NORTH EAST LINCOLNSHIRE BOROUGH COUNCIL

The Borough of North East Lincolnshire Council (Permit Holders Only Parking Zone) (Elm Road and Elm Avenue, Cleethorpes) (No. 17-11) Order 2017

North East Lincolnshire Council, hereinafter referred to as "the Council", in exercise of powers conferred upon it under Sections 45 and 46, and Part IV of Schedule 9 of the Road Traffic Regulation Act 1984, and of all other enabling powers, hereby make the following Order.

PART 1 - GENERAL

1 Commencement and Citation

1.1 This Order shall come into operation on the first day of March 2018 and may be cited as The Borough of North East Lincolnshire Council (Permit Holders Only Parking Zone) (Elm Road and Elm Avenue, Cleethorpes) (No. 17-11) Order 2017.

2. Revocations

2.1 The North East Lincolnshire Borough Council (Prohibition and Restriction of Waiting, Clearways and On Street Parking) (Consolidation) Order 2010 (as amended) and The Borough of North East Lincolnshire (Consolidation of Orders made for On-Street Parking Places (Cleethorpes) No. 07-05 Order 2007 shall from the date this order comes into operation be revoked in part so that the said orders shall not designate any parking place as an on street parking place to the lengths of road described in Schedule 1 or impose any restriction in relation to any such on street parking place. For the avoidance of doubt any no waiting or no loading or other restrictions imposed that have not been revoked by another order shall still apply.

3. Definitions within this Order

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

"**A PERSON AUTHORISED BY THE COUNCIL**" means a person employed in accordance with Section 76 of The Act of 2004 to carry out the functions therein;

"**THE ACT OF 1984**" means The Road Traffic Regulation Act 1984;

"**THE ACT OF 2004**" means the Traffic Management Act 2004;

"**TSRGD2016**" means the Traffic Signs Regulations and General Directions 2016, as amended;

"**ARTICLE**" means the Article of this Order unless otherwise stated and includes reference to any paragraph to that Article referred to by number or letter;

"**CARER**" means anyone, as determined from time to time by the Council, who performs a caring function in the community and can include registered Carers, home Carers, doctors, district nurses, professional Carers and other medical practitioners.

"**CARER PERMIT**" means a Permit issued at the absolute discretion of the Council following an application under Article 5.7 of this order to a person who or organisation which is construed as a Carer;

"**CIVIL ENFORCEMENT OFFICER**" means a person employed by, or on behalf of, the Council under the provisions of Part 6 of The Act of 2004 and in accordance with Section 76 of The Act of 2004 authorised to enforce the restrictions imposed by this Order and to carry out the functions therein;

"**COUNCIL**" means The Borough of North East Lincolnshire and includes any parking services contractors or authorised agents appointed by or acting on behalf of the Council for the purposes of any function under the provisions of this Order;

"**DELIVERING**" or "**DELIVERY**" or "**COLLECTION**" means a continuous activity during which Goods or Merchandise are Loaded or Unloaded from a vehicle to adjacent premises or nearby premises including a reasonable time for the checking of those Goods or Merchandise for the purpose of their Delivery or Collection;

"**DRIVER**" in relation to the vehicle left, Waiting or Parked in a Permit Holders Only Parking Zone respectively, means the person driving the vehicle at the time it was left, Waiting or Parked in the Permit Holders Only Parking Zone or the person deemed to be the Driver by a Police Officer in uniform or a Civil Enforcement Officer in uniform acting under the terms of this Order;

"**EMERGENCY**" means a situation that poses an imminent risk to health, life, property or environment which requires immediate intervention.

"**EMERGENCY VEHICLE**" has the same meaning as in Regulation 3(2) of the Road Vehicle Lighting Regulations 1989.

"**ENACTMENT**" means any enactment, whether public, general or local, and includes any order, bylaw rule, regulation, scheme or other instrument having effect by virtue of an enactment;

"**FEE**" in relation to parking Permits and Waivers means a non-refundable charge levied by the Council for undertaking the administration work associated with parking Permits or Waivers;

"**FUNERAL AND WEDDING VEHICLES**" means those vehicles attending funerals or weddings to which Penalty Charge Notices will not be issued pursuant to the Council's Civil Parking Enforcement Procedures 2010 as it relates to Funerals and Weddings;

"**GOODS**" and "**MERCHANDISE**" means Goods of any kind whether animate or inanimate and includes Postal Packets of any kind that require transportation by a vehicle;

"**HOTEL**" or "**GUEST HOUSE**" means any property used for the purpose of a business of letting rooms to individuals upon payment;

"**HOUSEHOLD**" means a house or flat which has its own postal address. In the case of sub-divided properties the establishment of an individual address is subject to any appropriate planning consent having been obtained for the sub-division of the property and the paying of separate Council Tax;

"**LAY-BY**" in relation to the Main Carriageway means any area of a highway at the side of the Main Carriageway but not part of it and marked in accordance with TSRGD2016 intended for the parking or Waiting of vehicles in line with The Plans to this Order;

"**LOADING**" and "**UNLOADING**" means a continuous activity during which Goods or Merchandise are placed in or taken from a vehicle that is Parked or Waiting at premises or adjacent to premises or nearby premises for the purpose of Delivery or Collection of those Goods or Merchandise provided that the Loading, Unloading, Delivery and/or Collection activities are completed in a time deemed reasonable by a Police Officer in uniform, Civil Enforcement Officer in uniform or A Person Authorised

by the Council. Where no signs of Loading or Unloading activity are observed over the Observation Period it will be deemed that Loading or Unloading is not taking place;

"**MAIN CARRIAGEWAY**" means that part of a public highway used primarily for through traffic provided that the expression Main Carriageway shall not include any Lay-By;

"**OBSERVATION PERIOD**" means a period of time during which a Police Officer in uniform, Civil Enforcement Officer in uniform or A Person Authorised by the Council undertakes observations pursuant to the Council's parking enforcement policy;

"**OWNER**" or "**REGISTERED KEEPER**" in relation to a vehicle, means a person by whom such vehicle is kept and used. In determining who was the Owner on the date on which the vehicle was Parked or Waiting it shall be presumed that the Owner is the person recorded as the Registered Keeper by the Driver and Vehicle Licensing Agency and or named in the vehicle registration document as the Registered Keeper of the vehicle or the person who has the use of such vehicle in the course of his / her employment and who is entitled to use such vehicle as though he / she were the Registered Keeper thereof;

"**PARK**" and "**PARKED**" refer to the stopping of a vehicle in a Permit Holders Only Parking Zone and it remaining at rest for some time whether or not the Driver is still in the vehicle;

"**PENALTY CHARGE**" means a Penalty Charge relating to a parking contravention and payable in accordance with Regulation 4 of the Civil Enforcement of Parking Contraventions (England) General Regulations 2007 or any subsequent legislation so enabling;

"**PENALTY CHARGE NOTICE**" has a meaning given by Regulation 8(1) of the Civil Enforcement of Parking Contraventions (England) General Regulations 2007 or any subsequent legislation so enabling;

"**PERMIT(S)**" means any physical or electronic Permit(s) issued by the Council under the provisions of this Order;

"**PERMIT HOLDER**" means a person or organisation to whom a Permit has been issued under the provisions of this Order;

"**PERMIT HOLDERS ONLY PARKING ZONE**" means an area specified on The Plans within which parking Permits may be authorised for use in the roads or streets within that area;

"**THE PLANS**" means The Plans attached to this Order including keys and schedules to this Order indicating the extents of parking restrictions (if any) which are held at the Offices of the Borough of North East Lincolnshire Council;

"**POSTAL PACKET(S)**" has the same meaning as in Section 87 of the Post Office Act 1953;

"**RELEVANT POSITION**" in respect of:

a) a physical Permit means exhibited on the windscreen, dashboard or fascia of the vehicle with the obverse side facing forwards on the nearside of and immediately behind the windscreen or where the vehicle does not have a windscreen,

dashboard or fascia, in a conspicuous position on the vehicle orientated so that the whole of the information on the front of the Permit is clearly legible from the outside of the vehicle;

b) a physical Waiver means exhibited on the windscreen, dashboard or fascia of the vehicle with the obverse side facing forwards on the nearside of and immediately behind the windscreen or where the vehicle does not have a windscreen, dashboard or fascia, in a conspicuous position on the vehicle orientated so that the whole of the information on the front of the Permit is clearly legible from the outside of the vehicle

"**RESIDENT**" means a person whose principal residence is at premises where the postal address of which is any road or part of road in a Permit Holders Only Parking Zone;

"**RESTRICTED HOURS**" means the hours of 8am to 6pm on each and every day;

"**SECOND RESIDENT PERMIT**" means a Second Permit issued by the Council under the provisions of this Order;

"**STATUTORY UNDERTAKER(S)**" has the same meaning as in Section 329 of the Highways Act 1980;

"**SECURITY VEHICLE**" means a vehicle designed or adapted for or in use for the conveyance of bullion, monies and currency and other securities;

"**TELECOMMUNICATION SYSTEM**" has the same meaning as in the Telecommunications Act 1984;

"**TRAFFIC SIGN**" means a sign or road marking of any size, colour and type prescribed or authorised under, or having effect as though prescribed or authorised under, TSRGD2016;

"**TRAILER**" has the same meaning as that in Section 136 of the Act of 1984;

"**UNIVERSAL SERVICE PROVIDER**" and "**UNIVERSAL POSTAL SERVICE**" shall bear the same meanings as in the Postal Services Act 2000;

"**VISITOR PARKING PERMIT**" means a Permit issued by the Council under the provisions of this Order on application by a Resident to enable the parking of a vehicle belonging to a bona fide visitor to a Resident to park in such a Permit Holders Only Parking Zone;

"**WAIT**" and "**WAITING**" refer to the stopping of a vehicle and it remaining at rest for some time whether or not the Driver is still in the vehicle and a vehicle shall be deemed to be Waiting for any period in the same Permit Holders Only Parking Zone if any part of it is below the vehicle or the vehicle's load (if any) whether or not the vehicle is moved during that period;

"**WAIVER**" means a certificate or Permit 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 road where the Waiting of that vehicle would otherwise be restricted or prohibited under the terms and charges applicable at the time of issue.

3.2 For the purpose of this Order unless otherwise specified all references to any documents including Statutory Instruments, Regulations and policies and procedures of the Council relate to the current version of those documents as amended or substituted from time to time.

3.3 For the purpose of this Order the prohibitions and restrictions contained in the Articles to this Order and shown on the attached Plans shall apply to the full extent of the public highway.

3.4 For the purpose of this Order a vehicle shall be taken as waiting on a length of road if any point on that length of road is below the vehicle or its load (if any).

3.5 The prohibitions imposed by this Order shall be in addition to and not in derogation of any restriction, prohibition or requirement imposed by any Regulations or Orders made or having effect as if made under The Act of 1984, or by or under any other enactment.

3.6 For the purposes of this Order, North East Lincolnshire Council accepts no responsibility for any inaccuracies contained in the Ordnance Survey data relied upon in the preparation of The Plans attached to this Order. Where a restriction applies to the edge of a length of carriageway or highway (adjacent to the kerb) that restriction will continue to apply to the actual edge of carriageway or highway irrespective of changes to either the carriageway width or to the underlying Ordnance Survey data.

3.7 If a Court, the Department for Transport, the Traffic Penalty Tribunal or the Traffic Enforcement Centre declares any part of this Order to be invalid or un-enforceable, such declaration shall not invalidate the remainder of the Order.

PART 2 – EXEMPTIONS WITHIN THIS ORDER

4 Exemptions

4.1 Nothing in Article 5.2 to this Order shall render it unlawful to cause or permit any vehicle to Wait in any Permit Holders Only Parking Zone for so long as it may be necessary to enable a person to board or alight from the vehicle.

4.2 Nothing in Article 5.2 to this Order shall render it unlawful to cause or permit any vehicle to Wait in any Permit Holders Only Parking Zone for so long as it may be necessary to enable the Delivery or Collection of Goods including where Goods are Loaded onto or Unloaded from the vehicle provided that Loading or Unloading is carried out in one continuous operation, and that no vehicle shall so Wait on any Permit Holders Only Parking Zone where Loading and Unloading is prohibited.

4.3 Nothing in Article 5.2 to this Order shall render it unlawful to cause or permit any vehicle to Wait in any permit Holders Only parking Zone for so long as it may be necessary to enable the vehicle, if it cannot conveniently be used for such purpose in any other road and close proximity to the site is essential, to be used for the purpose of any Emergency building operation, demolition or excavation, or the maintenance or improvement or reconstruction of the said lengths or sides of road or any works connected with any Statutory Undertaker's apparatus for the supply of gas, water or electricity or of any Telecommunications System.

4.4 Nothing in Article 5.2 to this Order shall render it unlawful to cause or permit any vehicle to Wait in any Permit Holders Only Parking Zone for so long as it may be

necessary to enable the vehicle, if it cannot conveniently be used for such purpose in any other road, to be used in the service of the local authority in pursuance of statutory powers or duties.

4.5 Nothing in Article 5.2 to this Order shall render it unlawful to cause or permit any vehicle to Wait in any Permit Holders Only parking Zone for so long as it may be necessary to enable the vehicle of a Universal Service Provider (to Wait whilst Postal Packets addressed to premises adjacent to that road are being Unloaded from the vehicle or having Unloaded therefrom are being delivered or while Postal Packets are being collected from premises or posting boxes adjacent to that road, provided that the vehicle cannot reasonably be used for such purpose in any other road and for as long as may be necessary in conjunction with these purposes.

4.6 Nothing in Article 5.2 to this Order shall render it unlawful to cause or permit any vehicle to Wait in any Permit Holders Only Parking Zone for so long as it may be necessary to enable an Emergency Vehicle to be used in the course of an Emergency.

4.7 Nothing in Article 5.2 to this Order shall render it unlawful to cause or permit any vehicle to Wait in any Permit Holders Only Parking Zone for so long as it may be necessary to enable the vehicle to be used in any case where the person in control of the vehicle:

a) is required by law to stop or Wait or is permitted to stop or Wait by a Police Officer in uniform or Civil Enforcement Officer in uniform;

b) is obliged to stop so as to prevent an accident; or

c) is prevented from proceeding by circumstances outside their control.

4.8 Nothing in Article 5.2 to this Order shall render it unlawful to cause or permit any vehicle to Wait in any Permit Holders Only Parking Zone for so long as it may be necessary to enable the vehicle to be Loaded or Unloaded whilst it is in actual use in connection with the removal of furniture and effects from one office or dwelling house to another or to such premises from a depository or from such premises to a depository notwithstanding anything contained in Article 4.2.

4.9 Nothing in Article 5.2 to this Order shall render it unlawful to cause or permit any vehicle to Wait in any Permit Holders Only Parking Zone for so long as it may be necessary to enable a Security Vehicle to be used in the course of Delivering or collecting cash to/from properties in any of the Permit Holder Only Parking Zones and being a vehicle specifically designed for that purpose.

4.10 Nothing in Article 5.2 to this Order shall apply to Funeral and Wedding Vehicles at a funeral or wedding.

4.11 Nothing in Article 5.2 of this Order shall prevent any person from causing or permitting any vehicle to Wait in any Permit Holders Only Parking Zone provided that permission has been obtained from the Council by means of a Waiver provided that any physical waiver shall be displayed in the relevant position. In the event that a driver is requested to move the vehicle by a Police Officer in uniform or Civil Enforcement Officer in uniform the driver shall comply with these instructions.

4.12 Nothing in Article 5.2 of this Order shall apply so as to prevent any person from causing or permitting any vehicle to Wait in any Permit Holders Only Parking Zone so long as may be necessary to enable the vehicle if it cannot be used for such purpose

without Waiting in that Permit Holders Only Parking Zone to be used in connection with the removal of any item in the highway where such moving may be reasonably necessary for the purpose of preventing obstruction.

PART 3 – PROVISIONS RELATING TO PERMIT HOLDERS ONLY PARKING ZONES

5.1 The Permit Holders Only Parking Zones are designated as parking places on the highway, subject to the provisions of this Order,

5.2 Save as provided in Articles 4.1, 4.2, 4.3, 4.4, 4.5, 4.6, 4.7, 4.8, 4.9, 4.10, 4.11 and 4.12 of this Order the Driver of a vehicle shall not permit it to Wait or Park in a Permit Holders Only Parking Zone during the Restricted Hours unless the vehicle has a valid Permit issued following an application as described in Articles 5.5 to 5.8 inclusive for that vehicle and that Permit Holders Only Parking Zone, or a Waiver for the Permit Holders Only Parking Zone and that any Physical Permit or Waiver is displayed in the Relevant Position.

5.3 When a vehicle is left in a Permit Holders Only Parking Zone in contravention of the provision contained in Article 5.2 of this Order, A Person Authorised by the Council may remove the vehicle or arrange for it to be removed from that Permit Holders Only Parking Zone.

CLASSES OF VEHICLES FOR WHICH PERMITS ARE APPLICABLE

5.4 Subject to the provisions of this Order, Permits may be issued to classes of vehicles as approved by the Council's Permit Parking Policy.

PART 4 – ENTITLEMENT TO, ISSUE AND APPLICATION FOR PERMITS

RESIDENTS, HOTEL OR GUEST HOUSE AND BUSINESS PERMITS

5.5 Any Resident or Hotel or Guest House or business in a Permit Holders Only Parking Zone, who is the Owner of a vehicle or vehicles of the class specified may apply to the Council for the issue of a permit or permits in respect of the vehicle(s) up to and including any set limit on the number of Permits as the Council may from time to time determine 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 together with any payment of such Fee as the Council may from time to time determine.

VISITOR PARKING PERMITS

5.6 Any Resident or Hotel or Guest House or business with a postal address in a Permit Holders Parking Parking Zone may apply to the Council for the issue of a Visitor Parking Permit(s) for use by visitor(s) to the Resident up to and including any set limit on the number of Visitors Parking Permits as the Council may from time to time determine 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 together with any payment of such Fee as the Council may from time to time determine.

CARER PERMITS

5.7 Any Carer or representative of a Carer or member of an organisation approved from time to time by the relevant Council policy may apply to the Council for the issue to them of a Carer Permit for the leaving of a vehicle of the class specified in a Permit

Holders Only Parking Zone in which such Permits are valid provided that the Council may require such specific and supportive information as it considers appropriate.

5.8 The Council may at any time require an applicant for a Permit to produce to an officer of the Council or authorised agent such evidence in respect of an application for a Permit made to them as they may reasonably require to verify any particulars or information given to them or in respect of any Permit issued to them as they may reasonably require to verify that the Permit is valid.

SURRENDER OF PERMITS

5.9 A Permit Holder may surrender a Permit to the Council or authorised agent at any time and shall surrender such permit to the Council or authorised agent on the occurrence of any one of the surrender events described in Article 5.11.

WITHDRAWAL OF PERMITS

5.10 The Council or authorised agent 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 or its authorised agent that any one of the surrender events has occurred or decline to issue any Permit if any Permit has been improperly used in the past and the Permit Holder shall surrender the Permit to the Council or authorised agent within 48 hours of the receipt of the aforementioned notice.

SURRENDER EVENTS

5.11 Each of the following is a surrender event:

i) the Permit Holder ceasing to be a Resident Hotel, Guest House or business in a Permit Holders Only Parking Zone;

ii) the Permit Holder ceasing to be the named Driver, Owner or Registered Keeper of the vehicle in respect of which the Permit was issued;

iii) the vehicle in respect of which such Permit was issued being adapted or used in such a manner that it is no longer a vehicle of the class specified;

iv) the issue of a duplicate Permit or Visitor Parking Permit by the Council under the provisions of this Order;

v) the Permit being defaced, mutilated, altered or duplicated by a Resident or a third party with permission of said Resident;

VALIDITY OF PERMIT

5.12 A Permit shall cease to be valid at the expiration of the period specified thereon or on the occurrence of any of the surrender events, whichever is earlier.

5.13 All Permits shall be renewable annually or such other period as the Council from time to time may determine subject to information being provided under Article 5.8 and any new Fee being paid.

5.14 A Permit will cease to be valid if:

i) the details have been altered or defaced;

ii) any additional details required as a condition of the Permit are not exhibited; or

iii) the details cannot be easily read from outside the vehicle.

DUPLICATE PERMITS

5.15 If a Permit is accidently mutilated or defaced or the figures or particulars thereon have become illegible or the colour of the Permit has become altered by fading or otherwise, a Permit Holder shall surrender it to the Council and apply to the Council for the issue of a replacement Permit.

5.16 If a Permit is lost or destroyed, the Permit Holder may apply to the Council for the issue of a duplicate Permit.

5.17 On application under the provisions of this Order, the Council being satisfied as to the circumstances as indicated, and on payment of any Fee as the Council may from time to time determine, shall issue a replacement or duplicate Permit so marked and upon such issue the original Permit shall become invalid.

5.18 All the provisions of this Order shall apply to the replacement or duplicate permit to same extent as they applied to the original Permit.

FORM OF PERMIT

5.19 A physical permit shall include the following particulars:

i) The registration mark of the vehicle in respect of which the Permit has been issued provided that in exceptional circumstances at the absolute discretion of the Council the vehicle registration mark may be omitted;

ii) The expiry date which, subject to the provisions pertaining to surrender or withdrawal, the Permit shall remain valid;

iii) An indication that the Permit has been issued by the Council; and

iv) A code or identification indicating the location or parking area for which the Permit is valid.

REFUND OF CHARGE PAID

5.20 A Permit Holder who surrenders a Permit to the Council before the Permit becomes valid or after the Permit becomes valid may be entitled to a refund of such proportion of the Permit Fee as the Council may from time to time determine.

PART 5 – POWER TO SUSPEND USE OF PERMIT HOLDERS ONLY PARKING ZONES

6.1 A Police Constable in uniform, Civil Enforcement Officer in uniform or A Person Authorised by the Council in that behalf may suspend the use of a Permit holders Only Parking Zone, or any part thereof whenever they consider such suspension reasonably necessary:

a) for the purpose of facilitating the movement of traffic or for promoting its safety; or

b) for any purpose specified in Article 4.3 of this Order.

6.2 A Police Officer in uniform when conferring the power of 6.1(a) may only suspend the use of a Permit Holders Only Parking Zone for no longer than twenty-four hours.

6.3 Any person suspending the use of a Permit Holders Only Parking Zone or any part thereof in accordance with the provisions of Articles 6.1 and 6.2 shall thereupon place

or cause to be placed in or adjacent to that Permit Holders Only Parking Zone or the part thereof the use of which is suspended, a Traffic Sign indicating that Waiting by vehicles is prohibited.

6.4 No person shall cause or permit a vehicle to be present in any part of a Permit Holders Only Parking Zone or part thereof during a period of suspension unless permitted in accordance with the reasons for the suspension.

6.5 Subject to the proviso hereto, when a vehicle and/or Trailer is left in a Permit Holders Only Parking Zone or part thereof in contravention of any of the provisions contained in Article 6.4 of this Order, A Person Authorised by the Council may remove the vehicle and/or Trailer or arrange for it to be removed from that Permit Holders Only Parking Zone or part thereof.

6.6 Any person removing a vehicle or altering its position by virtue of Article 6.5 of this Order may do so by towing or driving the vehicle or in such other manner as they may think necessary to enable them to remove it as aforesaid and may take such measures in relation to the vehicle as necessary to enable the vehicle to be removed or to alter the position of the vehicle as the case may be and shall make such arrangements as may be reasonably necessary for the safe custody of the vehicle.

PART 6 – MISCELLANEOUS

7.1 Any reference in this Order to a numbered Article shall, unless the context requires otherwise, be construed as a reference to the Article bearing that number in this Order and any reference to the Schedules or Plans is a reference to the Schedules or Plans incorporated into this Order.

PART 7 – WAIVERS

8.1 Upon receipt of an application duly made under the provisions of this Order, the Council upon being satisfied that the applicant satisfies the requirements and on receipt of any Fee that the Council may from to time determine may issue to the applicant a Waiver, provided that the Council may impose such conditions on the use of the Waiver as it considers appropriate and that any limit applying to the number of Waivers issued is not exceeded.

8.2 A Waiver may be cancelled at any time at the sole discretion of the Council and shall thereupon immediately cease to be valid. Notification of such cancellation shall be in writing served on the person to whom such Waiver was issued by sending the same to the Waiver holder at the address shown by that person on the application for the Waiver, or at any other address believed to be that persons place of abode, requiring that person to surrender the Waiver to the Council within 48 hours of receipt of the aforementioned notice.

PART 8 – CONTRAVENTION AND PENALTY CHARGE

CONTRAVENTION AND PENALTY CHARGE NOTICES

9.1 Where a vehicle has been left in contravention of the restrictions imposed by this Order, a Penalty Charge shall be incurred, the amount of which will be set by North

East Lincolnshire Borough Council under the provisions of The Act of 2004 relating to the Civil Enforcement Areas and Special Enforcement Areas.

9.2 Where a Penalty Charge is payable, a Penalty Charge Notice shall be issued by a Civil Enforcement Officer in accordance with The Act of 2004.

MANNER OF PAYMENT OF PENALTY CHARGE NOTICE

9.3 The Penalty Charge shall be paid within 28 days payable to North East Lincolnshire Borough Council under the terms referred to in the said Notice.

RESTRICTION ON REMOVAL OF PENALTY CHARGE NOTICE

9.4 Where a notice has been attached to a vehicle in accordance with the provisions of The Act of 2004, no person not being the Driver of the vehicle or duly authorised representative of the Council shall remove the notice from the vehicle unless authorised to do so by the Driver.

Key

'Permit holders only parking 8am-6pm'

Letter	Amendment	Drawn	Date

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CLIENT
NORTH EAST LINCOLNSHIRE COUNCIL

PROJECT
Traffic Regulation Orders

TITLE
Permit Holders Only Parking
Elm Road & Elm Avenue, Cleethorpes - C03

DRAWN	APPROVED	FILE NAME
AB	NH	
FILE REF.	DATE 05.10.2017	DRAWING No. TR-17-11-C03
ORIGINAL SIZE A3 (297 x 420)	SCALE 1:1000	

0 100 200 Scale Check (Millimetres), Do Not Scale from this drawing.

SCHEDULE 1

"PERMIT HOLDERS ONLY PARKING ZONE (MONDAY – SUNDAY, 8AM – 6PM)"

STREET	SIDE	LENGTHS OF ROAD
Elm Road	Both	From a point 32 metres South West of the South Western kerbline of St Peters Avenue, south-westwards for a distance of 74m.
Elm Avenue	Both	The full extent

THE COMMON SEAL OF THE NORTH EAST LINCOLNSHIRE BOROUGH COUNCIL }

was hereunto affixed this }

11 Day of }

January 2018 }

In the presence of

Simon D. Jones.

Authorised Officer

Chief Legal and Monitoring Officer

7833