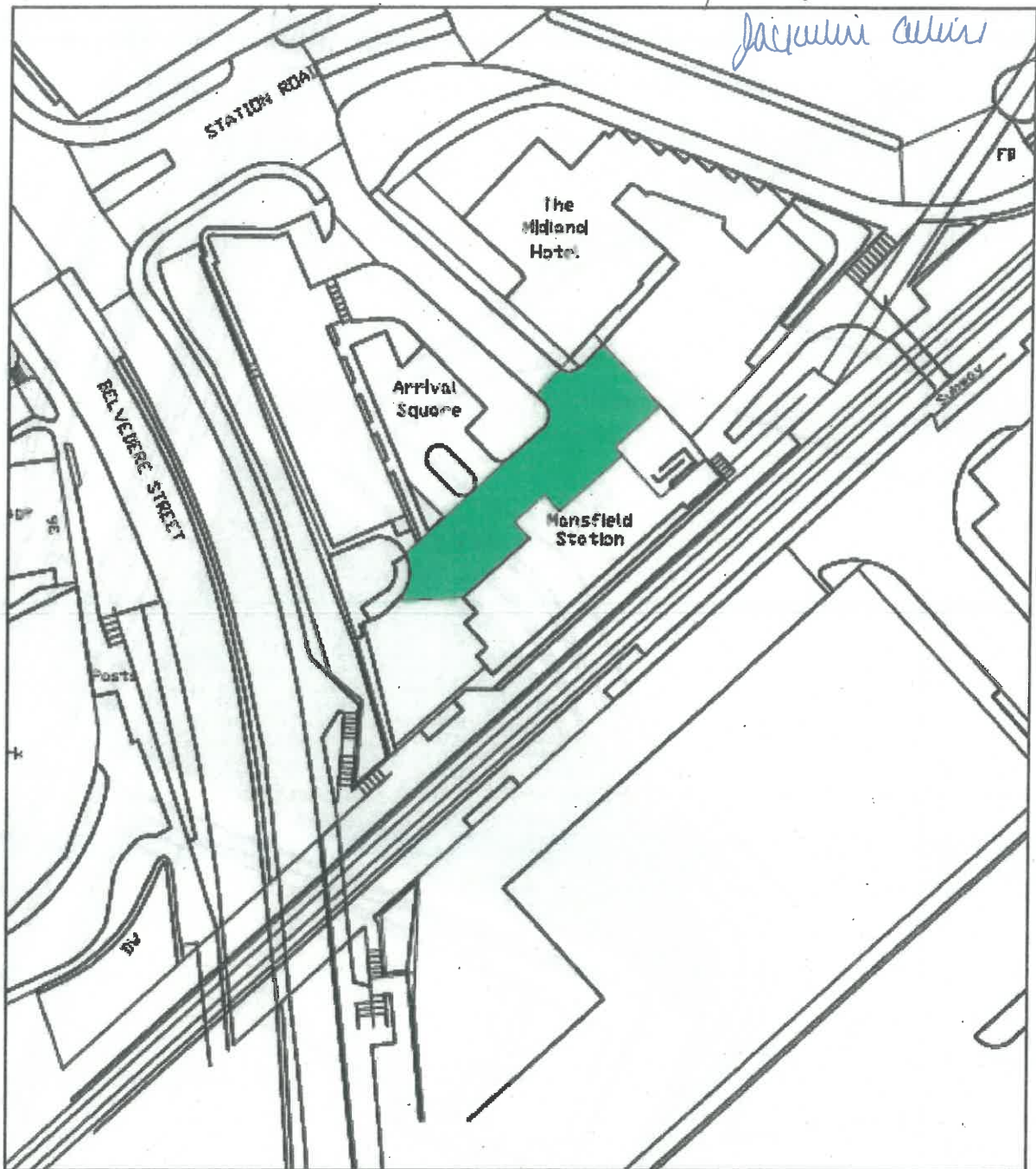
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Drawing Ref. OPO2018/15
Service Area D
Car Park
Scale: 1:1000

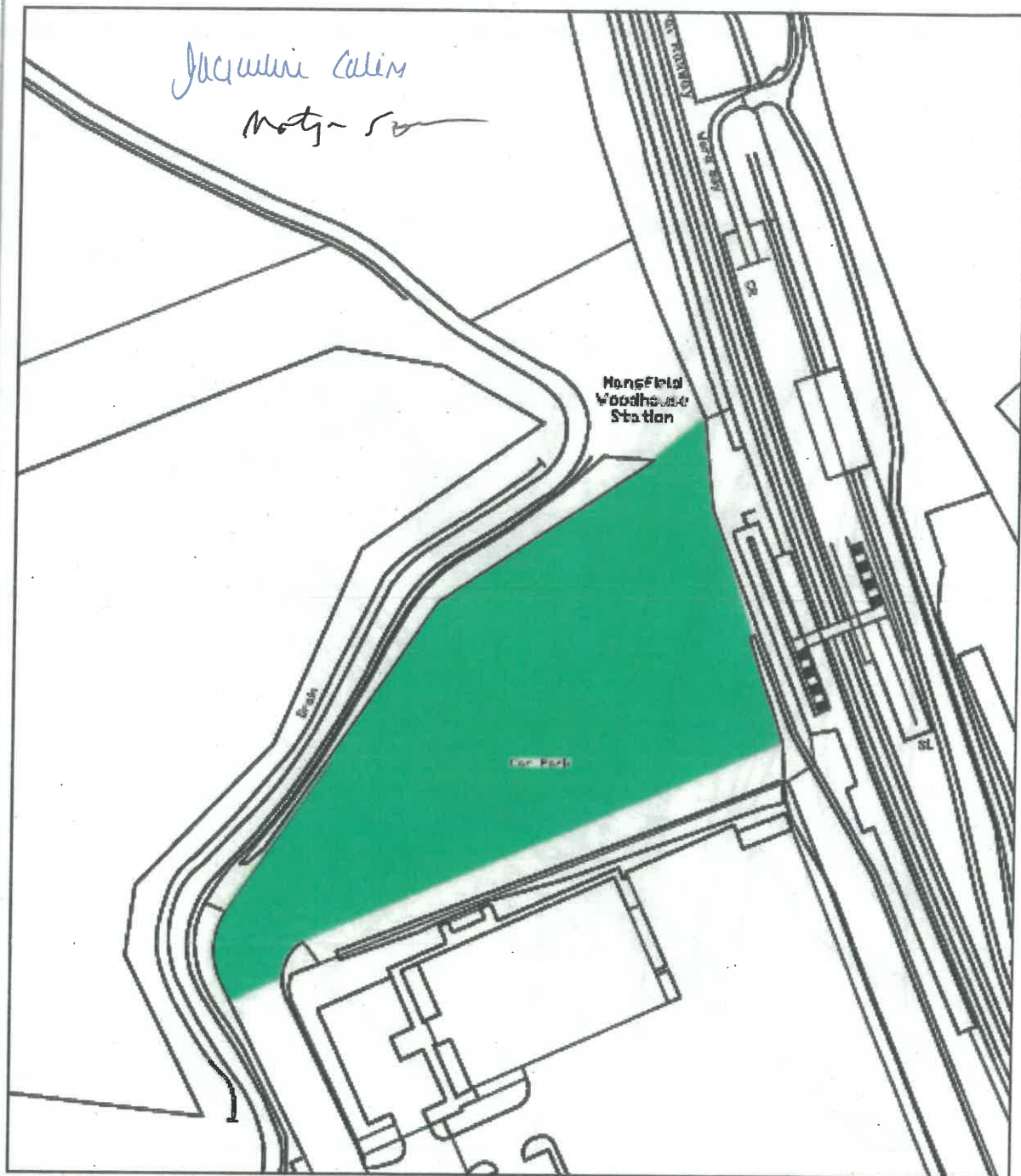
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Drawing Ref. OPO2018/17
Mansfield Railway Station
Car Park
Scale: 1:1000

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Drawing Ref. OPO2018/18
Mansfield Woodhouse
Railway Station Car Park
Scale: 1:1000

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Drawing Ref. OPO2018/19
Newgate Lane
Car Park
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Robert

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Drawing Ref. OPO2018 / 20
High Street Warsop
Car Park
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Standard PCN Codes v6.7

On-Street

Code	General suffix(es)	Description	Diff. level	Notes
01	ajoyz	Parked in a restricted street during prescribed hours	Higher	Suffixes y & z for disabled badge holders only
02	ajo	Parked or loading / unloading in a restricted street where waiting and loading / unloading restrictions are in force	Higher	
04	cs	Parked in a meter bay when penalty time is indicated	Lower	
05	cpsuv1	Parked after the expiry of paid for time	Lower	
06	cipv1	Parked without clearly displaying a valid pay & display ticket or voucher	Lower	
07	cmprsv	Parked with payment made to extend the stay beyond initial time	Lower	'meter feeding'
08	c	Parked at an out-of-order meter during controlled hours	Lower	Electronic meters only
09	ps	Parked displaying multiple pay & display tickets where prohibited	Lower	
10	p	Parked without clearly displaying two valid pay and display tickets when required	Lower	"two" may be varied to another number or "multiple".
11	gu	Parked without payment of the parking charge	Lower	
12	rstuw4	Parked in a residents' or shared use parking place or zone without either clearly displaying a valid permit or voucher or pay and display ticket issued for that place, or without payment of the parking charge	Higher	
13		---- RESERVED FOR TIL USE (LOW EMISSION ZONE) ----	n/a	
14		Parked in an electric vehicles' charging place during restricted hours without charging	Higher	
16	bdehgstwxyz456	Parked in a permit space or zone without clearly displaying a valid permit	Higher	Suffix "s" only for use where bay is completely non-resident
17		---- RESERVED FOR ROAD USER CHARGING USE ----	n/a	
18	bcdefhjmrsv	Using a vehicle in a parking place in connection with the sale or offering or exposing for sale of goods when prohibited	Higher	
19	irsuwxyz4	Parked in a residents' or shared use parking place or zone either displaying an invalid permit or voucher or pay and display ticket, or after the expiry of paid for time	Lower	
20	j	Parked in a part of a parking place marked by a yellow line where waiting is prohibited	Higher	
21	bcdefghjlmprsv1256	Parked wholly or partly in a suspended bay or space	Higher	
22	djlmnopsv	Re-parked in the same parking place or zone within one hour after leaving	Lower	"one hour" may be varied to another time period or "the prescribed time period"
23	bcdefghjklprsv123	Parked in a parking place or area not designated for that class of vehicle	Higher	Suffix required to fully describe contravention
24	bcdefhlmprsv1256	Not parked correctly within the markings of the bay or space	Lower	
25	jn2	Parked in a loading place or bay during restricted hours without loading	Higher	On-street loading bay or place
26	j	Parked in a special enforcement area more than 50 cm from the edge of the carriageway and not within a designated parking place	Higher	"50 cm" may be varied to another distance in Scotland.
27	p	Parked in a special enforcement area adjacent to a footway, cycle track or verge lowered to meet the level of the carriageway	Higher	
28	p	Parked in a special enforcement area on part of the carriageway raised to meet the level of a footway, cycle track or verge	Higher	
30	fjlmnopsu1	Parked for longer than permitted	Lower	
31	j	Entering and stopping in a box junction when prohibited	n/a	London only

32	jdtw	Failing to drive in the direction shown by the arrow on a blue sign	n/a	Code-specific suffixes apply. London only
33	jbcelfghikqrs	Using a route restricted to certain vehicles	n/a	Code-specific suffixes apply. London only
34'	jd	Being in a bus lane	n/a	
35		Parked in a disc parking place without clearly displaying a valid disc	Lower	
37	j	Failing to give way to oncoming vehicles	n/a	London only
38	jlr	Failing to comply with a sign indicating that vehicular traffic must pass to the specified side of the sign	n/a	Code-specific suffixes apply. London only
40	n	Parked in a designated disabled person's parking place without displaying a valid disabled person's badge in the prescribed manner	Higher	
41	j	Stopped in a parking place designated for diplomatic vehicles	Higher	
42	j	Parked in a parking place designated for police vehicles	Higher	
43	j	Stopped on a cycle docking station parking place	Higher	
45	nw	Stopped on a taxi rank	Higher	"stopped" may be varied to "waiting"
46	jn	Stopped where prohibited (on a red route or clearway)	Higher	
47	jn	Stopped on a restricted bus stop or stand	Higher	
48	j	Stopped in a restricted area outside a school, a hospital or a fire, police or ambulance station when prohibited	Higher	
49	j	Parked wholly or partly on a cycle track or lane	Higher	
50	jru	Performing a prohibited turn	n/a	Code-specific suffixes apply. London only
51	j	Failing to comply with a no entry sign	n/a	London only
52	jgmsvx	Failing to comply with a prohibition on certain types of vehicle	n/a	Code-specific suffixes apply. London only
53	j	Failing to comply with a restriction on vehicles entering a pedestrian zone	n/a	London only
54	j	Failing to comply with a restriction on vehicles entering and waiting in a pedestrian zone	n/a	London only
55	j	A commercial vehicle parked in a restricted street in contravention of the Overnight Waiting Ban	Higher	
56		Parked in contravention of a commercial vehicle waiting restriction	Higher	Non- overnight waiting restriction
57		Parked in contravention of a bus ban	Higher	Non- overnight waiting restriction
58		Using a vehicle on a restricted street during prescribed hours without a valid permit	n/a	London Lorry Control Scheme
59		Using a vehicle on a restricted street during prescribed hours in breach of permit conditions	n/a	London Lorry Control Scheme
61	124cgj	A heavy commercial vehicle wholly or partly parked on a footway, verge or land between two carriageways	Higher	Code-specific suffixes apply.
62	124cgj	Parked with one or more wheels on or over a footpath or any part of a road other than a carriageway	Higher	Code-specific suffixes apply.
63	c	Parked with engine running where prohibited	Lower	This contravention occurs in certain bus bays.
64	124	Parked in contravention of a notice prohibiting leaving vehicles on a grass verge, garden, lawn or green maintained by a local authority	n/a	Code-specific suffixes apply. For use in Essex only
65	124	Parked in contravention of a notice prohibiting leaving vehicles on land laid out as a public garden or used for the purpose of public recreation	n/a	Code-specific suffixes apply. For use in Essex only.
66	124cg	Parked on a verge, central reservation or footway comprised in an urban road	n/a	Code-specific suffixes apply. For use in Exeter only.
99	jd	Stopped on a pedestrian crossing or crossing area marked by zigzags	Higher	Pedestrian Crossings

Off-Street

70		Parked in a loading place or bay during restricted hours without loading	Higher	Off-street loading areas
71		Parked in an electric vehicles' charging place during restricted hours without charging	Higher	Off-street car parks
73	u	Parked without payment of the parking charge	Lower	Off-street car parks
74	prs	Using a vehicle in a parking place in connection with the sale or offering or exposing for sale of goods when prohibited	Higher	Off-street car parks
77		--- RESERVED FOR DVLA USE ---	n/a	
80	u	Parked for longer than permitted	Lower	Off-street car parks
81	o	Parked in a restricted area in a car park	Higher	Off-street car parks
82	puv	Parked after the expiry of paid for time	Lower	Off-street car parks
83		Parked in a car park without clearly displaying a valid pay & display ticket or voucher or parking clock	Lower	Off-street car parks
84	u	Parked with payment made to extend the stay beyond initial time	Lower	Off-street car parks
85	blwyz45	Parked without clearly displaying a valid permit where required	Higher	Off-street car parks
86	prs	Not parked correctly within the markings of a bay or space	Lower	Off-street car parks
87		Parked in a designated disabled person's parking place without displaying a valid disabled person's badge in the prescribed manner	Higher	Off-street car parks
89		Vehicle parked exceeds maximum weight or height or length permitted	Higher	Off-street car parks
90	psuv	Re-parked in the same car park within one hour after leaving	Lower	Off-street car parks. "one hour" may be varied to another time period or "the prescribed time period"
91	cg	Parked in a car park or area not designated for that class of vehicle	Higher	Off-street car parks
92	o	Parked causing an obstruction	Higher	Off-street car parks
93		Parked in car park when closed	Lower	Off-street car parks
94	p	Parked in a pay & display car park without clearly displaying two valid pay and display tickets when required	Lower	Off-street car parks. "two" may be varied to another number or "multiple"
95		Parked in a parking place for a purpose other than that designated	Lower	Off-street car parks
96	c	Parked with engine running where prohibited	Lower	Off-street car parks – occurs in certain bus bays.

Suffixes

General suffixes:-

- | | | | |
|--------------------------------|-----------------------|-----------------------------|--|
| a) temporary traffic order | b) business bay | c) buses only | d) doctor's bay |
| e) car club bay | f) free parking bay | g) motor cycle bay | h) hospital bay |
| i) wrong type of voucher | j) camera enforcement | k) ambulance bay | l) loading place |
| m) parking meter | n) red route | o) blue badge holder | p) pay & display |
| q) market traders' bay | r) residents' bay | s) shared use bay | t) voucher/P&D ticket used in permit bay |
| u) electronic payment | v) voucher | w) wrong parking zone | x) incorrect VRM |
| y) obscured / illegible permit | z) out of date permit | 0) local buses / trams only | 1) electric vehicles bay |
| 2) goods vehicle loading bays | 3) bicycle bay | 4) virtual permit | 5) dedicated disabled bay |
| 6) hotel bay | | | |

Taxi Ranks (code 45) only

- w) amends the contravention code description to change the wording from 'stopped' to 'waiting'

Footway parking (codes 61, 62, 64, 65 and 66) only:-

- | | | |
|-------------------------|----------------------|--------------------------|
| 1) one wheel on footway | 2) partly on footway | 4) all wheels on footway |
| c) on vehicle crossover | g) on grass verge | |

Moving traffic contraventions only:-

- | | | |
|---|--|---------------------------------------|
| 32 d) proceeding in the wrong direction | t) turning in the wrong direction | w) one way traffic |
| 33 b) buses only | c) buses and cycles only | e) buses, cycles and taxis only |
| g) local buses only | h) local buses and cycles only | f) buses and taxis only |
| q) tramcars and local buses only | r) tramcars only | i) local buses, cycles and taxis only |
| | | k) local buses and taxis only |
| | | s) tramcars and buses only |
| 38 l) must pass to the left | r) must pass to the right | |
| 50 l) no left turn | r) no right turn | u) no U-turn |
| 52 g) goods vehicles exceeding max gross weight indicated | m) motor vehicles | s) solo motorcycles |
| v) all vehicles except non-mechanically propelled ones being pushed | x) motor vehicles except solo m/cycles | |

EXECUTED AS A DEED
by affixing the common seal of
MANSFIELD DISTRICT COUNCIL
hereto affixed in the presence of:-

)
)
)
)

Jacqueline Cullen

Director of Governance & Monitoring Officer

Robert Sax

Director



26/04/18

26/04/18

