

THE COUNCIL OF THE BOROUGH
OF NORTH TYNESIDE
(OFF STREET PARKING PLACES)
(CONSOLIDATION) ORDER 2022

Explanatory Note

This does not form part of the Order

1. This Order revokes those Orders made by the Council of the Borough of North Tyneside relating to off street parking places within the Borough of North Tyneside.
2. The Orders revoked were made between July 2019 – April 2022 and reproduces the provisions of those Orders in a consolidated form without amendments.
3. All distances stated in this Order are approximate.

The Council of the Borough of North Tyneside
(Off Street Parking Places) (Consolidation)
Order 2022

Arrangement of Articles

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The Council of the Borough of North Tyneside
(Off Street Parking Places) (Consolidation)
Order 2022

The Council of the Borough of North Tyneside in exercise of its powers under Sections 32 and 35 and Part IV of Schedule 9 to the Road Traffic Regulations Act 1984, as amended, and of all other enabling powers in accordance with Part III of Schedule 9 to the Act, hereby make the following Order: -

Part I
General

Commencement and Citation

1. This Order shall come into operation on the 31 May 2022 and may be cited as The Council of the Borough of North Tyneside (Off Street Parking Places) (Consolidation) Order 2022.

Revocation

2. The Orders specified in Schedule 1 to this Order are hereby revoked.

Interpretation and Savings

3. (i) In this Order the following expressions have the meanings hereby respectively assigned to them: -
 - “The Act of 1984”** means the Road Traffic Regulations Act 1984 (as amended);
 - “The Act of 2004”** means the Traffic Management Act 2004 (as amended);
 - “Account Number”** means the telephone number of the mobile phone as referred to in Article 6(iv) of this Order;
 - “Bus”** or **“Buses”** have the same meaning as prescribed in The Traffic Signs Regulations and General Directions 2016 (as amended);
 - “Car Club”** means a community car club or similar organisation (including any persons or organisations acting on behalf of such club or organisation) approved in writing by the Council for the purposes of this Order;
 - “Car Club Parking Bay”** means a bay within the car park designated as a Car Club parking space indicated by an appropriate traffic sign or/and road markings;
 - “Car Club Vehicle”** means a vehicle provided for the use of persons who have paid the relevant membership fee and by means of a real-time or advance booking system has access to the vehicle for a specified period and which displays the relevant identification issued and/or approved by the Council;
 - “Charging Period”** means the hours specified in Column 4 of Schedule 2 to this Order during which a parking charge is to be paid;
 - “Civil Enforcement Officer”** means a person authorised by or on behalf of the Council pursuant to the provisions of the Act of 2004 and The Civil Enforcement of

Road Traffic Contraventions (Approved Devices, Charging Guidelines and General Provisions) (England) Regulations 2022, to supervise any parking place;

“Coach” means a motor vehicle constructed or adapted to carry more than 14 passengers (exclusive of the driver);

“Credit Card” and **“Debit Card”** have the same meaning as defined in Section 35A of the Act of 1984;

“Days of Operation” applies to Parking Places listed in Schedule 2 of this Order and means the days prescribed in Column 3 of that Schedule during which the Parking Place is available for motorists to use;

“Disabled Person’s Badge” means a valid badge issued by a local authority or authorised provider in accordance with the Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000, as amended;

“Disabled Person’s Vehicle” means a vehicle displaying in the relevant position a valid Disabled Person’s Parking Badge in accordance with Part III of The Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000 (Statutory Instrument 2000 No. 682) (as amended) and being used in accordance with those regulations;

“Driver” in relation to a vehicle waiting in a parking place, means the person driving the vehicle at the time it was left in the parking place;

“Electric Vehicle” means wholly electric cars and mopeds which must be plugged in and charging whilst parked in the Electric Vehicle Charging parking bay;

“Electric Vehicle Charging parking bays” means a bay within the car park designated as a Electric Vehicle Charging Car parking space indicated by an appropriate sign and/or road markings;

“Enactment” means any enactment, whether public or local, and includes any Order, by law, rule, regulation, scheme or other instrument and any reference to any enactment in this Order shall be constructed as a reference to that enactment as amended by any subsequent enactment;

“Foreshore Parking Places” for the purpose of this Order means any of the following (this is not inclusive of on-street facilities, which are included within the Council’s On-Street Parking Places Order): -

Beaconsfield Car Park	Tynemouth
Bournemouth Gardens Car Park	Whitley Bay
Dukes Walk Car Park	Whitley Bay
Grand Parade Car Park	Tynemouth
Mini Golf Car Park	Whitley Bay
Sea View Car Park	Tynemouth
Spanish Battery Car Park	Tynemouth
Spanish City Car Park	Whitley Bay
St Marys Island (North) and (South) Car Parks	Whitley Bay

“Foreshore Permit” means a permit issued under the provisions of Article 15 of this Order;

“Goods” for the purpose of loading/unloading means goods or packages that are not easily portable;

“Goods Vehicle” means a motor vehicle which is constructed or adapted for use for the carriage of large goods or burden of any description, and is not drawing a trailer;

“Heavy Goods Vehicle” means a motor vehicle which is constructed or adapted for the use of or the carriage of goods or burden of any description and which the weight unladen does not exceed 7.5 tonnes;

“Hours of Operation” applies to Parking Places listed in Schedule 2 of this Order and means the hours prescribed in Column 4 of that Schedule during which the Parking Place is available for motorists to use;

“Loading” means the loading of goods onto or the removing of goods from a vehicle, which by virtue of the weight, size, value or quantity of the goods requires the vehicle to be stationary at that location. Loading is only deemed to be taking place if there is continuous activity involved with loading. Loading includes checking of goods for the purposes of their collection or delivery and signing of receipts;

“Location Number” means a number which the Council may display at a parking place;

“Maximum Time Limit” refers to a limit on the time that a vehicle may under this Order wait in a car park or parking place;

“Mobile Telephone” has the same meaning as in Section 319(2) of the Income Tax (Earnings and Pensions) Act 2003;

“Motorcycle” has the same meaning as defined in Section 185(1c) of the Road Traffic Act 1988;

“Motorcycle Parking Bay” means a bay within the car park designated as a Motorcycle parking space indicated by an appropriate sign and/or road markings;

“Parent and Child Bay” (applicable to the Quadrant Car Park only) means a bay within the car park designated as a Parent and Child Car parking space indicated by an appropriate road markings;

“Parking Bay” means an area of a parking place which is provided for the leaving of a vehicle and indicated by markings on the surface of the parking place;

“Parking Charge” means the charge referred to in Article 6(1) of this Order;

“Parking Period” means the time for which a vehicle may wait upon payment of the parking charge;

“Parking Place” means any area of land specified by name in Column 1 of Schedule 2 to this Order;

“Passenger Vehicle” means a motor vehicle (other than a motorcycle) constructed or adapted solely for the carriage of not more than eight passengers (exclusive of the driver) and their effects and not drawing a trailer, which can be accommodated with the marked parking bay provided;

“Payee” means the person registered with the Council in accordance with Article 6(3) of this Order;

“Penalty Charge” and **“Reduced Penalty Charge”** means a charge, set by the Council, pursuant to the provisions of the Act of 2004 and The Civil Enforcement of Road Traffic Contraventions (Approved Devices, Charging Guidelines and General Provisions) (England) Regulations 2022, which is to be paid in the manner prescribed in the penalty charge notice;

“Penalty Charge Notice” means a notice issued by a civil enforcement officer or the Council pursuant to the provisions of the Act of 2004 and The Civil Enforcement of Road Traffic Contraventions (Approved Devices, Charging Guidelines and General Provisions) (England) Regulations 2022;

“Permit” means any permit identified by this Order as being a valid permit for use within a parking place designated in this Order during that parking places controlled hours;

“Permitted Position” means, where parking bays are provided, wholly within a bay marked in the Parking Place;

“Pool Car” (applicable to the Quadrant Car Park only) means an approved fleet vehicle designated as a Pool Car by the Council;

“Pool Car Parking Bay” (applicable to the Quadrant Car Park only) means a bay within the car park designated as a Pool Car parking space indicated by an appropriate sign and/or road markings;

“Relevant Position” means in the case of a disabled persons badge: -

- a) In the case of a vehicle fitted with a dashboard or fascia panel the badge is exhibited thereon; or
- b) Where the vehicle is not fitted with a dashboard or fascia panel, the badge is exhibited in a conspicuous position in the vehicle so THAT the front of the badge is clearly legible from outside the vehicle;

“Reserved Bay” means an area marked with an appropriate road marking for the sole use of Parking Control staff associated with the maintenance and collection of cash from the adjacent ticket machine;

“Reserved Bay or Reserved Bay for Civic Car” (applicable to the Quadrant Car Park only) means a bay within the car park for the sole use of the Council’s Civic Car and indicated by an appropriate road markings;

“Staff Car” (applicable to the Quadrant Car Park) means a vehicle which displays a valid Staff Car parking permit in accordance with the provisions of Article 17 of this Order;

“Staff Car Parking Bay” (applicable to the Quadrant Car Park only) means a parking bay without associated designation text within the car park which is designated as a Staff Car Parking space;

“Standage” means an area of a parking place which is provided for the leaving of a vehicle involved in street trading;

“Street Trading” is defined as ‘the selling or exposing or offering for sale of any article (including a living thing);

“Street Trading Licence or Consent” means a licence issued by North Tyneside Council to sell or expose or offer for sale any article (including a living thing);

“Telephone” includes mobile telephone;

“Telephone Communication” includes text messages and application software transactions;

“Telephone Number” has the same meaning as in Section 56(5) of the Communications Act 2003;

“The Council” means the council of the Borough of North Tyneside or any person or organisation authorised to act on their behalf;

“Ticket” means a ticket issued by a ticket machine relating to a parking place referred to in this Order;

“Ticket Machine” means an apparatus of a type and design approved by the Secretary of State, for the purposes of this Order being an apparatus designed to issue, upon the insertion of an appropriate payment into the apparatus provided, a numbered ticket indicating the payment of the parking charge referred to in Article 6(1) of this Order and the time when the parking charge will expire;

“Valid Permit” means any permit issued by the Council which is identified by this Order as being a valid permit for a parking place designated by this Order, for which a permit is required during controlled hours;

“Visitor Car” (applicable to the Quadrant Car Park only) means a vehicle which displays the relevant identification issued and/or approved by the Council;

“Visitor Car Parking Bay” (applicable to the Quadrant Car Park only) means a bay within the car park designated as a Visitor car parking space indicated by an appropriate road markings;

“Waiver (Dispensation) Certificate” means a certificate issued by or on behalf of the Council for the purposes of this Order permitting a specified vehicle to wait in specified circumstances on a length or lengths of roads where the waiting of that vehicle would otherwise be restricted or prohibited.

- (ii) Any reference in this Order to the male gender shall read as applying equally to the female gender.
- (iii) The prohibitions and restrictions imposed by this Order shall be in addition to and no in derogation from any restriction or requirement imposed by any regulation or Order made or having effect as if made under the Act of 1984.

- (iv) In so far as any provision of this Order conflicts with any provision which is contained in an Order made or having effect as if made under the Act, or by or under any other enactment **THEN** the provisions of **THIS ORDER** shall prevail.
- (v) In accordance with the provisions of Section 46A of the Act of 1984, the Council may vary or amend any charges imposed by this Order by publishing the proposed charges in the prescribed manner.
- (vi) Headings are only for convenience and do not affect the construction of this Order.

Part II
Parking Places

Authorisation of Parking Places

4. Each area of land specified in Column 1 of Schedule 2 to this Order may be used as a parking place for such classes or types of vehicles on such days, during such hours and on payment of such parking charges as are specified, in relation to that parking place, in the relevant Columns of the said Schedule, subject to the following provisions of this Order.

Conditions of use of Parking Places

5. (i) Except with the written authority of the Council, no Parking Place may be used other than as a Parking Place for such classes or types of vehicles as are specified in relation to that parking place in Column 2 of Schedule 2 on the Days of Operation and during the Hours of Operation and in accordance with the provisions of this Order.
- (ii) Except with the written authority of the Council, the Driver of a vehicle shall not permit the vehicle to wait in a Parking Place for longer than the maximum period permitted for waiting or return to that Parking Place within the time period specified in Column 5 of Schedule 2 in relation to that Parking Place.
- (iii) Except with the written authority of the Council, the Driver of a vehicle shall not permit the vehicle to wait in a Parking Place for a continuous period longer than 24 hours.
- (iv) Except with the written authority of the Council, the Driver of a vehicle shall not use a Parking Place or any part thereof which has been closed in part or in whole by authority of the Council in accordance with the provisions of Article 9, where appropriate signage is in place indicating the closure or suspension.
- (v) Except with the written authority of the Council, the Driver of a vehicle shall not cause or permit a vehicle to wait in any Parking Place unless the vehicle is licensed in accordance with the provisions of Section 1 of the Vehicle Excise Registration Act 1994 and the driver is covered by a policy of insurance complying with the requirements of Part VI of the Road Traffic Act 1988 and that is current in respect of the use of the vehicle by that driver.
- (vi) The Driver of a vehicle using a Parking Place shall not permit the vehicle to be left in that Parking Place otherwise than in the Permitted Position, so that the wheel of the vehicle is fully within the limits of the parking bay(s).
- (vii) Where, in a Parking Place, signs are erected, or surface markings are laid for the purpose of indicating: -
- (a) The entrance or exit from the Parking Place, or that a vehicle using the Parking Place shall proceed in a specified direction within it, then no person shall drive any vehicle 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 in a direction other than that specified, as the case may be; or
- (b) That certain parking bays are for the use of vehicles displaying a Disabled Person's Parking Badge then no person shall park a vehicle within those parking bays or areas **UNLESS** it is a vehicle displaying in the relevant position a valid Disabled Person's Parking Badge;

- (c) That certain parking bays or areas of a Parking Place are for the use of solo motorcycles then no person shall park a vehicle within those parking bays or areas **UNLESS** it is a motorcycle as defined in this Order;
 - (d) That certain parking bays or areas of a Parking Place are for the use of buses or coaches then no person shall park a vehicle within those parking bays or areas **UNLESS** it is a bus or coach as defined in this Order;
 - (e) That certain parking bays or areas of a Parking Place are for the use of pedal cycles then no person shall park a vehicle within those parking bays or areas **UNLESS** it is a pedal cycle as defined in this Order;
 - (f) That certain parking bays are for the use of Electric Vehicles to re-charge from an adjacent electric charging point then no person shall park a vehicle within those parking bays **UNLESS** it is an Electric Vehicle as defined in this Order in the process of re-charging. For the avoidance of confusion, the vehicle must be relocated to a standard bay once the vehicle is fully charged;
 - (g) That certain parking bays or areas of a Parking Place are for the use of a certain class or type of vehicle as indicated by an appropriate sign or road marking, then no person shall park a vehicle within those parking bays or areas **UNLESS** it is a vehicle of the specified class or type;
 - (h) That certain Parking Places are for use of vehicles displaying a valid WD4 parking permit only (applicable only to Back Park Road Car Park, Wallsend) then no person shall park a vehicle within that Parking Place **UNLESS** it is a vehicle displaying in the relevant position a valid parking permit;
 - (i) That certain areas of a Parking Place are Reserved as indicated by an appropriate road marking then no person shall park a vehicle within those areas **UNLESS** it is a vehicle being used by the Council undertaking maintenance or cash collection from the adjacent ticket machine or enforcement of the said Parking Place.
- (viii) Where an area is designated as 'loading only' the driver of a vehicle shall not permit the vehicle to wait in the loading area unless it is actively loading or unloading. For the avoidance of confusion, loading and unloading must be a continuous activity and the vehicle must be moved once it is complete.
- (ix) If the loading bay specified in paragraph (viii) is designated for 'goods vehicles only' by virtue of appropriate signage, then no person shall park a vehicle within the loading bay **UNLESS** it is a vehicle of the specified type.
- (x) Except with the written authority of the Council, no person shall use any part of a Parking Place or cause or permit any vehicle to be left in a Parking Place: -
- (a) for sleeping or camping purposes;
 - (b) for cooking purposes;
 - (c) for lighting or causing to be lit any fire;
 - (d) for the purpose of servicing or washing any vehicle or part thereof, other than is reasonably necessary to enable that vehicle to depart from the parking place;
 - (e) for the purpose of advertisement;
 - (f) 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 or someone else's skill or services;
 - (g) in connection with the storing any goods or materials with a view to selling or delivering such articles to persons in or near to the Parking Place.
- (xi) No person shall in a Parking Place destroy, damage, interfere with or deface any property belonging to the Council and in addition to the penalty provided by Schedule

2, Part 1, to the Road Traffic Offenders Act 1988 any person so doing so shall be liable for and shall pay to the Council the full cost of repairs of the damage.

- (xii) No person shall whilst in a Parking Place wantonly shout or otherwise make any loud noise or sound any horn or other similar instrument or do anything to the disturbance or annoyance of users of the Parking Place or residents or occupiers of premises in the neighbourhood.
- (xiii) No person shall whilst in a Parking Place use any threatening, abusive or insulting words or behaviour with intent to put any person in fear or to produce a brake of the peace.
- (xiv) No person shall whilst in a Parking Place distribute or cause to be distributed or sell or cause to be sold any leaflets, pamphlets, papers, journals or any other similar materials or publications without the written consent of the Council.
- (xv) No person shall whilst in any Parking Place do anything which if the Parking Place were land in the open air would constitute an offence under the provisions of the Refuse Disposal (Amenity) Act 1978.
- (xvi) No person shall whilst in a Parking Place cause or permit to be driven any vehicle in a reckless or dangerous manner or at a speed exceeding 10mph.

Parking Charges and Method of Payment

- 6. (i) Save as provided in Article 7 of this Order, no person shall leave or cause any vehicle to be left in those Parking Places, specified in Schedule 2 to this Order, at which a parking charge is applicable, as specified in Column 5 of the said Schedule, during the charging period except upon payment of the appropriate parking charge or if displaying a valid parking permit exempting the driver from the charge.
- (ii) The parking charge shall be payable on the leaving of a vehicle in a Parking Place, at which a parking charge is applicable, by: -
 - (a) When an appropriate ticket machine is in operation, the insertion into the ticket machine, relating to that Parking Place(s) in which the vehicle is left, a coin or coins of such denomination, as may be indicated on the ticket machine, making up the amount of the parking charge for the parking period required; or
 - (b) When an appropriate ticket machine is in operation, payment by credit/debit card at the ticket machine, relating to the Parking Place(s) in which the vehicle is left, as may be indicated on the ticket machine, making up the amount of the parking charge for the parking period required, or
 - (c) The use of a credit card or debit card by telephone communication, in accordance with the provisions of paragraphs (iv) and (v) of this Article, at those Parking Places at which the Council has displayed signs stating that such method of payment is applicable to that Parking Place;
 - (d) Where a parking charge has been paid under paragraph (ii) (c) of this Article, the parking period may be extended by payment by credit or debit card by telephone communication of such further amount as appropriate for the further period which is required at that Parking Place, as specified in Column 6 of Schedule 2 to this Order provided that the maximum period for which vehicles may wait as set out in Column 5 of Schedule 2 to this Order is not exceeded.

- (iii) Where any individual method of payment outlined in paragraph (ii) of this Article is out of service, then the Driver must use one of the alternative payment methods available, provided appropriate signs are in place describing how to use the alternative payment facility.
- (iv) Any person may register the following information to the Council or its agent to enable the payment of a parking charge using a credit card or debit card by telephone communication: -
 - (a) the telephone number of the mobile phone, which for the purpose of this Order shall be described as the account number;
 - (b) the credit card or debit card identification number, expiry date and such other details as may be requested by the Council; and
 - (c) the registration number of a vehicle or vehicles.
- (v) Where payment of a parking charge is made in accordance with paragraph (ii) (c) and (d) of this Article the payee shall disclose:
 - a) their account number;
 - b) the credit card or debit card identification number, expiry date and such other details as may be requested by the Council;
 - c) the name or location number of the parking place in respect of which payment is being made; and
 - d) the registration number of the vehicle being parked.
- (vi) Where a parking charge has been paid in accordance with the provisions of paragraph (ii) (a) and (b) of this Article, the driver thereof shall exhibit in the vehicle a ticket(s) issued by the ticket machine, relating to the Parking Place in which the vehicle is left.
- (vii) The ticket referred to in paragraph (vi) of this Article shall be exhibited in a conspicuous position, clearly visible through the windscreen of the vehicle, so that the day and time of issue or day and time of expiry and the Parking Place(s) for which it was issued, which are shown on the front of the said ticket(s), are clearly visible from outside the vehicle.
- (viii) Where a ticket has been exhibited on a vehicle in accordance with paragraph (vii) of this Article, no person, not being the driver of the vehicle, shall remove the ticket from the vehicle unless authorised to do so by the driver.

Exemptions from payment of the parking charge

- 7. The following will be exempt from payment of the parking charge applicable to the Parking Places listed in Schedule 2.
 - (a) Any vehicle which displays in the relevant position a valid Disabled Persons Badge;
 - (b) A motorcycle;
 - (c) A pedal cycle;
 - (d) A vehicle displaying a valid parking permit for the Parking Place in which it is left;
 - (e) Any vehicle instructed to park under the direction of a Police Officer in uniform;
 - (f) Any vehicle being used by the Fire and Rescue Authority, the Police, the Ambulance Service or the Council in pursuance of its statutory duties;
 - (g) The vehicle is waiting only for so long as is reasonably necessary to enable a person to board or alight from the vehicle;

- (h) The vehicle is waiting only for so long as reasonably necessary to enable goods to be loaded onto or from the vehicle from or to premises adjacent to the Parking Place;
- (i) The vehicle is at the time in the service of a universal service provider and is waiting while postal packets addressed to premises adjacent to the Parking Place, in which the vehicle is waiting, are being unloaded from the vehicle, or having been unloaded there from, are being delivered or while postal packets are being collected from premises or posting boxes adjacent to the Parking Place, in which the vehicle is waiting.

Indications as evidence of not paying a Parking Charge

- 8. (i) Save as provided in Article 7 of this Order, if at any time while a vehicle is left in a Parking Place during the charging period, no valid ticket or permit is exhibited on the vehicle or verification received on an approved handheld parking device operated by the Council indicating that suitable payment has been made by the Driver using telephone communication in accordance with the provisions of this Order it shall be presumed, unless the contrary is proved, that a parking charge has not been duly paid and a contravention has occurred.
- (ii) If any of the provisions of this Article are found to apply, then that shall be adequate confirmation that a contravention has occurred.

Power to suspend use of a Parking Place or part thereof

- 9. (i) The Council or a civil enforcement officer may suspend the use of a Parking Place or any part thereof whenever such suspension is considered reasonably necessary: -
 - (a) for the purpose of facilitating the movement of traffic or promoting its safety;
 - (b) 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 Places or the laying, erection, alteration removal or maintenance in or adjacent to the Parking Place of any sewer, main, pipe or apparatus for the safety of gas, water or electricity or of any telecommunications apparatus or traffic sign;
 - (c) on any occasion on which it is likely by reason of some special attraction that any Parking Place will be thronged or obstructed;
 - (d) for the convenience of occupiers of premises adjacent to the Parking Place at times of weddings or funerals, or on other special occasions; or
 - (e) for any other purpose subject to the prior written agreement of the Council.
- (ii) Any person suspending the use of a Parking Place or any part thereof in accordance with the provisions of this Article shall place or cause to be placed in or adjacent to the parking place or any part thereof, which is being suspended, a traffic sign or signs indicating that the parking place or part thereof is suspended.
- (iii) The Council may levy a charge in connection with the suspension of a Parking Place or part thereof under the relevant provisions of this Order, and where such charge is levied, it shall be: -
 - (a) Five pounds (£5) per parking bay per day in a free car park subject to a time restriction;
 - (b) Six pounds (£6) per parking bay per day in a charged car park.

- (iv) No person shall cause or permit a vehicle to be left in a parking place or part thereof that has been suspended in accordance with the provisions of this Article other than: -
 - (a) An operational vehicle being used for police, fire brigade or ambulance purposes as part of their statutory duties;
 - (b) Any vehicle left with the permission of the person suspending the Parking Place or part thereof in accordance with the provisions this Article.

Application for and issue of permit(s) for Back Park View Car Park, Coronation Street Car Park and Norfolk Street Car Park

- 10. (i) Any person may apply to the council for the issue of a permit for Back Park View Car Park or Coronation Street Car Park or Norfolk Street Car Park which may be valid for use with a passenger vehicle, **ONLY** at the specified parking place, and any such application shall be made on a form issued by and obtainable from the Council and shall include the particulars and information required by such form to be supplied.
- (ii) Upon receipt of an application duly made, under the foregoing provisions of this Article, together with the relevant charge, the Council may issue to the applicant: -
 - (a) A parking permit for the specified Parking Place; and
 - (b) A protective cover for the display of the parking permit.
- (iii) The charge for a parking permit issued in accordance with the provisions of this Article shall be either: -
 - (a) One hundred and twenty-five pounds (£125) for a period of 6 months: or
 - (b) Two hundred and fifty pounds (£250) for a period of 12 months.
- (iv) An applicant who surrenders a parking permit issued in accordance with the provisions of this Article to the Council when it is no longer required, shall be entitled to a refund of fifteen pounds (£15) in respect of each complete month specified thereon which remains unexpired at the time when the parking permit is surrendered to the Council.
- (v) The issue of a car parking permit in accordance with the provisions of this Article does not guarantee a parking space within the specified Parking Place.
- (vi) When a vehicle is left in the specified parking place, during the restriction period, there shall be displayed in a conspicuous position a valid parking permit, issued for that Parking Place, so that all the particulars referred to in paragraph (vii) of this Article are readily visible through the windscreen the vehicle.
- (vii) A parking permit issued in accordance with the provisions of this Article shall include the following particulars: -
 - (a) the name of the Parking Place in which the permit may be used;
 - (b) the period during which the permit shall remain valid; and
 - (c) an authentication that the permit has been issued by the Council.
- (viii) When a parking permit issued in accordance with the provisions of this Article has been displayed on a vehicle in accordance with paragraph (vi) of this Article, no person, not being the owner of the vehicle, shall remove the permit from the vehicle unless authorised to do so by the owner of the vehicle.

- (ix) Where a permit issued to any person upon receipt of a cheque, or payment made by a credit card or debit card and the cheque or payment by credit card or debit card is subsequently dishonoured, then such permit shall cease to be valid and shall be returned to the Council.
- (x) The Council may, by notice in writing served on the permit holder, at the address shown by that person on the application for the permit or at any other address believed to be that person's residence, withdraw a permit if it appears to the Council that any one or more of the events set out in paragraph (xi) of this Article has occurred **AND** the permit holder **SHALL** surrender the permit to the Council within 48 hours of the receipt of such notice.
- (xi) The events referred to in the foregoing provisions of this Article are: -
 - (a) The issue of a duplicate or replacement permit by the Council under the provisions of this Article;
 - (b) The permit that has been replaced ceasing to be valid pursuant to the provisions of this Article.
- (xii) Without prejudice to the foregoing provisions of this Article, a permit shall cease to be valid at the expiration of the period specified thereon, or on the occurrence of any one or more of the events set out in paragraph (xi) of this Article, whichever is the earlier.
- (xiii) If a permit issued in accordance with the provisions of this Article is mutilated or defaced or the figures or particulars on such permit have become illegible, the permit holder shall either surrender it to the Council or apply to the Council for the issue to him of a duplicate or replacement permit. The Council will provide a replacement permit free of charge.
- (xiv) If a permit issued in accordance with the provisions of this Article is lost or destroyed the permit holder may apply to the Council for the issue of a duplicate permit and the Council upon being satisfied as to such loss or destruction may issue a duplicate or replacement permit so marked. The Council may levy a charge for the issue of a duplicate or replacement permit in these circumstances. This charge will be twenty-five pounds (£25).
- (xv) The provisions of this Article shall equally apply to a duplicate or replacement permit.
- (xvi) Upon the issue of a duplicate or replacement permit, by virtue of the provisions of this Article, the permit it replaces shall be invalid.

Application for and issue of permit in Back Park Road Car Park, Wallsend

- 11. (i) Any person living in an eligible household listed in paragraph (iii) of this Article may apply to the council for the issue of a Resident or Residents Visitor parking permit which may be valid for use with a passenger vehicle within Back Park Road Car Park, Wallsend or any other appropriate location within the WD4 Permit Zone. Any such application shall be made on a form issued by and obtainable from the Council and shall include the particulars and information required by such form to be supplied.
- (ii) Each eligible household can apply for up to three Resident Permits and one Residents' Visitor permit for permit zone WD4, subject to the provisions of the

Guidance Notes associated with that permit type. There is a charge of twenty-five pounds (£25 per permit per annum). The Council may also levy a charge of £25 for the issue of a replacement parking permit if the original has been lost or damaged.

- (iii) The following properties are eligible for a parking permit for Zone WD4:
 - Coronation Street – Nos.12 to 86 (even only) 15, 17, 19, 21, 23 to 55 (odd only)
 - Croft Avenue – Nos.2 to 14 (even only) 3 to 15 (odd only)
 - Ferndale Avenue – Nos. 24 to 56 (even only) 5 to 65 (odd only)
 - Sunningdale Avenue – Nos. 4 to 16 (even only) 3 to 19 (odd only)
 - Park Road – Nos. 87 to 157 (odd only)
 - Diamond House – Nos. 1 – 29 (excl 13)
 - High Street East – No. 61
- (iv) The issue of a WD4 permit in accordance with the provisions of this Article does not guarantee a parking space within the specified parking place.
- (v) A Resident Permit shall be issued in the form of:
 - (a) a virtual permit, whereby the vehicle registration will be recorded on a database against the eligible property held by the Council and Council officials and enforcement officers will identify valid vehicles from the vehicle's registration number; or
 - (b) a paper permit, which shall include the following particulars: -
 - (i) The permit zone in which the permit may be used i.e. WD4; and
 - (ii) The period during which the permit shall remain valid; and
 - (iii) The registration of the vehicle that the permit is applicable to; and
 - (iv) An authentication that the permit has been issued by the Council.
- (vi) A Residents' Visitor Permit shall be issued in the form of a paper permit, which shall include the following particulars: -
 - (a) The permit zone in which the permit may be used i.e. WD4; and
 - (b) The period during which the permit shall remain valid; and
 - (c) An authentication that the permit has been issued by the Council.
- (vii) When a vehicle is left in Back Park Road Car Park, Wallsend, during the hours of restriction, whilst displaying a valid WD4 paper permit, then the permit shall be displayed in a conspicuous position so that all the particulars referred to in paragraph (v)(b) and (vi) of this Article are readily visible through the windscreen of the vehicle.
- (viii) When a WD4 paper permit has been displayed on a vehicle in accordance with paragraph (vii) of this Article, no person, not being the owner of the vehicle, shall remove the permit from the vehicle unless authorised to do so by the owner of the vehicle.
- (ix) Where a virtual or paper permit issued to any person upon receipt of a cheque, or payment made by a credit card or debit card and the cheque or payment by credit card or debit card is subsequently dishonoured, then such permit shall cease to be valid.

- (x) The Council may, by notice in writing served on the permit holder, at the address shown by that person on the application for the permit or at any other address believed to be that person's residence, withdraw a permit if it appears to the Council that any one or more of the events set out in paragraph (xi) of this Article has occurred **AND** the permit holder **SHALL** surrender the permit to the Council within 48 hours of the receipt of such notice.
- (xi) The events referred to in the foregoing provisions of this Article are: -
 - (a) The resident or applicant ceasing to reside in a property listed in paragraph (iii) of this Article;
 - (b) The Residents' Visitor Permit is not being used by a bona fide visitor of the permit holder;
 - (c) The permit is not being used in accordance with the Parking and Vehicle Terms and Conditions listed on the relevant Notes for Guidance and/or Application Form;
 - (d) The issue of a duplicate or replacement permit by the Council under the provisions of this Article;
 - (e) The replaced permit ceasing to be valid pursuant to the provisions of this Article.
- (xii) Without prejudice to the foregoing provisions of this Article, a permit shall cease to be valid at the expiration of the period specified thereon, or on the occurrence of any one or more of the events set out in paragraph (xi) of this Article, whichever is the sooner.
- (xiii) If a WD4 paper permit issued in accordance with the provisions of this Article is mutilated or defaced or the figures or particulars on such permit have become illegible, the permit holder shall either surrender it to the Council or apply to the Council for the issue to him of a duplicate permit. The Council will provide a replacement permit free of charge.
- (xiv) If a WD4 paper permit issued in accordance with the provisions of this Article is lost or destroyed the permit holder may apply to the Council for the issue of a duplicate permit and the Council upon being satisfied as to such loss or destruction may issue a duplicate permit so marked. The Council may levy a charge for the issue of a duplicate or replacement paper permit in these circumstances. This charge will be twenty-five pounds (£25).
- (xv) The provisions of this Article shall equally apply to a duplicate or replacement paper permit.
- (xvi) Upon the issue of a duplicate or replacement paper permit, by virtue of the provisions of this Article, the permit it replaces shall be invalid.

Application for and issue of a permit for St Mary's Island (North) Car Park, Whitley Bay

- 12. (i) A resident of The Cottage, St Mary's Island, Whitley Bay, NE26 4RS, may apply to the Council for the issue of a St Mary's Island (North) Car Park parking permit.
- (ii) A maximum of one St Mary's Island (North) Car Park parking permit will be issued at any one time.
- (iii) There shall be no charge for the issue of a St Mary's Island (North) car park parking permit.

- (iv) Upon receipt of an application duly made under the foregoing provisions of this Article the Council may issue to the applicant: -
 - (a) A St Mary's Island (North) Car Park permit; and
 - (b) A protective cover for the display of the St Mary's Island (North) Car Park.
- (v) When a vehicle is left in a parking place within the St Mary's Island (North) Car Park during the charging period and a valid St Mary's Island (North) Car Park parking permit or valid Foreshore parking permit is displayed in a conspicuous position within the vehicle, no parking charge shall be payable.
- (vi) The issue of a St Mary's Island (North) Car Park parking permit does not guarantee a parking place within the St Mary's Island (North) Car Park.
- (vii) A St Mary's Island (North) Car Park permit shall include the following particulars: -
 - (a) The name of the parking place in which the permit may be used i.e. St Mary's Island (North) Car Park; and
 - (b) The period during which the permit shall remain valid; and
 - (c) An authentication that the permit has been issued by the Council.
- (viii) When a St Mary's Island (North) Car Park permit has been displayed on a vehicle in accordance with paragraph (v) of this Article, no person, not being the owner of the vehicle, shall remove the permit from the vehicle unless authorised to do so by the owner of the vehicle.
- (ix) The Council may, by notice in writing served on the permit holder, at the address shown by that person on the application for the permit or at any other address believed to be that person's residence, withdraw a permit if it appears to the Council that any one or more of the events set out in paragraph (x) of this Article has occurred **AND** the permit holder **SHALL** surrender the permit to the Council within 48 hours of the receipt of such notice.
- (x) The events referred to in the foregoing provisions of this Article are: -
 - (a) The holder of a St Mary's Island (North) car park parking permit ceases to be a resident of The Cottage, St Mary's Island, Whitley Bay;
 - (b) The issue of a duplicate or replacement permit by the Council under the provisions of this Article;
 - (c) The replaced permit ceasing to be valid pursuant to the provisions of this Article.
- (xi) Without prejudice to the foregoing provisions of this Article a permit shall cease to be valid at the expiration of the period specified thereon, or on the occurrence of any one or more of the events set out in paragraph (x) of this Article, whichever is the sooner.
- (xii) If a permit issued in accordance with the provisions of this Article is mutilated or defaced or the figures or particulars on such permit have become illegible, the permit holder shall either surrender it to the Council or apply to the Council for the issue to him of a duplicate or replacement permit. The Council will provide a replacement permit free of charge.
- (xiii) If a permit issued in accordance with the provisions of this Article is lost or destroyed, the permit holder may apply to the Council for the issue of a duplicate or replacement permit and the Council, upon being satisfied as to such loss or

destruction, may issue a duplicate or replacement permit in these circumstances. The Council may levy a charge for the issue of a duplicate or replacement permit in these circumstances. This charge will be twenty-five pounds (£25).

- (xiv) The provisions of this Article shall equally apply to a duplicate or replacement permit.
- (xv) Upon the issue of a duplicate or replacement permit, by virtue of the provisions of this Article, the permit it replaces shall be invalid.

Application for and issue of a permit for the Waves Car Park, Whitley Bay

- 13. (i) The operators of the Waves Leisure Centre may issue a Waves Staff Car Park permit to any member of staff working at the Waves Leisure Centre.
- (ii) When a vehicle is left in a Parking Place within the Waves Car Park and a valid Waves Staff Car Park parking permit is displayed in a conspicuous position within the vehicle, the vehicle will be exempt from the maximum stay period specified in Column 5 of Schedule 2 relating to that Parking Place.
- (iii) The operators of the Waves Leisure Centre may issue to any customer of The Waves Leisure Centre, The Links, Whitley Bay, NE26 1YQ a Waves Customer Car Park parking permit.
- (iv) When a vehicle is left in a Parking Place within the Waves Car Park and a valid Waves Customer Car Park parking permit is displayed in a conspicuous position within the vehicle, the vehicle will be exempt from the maximum stay period specified in Column 5 of Schedule 2 relating to that Parking Place but will be subject to a maximum stay of 8 hours on the day of issue.
- (v) A valid Waves Staff Car Park parking permit and Waves Customer Car Park permit shall include the following particulars: -
 - (a) The type of permit i.e. Staff or Customer;
 - (b) A unique permit number;
 - (c) The name of the Parking Place in which the permit may be used;
 - (d) The registration of the vehicle that the permit is valid for;
 - (e) The period during which the permit shall remain valid; and
 - (f) An authentication that the permit has been issued by the operators of the Waves Leisure Centre.
- (vi) There shall be no charge for the issue of the Waves Staff Car Park parking permit or the Waves Customer Car Park parking permit.
- (vii) The issue of a Waves Staff Car Park parking permit or a Waves Customer Car Park parking permit does not guarantee a parking place with the Waves Car Park.

Application for and issue of a permit for the Tynemouth Swimming Pool Car Park, North Shields

- 14. (i) The operators of the Tynemouth Swimming Pool may issue a Tynemouth Swimming Pool Staff parking permit to any member of staff working at the Tynemouth Swimming Pool.

- (ii) When a vehicle is left in a Parking Place within the Tynemouth Swimming Pool Car Park and a valid Tynemouth Swimming Pool Staff Car Park parking permit is displayed in a conspicuous position within the vehicle, the vehicle will be exempt from the maximum stay period specified in Column 5 of Schedule 2 relating to that Parking Place.
- (iii) The operators of the Tynemouth Swimming Pool may issue a Tynemouth Swimming Pool Customer parking permit to any customer of Tynemouth Swimming Pool.
- (iv) When a vehicle is left in a Parking Place within the Tynemouth Swimming Pool Car Park and a valid Tynemouth Swimming Pool Customer Car Park parking permit is displayed in a conspicuous position within the vehicle, the vehicle will be exempt from the maximum stay period specified in Column 5 of Schedule 2 relating to that Parking Place but will be subject to a maximum stay of 8 hours on the day of issue.
- (v) A valid Tynemouth Swimming Pool Staff Car Park parking permit and Tynemouth Swimming Pool Customer Car Park permit shall include the following particulars: -
 - (g) The type of permit i.e. Staff or Customer;
 - (h) A unique permit number;
 - (i) The name of the Parking Place in which the permit may be used;
 - (j) The registration of the vehicle that the permit is valid for;
 - (k) The period during which the permit shall remain valid; and
 - (l) An authentication that the permit has been issued by the operators of the Tynemouth Swimming Pool.
- (vi) There shall be no charge for the issue of the Tynemouth Swimming Pool Staff Car Park parking permit or the Tynemouth Swimming Pool Customer Car Park parking permit.
- (vii) The issue of a Tynemouth Swimming Pool Staff Car Park parking permit or a Tynemouth Swimming Pool Customer Car Park parking permit does not guarantee a parking place with the Tynemouth Swimming Pool Car Park.

Application for and issue of Foreshore Permit

15. (i) Any person may apply to the council for the issue of a Foreshore Permit, which may be valid for use with a passenger vehicle at any of the Foreshore parking places as specified on Article 3 of this Order, and any such application shall be made on a form issued by and obtainable from the Council and shall include the particulars and information required by such form to be supplied.
- (ii) Upon receipt of an application duly made, under the foregoing provisions of this Article, together with the relevant charge the Council may issue to the applicant: -
 - (a) A Foreshore Permit
 - (b) A protective cover for the display of the Foreshore Permit.
- (iii) The charge for a Foreshore Permit shall be either: -
 - (a) One hundred and twenty-five pounds (£125) for a period of 6 months: or
 - (b) Two hundred and fifty pounds (£250) for a period of 12 months.
- (iv) The issue of a Foreshore Permit does not guarantee a parking space within any Foreshore parking place specified in Article 3 of this Order.

- (v) When a vehicle is left in a Foreshore parking place, during the charging period, there shall be displayed in a conspicuous position a valid Foreshore Permit so that all the particulars referred to in paragraph (vi) of the Article are readily visible through the windscreen of the vehicle.
- (vi) A Foreshore Permit shall include the following particulars: -
 - (a) The name of the Parking Place(s) in which the permit may be used i.e. Foreshore parking places; and
 - (b) The period during which the permit shall remain valid; and
 - (c) An authentication that the permit has been issued by the Council.
- (vii) When a Foreshore Permit has been displayed on a vehicle in accordance with paragraph (v) of this Article no person, not being the owner of the vehicle, shall remove the permit from the vehicle unless authorised to do so by the owner of the vehicle.
- (viii) The Council may, by notice in writing served on the permit holder, at the address shown by that person on the application for the permit or at any other address believed to be that person's residence, withdraw a permit if it appears to the Council that any one or more of the events set out in paragraph (ix) of this Article has occurred **AND** the permit holder **SHALL** surrender the permit to the Council within 48 hours of the receipt of such notice.
- (ix) The events referred to in the foregoing provisions of this Article are: -
 - (a) The issue of a duplicate or replacement permit by the Council under the provisions of this Article;
 - (b) The replaced permit ceasing to be valid pursuant to the provisions of this Article.
- (x) Without prejudice to the foregoing provisions of this Article, a permit shall cease to be valid at the expiration of the period specified thereon, or on the occurrence of any one or more of the events set out in paragraph (ix) of this Article, whichever is the earlier.
- (xi) Where a permit issued to any person upon receipt of a cheque, or payment made by a credit card or debit card and the cheque or payment by credit card or debit card is subsequently dishonoured, then such permit shall cease to be valid and shall be returned to the Council.
- (xii) If a permit issued in accordance with the provisions of this Article is mutilated or defaced or the figures or particulars on such permit have become illegible, the permit holder shall either surrender it to the Council or apply to the Council for the issue to him of a duplicate or replacement permit. The Council will provide a replacement permit free of charge.
- (xiii) If a permit issued in accordance with the provisions of this Article is lost or destroyed the permit holder may apply to the Council for the issue of a duplicate permit and the Council upon being satisfied as to such loss or destruction may issue a duplicate or replacement permit in these circumstances. The Council may levy a charge for the issue of a duplicate or replacement permit in these circumstances. This charge will be twenty-five pounds (£25).

- (xiv) The provisions of this Article shall equally apply to a duplicate or replacement permit.
- (xv) Upon the issue of a duplicate or replacement permit, by virtue of the provisions of this Article, the permit it replaces shall be invalid.

Quadrant Car Park and Conditions of Use

- 16. (i) The Driver of a vehicle using this Parking Place shall not permit the vehicle to be left in that Parking Place otherwise than in the Permitted Position, so that the wheels of the vehicle are fully within the limits of the parking bay(s).
- (ii) All marked parking bays within this Parking Place, which are not marked with an associated designation traffic sign or road marking, are designated as Staff Parking Only Bays.
- (iii) Where a parking bay is designated as a Staff Parking Only Bay then no person shall park a vehicle within those parking bays **UNLESS** it is a vehicle displaying in the relevant position a valid Staff Car parking permit issued in accordance with the provisions of Article 17 of this Order;
- (iv) Where, in a Parking Place, signs are erected, or surface markings are laid for the purpose of indicating: -
 - (a) That certain parking bays within this Parking Place are for the use of bona vide Visitor's to the Council Offices, then no person shall park a vehicle within those parking bays or areas **UNLESS** it is a vehicle which displays the relevant identification issued and/or approved by the Quadrant Security or an approved Council officer;
 - (b) That certain parking bays within this Parking Place are for the use of vehicles displaying a Disabled Person's Parking Badge, then no person shall park a vehicle within those parking bays or areas **UNLESS** it is a vehicle displaying in the relevant position a valid Disabled Person's Parking Badge;
 - (c) That certain parking bays within this Parking Place are for the use of Pool Cars, then no person shall park a vehicle within those parking bays **UNLESS** it is an approved fleet vehicle owned or leased by the Council for this purpose;
 - (d) That certain parking bays within this Parking Place are for the use of Parent's with Children, then no person shall park a vehicle within those parking bays **UNLESS** the driver or their passenger has a child with them that is under 12 or in a car or booster seat;
 - (e) That certain parking bays or areas within this Parking Place are for the use of motorcycles, then no person shall park a vehicle within those parking bays or areas **UNLESS** it is a motorcycle as defined in this Order;
 - (f) That certain parking bays within this Parking Place are for the use of Electric Vehicles to re-charge from an adjacent electric charging point, then no person shall park a vehicle within those parking bays **UNLESS** it is an Electric Vehicle as defined in this Order in the process of re-charging. For the avoidance of confusion, the vehicle must be relocated to a standard bay once the vehicle is fully charged;
 - (g) That certain parking bays within Parking Place are Reserved or Reserved for Civic Car as indicated by an appropriate road marking,

then no person shall park a vehicle within those areas **UNLESS** it is a designated Council Civic Car.

- (v) Where an area is designated as 'loading only' the driver of a vehicle shall not permit the vehicle to wait in the loading area unless it is actively loading or unloading. For the avoidance of confusion, loading and unloading must be a continuous activity and the vehicle must be moved once it is complete.

Application for and use of Staff Car Parking Permits for use of Staff Car Parking Bays (applicable to Quadrant Car Park Only)

- 17. (i) An employee of the Council who is deemed to be an essential or casual car user on application and at the discretion of the Council, may purchase a Staff Car parking permit and the permit shall be valid in designated Staff Car Only parking bays.
- (ii) The Council may at time require an applicant to produce to an officer of the Council or civil enforcement officer such evidence in respect of an application for a Staff Car parking permit made to them as they may be reasonably required to verify any particulars or information given to them or in respect of any permit issued by them as they may reasonably required to verify that the permit is valid.
- (iii) On receipt of an application, the Council, upon being satisfied that the applicant is eligible to receive a Staff Car parking permit, may issue to the applicant, a permit for leaving in a designated Staff Car Only parking bay, the vehicle to which such permit relates by the owner of such vehicle or by any person using such vehicle with the consent of the owner, other than a person to whom such vehicle has been let for hire or reward.
- (iv) The issue of a Staff Car parking permit shall not guarantee that any parking space will be available for use by the holder of such permit.

Standages

- 18. (i) Where a parking place is designated as a Standage area then it is only for use by vehicles licensed by North Tyneside to trade from that location.
- (ii) Any person wishing to sell, expose or offer for sale any article (including a living thing) in a designated Standage area must hold a valid street trading license or consent issued by North Tyneside Council. The licence specifies the 'zone' that it is valid for.
- (iii) The license must be always carried when trading. Any 'plate' issued must be prominently displayed. A badge will be issued to each licence holder and all employees to identify them as authorised persons. The badge will bear a photograph of the Licence Holder or employee and must be always worn when trading.
- (iv) Every part of the vehicle or goods on sale shall be encompassed within the limits of the Standage bay. The licence does not give a right to park a car or towing vehicle in an unauthorised area.
- (v) Where an area is designated as a Standage the driver of a vehicle shall not permit the vehicle to wait in the Standage unless it has a valid street licence or consent for that parking place and is displaying a valid plate issued by North Tyneside Council.

Removal and disposal of vehicles

- 19 (i) If a vehicle is left in a Parking Place in a position other than a Permitted Position, then a Civil Enforcement Officer may move the vehicle or cause it to be moved to a Permitted Position or may remove the vehicle or cause it to be removed from the Parking Place.
- (ii) If a vehicle is deemed to be abandoned or in the case of an emergency or Special Event, where the vehicle is deemed to be causing an obstruction or a risk to safety, then the Police, a Civil Enforcement Officer or any other person duly authorised by the Council may move or cause to be moved any vehicle left in a Parking Place to any place he thinks fit.
- (iii) Any person moving or removing a vehicle in accordance with paragraphs (i) and (ii) of this Article may do so by towing or driving or in such a 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 move or remove it as aforesaid.
- (iv) When a Civil Enforcement Officer or any other person duly authorised by the Council moves or removes a vehicle or causes it to be moved or removed from a Parking Place in accordance with paragraphs (i) and (ii) of this Article, he shall make such arrangements as may be reasonably necessary for the safe custody of the vehicle but neither the Council, its servants or agents shall be liable for any loss or damage to any such vehicle or its contents arising from or in consequence of the exercise of the powers contained in paragraphs (i) and (ii) of this Article.
- (v) Section 102 of the 1984 Act shall apply to this Order in respect of the recovery by the Council of charges for the moving or removal of vehicles in accordance with paragraphs (i) and (ii) of this Article for storage and custody of such vehicles and for disposal of abandoned vehicles.
- (vi) Where a vehicle has been removed from a Parking Place in accordance with paragraphs (i) and (ii) of this Article and it appears to the Council to have been abandoned, the Council may sell or otherwise dispose of the vehicle after having made reasonable enquiry to ascertain the name and address of the owner of the vehicle PROVIDED THAT the Council shall be deemed to have made reasonable enquiry to ascertain the name and address of the owner of any vehicle which this Article applies if it has taken in relation to that vehicle such steps as may be prescribed by any regulations for the time being in force by virtue of the Act of 1984, the Refuse Disposal (Amenity) Act 1978 or any other Act authorising the Council to sell or otherwise dispose of abandoned vehicles.

No liability for loss or damage to vehicle or property

20. Vehicles using the parking places do so at the risk of the driver and the Council accepts no liability or responsibility either at common law or under the Occupiers' Liability Act 1957 or otherwise for loss of or damage to vehicles or other property left in parking places.

Contravention and Enforcement

21. (i) Where a contravention of this Order constitutes a parking contravention within the meaning of the Act of 2004 and The Civil Enforcement of Road Traffic Contraventions (Approved Devices, Charging Guidelines and General Provisions)

(England) Regulations 2022, the contravention shall be subject to the penalties and procedures provided for by that legislation.

- (ii) Where a contravention of this Order constitutes a parking contravention within the meaning of the Act of 2004 and The Civil Enforcement of Road Traffic Contraventions (Approved Devices, Charging Guidelines and General Provisions) (England) Regulations 2022, a penalty charge is payable for each calendar day or part thereof that the vehicle is in contravention of this Order by the owner and the vehicle may be removed by or on behalf of the Council in accordance with the provisions of the Act of 2004, The Civil Enforcement of Road Traffic Contraventions (Approved Devices, Charging Guidelines and General Provisions) (England) Regulations 2022, and of this Order.
- (iii) A contravention of this Order which does not constitute a parking contravention within the meaning of the Act of 2004 or The Civil Enforcement of Road Traffic Contraventions (Approved Devices, Charging Guidelines and General Provisions) (England) Regulations 2022, is an offence under Section 35A (1) of the Act of 1984.
- (iv) Where a police officer in uniform is satisfied that a driver of a vehicle has committed an alleged offence under the provisions of this Order such that liability to a fixed penalty notice arises, a police officer may issue such a notice at the time and date of the alleged offence to any driver of the vehicle, which shall include the particulars listed in Section 52 of the Road Traffic Offenders Act 1988.
- (v) Where the owner, keeper or driver has been issued with a Penalty Charge Notice by the Council and it is proven by the owner, keeper or driver that he was also issued a fixed penalty notice or summons for the same day and time for the same contravention by a police officer, then the Council shall no longer proceed with its Penalty Charge Notice or where the Penalty Charge Notice was paid will be refunded in full as soon as reasonably practicable.

THE COMMON SEAL of THE COUNCIL
OF THE BOROUGH OF NORTH
TYNESIDE was hereunto affixed
this 17th day of May 2022
in the presence of: -



Authorised Signatory

D. RACKS REAN
Sol. etu

Schedule 1

Orders Revoked

1. The Council of the Borough of North Tyneside (Off Street Parking Places) Consolidation Order 2019.
2. The North Tyneside (Off Street Parking Places) Consolidation Order 2019 Variation No. 1 Order 2020.
3. The North Tyneside (Off Street Parking Places) Consolidation Order 2019 Variation No. 2 Order 2020.
4. The North Tyneside (Off Street Parking Places) Consolidation Order 2019 Variation No. 3 Order 2020.
5. The North Tyneside (Off Street Parking Places) Consolidation Order 2019 Variation No. 1 Order 2022.

Schedule 2

Parking Places – Off Street Car Parks

Name of Parking Place	Class of Vehicles	Days of operation	Days / Times during which a charge is to be paid	Maximum period for which vehicles may wait	Scale of charges
(1)	(2)	(3)	(4)	(5)	(6)
1. <u>ATKINSON TERRACE CAR PARK, Wallsend</u> Situating on the north side of Atkinson Terrace (East) approximately 70 metres west of Station Road.	Passenger vehicles and motorcycles	All days	N/A	24 hours	Free
2. <u>BACK PARK ROAD CAR PARK, Wallsend</u> Situating between the rear of Park Road and Coronation Street	Passenger vehicles	All days	N/A	24 hours Valid WD4 Permit Holders and Valid Blue Badge Holders Only	Free
3. <u>BACK PARK VIEW CAR PARK, Whitley Bay</u> Situating to the rear of Nos 34 to 60 Park View.	Passenger vehicles and motorcycles	All days	N/A	2 hours No Return within 4 hours, Monday to Friday 8.00am to 6.00pm (Valid Car Park Permit provides exemption to restriction on length of stay). No restriction on length of stay applies on Saturday and Sunday	Free

Name of Parking Place (1)	Class of Vehicles (2)	Days of operation (3)	Days / Times during which a charge is to be paid (4)	Maximum period for which vehicles may wait (5)	Scale of charges (6)
4. <u>BEACONSFIELD CAR PARK</u> , Tynemouth Situating on the west side of Grand Parade between the Blue Reef Aquarium and St. Georges Church.	Passenger vehicles and motorcycles	All days	All days 9.00am to 6.00pm	24 hours	£1.20 – 1 hour £2.40 – 2 hours £3.00 – All Day (Valid Foreshore Permit provides exemption to charge)
5. <u>BELLE VUE STREET CAR PARK</u> , Cullercoats Situating off the north east side of John Street adjacent to the Community Centre and The Crescent Club.	Passenger vehicles and motorcycles	All days	N/A	24 hours	Free
6. <u>BOURNEMOUTH GARDENS CAR PARK</u> , Whitely Bay Situating on the south east side of Bournemouth Gardens adjacent to the rear of Nos 46 to 60 Ventnor Gardens and west of The Links A193.	Passenger vehicles and motorcycles	All days	All days 9.00am to 6.00pm	24 hours	£1.20 – 1 hour £2.40 – 2 hours £3.00 – All Day (Valid Foreshore Permit provides exemption to charge)

Name of Parking Place	Class of Vehicles	Days of operation	Days / Times during which a charge is to be paid	Maximum period for which vehicles may wait	Scale of charges
(1)	(2)	(3)	(4)	(5)	(6)
7. <u>BRIERDENE CAR PARK.</u> <u>Whitley Bay</u> Situating on the east side of The Links A193 opposite No 78 and 79 The Links and Hastings Avenue.	Passenger vehicles buses/coaches and motorcycles	All days	N/A	4 hours No Return within 2 hours on All Days and at All Times, with an exemption for Blue Badge Holders and Coaches	Free
8. <u>CAULDWELL AVENUE CAR PARK, Monkseaton</u> Situating on the south east side of Cauldwell Avenue north east of the Medical Centre.	Passenger vehicles and motorcycles	All days	N/A	24 hours	Free
9. <u>CHICKEN ROAD CAR PARK, Wallsend</u> Situating on the east side of Chicken Road approximately 95 metres south west of O'Hanlon Crescent.	Passenger vehicles and motorcycles	All days	N/A	24 hours	Free
10. <u>COMET ROW CAR PARK, Killingworth</u> Situating on the north side of Comet Row approximately 60 metres east of Blucher Road.	Passenger vehicles and motorcycles	All days	N/A	24 hours	Free

Name of Parking Place (1)	Class of Vehicles (2)	Days of operation (3)	Days / Times during which a charge is to be paid (4)	Maximum period for which vehicles may wait (5)	Scale of charges (6)
11. CORONATION CRESCENT CAR PARK , <u>Monkseaton</u> Situating on the southwest side of Coronation Crescent to the rear of Nos 13 to 19 Front Street.	Passenger vehicles and motorcycles	All days	N/A	2 hours No Return within 4 hours, Monday to Friday 8.00am to 6.00pm (Valid Car Park Permit provides exemption to restriction on length of stay)	Free
12. CORONATION STREET CAR PARK , <u>Wallsend</u> Situating on the east side of Coronation Street adjacent to High Street East and Ferndale Avenue.	Passenger vehicles and motorcycles	All days	N/A	2 hours No Return within 4 hours, Monday to Friday 8.00am to 6.00pm (Valid Car Park Permit provides exemption to restriction on length of stay)	Free
13. DUKES WALK CAR PARK , <u>Whitley Bay</u> Situating on the east side of The Links A193 adjacent to the Monkseaton Drive roundabout.	Passenger vehicles and motorcycles	All days	All days 9.00am to 6.00pm	24 hours	£1.20 – 1 hour £2.40 – 2 hours £3.00 – All Day (Valid Foreshore Permit provides exemption to charge)

Name of Parking Place (1)	Class of Vehicles (2)	Days of operation (3)	Days / Times during which a charge is to be paid (4)	Maximum period for which vehicles may wait (5)	Scale of charges (6)
14. <u>FOXHUNTERS CAR PARK, Whitley Bay</u> Situating on the east side of the A191 Rake Lane between its junctions with the A192 Seatonville Road and A192 Preston North Road	Passenger vehicles and motorcycles	All days	N/A	24 hours	Free
15. <u>FRONT STREET CAR PARK, Cullercoats</u> Situating on the west side of Front Street between Victoria Court and Winslow Court.	Passenger vehicles and motorcycles	All days	N/A	24 hours	Free
16. <u>GRAND PARADE CAR PARK, Tynemouth</u> Situating to the rear of the Blue Reef Aquarium on the west side of Grand Parade.	Passenger vehicles, buses/coaches and motorcycles	All days	All days 9.00am to 6.00pm	24 hours	£1.20 – 1 hour £2.40 – 2 hours £3.00 – All Day (Valid Foreshore Permit provides exemption to charge)
17. <u>HAWTHORN GARDENS CAR PARK, Whitley Bay</u> Situating to the west of the Osborne Gardens / Hawthorn Gardens junction adjacent to No 40 Hawthorn Gardens.	Passenger vehicles and motorcycles	All days	N/A	24 hours	Free

Name of Parking Place (1)	Class of Vehicles (2)	Days of operation (3)	Days / Times during which a charge is to be paid (4)	Maximum period for which vehicles may wait (5)	Scale of charges (6)
18. <u>HILLHEADS ROAD CAR PARK, Whitley Bay</u> Situating on the east side of Hillheads Road adjacent to the west side of Whitley Bay Football Ground.	Passenger vehicles and motorcycles	All days	N/A	24 hours	Free
19. <u>KING STREET CAR PARK, North Shields</u> Situating on the west side of King Street near its junction with A193 Tynemouth Road	Passenger vehicles and motorcycles	All days	N/A	24 hours	Free
20. <u>LAKESHORE CAR PARK, Killingworth</u> Situating on the west side of the access road to the Boating Lake approximately 30 metres south east of West Bailey.	Passenger vehicles and motorcycles	All days	N/A	24 hours	Free
21. <u>LAKESIDE CENTRE CAR PARK, Killingworth</u> Situating on the south east side of Southgate adjacent to the north east side of The Lakeside Centre.	Passenger vehicles, goods vehicles, buses and motorcycles	All days	N/A	24 hours	Free

Name of Parking Place (1)	Class of Vehicles (2)	Days of operation (3)	Days / Times during which a charge is to be paid (4)	Maximum period for which vehicles may wait (5)	Scale of charges (6)
22. <u>LOW LIGHTS CAR PARK,</u> <u>North Shields</u> Situating on the north east side of Clifford's Fort Moat approximately 60 metres east of the Union Road / Tanners Bank junction.	Passenger vehicles and motorcycles	All days	N/A	24 hours	Free
23. <u>MINI GOLF CAR PARK,</u> <u>Whitley Bay</u> Situating on the east side of The Links A193 opposite Nos 105/106 The Links.	Passenger vehicles and motorcycles	All days	All days 9.00am to 6.00pm	24 hours	£1.20 – 1 hour £2.40 – 2 hours £3.00 – All Day (Valid Foreshore Permit provides exemption to charge)
24. <u>NORFOLK STREET CAR PARK,</u> <u>North Shields</u> Situating on the south west side of Norfolk Street south of No 72 Norfolk Street.	Passenger vehicles and motorcycles	All days	N/A	2 hours No Return within 4 Hours, Monday to Friday 8.00am to 6.00pm (Valid Car Park Permit provides exemption to restriction on length of stay)	Free

Name of Parking Place	Class of Vehicles	Days of operation	Days / Times during which a charge is to be paid	Maximum period for which vehicles may wait	Scale of charges
(1)	(2)	(3)	(4)	(5)	(6)
25. <u>NORTHUMBRIAN WAY (NORTH) CAR PARK</u> , <u>Killingworth</u> Situating on the north side of Northumbrian Way approximately 250 metres north west of Southgate.	Passenger vehicles and motorcycles	All days	N/A	24 hours	Free
26. <u>PARK ROAD CAR PARK</u> , <u>Whitley Bay</u> Situating on the east side of Park Road opposite Coquet Avenue.	Passenger vehicles and motorcycles	All days	N/A	2 hours No Return within 4 hours, Monday to Friday 8.00am to 6.00pm (Valid Car Park Permit provides exemption to restriction on length of stay)	Free
27. <u>PARKS CAR PARK</u> , North <u>Shields</u> Situating north west of the Howdon Road / George Stephenson Way Roundabout.	Passenger vehicles, goods vehicles, buses and motorcycles	All days	N/A	24 hours	Free

Name of Parking Place (1)	Class of Vehicles (2)	Days of operation (3)	Days / Times during which a charge is to be paid (4)	Maximum period for which vehicles may wait (5)	Scale of charges (6)
28. <u>PLAYHOUSE CAR PARK</u> , <u>Whitley Bay</u> Situating on the north west side of Marine Gardens adjacent to Park Road and north east of No 8 Marine Gardens.	Passenger vehicles and motorcycles	All days	N/A	24 hours	Free
29. <u>PRIORS HAVEN CAR PARK</u> , <u>Tynemouth</u> Situating on the south west side of Pier Road approximately 220 metres south west of Front Street.	Passenger vehicles and motorcycles	All days	N/A	2 hours No Return within 4 Hours, Monday to Friday 8.00am to 6.00pm	Free
30. <u>QUADRANT CAR PARK</u> , <u>Cobalt Business Park</u> Situating to the west of The Silverlink North and to the rear of the Council's offices, Cobalt Business Park	Passenger vehicles, goods vehicles and motorcycles	All days	N/A	24 hours	Free
31. <u>QUARRY PARK CAR PARK</u> , <u>Benton</u> Situating on the north side of Whitley Road approximately 50 metres east of Grange Avenue.	Passenger vehicles and motorcycles	All days	N/A	2 hours No Return within 4 Hours	Free

Name of Parking Place (1)	Class of Vehicles (2)	Days of operation (3)	Days / Times during which a charge is to be paid (4)	Maximum period for which vehicles may wait (5)	Scale of charges (6)
32. <u>SEA VIEW CAR PARK</u> , <u>Tynemouth</u> Situating at the south east end of Oxford Street adjacent to Trafalgar House.	Passenger vehicles and motorcycles	All days	All days 9.00am to 6.00pm	24 hours	£1.20 – 1 hour £2.40 – 2 hours £3.00 – All Day (Valid Foreshore Permit provides exemption to charge)
33. <u>SILVERLINK PARK CAR PARK</u> , <u>Cobalt West Allotment</u> Situating on the east side of The Silverlink north opposite The Village Hotel.	Passenger vehicles and motorcycles	All days	N/A	2 hours No Return within 4 Hours, Monday to Friday 8.00am to 6.00pm	Free
34. <u>SPANISH BATTERY CAR PARK</u> , <u>Tynemouth</u> Situating on the south east side of Pier Road approximately 320 metres south east of Front Street.	Passenger vehicles and motorcycles	All days	All days 9.00am to 6.00pm	24 hours	£1.20 – 1 hour £2.40 – 2 hours £3.00 – All Day (Valid Foreshore Permit provides exemption to charge)

Name of Parking Place (1)	Class of Vehicles (2)	Days of operation (3)	Days / Times during which a charge is to be paid (4)	Maximum period for which vehicles may wait (5)	Scale of charges (6)
35. <u>SPANISH CITY CAR PARK, Whitley Bay</u> Situating on the east side of the (A193) Spanish City link road to the southern boundary of the Spanish City building	Passenger vehicles and motorcycles	All days	All days 10.00am to 6.00pm	24 hours	£1.20 – 1 hour £2.40 – 2 hours £3.00 – All Day (Valid Spanish City Car Park Permit or Foreshore Permit provides exemption to charge)
36. <u>ST MARY'S ISLAND (NORTH) CAR PARK, Whitley Bay</u> Situating on the west side of Trinity Road approximately 320 metres north east of The Links / Blyth Road A193 junction.	passenger vehicles and motorcycles	All days	All days 9.00am to 6.00pm	24 hours	£1.20 – 1 hour £2.40 – 2 hours £3.00 – All Day (Valid Foreshore Permit provides exemption to charge)
37. <u>ST MARY'S ISLAND (SOUTH) CAR PARK, Whitley Bay</u> Situating on the north west side of Trinity Road approximately 700 metres north east of The Links / Blyth Road A193 junction.	passenger vehicles and motorcycles	All days	All days 9.00am to 6.00pm	24 hours	£1.20 – 1 hour £2.40 – 2 hours £3.00 – All Day (Valid Foreshore Permit provides exemption to charge)

Name of Parking Place (1)	Class of Vehicles (2)	Days of operation (3)	Days / Times during which a charge is to be paid (4)	Maximum period for which vehicles may wait (5)	Scale of charges (6)
38. <u>STRATFORD CLOSE CAR PARK</u> , Killingworth Situating on the east side of Stratford Close adjacent to the south side of No 20 Stratford Close.	passenger vehicles and motorcycles	All days	N/A	24 hours	Free
39. <u>TYNEMOUTH SWIMMING POOL CAR PARK</u> , North Shields Situating to the south of the swimming pool and adjacent to Monks Wood	Passenger vehicles, goods vehicles, buses and motorcycles	All days	N/A	3 hours (Valid Car Park Permit provides exemption to restriction on length of stay)	N/A
40. <u>WAVES CAR PARK</u> , Whitley Bay Situating on the south west side of The Links A193 approximately 118 metres north west of Davison Avenue.	Passenger vehicles, goods vehicles, buses and motorcycles	All days	N/A	3 hours (Valid Car Park Permit provides exemption to restriction on length of stay)	N/A
41. <u>WESTERN QUAY CAR PARK</u> , North Shields Situating to the south of Bell Street	Passenger vehicles and motorcycles	All days	9.00am – 6.00pm	2 hours No Return on the same day between 9.00am to 6.00pm	1p per minute with minimum charge of 5p

Name of Parking Place (1)	Class of Vehicles (2)	Days of operation (3)	Days / Times during which a charge is to be paid (4)	Maximum period for which vehicles may wait (5)	Scale of charges (6)
42. <u>WHITLEY LODGE CAR PARK, Whitley Bay</u> Situating on either side of Claremont Crescent between its junctions with Woodburn Drive and Claremont Road	Passenger vehicles, goods vehicles, buses and motorcycles	All days	N/A	24 hours	Free
43. <u>WHITLEY ROAD CAR PARK, Whitley Bay</u> Situating on the north east side of Whitley Road adjacent to Victoria Avenue and north west of Nos 154/156 Whitley Road.	Passenger vehicles and motorcycles	All days	N/A	2 hours No Return within 4 hours, Monday to Friday 8.00am to 6.00pm (Valid Car Park Permit provides exemption to restriction on length of stay)	Free