

**THE REDCAR AND CLEVELAND BOROUGH COUNCIL**  
**(DECriminalISED PARKING)(OFF STREET PARKING PLACES)**  
**ORDER 2003**

The Council of the Borough of Redcar and Cleveland (hereinafter referred to as 'The Council') in exercise of the powers conferred by section 1,2,3,4,32,35,45,49,51,53, and 124 and Part IV of Schedule 9 to the Road Traffic Regulation Act 1984 and of all other powers thereunto enabling hereby make the following Order:-

1. This order shall come into operation on 2<sup>nd</sup> June 2003 and maybe cited as the Redcar and Cleveland Borough Council (Decriminalised Parking)(Off Street Parking Places) Order 2003.
2. Without prejudice to the validity of anything done or to any liability incurred in respect of any act or omission before the coming into operation of this order the:-  
Redcar and Cleveland Borough Council (Off Street Parking Places)(Consolidation) Order 2003.

Shall have effect as though:-

- (a) Articles 4, 5 and 6 there shall be substituted with the following:-**

**AMOUNT OF PAYMENT DUE AT PARKING PLACES**

4. The payment due for a vehicle left in a particular parking place during the charging hours shall be the amount specified in Column 7 of the schedule relating to the said parking place, and be of an amount required for the parking time required by the motorist subject to the provisions of this Order.
5. (1) The payment referred to in Article 4 shall be payable by the insertion of an appropriate coin or coins into the apparatus or device provided, being an apparatus or device approved in accordance with Section 35(3) of the Act and the provisions of Section 47(5) of the Act shall apply in respect of such apparatus.
- (2) The owner of a vehicle may on application to the Council purchase a season ticket in respect of that vehicle for a payment set by the Council and that season ticket shall be valid in such parking places as are specified thereon during the period for which it is issued.
- (3) The payment referred to in Article 4 shall be payable on:-
  - a) the insertion of the appropriate coin or coins, and where such a device is installed, entering of such numbers equivalent to the numbers on the vehicle registration plate to which the ticket will apply, into a ticket machine,

- or
- b) by purchasing from the Council a Season Ticket entitling a driver to park a vehicle in any place specified in Paragraph (2) of Article 5 during the period of its validity and ,
  - c) the aforementioned tickets shall be attached in a conspicuous position to the vehicle in respect of which it was issued.
- (4) The details stated on the face of the ticket, season ticket or permit as to the vehicle registration plate, date and time of issue, departure or expiry as the case may be shall be conclusive evidence of those facts for the purposes of this Order and any legal proceedings taken thereunder

AMOUNT OF PENALTY CHARGE AT PARKING PLACES

6. (1) (a) A Penalty Charge as specified in Article 23 of this Order shall be payable where:-

- (i) a vehicle is left in a parking place and a driver has not purchased or displayed a parking ticket or tickets or a season ticket in accordance with Article 5
- ii) a vehicle is left in a parking place during which the charging hours for longer than the initial period for which payment was made.

(b) The Penalty Charge shall also be payable if:-

- (i) A vehicle is left in a parking place wholly or partially outside of the surface markings of an individual parking bay.
- (ii) A vehicle is left in a parking bay within a parking space, where a sign or surface marking indicates that the bay is available only for a disabled person's vehicle, and the vehicle is not a disabled person's vehicle.
- (iii) A vehicle is left in a parking place which is described in the schedule as available for vehicles of a specified class or in a specified position and the vehicle is not of the class or position so specified.
- (iv) A vehicle is left in a parking bay within a parking space where a sign or surface marking indicates that the bay is available only for Buses or Coaches, and the vehicle is not a Bus or Coach, unless permission was given to leave the vehicle in that bay by a parking attendant authorised by the Council to do so.
- (v) A vehicle is left in a parking place and a valid ticket issued on payment of the charge referred to in paragraph Article 4 is not attached in a conspicuous position to the vehicle in respect of which it was issued.

**(b) Article 7 there shall be deleted.**

GIVEN under the Common Seal of the Council of the Borough of Redcar and  
Cleveland this 15<sup>th</sup> day of May 2003.

THE COMMON SEAL OF THE COUNCIL OF )

THE BOROUGH OF REDCAR AND )

CLEVELAND hereunto affixed in the presence of )

Assistant Chief Executive

(Legal and Democratic Services).