

THE CITY OF SUNDERLAND (OFF-STREET PARKING PLACES) ORDER, 1994

The Council of the City of Sunderland (hereinafter referred to as "the Council") in exercise of its powers under section 35(1) of the Road Traffic Regulation Act 1984 (hereinafter referred to as "the Act") and of Part IV of Schedule 9 to the Act and of all other enabling powers, and after consultation with the chief officer of police in accordance with Part III of Schedule 9 to the Act hereby makes the following Order:-

Commencement and Citation

1. (1) This Order shall come into operation on the 5th day of April 1994 and may be cited as "The City of Sunderland (Off Street Parking Places) Order 1994.

(2) The City of Sunderland (Off Street Parking Places) Order, 1993 is hereby revoked.

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

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

"Owner", in relation to a vehicle, means the person by whom such vehicle is kept and used;

"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 exclusive of the driver and not drawing a trailer;

"Motor Cycle", as defined by Section 136(4) of the Act;

"Goods Vehicle", means a motor vehicle which is constructed or adapted for use for the carriage of goods or burden of any description;

"Invalid Carriage", as defined by Section 136(5) of the Act;

"Disabled Person" means a disabled person of a description prescribed by Regulations of the Disabled Persons (Badges for Motor Vehicles) Regulations 1982.

"Disabled Persons Badge" has the same meaning as in Regulation 3(1) of the Disabled Persons (Badges for Motor Vehicles) Regulations 1982.

"Disabled Persons Vehicle" has the same meaning as in Regulation 2 of the Local Authorities Traffic Orders (Exemptions for Disabled Persons) (England and Wales) Regulations 1986.

"Parking Place", means any area of land specified by name in Column 1 of Schedules 1, 2 and 3 to this Order provided by the Council under Section 32(1) of the Act for use as a parking place;

"Parking Space", means a space in a parking place which is provided for the leaving of one vehicle and indicated by markings on the surface of the parking place;

"Parking Attendant", means a person authorised by or on behalf of the Council to supervise any parking place;

"Ticket Machine", means an apparatus of a type and design approved by the Secretary of State in accordance with Section 35(3) of the Act for the purposes of this Order, being apparatus designed to indicate the time by a clock and to issue upon the insertion of an appropriate coin or coins into the apparatus or device provided, numbered tickets indicating the payment of a charge, the period in respect of which it has been paid and the day and time at which the charge was made;

"Automatic Ticket Issuing Device", means an apparatus of the type and design approved by the Secretary of State in accordance with section 35 (3) of the Act for the purposes of this order, being apparatus designed to admit vehicles to a parking place specified in Column 1 of Schedule 4 to this order and to issue an encoded ticket detailing the time at which a vehicle arrived at the parking place.

"Pay Station", means a device of the type and design approved by the Secretary of State in accordance with Section 35 (3) of the Act for the purposes of this Order being a device controlled either automatically or manually designed for the purpose of calculating and collecting charges at the parking places specified in Column 1 of Schedule 4 to this Order.

"Permit", means a permit issued under the provisions of Article 29 of this Order;

"Magnetic Pass" means a magnetic pass issued under the provisions of Article 28 of this Order.

"Licence", means a licence issued under the provisions of Articles 27 or 29 of this Order enabling the Licensee to operate that parking place or part of parking place to which it refers;

"Traffic Sign", means a sign of any size, colour and type prescribed or authorised under, or having effect as though prescribed or authorised under, Section 64 of the Act;

"Skip", means a builder's skip, as defined by the Highways Act 1980.

- (2) The Interpretation Act, 1978, shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament and as if for the purposes of Section 38 of that Act this Order were an Act of Parliament and the Orders revoked by Article 1 of this Order were Acts of Parliament thereby repealed.

Designation of Parking Places

3. Each area of land specified by name in Column 1 of Schedules 1, 2, 3, 4 and 6 to this Order, may be used as a parking place for such classes of vehicles on such days during such hours and on payment of such charges as are specified, in relation to that area in the said Schedules, subject to the following provisions of this Order.

Conditions of Use of Parking Places

4. (i) Where in Column 2 of Schedules 1, 2, 3, 4 and 6 to this Order a parking place is described as available for vehicles of a specified class, the driver of a vehicle shall not permit it to wait in that parking place unless it is of the specified class.
(ii) The driver of a vehicle shall not permit it to wait in a parking place specified in Column 1 of Schedule 6 to this Order unless it is a disabled persons vehicle.
(iii) Where, within a parking place specified in Column 1 of Schedules 1, 2, 3 and 4 of this Order, there is a sign or surface marking which indicates that a parking space is available only for a disabled person's vehicle, the driver of a vehicle shall not permit it to wait in that parking space, unless it is a disabled person's vehicle.
5. The driver of a vehicle shall not permit it to wait in a parking place for a continuous period longer than 72 hours.
6. The driver of a motor vehicle using a parking place shall stop the engine as soon as the vehicle is in position in the parking place, and shall not start the engine except when about to change the position of the vehicle in or to depart from the parking place.
7. Every vehicle left in a parking place specified in Column 1 of Schedules 1, 2, 3, 4 and 6 to this Order shall be left in a parking space designated for that class of vehicle so that every part of the vehicle shall be within the limits of the parking space, provided that where no such limits are described upon the parking place every such vehicle shall be left in accordance with the directions of a parking attendant or in such a position as will not obstruct any other vehicle from entering or leaving the parking place or a parking space within the parking place.
8. No person shall use a vehicle, while it is in a parking place, in connection with the sale of any article to persons in or near the parking place or in connection with the selling or offering for hire of his skill or services.
9. No person shall use any part of a parking place or cause or permit any vehicle to be left in a parking place;
 - (1) for sleeping or camping purposes;
 - (2) for cooking purposes;
 - (3) for lighting or causing to be lit any fire;
 - (4) for the purpose of servicing or washing any vehicle or part thereof, other than is reasonably necessary to enable that vehicle to depart from the parking place.
10. In a parking place no person shall deposit erect or cause or permit to be deposited or erected any skip, tent, booth, stand, building or other structure.
11. No person shall, except with the permission of a parking attendant, drive

any vehicle in a parking place other than for the purpose of leaving that vehicle in the parking place in accordance with the provisions of this Order or for the purpose of departing from the parking place.

12. Where in a parking place, signs are erected or surface markings are laid for the purpose:-
 - (1) indicating the entrance to or exit from the parking place, or
 - (2) indicating that a vehicle using the parking place shall proceed in a specified direction within the parking place, no person shall drive or cause or permit to be driven any vehicle:-
 - (a) so that it enters the parking place otherwise than by an entrance, or leaves the parking place otherwise than by an exit so indicated, or
 - (b) in a direction other than that specified, as the case may be.
13. Articles 3,4,5,6,7,8,9,10,11 and 12 shall not apply to any person or vehicles with the written permission of the Council.
14. The driver of a vehicle shall not permit that vehicle to wait in a parking place unless the vehicle is licensed in accordance with the provisions of Section 1 of the Vehicles (Excise) Act, 1971, and unless there is in relation to the use of the vehicle by the driver such a policy of insurance as complies with the requirements of Part VI of the Road Traffic Act, 1972 or such other statutory provision.
15. The driver of a motor vehicle using a parking place shall not sound any horn or other similar instrument except when about to change the position of the vehicle in or to depart from the parking place.
16. No person shall, in a parking place, wantonly shout or otherwise make any loud noise to the disturbance or annoyance of users the parking place or residents of premises in the neighbourhood.
17. No person shall, in a parking place, use any threatening, abusive or insulting language, gesture or conduct with intent to put any person in fear or so as to occasion a breach of the peace or whereby a breach of the peace is likely to be occasioned.

Removal of Vehicles from Parking Places

18. (1) When a vehicle is left in a parking place in contravention of any of the provisions contained in Articles 3,4,5,7,9 and 14 of this Order, a person authorised in that behalf by the Council may remove the vehicle or arrange for it to be moved from that parking place.
 - (2) Where it appears to the Council that a vehicle left in a parking place has been abandoned, a person authorised in that behalf by the Council may remove the vehicle or arrange for it to be moved from that parking place, provided that where the Council propose to move such a vehicle which in their opinion is in such a condition that it ought to be destroyed, then they shall, not less than 7 days before removing it cause to be affixed to the vehicle a notice stating that they propose to remove it for destruction at the end of that period.
19. Any person removing a vehicle by authority of Article 18 of this Order

may do so by towing or driving the vehicle or in such other manner as he may think necessary and may take such measures in relation to the vehicle as he may think necessary to enable him to remove it as aforesaid.

20. When a person authorised by the Council removes or makes arrangements for the removal of a vehicle from a parking place by authority of Article 18 of this Order, he shall except in the case of a vehicle which in the opinion of the Council is in such condition that it ought to be destroyed make such arrangements as may be deemed reasonably necessary for the safe custody of the vehicle.

Charges in Connection with the Use of a Parking Place and Method of Payment

or as the case may be, charges

21. (1) Save as provided in Article 24 of this Order, a charge shall be made for the use by a vehicle of a parking place specified in Column 1 of Schedules 1, 2, 3 and 4 to this Order.
- (2) (a) If the driver of a vehicle using a parking place specified in Column 1 of Schedules 1, 2, 3 and 4 to this Order uses the parking place in the manner prescribed in Article 22 of this Order a charge for the use of the parking place shall be made in accordance with the scale of charges specified in Column 6 of Schedules 1, 2, 3 and 4 to this Order.
- (3) If the driver of a disabled person's vehicle using a parking place specified in Column 1 of Schedule 6 to this Order uses the parking place in the manner prescribed in Article 22 of this Order, no charge for the use of the parking place shall be made.
- (4) If the driver of a vehicle using a parking place specified in Column 1 of Schedules 1, 2, 3 and 4 to this Order does not use the parking place in the manner prescribed in Article 22 of this Order a charge for the use of the parking place shall be made in accordance with the fixed charge specified in Column 7 of Schedules 1, 2, 3 and 4 to this Order and the provisions of Article 23 of this Order shall apply in relation to the collection of those charges.
- (5) If (i) the driver of a disabled person's vehicle using a parking place specified in Column 1 of Schedule 6 to this Order does not use the parking place in the manner prescribed in Article 22 of this Order; or
- (ii) the driver of a vehicle which is not a disabled person's vehicle uses a parking place specified in Column 1 of Schedule 6 to this Order,
- a charge for the use of the parking place shall be made in accordance with the fixed charge specified in Column 6 of Schedule 6 to this Order and the provisions of Article 23 of this Order shall apply for the collection of that charge.

22. (1) The driver of a vehicle using a parking place specified in Column 1 of Schedules 1 and 2 to this Order shall:-
- (a) immediately upon entering the parking place insert the appropriate coin or coins into a ticket machine, which shall be used as a means of collecting the charge imposed by Article 21 (2) of this Order and which shall issue a numbered

ticket or tickets indicating the period for which the charge has been paid and the day and time of issue of the said ticket or the day and time of expiry of the said ticket;

- (b) use the ticket referred to in Paragraph 1(a) of this Article only at the parking place at which it is issued;
- (c) leave the vehicle in the parking place only on the day of issue of the said ticket and only for the time period commencing from the time of issue of the ticket up to the time of departure as stated thereon provided that where more than one ticket is purchased the second and subsequent tickets shall extend the time period for which the first ticket is valid up to the later time of departure as stated on the said second and subsequent tickets;
- (d) attach the tickets issued to the inside of the windscreen in the case of a vehicle so fitted and in any other case in a conspicuous position on the vehicle and cause the said tickets to be exhibited in that position at all times which the vehicle is parked in the parking place;
- (e) park the vehicle wholly within the limits of a parking space designated for a vehicle of that class not being a space reserved under the provisions of Article 34 to this Order unless the vehicle is displaying a valid permit issued in accordance with the provisions of Articles 28, 29, 30 and 31 of this Order entitling the vehicle to park in that reserved space;
- (f) if the vehicle is issued with a valid permit in accordance with the provisions of Articles 28, 29, 30 and 31 of this Order display the permit at all times while the vehicle is in the parking place on the inside of the windscreen in the case of a vehicle so fitted and in the case of a vehicle not so fitted, in a conspicuous position on the vehicle and if the conditions of issue of the permit limit its use to a part of a parking place or to a particular parking space, park the vehicle in that part of the parking place or parking space;

Save that Paragraphs (a), (b), (c) and (d) of this part of this Article shall not apply in the case of a vehicle issued with a valid permit in accordance with the provisions of Articles 28, 29, 30 and 31 of this Order.

- (2) The driver of a vehicle using a parking place specified in Column 1 of Schedule 3 to this Order shall:-
 - (a) display at all times while the vehicle is in the parking place a valid permit issued in accordance with the provisions of Articles 28, 29, 30 and 31 of this Order on the inside of the windscreen in the case of a vehicle so fitted and in any other case in a conspicuous position on the vehicle;
 - (b) park the vehicle wholly within the limits of a parking space not being a space reserved under the provisions of Article 34 of this Order unless the vehicle is displaying a valid permit issued in accordance with the provisions of Articles 28, 29, 30 and 31 of this Order entitling the vehicle to park in that reserved space;

(c) if the conditions of issue of the permit referred to in Paragraph (a) of this part of this Article limit its use to a part of a parking place or to a parking space park the vehicle in that part of the parking place or in that parking space.

(3) The driver of a vehicle using a parking place specified in Column 1 of Schedule 4 to this Order shall:-

(a) before entering the parking place take an encoded ticket from the automatic ticket issuing device from which time the charges shall commence to run, the charges shall cease to run when the driver surrenders the ticket in accordance with sub paragraph (3) (c) below.

(b) park the vehicle wholly within the limits of a parking space not being a space reserved under the provisions of Article 35 of this Order.

(c) upon leaving the parking place surrender the encoded ticket to an automatic or manual pay station and pay to the automatic pay station or the parking attendant the appropriate charge in accordance with the scale of charges specified in Column 6 of Schedule 4 to this Order provided that any driver who is unable to produce the said ticket to the automatic pay station or parking attendant shall not be permitted to take the vehicle out of the parking place without paying a charge equal to the daily charge appropriate at that time for each day or part thereof the vehicle has been parked.

(d) if the vehicle has been issued with a magnetic pass in accordance with the provisions of Article 28 of this Order the conditions of issue which limit its use to a part of a parking place or to a particular parking space, park the vehicle in that part of the parking place or parking space.

(4) The driver of a vehicle using a parking place specified in Column 1 of Schedule 6 to this Order shall:-

(a) park the vehicle wholly within the limits of a parking space not being a space reserved under the provisions of Article 35 of this Order

(b) ensure that throughout the period of waiting the vehicle displays in the relevant position a disabled person's badge.

23. Where by virtue of Paragraphs (4) and (5) of Article 21 of this Order a charge arises for the use of the parking place in accordance with the fixed charge specified in Column 7 of Schedules 1, 2, 3 and 4 or Column 6 of Schedule 6 to this Order a parking attendant shall attach a notice to the vehicle specifying the charge to be paid and the driver of the vehicle shall pay this charge within 14 days to an officer authorised to receive such payment by and on behalf of the Council and further failure to pay the said charge shall be an offence by the driver of the vehicle under Section 35 of the Act.

Exemptions for Disabled Persons and Solo Motor Cycles

24. (1) The following vehicles may be left in a parking place and shall be

exempt from the payment of a charge specified in Columns 6 or 7 of Schedules 1 and 2 to this Order under the provisions of Article 21 of this Order.

- (a) An invalid carriage.
 - (b) A disabled persons vehicle displaying a disabled persons badge in the relevant position on the vehicle in accordance with the Disabled Persons (Badges for Motor Vehicles) Regulations, 1982.
 - (c) A vehicle left by the driver thereof who is a person who on account of his severe physical disability has been given a notice in writing from the Council that he is exempt from any such charge, if the notice is displayed on the inside of the windscreen in the case of a vehicle so fitted, and in any other case in a conspicuous position on the vehicle in respect of which it is issued.
 - (d) A solo motor cycle, when parked in a parking space which is reserved for motor cycles and signed accordingly.
- (2) This Article shall not apply so as to exempt from the charges specified in Column 7 of Schedule 2 to this Order any vehicle which is not parked wholly within a marked parking space.

Installation of Automatic Ticket Issuing Devices, Ticket Machines, placing of Traffic Signs, Etc.

25. The Council shall:-

- (1) install and maintain in proper working order at least one ticket machine in such a position as they think fit on or in the vicinity of each of the parking places specified in Column 1 of Schedules 1 and 2 to this Order;
- (2) install and maintain in proper working order at least one automatic ticket issuing device at the entrance to each of the parking places specified in Column 1 of Schedule 4 to this Order.
- (3) install and maintain in proper working order at least one automatic pay station or manual pay station in such a position as they think fit or in the vicinity of each of the parking places specified in Column 1 of Schedule 4 of this Order.
- (4) cause the limits of each parking place and of each parking space to be indicated on the carriageway by placing and maintaining thereon traffic signs of any size, colour and type similar to those prescribed or authorised under Section 64 of the Act; and
- (5) place and maintain on or in the vicinity of each parking place traffic signs of any size, colour and type similar to those prescribed or authorised under Section 64 of the Act indicating that such a parking place may be used during the permitted hours for the leaving only of a vehicle specified in Column 2 of Schedules 1, 2, 3, 4 and 6 of this Order;
- (6) place and maintain on or in the vicinity of each parking place specified in Column 1 of Schedule 6 to this Order a traffic sign or traffic signs indicating that the parking place is available for use by disabled persons' vehicles only.

- (7) carry out such other work as is reasonably required for the purpose of the satisfactory operation of a parking place.

Ticket Machine Indications as Evidence

26. In any proceedings under Section 35 of the Act in respect of an alleged contravention of or non-compliance with this Order:-
 - (1) the indications as to the date, time and place on a ticket issued by a ticket machine, shall be evidence that such ticket was issued and the parking time recorded according to such indications.
 - (2) in respect of the parking places mentioned in Column 1 of Schedules 1 and 2 to this Order the absence of a ticket from a vehicle left in a parking place shall be evidence that no such ticket has been issued and that the charge specified in Column 6 of Schedules 1, 2 and 3 to this Order has not been paid in respect thereof.
 - (3) It shall be assumed unless the contrary is shown that any ticket machine is of a type and design approved by the Secretary of State for the Environment.

Applications for and Issue of Licences for the Use of Parking Places for Periods Not in Excess of Fourteen Days

27. (1) The Council may on application and at its discretion grant Licences for the reservation of parking spaces in a parking place for a period not in excess of fourteen days for a charge ascertained by reference to Schedule 5 to this Order and the Licence shall be valid in such parking places and for such parking spaces as may be specified therein during the period for which it is issued.
- (2) The Council may at any time require an applicant to produce to an Officer of the Council or parking attendant such evidence in respect of an application for a Licence made to them under the provisions of this Article as they may reasonably require to verify any particulars or information given to them or in respect of any Licence issued by them under the provisions of this Article as they may reasonably require to verify that the Licence is valid.
- (3) The Licensee shall be responsible for the management of the parking place or part thereof and Articles 3, 5, 21, 22, 23, 25 and 31 of this Order shall not apply for the duration or hours of operation of the Licence.
- (4) The issue of a Licence shall not guarantee that any parking space will be available for use by the holder of such Licence.

Applications for and issue of Magnetic Passes for the use of Parking Places

28. (1) The owner of a vehicle or an organisation representing the owner of a vehicle may, on application and at the discretion of the Council, and on payment of a charge (if any) to be ascertained by reference to the scale of charges in Column 6 of Schedule 4 to this Order be issued with a magnetic pass in respect of a vehicle in respect of a parking place or part of a parking place as specified in Column 1 of Schedule 4 to this Order and the magnetic pass shall be valid in such parking places and parking spaces as may be specified thereon during the period for which they are issued and under the conditions stipulated thereon, subject to the provisions of

Articles 30 and 31 of this Order.

- (2) The Council may at any time require an applicant to produce to an officer of the Council or parking attendant such evidence in respect of an application for a magnetic pass made to them as they may reasonably require to verify any particulars or information given to them or in respect of any magnetic pass issued by them as they may reasonably require to verify that the magnetic pass is valid.
- (3) On receipt of an application duly made under the foregoing provisions of this Article (if any), the Council, upon being satisfied that the applicant is eligible to receive a magnetic pass, may issue to the applicant a magnetic pass allowing entry to and exit from a parking place specified in Column 1 of Schedule 4 to this Order.
- (4) The issue of a magnetic pass shall not guarantee that any parking space will be available for use by the holder of such a magnetic pass.
- (5) Save that nothing in this Article shall prevent the Council from issuing at such charge (if any) as the Council may specify magnetic passes to employees of the Council or tenants of Astral House, Solar House and Planet House.

Application for and Issue of Permits and Licences for the Use of Parking Places in Excess of Fourteen Days

29. (1) A person may, on application and at the discretion of the Council purchase a permit in respect of a vehicle or a licence in respect of a parking place or part of a parking place for a charge ascertained by reference to the scale of charges in Column 6 of Schedules 1, 2 and 3 to this Order and the permit or licence shall be valid in such parking places and parking spaces as may be specified thereon during the period for which they are issued which shall not be less than 14 days and under the conditions stipulated thereon, subject to the provisions of Articles 29, 30 and 31 of this Order.
- (2) The Council may at any time require an applicant to produce to an Officer of the Council or parking attendant such evidence in respect of an application for a permit or Licence made to them under the provisions of this Article as they may reasonably require to verify any particulars or information given to them or in respect of any permit or Licence issued by them under the provisions of this Article as they may reasonably require to verify that the permit or Licence is valid.
- (3) On receipt of an application duly made under the foregoing provisions of this Article and the relevant fee, the Council, upon being satisfied that the applicant is eligible to receive a permit or Licence, may issue to the applicant therefore, either:-
 - (a) (i) a permit for leaving during the permitted hours in a parking space in a parking place specified in Column 1 of Schedules 1, 2 and 3 to this Order, the vehicle to which such permit relates by the owner of such vehicle or by any person using such vehicle with the consent of the owner, other than a person to whom such a vehicle has been let for hire or reward; and

- (ii) one protective cover for the display therein of the permit and/or
- (b) a Licence for a parking place or part thereof, under the condition that the Licensee shall be responsible for the management of the parking place or part thereof, and that Articles 3, 5, 21, 22, 23, 25 and 31 of this Order shall not apply for the duration or hours of operation of the Licence.

Surrender, Withdrawal and Validity of Permits Licences and Magnetic Passes

30. (1) A permit holder may surrender a permit to the Council at any time and shall surrender a permit to the Council on the occurrence of any one of the events set out in Paragraph (3) of this Article.
- (2) The Council may by notice in writing served on the permit holder by sending the same by recorded delivery service to 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 persons place of abode, withdraw a permit if it appears to the Council that any one of the events set out in Paragraphs (3) (a), (3) (c) or (3) (e) of this Article has occurred and the permit holder shall surrender the permit to the Council within 48 hours of receipt of the aforementioned notice.
- (3) The events referred to in the foregoing provisions of this Article are:-
- (a) the permit holder ceasing to have an interest in the vehicle in respect of which the permit was issued;
 - (b) the withdrawal of the permit by the Council under the provisions of Paragraph (2) of this Article;
 - (c) the vehicle in respect of which the permit was issued being adapted or used in such a manner that it is not a vehicle of the class specified in Article 28 of this Order;
 - (d) the issue of a duplicate permit by the Council under the provisions of Article 30 of this Order;
 - (e) the permit holder ceasing to have an interest in a property in the vicinity of the parking place in respect of which the permit was issued;
 - (f) the revision by the Council of all permits relating to a particular parking place.
- (4) Without prejudice to the foregoing provisions of this Article, the permit shall cease to be valid at the expiration of the period specified thereon or on the occurrence of any one of the events set out in Paragraphs (a) to (f) of Part (3) of this Article, whichever is the earlier.
- (5) The provisions of this Article with respect to a permit shall be interpreted as applying equally to a Licence and a magnetic pass.

Application for the Issue of Duplicate Permits, Licences and Magnetic Passes

31. (1) If a permit is mutilated or accidentally defaced or the figures or

particulars thereon have become illegible or the colour of the permit has become altered by fading or otherwise, the permit holder shall either surrender it to the Council or apply to the Council for the issue to him of a duplicate permit and the Council, upon receipt of the permit and upon payment of a nominal fee (if any) shall issue a duplicate permit so marked and upon such issue the permit shall become invalid.

- (2) If a permit is lost or destroyed, the permit holder may apply to the Council for the issue to him of a duplicate permit and the Council may issue a duplicate permit so marked and upon such issue the permit shall become invalid.
- (3) The provisions of this Order shall apply to a duplicate permit and an application therefor as if it were a permit or, as the case may be, an application therefor.
- (4) The provisions of this Article with respect to a permit shall be interpreted as applying equally to a Licence and a Magnetic Pass.

Form of Permits

32. A permit shall be in writing and shall include the following particulars:-

- (1) the registration mark of the vehicle in respect of which the permit has been issued except in the case of a permit issued for use in a parking place mentioned in Column 1 of Schedule 3 to this Order;
- (2) the period during which the permit shall remain valid;
- (3) the hours during which the vehicle in respect of which the permit has been issued may be left in a parking place;
- (4) an indication that the permit has been issued by the Council;
- (5) a description of that part of a parking place, or parking space, for which the permit has been issued.

Restriction on Removal of Notices and Tickets

33. (1) Where a notice has been attached to a vehicle in accordance with the provisions of Article 23 of this Order, no person, not being the driver of the vehicle, or a parking attendant, shall remove the notice from the vehicle unless authorised to do so by the driver.
- (2) Where a ticket or tickets has or have been exhibited on a vehicle in accordance with the provisions of Article 22(2) of this Order, no person, not being the driver of the vehicle or a parking attendant, shall remove the ticket or tickets from the vehicle unless authorised to do so by the driver.

Power to Suspend Use of Parking Places

34. (1) A parking attendant may suspend the use of a parking place or any part thereof whenever he considers such suspension reasonably necessary.
- (a) For the purpose of facilitating the movement of traffic or promoting its safety;
 - (b) For the purpose of any building operation, demolition or

excavation in or adjacent to the parking place or the maintenance improvement or reconstruction of the parking 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 telegraphic line or of any traffic sign or ticket machine or automatic ticket issuing device;

- (c) for the convenience of occupiers of premises adjacent to the parking place on any occasion of the removal of furniture to or from any premises adjacent to the parking place from or to a depository or other premises;
 - (d) on any occasion on which it is likely by reason of some special attraction that any street will be thronged or obstructed; or
 - (e) for the convenience of occupiers of premises adjacent to the parking place at times of weddings or funerals, or on other special occasions.
- (2) A police constable or traffic warden in uniform may suspend for not longer than 24 hours the use of a parking place or any part thereof whenever he considers such suspension reasonably necessary for the purpose of facilitating the movement of traffic or promoting its safety.
- (3) Any person suspending the use of a parking place or any part thereof in accordance with the provisions of Paragraphs (1) or (2) of this Article in the case of a parking place, the use of any part or parts of which, whether including a parking space or not, has been suspended, place or cause to be placed in or adjacent to that part or those parts a traffic sign or traffic signs indicating that waiting is prohibited.
- (4) No person shall cause or permit a vehicle to be left in any part of a parking place during such period as there is in or adjacent to that part of the parking place a traffic sign placed in pursuance of Paragraph (3) of this Article, other than:-
- (a) a vehicle being used for fire brigade, ambulance or police purposes; or
 - (b) any other vehicle so left if that vehicle is left with the permission of:-
 - (i) a parking attendant in pursuance of Paragraph (1) of this Article; or
 - (ii) a police constable or traffic warden in uniform in pursuance of Paragraph (2) of this Article.

Power to Reserve Parking Places

35. (1) A parking attendant may reserve the use of a parking place or any part thereof, for the leaving of vehicles displaying a valid permit issued in respect of that part of the parking place and in accordance with the provisions of Articles 29, 30, 31 and 32 of this Order, or in respect of which a magnetic pass has been issued under the provisions of Articles 28, 30 and 31 of this Order.

- (2) A parking attendant reserving the use of a parking place or any part thereof in accordance with the provisions of Paragraph (1) of this Article, in the case of a parking place the use of any part or parts which, whether including a parking space or not, has been reserved, so place or cause to be placed in or adjacent to that part or those parts a traffic sign or traffic signs indicating that that part or those parts are reserved.

Charges for the Removal and Storage of Vehicles

36. Where a vehicle is removed by the Council from a parking place in pursuance of Articles 18, 19 and 20 of this Order there shall be payable to the Council pursuant to Section 102 of the Act and the Removal and Disposal of Vehicles Regulations 1986 and the Removal, Storage and Disposal of Vehicles (Charges) Regulations, 1985.

- (1) In respect of the removal, the fixed charge of £55
- (2) In respect of any period during which the vehicle is in the custody of the Council the charge of £5 for each period of 24 hours or part thereof shall be reckoned from noon on the day following the day on which the vehicle was removed, provided that, where a vehicle is in the custody of the Council in a place which is closed on the day following the day on which the vehicle was removed as aforesaid up to noon, then for the purpose of calculating the said scale, it shall be reckoned from noon on the first day on which the said place is open at any time before noon for the claiming of any vehicle held in custody at that place which may be lawfully claimed.
- (3) In respect of the disposal, the fixed charge of £12.

Responsibility of Driver for Offences

37. When a vehicle is left in a parking place in contravention of or in non-compliance with any of the provisions contained in Articles 4, 5, 6, 7, 8, 9, 10, 11, 12, 14, 15, 21(2), 21(3) 22 and 34(4) of this Order the driver shall be deemed the person responsible for any contravention of or non-compliance with the said Articles.

Dated the 25th day of March 1994

THE SEAL of THE COUNCIL OF)
THE CITY OF SUNDERLAND was)
hereunto affixed in the)
presence of:-)



Colin Ly...
Deputy Chief Executive

SCHEDULE 1

Name of Parking Place 1	Classes of Vehicle as are defined in Article 2 (1) 2	Days of Operation of Parking Place 3	Hours of Operation of Parking Place 4	Maximum Period for which vehicles may wait 5	Scale of Charges 6	Fixed Charge 7
<p><u>Multi Storey Car Parks</u></p> <p>1. Central Area Market Hall <i>The Bridges Multi Storey Car Park</i></p>	<p>Passenger Vehicle motor cycle invalid carriage and goods vehicle not in excess of 3.5 tonnes gross vehicle weight</p>	<p>All days except Sundays and Christmas Day with the exception of authorised permit holders <i>Mon-Sat (inclusive) and the last 5 Sundays of the year except Christmas Day with the exception of authorised permit holders.</i></p>	<p>All Hours Mon-Sat (inclusive) <i>1.00am - 8.00pm</i> The last 5 Sundays of the year <i>10.00am - 6.00pm</i></p>	<p>72 hours</p>	<p><u>Daily Session 8a.m. - 6p.m.</u></p> <p><u>Floors C - H</u> 30p per hour or part thereof Overnight Session, Sundays and Christmas Day - no charge</p> <p>£120 for 3 months</p> <p><u>Floors J - O</u></p> <p>90p per day Overnight Session, Sundays and Christmas Day - no charge</p> <p>£36 for 3 months</p>	<p>£12 per day</p>

SCHEDULE 1

Name of Parking Place 1	Classes of Vehicle as are defined in Article 2 (1) 2	Days of Operation of Parking Place 3	Hours of Operation of Parking Place 4	Maximum Period for which vehicles may wait 5	Scale of Charges 6	Fixed Charge 7
2. Tavistock Place Multi Storey	Passenger vehicle, motor cycle invalid carriage and goods vehicle not in excess of 3.5 tonnes gross vehicle weight	All days except Sundays and Christmas Day with the exception of authorised permit holders	All hours	72 hours	<u>Daily Session 8a.m. - 6p.m.</u> <u>Floors 1-5</u> 20p per hour or part thereof Overnight session, Sundays and Christmas Day - No Charge £80 for 3 months <u>Floors 6-9</u> 60p per day Overnight session, Sundays and Christmas Day - no charge £24 for 3 months	£12 per day

SCHEDULE 1

Name of Parking Place 1	Classes of Vehicle as are defined in Article 2 (1) 2	Days of Operation of Parking Place 3	Hours of Operation of Parking Place 4	Maximum Period for which vehicles may wait 5	Scale of Charges 6	Fixed Charge 7
3. Civic Centre	Passenger vehicle motor cycle invalid carriage and goods vehicle not in excess of 3.5 tonnes gross vehicle weight	Mondays to Saturdays inclusive except Christmas Day, with the exception of authorised permit holders	All Hours	72 hrs.	<p><u>Daily Session 8a.m. to 6p.m. Floor 1</u> 90p per day. Overnight session, Sundays and Christmas Day - no charge £36 for 3 months</p> <p><u>Floors 2-5</u> 30p per hour or part thereof Overnight session, Sundays and Christmas Day - no charge</p> <p>£120 for 3 months</p>	£12 per day
4. Central Area Bus Station Roof <i>The Bridges Roof-top Car Park</i>	Passenger vehicle motor cycle invalid carriage and goods vehicle not in excess of 3.5 tonnes gross vehicle weight	All days	All hours	72 hours	<p><u>Daily Session 8a.m. - 6p.m.</u> 35p per hour or part thereof</p> <p>Overnight Session, Sundays & Christmas Day - no charge</p>	£12 per day

SCHEDULE 2

Name of Parking Place 1	Classes of Vehicle as are defined in Article 2 (1) 2	Days of Operation of Parking Place 3	Hours of Operation of Parking Place 4	Maximum Period for which vehicles may wait 5	Scale of Charges 6	Fixed Charge 7
5. The Green 6. Park Lane 7. Nile Street	Passenger vehicle, motor cycle, Invalid carriage and goods vehicle not in excess of 3.5 tonnes gross vehicle weight	All days	All hours	72 hours	<u>Daily Session 8a.m. - 6p.m.</u> 35p per hour or part thereof Overnight session, Sundays and Christmas Day - No charge	£12 per day
8. Boughton Street 9. Lambton Street 10. Low Row 11. Empire 12. Garden Place <i>Deleted by C of S Ordination of 28th Oct 1995</i> <i>Deleted by Amendment Order 12-1-96</i>	Passenger vehicle, motor cycle invalid carriage and goods vehicle not in excess of 3.5 tonnes gross vehicle weight	All days	All hours	72 hours	<u>Daily Session 8a.m. - 6p.m.</u> 30p per hour or part thereof Overnight session, Sundays and Christmas Day - no charge £120 for 3 months	£12 per day

SCHEDULE 2

Name of Parking Place 1	Classes of Vehicle as are defined in Article 2 (1) 2	Days of Operation of Parking Place 3	Hours of Operation of Parking Place 4	Maximum Period for which vehicles may wait 5	Scale of Charges 6	Fixed Charge 7
13. West Wear Street 14. Tatham Street North and South 15. Charles Street	Passenger vehicle motor cycle invalid carriage, and goods vehicle not in excess of 3.5 tonnes gross vehicle weight	All days	All hours	72 hours	<u>Daily Session 8a.m. - 6p.m.</u> 15p per hour or part thereof Overnight session, Sundays and Christmas Day - no charge £60 for 3 months	£12 per day
16. Gorse Road	Passenger vehicle motor cycle invalid carriage and goods vehicle not in excess of 3.5 tonnes gross vehicle weight	All days	All hours	72 hours	<u>Daily Session 8a.m. - 6p.m.</u> 40p per day or part thereof Overnight session, Sundays and Christmas Day - no charge £16 for 3 months	£12 per day

SCHEDULE 3

Name of Parking Place 1	Classes of Vehicle as are defined in Article 2 (1) 2	Days of Operation of Parking Place 3	Hours of Operation of Parking Place 4	Maximum Period for which vehicles may wait 5	Scale of Charges 6	Fixed Charge 7
17. Prince Street and South Street	Passenger vehicle, motor cycle, invalid carriage and goods vehicle not in excess of 3.5 tonnes gross vehicle weight displaying a valid permit	All Days for authorised permit holders	All hours	72 hours	£140 for 3 months	£16 per day

SCHEDULE 4

Name of Parking Place 1	Classes of Vehicle as are defined in Article 2 (1) 2	Days of Operation of Parking Place 3	Hours of Operation of Parking Place 4	Maximum Period for which vehicles may wait 5	Scale of Charges 6	Fixed Charge 7
St. Mary's Multi-Storey Car Park	Passenger Vehicle, Motor cycle, invalid carriage and goods vehicle not in excess of 3.5 tonnes gross weight	Mondays to Saturdays inclusive except Christmas Day <i>The four Sundays preceding Christmas Day</i> <i>The Sunday following Christmas Day.</i>	All day <i>10.00 am - 6.00 pm</i>	72 hours	8.00am - 6.00pm 40p per hour or part thereof 8.00am - 11.30pm (All Day Rate) £4.00 6.00pm - 8.00am (Overnight Rate) £4.00 6.00pm - 11.30pm (flat charge) £1.00	£12

SCHEDULE 5

PURPOSE FOR WHICH LICENCE IS REQUESTED	SCALE OF CHARGES
1. Any Local Authority purpose	The appropriate daily session rate for the Parking Place in respect of which the licence is granted determined by reference to Column 6 of Schedules 1, 2 and 3 to this Order subject to a minimum charge of £1 per parking space per period of 24 hours.
2. For the purposes of delegates attending a conference other than one organised by a Local Authority	The appropriate daily session rate for the Parking Place in respect of which the licence is granted determined by reference to Column 6 of Schedules 1, 2 and 3 to this Order subject to a minimum charge of £1 per parking space per period of 24 hours provided that not more than 100 Parking Spaces in any one parking place may be so reserved.
3. For the purpose of commercial publicity including membership recruiting by private organisations for non charitable purposes	Twice the appropriate daily session rate for the parking place in respect of which the licence is granted determined by reference to Column 6 of Schedules 1, 2, and 3 of this Order subject to a minimum charge of £3 per parking space per period of 24 hours.
4. For any other purpose not mentioned at 1, 2 and 3 above	Twice the appropriate daily session rate for the parking place in respect of which the licence is granted determined by reference to Column 6 of Schedules 1, 2 and 3 of this Order subject to a minimum charge of £1 per parking space per period of 24 hours

SCHEDULE 6

Name of Parking Place 1	Classes of Vehicle as are defined in Article 2 (1) 2	Days of Operation of Parking Place 3	Hours of Operation of Parking Place 4	Maximum Period for which vehicles may wait 5	Fixed Charge 6
Murton Street	Passenger vehicle, motor cycle, invalid carriage and goods vehicles not in excess of 3.5 tonnes gross vehicle weight and displaying a disabled person's badge	All Days	All Hours	72 hours	£12