

THE ROAD TRAFFIC REGULATION ACT 1984 AND THE TRAFFIC MANAGEMENT ACT 2004

Metropolitan Borough of Sefton

(Victoria Street, Southport)

**(On-Street Parking Places, Prohibition and Restriction of
Waiting) Order, 2016.**

**Made by the Council under Sections 1, 2, 32, 45, 46, 46a, 47, 49
and 53 of the Road Traffic Regulation Act 1984 and Part 6 and
Schedules 8 and 9 of the Traffic Management Act 2004.**

ON THE 10TH DAY OF JUNE 2016.

Arrangement of Articles		
Article No.	General	Page(s)
1	Commencement, citation and revocation	4
2	Interpretations	4, 5, 6, 7, 8, 9
Article No.	Part I – Designation of Parking Places	Page(s)
3	Layout of Parking Places	9
Article No.	Part II – Restriction on use of Parking Places	Page(s)
4	Pay and Display Parking Places	9, 10
5	Parking Places Without Charge	10
6	Disabled Persons Parking Places	10
7	Residents Parking Places	10
8	Permit Parking Places	10, 11
9	Ambulance Parking Places	11
10	Police Parking Places	11
11	Coach Parking Places	11
12	Loading Bays	11
Article No.	Part III – Provisions as to Pay and Display Parking Places	Page(s)
13	Amount of Parking Charge	11
14	Payment of Parking Charge	12
15	Display of Parking Ticket	12
16	Not to Insert Further Coins	12
Article No.	Part IV – Provision as to Permits and Badges	Page(s)
17	Application and Issue	13
18	Residents Parking Permits	13
19	Visitors Parking Permits	13
20	Disabled Persons Residential Parking Permits	13, 14
21	Special Parking Permits	14
22	Form of Permits	14
23	Protective Cover	14
24	Duplicate Permits	14
25	Termination of Parking Permits	14, 15
26	Display of Permit or Parking Waiver	15
27	Display of Disabled Persons Badge	15
28	Removal of Permits/Vouchers and Disabled Persons Badge	15
Article No.	Part V – Restrictions in Respect of Certain Roads other than Parking Places	Page(s)
29	Restriction of Waiting, Loading and Unloading of Vehicles in Certain Roads other than Parking Places	15
30	Exemptions from Waiting Restrictions on Restricted Roads – General	15, 16, 17
31	Exemptions from Waiting Restrictions on Restricted Roads – Loading and Unloading	17
Article No.	Part VI – Miscellaneous	Page(s)
32	Position of Parking Spaces	17
33	Placing of Traffic Signs at Parking Places	17
34	Manner of Standing in Parking Place	17, 18
35	Power to Suspend Use of Parking Place	18
36	Restriction of Selling from Vehicles in Parking Places	19
37	Circumstances in which Waiting of Vehicles in Parking Places is Permissible	19
38	Manner of Waiting in Parking Places	19, 20
39	Moving of Vehicle in Parking Places in Emergencies	20
40	Evidential Matters – Pay and Display Parking	20
41	Evidential Matters - Permits	20

Arrangement of Schedules		
Schedule No.	Description of Schedule	Page(s)
1	Areas of Highway Designated as Parking Places with Ticket Issuing Machines	21
2	Areas of Highway Designated as Parking Places without charge	
3	Areas of Highway Designated as Residents Parking Places	
4	Areas of Highway Designated as Disabled Persons Parking Places	
5	Areas of Highway Designated as Permit Parking Places	
6	Areas of Highway Designated as Police Parking Places	
7	Areas of Highway Designated as Ambulance Parking Places	
8	Areas of Highway Designated as Parking Places for Vehicles for Loading and Unloading	
9	Areas of Highway Designated as Parking Places for Coaches	
10	Areas of Highway Designated as Roads Providing an Exemption from Waiting for Public Service Vehicles when the Vehicle is Waiting During a Layover Period	
11	Roads and Parts of Roads in which Waiting is Prohibited Twenty-Four Hours a Day	22
12	Roads and Parts of Roads in which Waiting is Prohibited at Certain Times	
13	Roads and Parts of Roads in which Loading and Unloading is Prohibited At Any Time	
14	Roads and Parts of Roads in which Loading and Unloading is Prohibited at Certain Times	
15	Revocation of Traffic Regulation Orders	23

**The Metropolitan Borough of Sefton (Victoria Street, Southport) (On-Street Parking Places,
Prohibition and Restriction of Waiting) Order 2016.**

"The Council of the Metropolitan Borough of Sefton ("the Council") in exercise of its powers under Section 1, 2, 32, 35, 45, 46, 46a, 47, 49, 53 and Schedule 9 of the Road Traffic Regulation Act 1984 (hereinafter called the "1984 Act") and Part 6 and Schedules 8 and 9 of the Traffic Management Act 2004 (hereinafter called the "2004 Act") of all other enabling powers and after consultation with the Chief Officer of Police in accordance with Part III of Schedule 9 of the 1984 Act hereby make the following order:-

1. Commencement, Citation and Revocation

- 1.1 This Order shall come into operation on 11th day of June 2016 and may be cited as "The Metropolitan Borough of Sefton (Victoria Street, Southport) (On Street Parking Places, Prohibition and Restriction of Waiting) Order, 2016".
- 1.2 The traffic orders specified in Column 1 of Schedule 15 to this order are hereby revoked to the extent specified in Column 2 of Schedule 15 of this Order.

2. Interpretations

- 2.1 Except where otherwise stated, any reference in this Order to a numbered Article or Schedule is a reference to the Article or Schedule bearing that number in this Order.
- 2.2 In this order except where the context otherwise requires the following expressions have the meanings hereby respectively assigned to them:-
 - 2.2.1 "the Act of 1984" means the Road Traffic Regulation Act 1984. "the Act of 2004" means the Traffic Management Act 2004.
 - 2.2.2 "Ambulance Parking Place" means any area of highway described in Schedule 7 to this Order which is comprised within and indicated by a road marking complying with diagram 1028.2 variant in Schedule 6 of the Traffic Signs Regulations and General Directions 2002.
 - 2.2.3 "Authorised Horse Drawn Omnibus Rank" means any area of carriageway which is comprised within and indicated by a road marking, complying with diagram 1028.2 in Schedule 6 of the Traffic Signs Regulations and General Directions 2002.
 - 2.2.4 "Authorised Taxi Rank" means any area of carriageway that is comprised within and indicated by a road marking, complying with diagram 1028.2 in Schedule 6 of the Traffic Signs Regulations and General Directions 2002, or signs and markings as described in paragraph 7.43 in Chapter 3 of the Traffic Signs Manual.
 - 2.2.5 "Authorised Parking Place" means any parking place on a road authorised or designated by an order made or having effect as if made under the Act of 1984 which is comprised within and indicated by a road marking complying with diagrams 1032 or 1033 in Schedule 6 of the Traffic Signs Regulations and General Directions 2002.
 - 2.2.6 "Bullion Vehicle" means a motor vehicle constructed or adapted for use for the carriage of bullion.
 - 2.2.7 "Civil Enforcement Officer (Parking)" means a person as defined in S.63A of The Road Traffic Regulation Act 1984 and Part 6 of the Traffic Management Act 2004.
 - 2.2.8 "Coach" means a public service vehicle but excluding such a vehicle when it is being used to operate a local service as defined by the Transport Act 1985.
 - 2.2.9 "Coach Parking Place" means any area of highway described in Schedule 9 to this Order which is comprised within and indicated by a road marking complying with diagram 1028.2 variant in Schedule 6 of the Traffic Signs Regulations and General Directions 2002.
 - 2.2.10 "the Council" means Metropolitan Borough of Sefton Council.
 - 2.2.11 "Credit Card" has the same meaning as in Section 35A of the Act of 1984.
 - 2.2.12 "Debit Card" has the same meaning as in Section 35A of the Act of 1984.
 - 2.2.13 "Disabled Passenger" means a person who holds a disabled passengers badge issued in accordance with The Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000, as amended by The Disabled Persons (Badges for Motor Vehicles)

(England) (Amendment) Regulations 2007 and The Disabled Persons (Badges for Motor Vehicles) (England) (Amendment No. 2) Regulations 2007, or any subsequent Regulations to those Regulations.

- 2.2.14 "Disabled Person" means a disabled person of a description prescribed in The Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000 as amended by the Disabled Persons (Badges for Motor Vehicles) (England) (Amendment) Regulations 2007 and The Disabled Persons (Badges for Motor Vehicles) (England) (Amendment No. 2) Regulations 2007, or any subsequent Regulations to those Regulations.
- 2.2.15 "Disabled Persons Badge" means a badge in the form prescribed in The Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000 as amended by the Disabled Persons (Badges for Motor Vehicles) (England) (Amendment) Regulations 2007 and The Disabled Persons (Badges for Motor Vehicles) (England) (Amendment No. 2) Regulations 2007, or any subsequent Regulations to those Regulations, and issued by a local authority for display on a Motor Vehicle driven by a Disabled Person or used for the carriage of a Disabled Person or of several Disabled Persons including a duplicate badge issued pursuant to the above Regulations.
- 2.2.16 "Disabled Persons Parking Place" means any area of highway described in Schedule 4 to this Order which is comprised within and indicated by a road marking complying with diagram 1028.3 or 1033 variant in schedule 6 of the Traffic Signs Regulations and General Directions 2002 as appropriate with respect to Article 33 of this Order.
- 2.2.17 "Disabled Persons Residential Parking Place" means any area of highway described in Column 2 and identified by a unique number in Column 1 in Schedule 4 to this Order which is comprised within and indicated by a road marking complying with diagram 1028.3 or 1033 variant in Schedule 6 and indicated by a sign complying with diagram 661A variant in Schedule 2 of the Traffic Signs Regulations and General Directions 2002 as appropriate to Article 33 of this Order.
- 2.2.18 "Disabled Person's Vehicle" means a vehicle lawfully displaying in a conspicuous position a disabled persons badge and which is a vehicle, which, immediately before or after any period of waiting allowed by virtue of a provision of a kind required by Regulation 3 of the Local Authorities Traffic Orders (Exemptions for Disabled Persons) (England and Wales) Regulations 1986 to be included in an Order under the 1984 Act, has been or is to be driven by a disabled person or, as the case may be, has been or is to be used for carrying disabled persons as passengers.
- 2.2.19 "Disabled Persons Residential Parking Permit" means a Parking Permit issued by the Council pursuant to Article 20.
- 2.2.20 "Driver" in relation to a vehicle left at or waiting in a Parking Place means the person driving the vehicle at the time it was left at or is waiting at the Parking Place.
- 2.2.21 "Dual Purpose Vehicle" means a vehicle constructed or adapted for the carriage both of passengers and of Goods or burden of any description being a vehicle of which the unladen weight does not exceed 2 tonnes.
- 2.2.22 "Dwelling house" means a dwelling house or part of a dwelling house used for residential occupation.
- 2.2.23 "Goods Vehicle" means a motor vehicle constructed or adapted for use for the carriage of Goods or burden of any description or a Trailer so constructed or adapted.
- 2.2.24 "Hackney Carriage" has the same meaning as in Section 38 (1) of the Vehicles (Excise) Act 1971.
- 2.2.25 "Hand-held Device" means a wireless hand-held computer which is programmed to interface with the Pay by Phone parking system and used by a civil enforcement officer to assist in carrying out parking enforcement within any parking place operated by the Council.
- 2.2.26 "Horse Drawn Omnibus" has the same meaning as in Section 3 of the Town Police Clauses Act 1889, as amended by Section 122 of the Road Traffic Act 1930.
- 2.2.27 "Invalid Carriage" means a mechanically propelled vehicle of which the unladen weight does not exceed 254 kilograms and which is specially designed and constructed (and not merely adapted) for the use of a person suffering from some physical default or disability and is solely used by such a person.

- 2.2.28 "Layover Period" means either :- (a) the period during which a Public Service Vehicle being used in the operation of a local service is required to wait at a bus stop to adhere to the requirements of the bus service timetable or (b) the period specified in Column 2 during the times specified in Column 3 of Schedule 10 to this order whichever is the shorter period.
- 2.2.29 "Light Goods Vehicle" means a motor vehicle constructed or adapted for use for the carriage of Goods or Burden of any description whose unladen weight does not exceed 2 tonnes.
- 2.2.30 "Loading and Unloading" means the transference from (or to) a vehicle to (or from) premises adjacent to where the vehicle is parked of heavy or unmanageable Goods that are not designed to be carried by hand other than over a very short distance.
- 2.2.31 "Loading Bay" means any area of highway described in Schedule 8 to this order which is comprised within and indicated by a road marking complying with diagram 1028.3 variant in Schedule 6 of the Traffic Signs Regulations and General Directions 2002.
- 2.2.32 "Location Identification Number" means the unique number assigned to each parking place where the pay by phone system is operational.
- 2.2.33 "Mobile Telephone" means any wireless telegraphy apparatus (as defined in The Wireless Telegraphy Act 1949) designed or adapted for the purpose of transmitting and receiving spoken or text messages so as to provide a telephone which is connected to a public electronic communications network (within the meaning of The Communications Act 2003) and is not physically connected to a land line.
- 2.2.34 "Motor Cycle" means a mechanically propelled vehicle (not being an Invalid Carriage) with fewer than 4 wheels of which the weight unladen does not exceed 410 kilograms
- 2.2.35 "One Way Street" means a highway in which the driving of vehicles otherwise than in one direction is prohibited at all times.
- 2.2.36 "Parking Charge" means the sum specified in Article 13.
- 2.2.37 "Parking Disc" means a disc, issued by a local authority, complying with the requirements of the British Standard Specifications for Parking Discs (BS NO. 4631 : 1970), coloured orange or blue and capable of showing the quarter hour period during which a period of waiting begins, displayed in a relevant position on the vehicle.
- 2.2.38 "Parking Period" means the period of time corresponding to the amount of the Parking Charge specified in the Metropolitan Borough of Sefton (Parking Charges) Order, 2015 or any amendments or variations to that Order or any subsequent Order to that Order.
- 2.2.39 "Parking Place" means each of the areas on a highway described in Schedules 1-10 inclusive where vehicles may park subject to the restrictions and provisions set out in this Order.
- 2.2.40 "Parking Place Without Charge" means any area of highway described in Schedule 2 of this Order which is comprised within and indicated by a road marking complying with diagram 1028.4 or 1033 as appropriate in Schedule 6 of the Traffic Signs Regulations and General Directions 2002 with respect to Article 33 of this Order, but excluding any Disabled Persons Parking Places.
- 2.2.41 "Parking Services Manager" means a person appointed by the Council to manage the Civil Enforcement Officers (Parking) and associated personnel required to enforce and administer the powers conferred on the Council by the 1984 Act and the 2004 Act with respect to this and other Traffic Regulation Orders.
- 2.2.42 "Parking Space" means a space provided for a vehicle to park in a Parking Place and which shall not exceed 5 metres in length or in the case of a Disabled Persons Parking Place shall not exceed 6.6 metres in length.
- 2.2.43 "Parking Ticket" means a ticket issued by a Pay and Display Machine installed at a Pay and Display Parking Place.
- 2.2.44 "Parking Waiver" means a document issued by the Parking Services Manager in accordance with Article 30.2. to temporarily exempt a vehicle from the waiting restrictions on a restricted road.

- 2.2.45 "Passenger Vehicle" means a motor vehicle (other than a Motor Cycle or Invalid Carriage) constructed solely for the carriage of passengers and their effects and adapted to carry not more than 12 passengers exclusively of the driver and not drawing a Trailer.
- 2.2.46 "Pay and Display Machine" means an apparatus approved by the Secretary of State for the purpose of this Order to indicate the time by clock and to issue numbered tickets indicating the payment of a Charge, the period in respect of which it has been paid and the day on which it was paid.
- 2.2.47 "Pay and Display Parking Place" means any area of highway described in Schedule 1 to this Order which is comprised within and indicated by a road marking complying with diagrams 1028.4 variant, 1032 when individual bays are required or 1033 as appropriate in Schedule 6 of the Traffic Signs Regulations and General Directions 2002 with respect to Article 33 but excluding any Disabled Persons Parking Places or Disabled Persons Residential Parking Places.
- 2.2.48 "Pay by Phone" means a system of payment whereby the charge levied in accordance with Article 13 (and any appropriate administration charge) is collected by a Council appointed service provider in accordance with instructions indicated on signs located at each parking place where the system is operational, via an arranged account, with payment being made over a mobile telephone or by other electronic system (including via the internet) by credit or debit card or any other means of secure authorised payment to facilitate a cashless and ticketless parking transaction.
- 2.2.49 "Permit" means a Parking Permit issued by the Council under the provisions of Part IV of this Order.
- 2.2.50 "Permit Holder" means the person to whom a permit has been issued under the provisions of this Order.
- 2.2.51 "Permitted Hours" means:
- (a) in respect of Parking Places with Ticket Issuing Machines specified in Column 2 of Schedule 1, the period specified in the corresponding part of Column 4 of Schedule 1;
 - (b) in respect of Parking Places without charge specified in Column 2 of Schedule 2, the period specified in the corresponding part of Column 4 of Schedule 2;
 - (c) in respect of Residents Parking Places specified in Column 2 of Schedule 3, the period specified in the corresponding part of Column 4 of Schedule 3;
 - (d) in respect of Disabled Persons Parking Places specified in Column 2 of Schedule 4, the period specified in the corresponding part of Column 4 of Schedule 4;
 - (e) in respect of Permit Parking Places specified in Column 2 of Schedule 5, the period specified in the corresponding part of Column 4 of Schedule 5;
 - (f) in respect of Police Parking Places specified in Column 2 of Schedule 6, the period specified in the corresponding part of Column 4 of Schedule 6;
 - (g) in respect of Ambulance Parking Places specified in Column 2 of Schedule 7, the period specified in the corresponding part of Column 4 of Schedule 7;
 - (h) in respect of Loading and Unloading Parking Places specified in Column 2 of Schedule 8, the period specified in the corresponding part of Column 4 of Schedule 8;
 - (i) in respect of Coach Parking Places specified in Column 2 of Schedule 9, the period specified in the corresponding part of Column 4 of Schedule 9.
- 2.2.52 "Permit Parking Area" means any area comprising one or more highways in which Permit Parking Places have been identified in Schedule 5 to this Order
- 2.2.53 "Permit Parking Place" means any area of highway described in Schedule 5 to this Order which is contained within an area indicated by traffic signs complying with diagrams 663.3 and 664.1 as appropriate in part 2 of the schedule of the Traffic Signs (Amendment) (No.2) Regulations and General Directions 2011 with respect to Article 33 of this Order but excluding any Disabled Persons Parking Places or Disabled Persons Residential Parking Places.

- 2.2.54 "Police Parking Place" means any area of highway described in Schedule 6 to this Order that is comprised within and indicated by a road marking complying with diagram 1028.2 variant in Schedule 6 of the Traffic Signs Regulations and General Directions 2002.
- 2.2.55 "Principal Place of Residence" means a place where the applicant for a permit stays over night for at least four nights per week during a period of at least 10 months per year.
- 2.2.56 "Public Service Vehicle" means a motor vehicle (other than a tramcar) which – (a) being a vehicle adapted to carry more than eight passengers is used for carrying passengers for hire or reward; or (b) being a vehicle not so adapted is used for carrying passengers for hire or reward at separate fares in the course of a business of carrying passengers.
- 2.2.57 "Residents Parking Permit" means a parking permit issued by the Council pursuant to Article 18.
- 2.2.58 "Residents Parking Place" means any area of highway described in Schedule 3 to this Order which is comprised within and indicated by a road marking complying with diagrams 1028.4 variant or 1033 as appropriate in Schedule 6 of the Traffic Signs Regulations and General Directions 2002 with respect to Article 33 of this Order, but excluding any Disabled Persons Parking Places or Disabled Persons Residential Parking Places.
- 2.2.59 "Restricted Hours" means : (a) in respect of any Restricted road specified in Schedule 12 and 14 to this Order the period in time on the days defined in Column 2 but excluding Christmas Day; (b) at all times in respect of any Restricted Road specified in Schedule 11 and 13 to this Order, except where limited to a specified time of year as indicated in the Schedule.
- 2.2.60 "Restricted Road" means any highway or part of highway specified in Schedules 11, 12, 13 and 14 to this order excluding any Parking Place or Loading Bay.
- 2.2.61 "Service Provider" means the company authorised and appointed by the Council to operate, administer and maintain the payment of parking charges using the pay by phone parking system.
- 2.2.62 "Special Parking Permit" means a permit issued in accordance with Article 21.1.
- 2.2.63 "Telecommunications Apparatus" has the same meaning as in the Telecommunications Act 1984.
- 2.2.64 "Ticket Machine" means an apparatus or device of a type or design approved in accordance with Section 35(3) of the 1984 Act.
- 2.2.65 "Traffic Sign" means any object or device (whether fixed or portable) for conveying to traffic on roads or any specified class of traffic, warnings, information, requirements restrictions or prohibitions of any description : (a) specified by regulations made by the Secretaries of State charged with general responsibility under the Act of 1984 in relation to England and Wales and Scotland respectively acting jointly; or (b) authorised by the Secretary of State and any line or mark on a road for so conveying such warnings, information, requirements, restrictions or prohibitions.
- 2.2.66 "Trailer" means a vehicle other than a motor vehicle that is fitted with a drawbar or hitch to permit towing.
- 2.2.67 "Transaction Fee" means the fee covering any administration costs from the service provider, as specified in the Metropolitan Borough of Sefton (Parking Charges) Order 2015 or any amendments or variations to that Order, or any subsequent Order to that Order.
- 2.2.68 "Universal Service Provider" has the same meaning as that assigned to it under the Postal Services Act 2000 (Consequential Modifications to Local Enactment No 1) Order 2001.
- 2.2.69 "Visitor Parking Permit" means a permit issued by the Council pursuant to Article 19.

- 2.3 Any reference in this order to any enactment shall be construed as a reference to that enactment as amended or substituted by any subsequent enactment.
- 2.4 Any reference in this order to a masculine gender shall include reference to the feminine gender.
- 2.5 Any reference in this Order to a Singular includes the plural.

- 2.6 The Interpretation Act 1978 shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.
- 2.7 The prohibitions and restrictions imposed by this Order shall be in addition to and not in derogation of any restriction or requirement imposed by any regulations made or having effect as if made under the Act or by or under any other enactment.

PART I – DESIGNATION OF PARKING PLACES

3. Layout of Parking Places

- 3.1 Subject to the exception set out in Article 3.2, each area on a highway comprising the length of carriageway of a road specified in column 2 of Schedules 1 to 10 inclusive, unless otherwise so specified, bounded on one side of that length by the edge of the carriageway and having a width throughout of 2 metres (except for disabled persons parking places, which have a width of 2.5 metres), is designated as a parking place subject to the restrictions and provisions set out in this Order.
- 3.2 Any area of highway (carriageway, footway or verge) within a Permit Parking Area is designated as a Permit Parking Place subject to the restrictions and provisions set out in this Order.

PART II – RESTRICTIONS ON USE OF PARKING PLACES

4. Pay and Display Parking Places

- 4.1 No person shall cause any vehicle to wait or to be left other than a Passenger Vehicle, Dual Purpose Vehicle, Light Goods Vehicle, Motor Cycle or Invalid Carriage at any Pay and Display Parking Place during the Permitted Hours.
- 4.2 No person shall cause any vehicle to wait or to be left other than a two wheel motor cycle in a Pay and Display Parking Place at any time during the Permitted Hours unless he:
- 4.2.1 has paid the Parking Charge specified in Article 13 in accordance with Article 14 and, where the Parking Charge has been be paid by credit card or debit card at the Pay & Display machine, or insertion of the appropriate coin or coins in the Pay and Display Machine, displays the Parking Ticket on that vehicle in accordance with Article 15; or
 - 4.2.2 is the holder of a valid Disabled Persons Badge which has been issued to him and he displays such Badge on that vehicle in accordance with Article 27 and that vehicle shall be exempt from any limitation on time; or
 - 4.2.3 displays in the manner specified in Article 26 of this Order a duly authorised Residents' Parking Permit issued by the Council which allows the permit holder to park a vehicle in the parking place referred to therein and that vehicle shall be exempt from any limitation on time; or
 - 4.2.4 displays in the manner specified in Article 26 of this Order a duly authorised Special Parking Permit issued by the Council which allows the permit holder to park a vehicle in the parking place referred to therein and that vehicle shall be exempt from any limitation on time.
- 4.3 In the event that a person leaves a vehicle other than a two wheel motor cycle in a Pay and Display Parking Place at any time outside the Permitted Hours and that vehicle remains at that Pay and Display Parking Place at the commencement of the next Permitted Hours that person shall then:
- 4.3.1 pay the Parking Charge specified in Article 13 in accordance with the provisions of Article 14 and, where the Parking Charge has been be paid by credit card or debit card at the Pay & Display machine, or by insertion of the appropriate coin or coins in the Pay and Display Machine, displays the Parking Ticket on that vehicle in accordance with Article 15; or
 - 4.3.2 display a valid Disabled Persons Badge on that vehicle in accordance with Article 27; or
 - 4.3.3 display a valid Residents Parking Permit on that vehicle in accordance with Article 26.

- 4.4 Subject to the exceptions set out in Article 4.6 no person shall cause any vehicle to wait or to be left other than a two wheel motor cycle at a Pay and Display Parking Place during the Permitted Hours for a period exceeding the maximum parking duration specified in the Metropolitan Borough of Sefton (Parking Charges) Order 2015 or any amendments or variations to that Order, or any subsequent Order to that Order.
- 4.5 Subject to the exceptions set out in Article 4.6, where a vehicle other than a two wheel motor cycle has been left at a Pay and Display Parking Place during the Permitted Hours and is then taken away from that Parking Place, the vehicle shall not be left at that Parking Place again until one hour has elapsed from the time at which the vehicle was taken away from that Parking Place or the Permitted Hours have expired whichever is the earlier.
- 4.6 The restrictions as to the maximum length of time for which a vehicle may be left in a Pay and Display Parking Place specified in Article 4.4 and the restrictions on returning to a Pay and Display Parking Place specified in Article 4.5 shall not apply to vehicles on which a valid Disabled Persons Badge is displayed in accordance with Article 27 or a valid Residents Parking Permit, in respect of the Parking Place at which the vehicle is left, is displayed in accordance with Article 26.

5. **Parking Places Without Charge**

- 5.1 Subject to the exception set out in Article 5.2, no person shall cause any vehicle to wait or to be left in a Parking Place for which no charge is made during the permitted hours for a longer period of time than that specified in Column 5 of Schedule 2.
- 5.2 The restrictions as to the maximum length of time for which a vehicle may be left in a Parking place for which no charge is made shall not apply to vehicles on which a valid Disabled Persons Badge is displayed in accordance with Article 27 or a valid Residents or Visitors Parking Permit (in respect of the Parking Place at which the vehicle is left) is displayed in accordance with Article 26.

6. **Disabled Persons Parking Places**

- 6.1 No person shall cause any vehicle to wait or to be left at any Disabled Persons Parking Place during the permitted hours unless he is the holder of a valid Disabled Persons Badge and he displays such badge on that vehicle in accordance with Article 27.
- 6.2 No person shall cause any vehicle to wait or to be left at any Disabled Persons Residential Parking Place during the permitted hours unless:-
- 6.2.1 He is the holder of a valid Disabled Persons Residential Parking Permit in respect of the Parking Place at which the vehicle is left and he displays such Permit on that vehicle in accordance with Article 26 and
 - 6.2.2 He is the holder of a valid Disabled Persons Badge and he displays such badge on that vehicle in accordance with Article 27.

7. **Residents Parking Places**

- 7.1 No person shall cause any vehicle to wait or to be left at a Residents Parking Place during the Permitted Hours unless:-
- 7.1.1 he is the holder of a valid Residents Parking Permit in respect of the Parking Place at which the vehicle is left and he displays such Permit on that vehicle in accordance with Article 26; or
 - 7.1.2 he is the holder of a valid Visitors Parking Permit in respect of the Parking Place at which the vehicle is left and he displays such permit on that vehicle in accordance with Article 26.

8. **Permit Parking Places**

- 8.1 No person shall cause any vehicle to wait or to be left at a Permit Parking Place during the Permitted Hours unless:-

8.1.1 he is the holder of a valid Residents Parking Permit in respect of the Parking Place at which the vehicle is left and he displays such Permit on that vehicle in accordance with Article 26; or

8.1.2 he is the holder of a valid Visitors Parking Permit in respect of the Parking Place at which the vehicle is left and he displays such permit on that vehicle in accordance with Article 26.

8.2 No person shall cause any vehicle to wait or to be left at a Permit Parking Place in such a manner as to cause obstruction to any vehicle or pedestrian.

9. **Ambulance Parking Places**

9.1 No person shall cause any vehicle to wait or to be left in an Ambulance Parking Place during the permitted hours unless that vehicle is an operational Ambulance or any vehicle used by a Local Authority or a registered charitable organisation for the carriage of disabled persons.

10. **Police Parking Places**

10.1 No person shall cause any vehicle to wait or to be left at any time in a Police Parking Place during the permitted hours unless that vehicle is an operational Police vehicle.

11. **Coach Parking Places**

11.1 No person shall cause any vehicle other than a Coach, to wait or to be left at any Coach Parking Place specified in column 2 of Schedule 9 to this Order, and

11.2 No person shall cause any coach in any Coach Parking Place specified in column 2 of Schedule 9 to this Order to wait or to be left for a period of time exceeding that specified in the corresponding part of Column 5 of that Schedule during the permitted hours.

12. **Loading Bays**

12.1 No person shall cause any vehicle to wait or to be left at a Loading bay during the permitted hours:-

12.1.1 unless that vehicle is a motor vehicle primarily constructed or adapted for use for the carriage of goods or burden of any description or a trailer so constructed or adapted; and

12.1.2 unless such vehicle is left at such Loading Bay for the purpose of loading and/or unloading goods; and

12.1.3 unless the vehicle is left at the Loading Bay specified in column 2 of Schedule 8 to this order for a period of time not exceeding that specified in the corresponding part of column 5 of that Schedule.

PART III – PROVISIONS AS TO PAY AND DISPLAY PARKING PLACES

13. **Amount of Parking Charge**

13.1 The Parking charge payable for a vehicle to be left at a Pay and Display Parking Place specified in column 2 of Schedule 1 to this Order in the Zone specified in Column 5 of Schedule 1 to this Order for a specified period of time shall be the charge specified in the Metropolitan Borough of Sefton (Parking Charges) Order, 2015 or any amendment or variation to that Order or any subsequent Order to that Order for that particular Zone with respect to that specified period of time.

13.2 Where payment is made via a mobile telephone, an additional transaction fee covering the administration of the service provider will be charged, as specified in the Metropolitan Borough of Sefton (Parking Charges) Order, 2015, or any amendment or variation to that Order or any subsequent Order. Any costs to the network provider or phone service, arising from the cost of the phone call, will be the responsibility of the applicant.

14. **Payment of Parking Charge**

14.1 The Parking Charge shall be paid either:-

14.1.1 by insertion of a credit card, debit card or appropriate coin or coins in the Pay and Display Machine situated at the Pay and Display Parking Place at which the vehicle is left provided that if there is no Pay and Display Machine situated at that Parking Place or such machine is not operating properly the Parking Charge shall be paid by inserting a credit card, debit card or the appropriate coin or coins in a Pay and Display Machine which is operating properly and which is nearest to the Parking Place at which the vehicle is left or

14.1.2 where available, via mobile telephone using the Pay by Phone facility.

14.2 Pay by Phone information signs and the relevant location identification number signs will be located by each Pay & Display machine where the Pay by Phone system is in operation and will provide information in relation to the operation and use of Pay by Phone.

14.3 The payment of the charge using Pay by Phone will relate only to the parking places as indicated by the location identification number displayed on the location identification number sign displayed by the Pay & Display machine.

14.4 Where a vehicle has been left in a parking place operating Pay by Phone, an indication that the charge has been made in respect of that vehicle using Pay by Phone, together with an indication of the parking periods for which payment has been made, shall appear on the hand-held device.

14.5 Where a person attempts to pay the appropriate charge in accordance with Article 14.1.2, but is unable to do so, he shall pay the appropriate charge in accordance with Article 14.1.1.

14.6 Where payment is made by credit card or debit card using the Pay by Phone system, the card owner shall disclose the following information:-

14.6.1 Call number of the mobile telephone.

14.6.2 Identification number and any other details as may be requested by or on behalf of the Council relating to the credit card or debit card against which the charge is being paid.

14.6.3 Location Identification Number of the Parking Place in respect of which payment is being made.

14.6.4 Registration number of the motor vehicle being parked.

14.7 Where payment of a charge is made in accordance with Article 14.6:-

14.7.1 the transaction fee, as specified in Article 13.2, shall be payable at the time and

14.7.2 the parking period shall commence on receipt by the Council of the details specified in Article 14.6.

14.8 At any time after a charge has been paid in accordance with Article 14.6 in respect of a parking period, that parking period may be increased on further payment of the additional charge and the appropriate transaction fee, provided that the maximum permitted parking period for that parking place is not exceeded.

15. **Display of Parking Ticket**

15.1 The Parking Ticket issued by the Pay and Display Machine shall be displayed in the vehicle in respect of which the Parking Charge has been paid in a conspicuous position so that the date and time recorded on the Parking Ticket are clearly visible to a person standing at the front or nearside of such vehicle for the whole of the time during which such vehicle is left at the Pay and Display Parking Place.

16. **Not to Insert Further Coins**

16.1 No person shall insert in any Pay and Display Machine any coin or coins additional to the coin or coins inserted in a Pay and Display Machine by way of payment of the Parking Charge in respect of that vehicle.

PART IV – PROVISIONS AS TO PERMITS AND BADGES

17. **Application and issue**

- 17.1 An application for a Permit shall be made in writing to the Council on the form issued by and obtainable from the Council and shall include all particulars and information required by such form.
- 17.2 The Council may require an applicant for a Permit to produce to an officer of the Council such evidence in respect of the Application as may be reasonably necessary to verify the particulars or information given to him by the applicant.
- 17.3 Permits shall be issued by the Council upon the Council being satisfied that the applicant for such a permit has satisfied the criteria set out in this Order for the issue of such permits.
- 17.4 Any charge levied on the issue of Permits will be in accordance with the Metropolitan Borough of Sefton (Parking Charges) Order, 2015 or any amendment or variation to that Order, or any subsequent Order to that Order.

18. **Residents Parking Permits**

- 18.1 The Council may issue a Residents Parking Permit permitting a specified vehicle to park during the permitted hours in Residents Parking Places, Permit Parking Places or Pay and Display Parking Places to an applicant who satisfies the Council that he:-
- 18.1.1 uses as his principal place of residence a dwelling house or a flat over business premises fronting a Residents Parking Place and
- 18.1.2 has no suitable parking facility within a reasonable distance of such dwelling house or the parking facilities at the dwelling house are already occupied by vehicles whose owners reside at the dwelling house and
- 18.1.3 is the owner of a Passenger Vehicle, a Dual Purpose Vehicle, a Light Goods Vehicle, an Invalid Carriage or a Motor Cycle or if he is not the owner of such a vehicle that he has the permission of the owner of such a vehicle to use such a vehicle from the premises referred to in Article 18.1.1 above.

19. **Visitor Parking Permits**

- 19.1 The Council may issue a Visitors Parking Permit permitting any Passenger Vehicle, Dual Purpose Vehicle, Light Goods Vehicle, Invalid Carriage or a Motor Cycle to park during the permitted hours in Residents Parking Places or Permit Parking Places to an applicant who satisfies the Council that he:-
- 19.1.1 is entitled to a Residents Parking Permit as referred to in Article 18 above or
- 19.1.2 is the occupier of business premises fronting a Residents Parking Place or Permit Parking Place, or
- 19.1.3 uses as his principal place of residence a flat within a multi-storey group of flats fronting a Residents Parking Place or Permit Parking Place, or
- 19.1.4 uses as his principal place of residence a single room bed/sit within a dwelling house fronting a Residents Parking Place or Permit Parking Place and
- 19.1.5 will only use the permit when the driver or occupants of the vehicle are visiting premises fronting a Residents Parking Place or Permit Parking Place.

20. **Disabled Persons Residential Parking Permits**

- 20.1 The Council may issue a Disabled Persons Residential Parking Permit permitting a specified vehicle to park during the permitted hours in a specified Disabled Persons Residential Parking Place to an applicant who satisfies the Council that he :-
- 20.1.1 is in possession of a valid Disabled Persons Parking Badge
- 20.1.2 has no suitable off-street parking facility and is not able to provide such a facility within a reasonable walking distance of his dwelling house commensurate with his disability
- 20.1.3 cannot regularly obtain an on-street parking place within a reasonable walking distance of his dwelling house commensurate with his disability due to local parking demands.

21. **Special Parking Permits**

- 21.1 The Council may issue a Special Parking Permit permitting any vehicle to park during the permitted hours in a specified Parking Place where they are of the opinion that the restrictions and provisions set out in this Order for that Parking Place would be inappropriate.

22. **Form of Permits**

- 22.1 A permit issued under the provisions of this Order shall be in writing and shall include the following particulars:-

22.1.1 The Registration mark of the vehicle in respect of which the Permit has been issued (excluding Visitor Parking Permits)

22.1.2 The period during which the Permit has been granted and/or the date on which the permit is due to expire (subject to the provisions of this order as to Termination of Permits).

22.1.3 A authentication that the Permit has been issued by the Council.

22.1.4 An indication of the number and/or location of the Parking Place or Places to which the Permit relates and where necessary, the hours during which the vehicle in respect of which the permit has been issued may be left in a parking place.

23. **Protective Cover**

- 23.1 When issuing a Permit under the provision of this Order the Council shall also issue a protective cover to facilitate the display of such Permit on a vehicle.

24. **Duplicate Permits**

- 24.1 If a Permit issued under the Provisions of this Order is mutilated or defaced or the figures or particulars on it have become illegible or the colour of the Permit has become altered by fading or otherwise, the Permit Holder shall surrender it to the Council and may then apply to the Council for the issue to him of duplicate Permit.

- 24.2 If a Permit is lost due to the vehicle in which it was displayed having been stolen, the Permit Holder may apply to the Council for the issue to him of a duplicate permit providing the Permit Holder can produce evidence of a Police Incident Report and log reference with respect to the theft of the vehicle.

- 24.3 Any Duplicate Permit issued under the provisions of Articles 24.1 or 24.2 shall be marked as a duplicate, and upon the issue of a duplicate Permit the original Permit which it duplicates shall become invalid.

- 24.4 The provisions of this Order relating to applications for Permits and Permits generally shall apply to applications for duplicate Permits and duplicate Permits generally.

25. **Termination of Parking Permits**

- 25.1 A Permit issued under the provisions of this Order shall terminate and cease to be valid:-

25.1.1 immediately upon surrender of such Permit to the Council or

25.1.2 immediately without notice upon the expiry of the period specified in such Permit or

25.1.3 on a date specified in a notice addressed to the Holder of the Permit revoking the Permit on the grounds that any or all of the matters as to which the Council was satisfied when granting the Permit is or are no longer satisfied or for any other reason whatsoever.

- 25.2 Any notice addressed to the holder of the Permit under the provisions of Article 25.1 shall be sufficiently served if addressed to that person and delivered to him personally or sent by ordinary post to his last known residence or place of business.

26. **Display of Permit or Parking Waiver**

26.1 A Permit or Parking Waiver issued under the provisions of this Order shall be displayed in the protective cover issued with such Permit or Parking Waiver:-

26.1.1 in the case of a vehicle fitted with a front windscreen on the near side thereon and immediately behind the windscreen and with its front facing forward so as to be legible from outside the vehicle; or

26.1.2 in the case of a vehicle not fitted with a front windscreen, in a conspicuous position on the vehicle

27. **Display of Disabled Persons Badge**

27.1 For the purpose of this Order, a vehicle shall be regarded as displaying a Disabled Person's badge in a relevant position when it conforms to the regulations in The Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000 as amended by The Disabled Persons (Badges for Motor Vehicles) (England) (Amendment) Regulations 2007 and The Disabled Persons (Badges for Motor Vehicles) (England) (Amendment No. 2) Regulations 2007, or any subsequent Regulations to those Regulations.

28. **Removal of Permits/Vouchers and Disabled Persons Badge**

28.1 Where a Permit or Disabled Persons Badge has been displayed on a vehicle in accordance with the provisions of this Order no person shall remove such Permit or Badge from display on such vehicle unless expressly authorised to do so by the Driver of the vehicle.

PART V – RESTRICTIONS IN RESPECT OF CERTAIN ROADS OTHER THAN PARKING PLACES

29. **Restriction of Waiting, Loading and Unloading of Vehicles in certain roads other than parking places**

29.1 Save as provided in Articles 30 and 31 of this Order, no person shall except upon the direction or with the permission of a Police Constable, Traffic Warden or Civil Enforcement Officer (Parking), cause or permit any vehicle to wait in any Restricted Road during the Restricted Hours.

30. **Exemptions from Waiting Restrictions on Restricted Roads – General**

30.1 Nothing in Article 29 of this Order shall prevent any person from causing or permitting a vehicle to wait in any Restricted Road:-

30.1.1 for so long as may be necessary to enable a person to board or alight from a vehicle;

30.1.2 for so long as may be necessary to enable the vehicle if it cannot conveniently be used for such purpose in any other road, to be used in connection with the removal of any obstruction to traffic in any Restricted Road, the maintenance, improvement or reconstruction of any Restricted Road, or the laying, erection, alteration, servicing or repair in any Restricted Road of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity, or of any Telecommunications Apparatus, wide area traffic control cable, or apparatus or Traffic Signs;

30.1.3 for so long as may be necessary to enable the vehicle if it cannot conveniently be used for such purpose in any other road, to be used in connection with the installation or maintenance of any sewer or of any main, pipe or apparatus for the distribution of gas, water or electricity or of any telecommunications apparatus associated with buildings adjacent to the Restricted Road PROVIDING NOTICE IS GIVEN AT LEAST SEVENTY TWO HOURS IN ADVANCE TO THE PARKING SERVICES MANAGER AND A

PARKING WAIVER IS OBTAINED SUBJECT TO ARTICLE 30.2 and such Parking Waiver is displayed in accordance with Article 26 of this Order.

- 30.1.4 Nothing in the above proviso shall prevent the acquisition of a Parking Waiver where it is not possible to give seventy two hours notice due to the nature of the work having to be treated as an emergency, providing notice is given as soon as possible and in any case not later than twelve hours after arriving on site.
- 30.1.5 for so long as may be necessary to enable the vehicle if it cannot conveniently be use for such purpose in any other road, to be used in connection with any building work including the maintenance, improvement or installation of any building services, fitting or re-fitting of the building, glazing, demolition or excavation adjacent to any Restricted Road, PROVIDING NOTICE IS GIVEN AT LEAST SEVENTY TWO HOURS IN ADVANCE TO THE PARKING SERVICES MANAGER AND A PARKING WAIVER IS OBTAINED SUBJECT THE ARTICLE 30.2 and such Parking Waiver is displayed in accordance with Article 26 of this Order.
- 30.1.6 Nothing in the above proviso shall prevent the acquisition of a Parking Waiver where it is not possible to give seventy two hours notice due to the nature of the work having to be treated as an emergency providing notice is given as soon as possible.
- 30.1.7 if the vehicle is a vehicle used for fire brigade purposes or an ambulance, or any vehicle in the service of a Local Authority or police force in either case being used in pursuance of statutory powers or duties;
- 30.1.8 if the vehicle is a Public Service Vehicle being used in the operation of a local service waiting during a Layover Period at any duly authorised bus stop as defined in Column 2 of Schedule 10 for the length of time set down in the corresponding part of Column 3 of Schedule 10 and during such times as set down in the corresponding part of Column 4 of Schedule 10 to this Order.
- 30.1.9 If the vehicle is a Disabled Person's Vehicle which displays in the relevant position a Disabled Person's Badge, and a Parking Disc (on which the driver or other person in charge of the vehicle, has marked the time at which the period of waiting began) providing the period of waiting does not exceed 3 hours (not being a period separated by an interval of less than 1 hour from a previous period of waiting by the same vehicle in the same length of road) and providing that no such period of waiting takes place during the specified times in the roads or parts of roads specified in Schedules 13 and 14.
- 30.1.10 if the vehicle is a Hackney Carriage waiting or stopping upon any duly authorised taxi rank, or a Horse Drawn Omnibus waiting upon any duly authorised horse drawn omnibus rank.
- 30.1.11 if the vehicle is waiting owing to the Driver being prevented from proceeding by circumstances beyond his control or to such waiting being necessary in order to avoid an accident;
- 30.1.12 if the vehicle is in the service of or employed by a "universal service provider" and is waiting while postal packets addressed to premises adjacent to that road are being unloaded from the vehicle or having been unloaded therefrom, are being delivered or while postal packets are being collected from premises or posting boxes adjacent to that road;
- 30.1.13 for the purpose of loading or unloading the vehicle while the vehicle is in actual use in connection with the removal of furniture from one office or dwelling house to another or the removal of furniture from such premises to a depository or to such premises from a depository, except that no vehicle shall wait on the roads or parts of roads defined in Schedule 13 or on the roads or parts of roads defined in Schedule 14 during the period of time on the days defined in Column 2 of that Schedule to this Order UNLESS NOTICE IS GIVEN AT LEAST SEVENTY TWO HOURS IN ADVANCE TO THE PARKING SERVICES MANAGER AND A PARKING WAIVER IS OBTAINED SUBJECT TO ARTICLE 30.2 and such parking waiver is displayed in accordance with article 26 of this Order;
- 30.1.14 If the vehicle is being used in connection with any wedding or funeral.
- 30.1.15 If the vehicle is a bullion vehicle being used for the collection or delivery of bullion to premises adjacent to that road.

30.2 The Parking Services Manager may issue a Parking Waiver subject to:-

- 30.2.1 him being satisfied that it is essential for that vehicle to wait on the restricted road; and

- 30.2.2 him specifying the times when the vehicle may wait on the restricted road; and
- 30.2.3 him receiving a daily administrative fee applicable to each 5 metre length of carriageway on the restricted road, upon which the vehicle would wait. The administration charge shall be the charge specified in the Metropolitan Borough of Sefton (Parking Charges) Order, 2015 or any amendment or variation to that Order or any subsequent Order to that Order. This should be paid in advance by the applicant.

31. **Exemption from Waiting Restrictions on Restricted Roads – Loading and Unloading**

- 31.1 Nothing in Article 29 of this Order shall prevent any person from causing or permitting a vehicle to wait in any Restricted Road for so long as may be necessary for the purpose of delivery or collecting Goods or merchandise or Loading or Unloading a vehicle at premises adjoining that Restricted Road provided that no vehicle shall wait on the roads or parts of roads defined in Schedule 13 or on the roads or parts of roads defined in Schedule 14 during the period of time on the days defined in Column 2 of that Schedule to this Order;
- 31.2 Nothing in the preceding proviso shall apply so as to restrict the Loading or Unloading of any vehicle while the vehicle is in actual use in connection with that collection or delivery of Goods which cannot reasonably be loaded or unloaded outside the Restricted Hours PROVIDED THAT NOTICE IS GIVEN SEVENTY TWO HOURS IN ADVANCE TO THE PARKING SERVICES MANAGER AND A PARKING WAIVER IS OBTAINED SUBJECT TO ARTICLE 30.2 and such parking waiver is displayed in accordance with Article 26 of this Order.
- 31.3 Notwithstanding anything in this Article, the driver of a vehicle waiting for the purpose of delivering or collecting Goods or merchandise or Loading or Unloading the vehicle shall move the same on the instruction of a Police Constable in uniform, Traffic Warden or Civil Enforcement Officer (Parking), whenever such movement may be reasonably necessary for the purpose of preventing obstruction.

PART VI – MISCELLANEOUS

32. **Position of Parking Spaces**

- 32.1 The position of any Parking Spaces within any Parking Place shall be as determined by the Council from time to time.

33. **Placing of Traffic Signs at Parking Places**

- 33.1 With the exception of Permit Parking Places:-
 - 33.1.1 the Council shall cause the limits of each Parking Place to be indicated on the carriageway by placing and maintaining appropriate Traffic Signs thereon.
 - 33.1.2 the Council shall place and maintain in the vicinity of each Parking Place Traffic Signs indicating the Parking Place, the permitted hours and any restrictions as to which vehicles may use any particular Parking Place.
- 33.2 In relation to Permit Parking Places, the Council shall place and maintain Traffic Signs indicating the Permit Parking Area, permitted hours and any restrictions as to which vehicles may use the Permit Parking Places, on each entrance to the Permit Parking Area.

34. **Manner of Standing in Parking Places**

- 34.1 Subject to the exceptions set out in Article 34.2 every vehicle left in a Parking Place shall stand:-
 - 34.1.1 so that the left or near side of the vehicle is adjacent to the left-hand edge of the carriageway, unless the Parking Place is in a One-Way Street;
 - 34.1.2 so that the left or near side of the vehicle is adjacent to the left hand edge of the carriageway or so that the right or off side of the vehicle is adjacent to the right hand edge of the carriageway if the Parking Place is in a One-Way Street; and
 - 34.1.3 so that the distance between the edge of the carriageway and the nearest wheel of the vehicle is not more than 30 centimetres; and

34.1.4 so that every part of the vehicle is within the limits of the Parking Place.

34.2 The manner of standing in a Parking Place specified in Article 34.1 shall not apply to Permit Parking Places or those Parking Places where the special manner of standing of vehicles in a Parking Place is specified in Column 3 of Schedules 1 to 9 in which case vehicles must stand in accordance with that specification.

34.3 Every vehicle left in a Permit Parking Place shall stand so as not cause any obstruction to any other vehicle or pedestrian.

35. Power to Suspend Use of Parking Place

35.1 The Parking Services Manager may suspend the use of a Parking Place or any part thereof whenever he considers such suspensions reasonably necessary:-

35.1.1 for the purposes of facilitating the movement of traffic or promoting its safety;

35.1.2 for the purpose of any building operation (including maintenance, improvement or installation of any building services), demolition or excavation in or adjacent to the Parking Place or the maintenance, improvement or reconstruction of the Parking Place or the laying, erection, alteration, removal or repair in or adjacent to the Parking Place of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity or of any Telecommunications apparatus, Traffic Sign or Pay and Display Machine;

35.1.3 for the convenience of occupiers of premises adjacent to the Parking Place on any occasion of the removal of furniture from one office or dwelling house to another or the removal of furniture from such premises to a depository or to such premises from a depository;

35.1.4 on any occasion on which it is likely by reason of some special attraction that any street will be thronged or obstructed; or

35.1.5 for the convenience of occupiers of premises adjacent to the Parking Place at times of weddings or funerals, or on other special occasions.

35.2 A Police Constable may suspend for not longer than 7 days the use of a Parking Place or any part thereof whenever he considers such suspension reasonably necessary for the purpose of mitigating congestion or obstruction of traffic or a danger to or from traffic in consequence of extraordinary circumstances.

35.3 Any person suspending the use of a Parking Place or any part thereof in accordance with the provisions of Article 35.1 or Article 35.2 shall thereupon place or cause to be placed in or adjacent to any part of that Parking Place the use of which is suspended by a Traffic Sign indicating that waiting by vehicles is prohibited.

35.4 Whenever a Parking Place is suspended in accordance with Article 35.1 then the Council may make a daily charge for each 5 metre length of carriageway to the person or body requesting the suspension in respect of each Parking Space (or part thereof) suspended from use which is comprised within a Pay and Display Parking Place specified in Column 2 of Schedule 1.

35.5 The charge specified in Article 35.4 shall be the charge specified in the Metropolitan Borough of Sefton (Parking Charges) Order, 2015 or any amendment or variation to that Order, or any subsequent Order to that Order.

35.6 No person shall cause or permit a vehicle to be left in any part of a Parking Place during such period when a Traffic Sign is placed in or adjacent to that part of the Parking Place pursuant to Article 35.3 provided that this paragraph shall not apply to a vehicle:-

35.6.1 being used by the respective Fire or Police Authority or National Health Trust to deal with an emergency; or

35.6.2 being used for any purpose specified in Articles 37.1.2 or 37.1.4; or

35.6.3 left in such Parking Place with the permission of the person suspending the use of the Parking Place.

36. **Restriction of Selling of Vehicles or Selling from Vehicles in Parking Places**

- 36.1 No person shall use any vehicle while it is in a Parking Place during the Permitted Hours, in connection with advertising, or the sale of any article to any person in or near the Parking Place or in connection with the selling or offering for sale of his skill in handicraft or his services in any other capacity.
- 36.2 Provided that nothing in this Article shall prevent the sale of goods from a vehicle if the vehicle is one which may be left in a Parking Place in accordance with Article 4 of this Order and the Goods are immediately delivered at or taken into the premises adjacent to the vehicle from which the sale is effected.
- 36.3 No person shall sell or offer for sale any vehicle which may be left in a Parking Place in accordance with Article 4 of this Order whilst displaying in or on the vehicle a notice indicating that such vehicle is for sale.

37. **Circumstances in which Waiting of Vehicles in Parking Place is Permissible**

- 37.1 Without prejudice to the foregoing provisions of this Order any vehicle may wait during the Permitted Hours anywhere on the carriageway in a Parking Place or part of a Parking Place (other than a Parking Place or part of a Parking Place the use of which has been suspended) if:-
- 37.1.1 the vehicle is waiting only for so long as is necessary to enable a person to board or alight from the vehicle; or
 - 37.1.2 the vehicle is waiting owing to the Driver being prevented from proceeding by circumstances beyond his control or to such waiting being necessary in order to avoid an accident; or
 - 37.1.3 the vehicle is used for fire brigade purposes or an ambulance, or a vehicle (other than a passenger vehicle) in the service of a local authority associated with work adjacent to the highway or a vehicle in the service of a police force in either case being used in pursuance of statutory powers or duties; or
 - 37.1.4 the vehicle is waiting only for so long as may be necessary to enable it to be used in connection with the removal of any obstruction to traffic; or
 - 37.1.5 the vehicle is in the service of or employed by 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 therefrom, 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.
- 37.2 The Driver shall not be liable to pay a parking charge or display a ticket or display a valid Permit while waiting in a Parking Place in accordance with the foregoing provisions of this Article.
- 37.3 Except as provided in the foregoing provisions of this Article, the Driver of a vehicle shall not cause or permit the vehicle to wait in a Parking Place during the Permitted Hours without displaying either a Parking Ticket as set out in Article 15, a Residents Parking Permit as set out in Article 18.1, a Special Parking Permit as set out in Article 21.1, or making payment via the Pay by Phone system as set out in Article 14.1.2.
- 37.4 Nothing in the foregoing provisions of this Article shall be taken as authorising anything that would be a contravention of any Regulations made or having effect as if made under Section 25 of the Act of 1984.

38. **Manner of Waiting in Parking Places**

- 38.1 A person causing or permitting a vehicle to wait in a Parking Place by virtue of the provisions of Article 37 shall take all such steps as are necessary to ensure:-
- 38.1.1 that in the case of a Parking Place described in Column 2 of Schedules 1 to 9 in relation to which special provisions as to the manner of standing of vehicles in that place are specified in the corresponding part of Column 3 of Schedules 1 to 9 the vehicle shall stand

in accordance with those provisions and so that every part of the vehicle is within the limits of the Parking Place.

38.1.2 that in the case of any other Parking Place, the longitudinal axis of the vehicle is parallel to the edge of the carriageway nearest to the vehicle and the distance between the said edge and the nearest wheel of the vehicle is not more than 30 centimetres.

39. **Moving of Vehicles in Parking Places in Emergencies**

39.1 A Police Constable may in case of emergency move or cause to be moved any vehicles left in a Parking Place to any place he thinks fit.

40. **Evidential Matters – Pay and Display Parking**

40.1 The absence of a Parking Ticket on a vehicle left at a Pay and Display Place shall be treated as evidence that the Parking Charge has not been paid in respect of that vehicle.

40.2 An indication on a Parking Ticket of a date shall be treated as evidence of the date on which Parking Charge was paid.

40.3 An indication on a Parking Ticket of a sum of money shall be treated as evidence that that sum (and only that sum) was paid as a Parking Charge.

40.4 An indication on a Parking Ticket of a time shall be treated as evidence of the time of expiry of the Period for which the Parking Charge has been paid.

40.5 The absence of an indication on a hand-held device that payment of the charge has been made using Pay by Phone, or if a hand-held device indicates that the payment period for which payment was made using Pay by Phone has expired, it shall be treated as evidence that either the charge has not been duly paid in respect of that vehicle, or that that the parking period for which payment was made has expired.

40.6 An indication on a hand-held device of a date shall be treated as evidence of the date on which Parking Charge was paid.

40.7 An indication on a hand-held device of a sum of money shall be treated as evidence that a sum of money (and only that sum) was paid as a Parking Charge.

40.8 An indication on a hand-held device of a time shall be treated as evidence of the time of expiry of the Period for which the Parking Charge has been paid.

41. **Evidential Matters - Permits**

41.1 The absence of a valid Permit on a vehicle in respect of the Parking Place at which the vehicle was left shall be treated as evidence that no valid Permit was held by the Driver to park in that Parking Place.

41.2 An indication on a Permit as to the location of a Parking Place shall be treated as evidence of the location of the Parking Places in respect of which the Permit is valid.

41.3 An indication on a Permit as to any date, month and year shall be treated as evidence of the date, month and year on which the Permit expires.

41.4 An indication on a Permit as to a vehicle registration mark shall be treated as evidence of the vehicle in respect of which the Permit applies.

Schedule: 1

Areas of Highway Designated as Parking Places with Ticket Issuing Machines

1	2	3	4	5
Number of Parking Place	Length of carriageway of a road forming one side of the area of carriageway of that road designated as a Pay and Display Parking Place for which a charge is made	Special Manner of Standing of Vehicles in Parking Place	Permitted Hours	Zone
	<u>Victoria Street - South-west Side</u>	-	Mon-Sat 8am- 6pm and Sun 11am-6pm	Yellow
	from a point 7 metres south-east of the south-easterly kerb line of Promenade to the north-west kerblines of Back Bath Street			
	<u>Victoria Street - South-west Side</u>	-	Mon-Sat 8am- 6pm and Sun 11am-6pm	Yellow
	from a point 4 metres south-east of the south-easterly kerb line of Back Bath Street to a point 6 metres north- west of the north-westerly kerb line of Bath Street			

Schedule: 11

Restricted Roads (No Waiting At Any Time)

Roads and parts of roads in which waiting is prohibited twenty four hours a day

1	2
Street	Side
<u>Victoria Street</u>	<u>North-east Side</u>
	Full length
<u>Victoria Street</u>	<u>South-west Side</u>
	from the south-east kerbline of Promenade to a point 7 metres south-east of the south-easterly kerb line of Promenade
	from the south-east kerbline of Back Bath Street to a point 4 metres south-east of the south-easterly kerb line of Back Bath Street
	from a point 6 metres north-west of the north-westerly kerb line of Bath Street to the north-west kerb line of Bath Street

Schedule: 15

Revocation of Traffic Regulation Orders

1

Title of Order

The Metropolitan Borough of Sefton (Victoria Street, Southport) (On-Street Parking Places, Prohibition and Restriction of Waiting) Order, 2015

2

Extent of Revocation

In its entirety

THE COMMON SEAL OF THE
BOROUGH COUNCIL OF SEFTON
WAS HEREUNTO AFFIXED THIS
10TH DAY OF JUNE 2016
IN THE PRESENCE OF:-

Authorised Signatory Legal Services

