LANCASTER CITY COUNCIL

THE CITY COUNCIL OF LANCASTER

(OFF STREET PARKING PLACES) ORDER 2019

The City Council of Lancaster (hereinafter referred to as "the Council") in exercise of the powers under Sections 32, 33, 34, 35, 39 and 124 of the Road Traffic Regulation Act, 1984 (hereinafter referred to as "the Act of 1984") and of all other enabling powers, with the consent of Lancashire County Council and after consultation with the Chief Officer of Police, in accordance with Part III of Schedule 9 to the Act of 1984, hereby make the following Order:

PART A

GENERAL

1. (1) This Order shall come into operation on the 8th day of July 2019 and may be cited as "The City Council of Lancaster (Off Street Parking Places) Order 2019.

(2) Without prejudice to the validly of anything done or to any liability incurred in respect of any act or omission before the coming into operation of this Order the Lancaster City Council (Off-Street Parking Places) Order 2014 as amended is hereby revoked on the coming into force of this Order.

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

"ANPR"	-	Means the installation of automatic number plate recognition CCTV cameras and technology to undertake the operation, charging, monitoring and enforcement of car parks by the Council;
"Business Permit"	-	means a permit issued to a business by the Council under Part F of this Order;
"care at home service"	-	means a service provided by a recognised agency carrying out domiciliary work for a resident at the home of the resident;
"Carers Permit"	-	means a permit issued to a Care at Home Service under the

provisions of Part F of this Order;

Council Visitor Permit"	-	means a parking permit issued by the Council under the provisions of Part F of this Order to people who are visiting council buildings;
"charge certificate"	-	means the statement that the penalty charge has been increased by 50 per cent in accordance with Regulation 21 of the Civil Enforcement of Parking Contravention (England) General Regulations 2007;
"Council"	-	means Lancaster City Council;
"owner"	-	has the same meaning as in Section 92 of the Traffic Management Act 2004;
"civil enforcement officer"	-	means any officers, agents or servants of the Council who are authorised to supervise and control vehicles in parking places and enforce the provisions of this Order as pursuant to Section 63A of the 1984 Act and Section 78 of the Traffic Management Act 2004;
"Disabled Person's Badge"	-	has the same meaning as in the Disabled Persons (Badges for Motor Vehicle) (England) Regulations 2000, as amended
"disabled person's vehicle"	-	means a motor vehicle which:
	-	a) displays in the relevant position a disabled person's Disabled Person's Badge;
	-	b) is, in each case, a vehicle which immediately before or after any period of parking in a parking place 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 the carrying disabled persons as passengers
"driver "	-	in relation to a vehicle waiting in a parking place means the person driving the vehicle at the time that it was left in the parking place;
"Electric Charging Point"	-	means an installation adjacent to a parking bay for the purposes of recharging the supply of an Electric Vehicle by way of a connecting lead;
"Electric Vehicle"	-	means a motor vehicle that is powered entirely or partially by electricity and is capable of being charged from an external source;

"Electric Vehicle Parking Bay"	-	means bays designed for use by Electric Vehicles in order to recharge their supply, using an Electric Charging Point, defined by lines, symbols and/or signage located within the boundaries of the parking bay;
"enactment"	-	means any enactment, whether public, general, or local and includes any order, bylaw, rule, regulation, scheme or other instrument having effect by virtue of an enactment;
"enforcement authority"	-	means Lancaster City Council;
"General Permit"	-	means a parking permit issued by the Council under the provisions of Part F of this Order;
"goods vehicle"	-	means a motor vehicle which is constructed or adapted for use for the carriage of goods or burden of any description and includes an articulated vehicle within the meaning of Section 138(3) of the Act of 1984; and which is not drawing a trailer;
"Hackney Carriage"	-	has the same meaning as in Section 38 (1) of the Vehicles (Excise) Act 1971;
"hours of charging"	-	means the hours during which a valid Permit, Blue Badge, card or Parking Ticket should be displayed;
"invalid carriage"	-	has the same meaning as in Section 185(1) of the Road Traffic Act 1988;
"light goods vehicle"	-	means a motor vehicle constructed solely for the carriage of goods or burden, the unladen weight of which does not exceed 1525 kilogrammes;
"Members Permit"	-	means a parking permit issued by the Council under the provisions of Part F of this Order to Members of the Council;
"Mobile Telephone Parking Scheme"	-	means the purchase of a period of parking by using a mobile telephone (or other electronic means) to facilitate a cashless and ticketless parking transaction. Instructions and information needed for purchase via mobile telephone (or other electronic means) shall be located at parking places enabling this facility
"motor car"	-	has the same meaning as in Section 185 of the Road Traffic Act

1988 but includes motorcycles with more than 2 wheels;

"motor cycle"	-	has the same meaning as in Section 185 of the Road Traffic Act 1988;
"notice to owner"	-	means a notice served by the enforcement authority pursuant to the provisions of section 19 and 20 of the Civil Enforcement of Parking Contraventions (England) General Regulations 2007 and section 3 (3) of the Civil Enforcement of Parking Contraventions (England) Representations and Appeals Regulations 2007;
"parking bay"	-	means any area marked out in a parking place by signs or surface markings for the parking of one vehicle;
"parking place"	-	means any area of land specified by name in Column 1 of the First Schedule to this Order provided by the Council under Section 32(1) of the Act of 1984 for use as a parking place.
"parking ticket(s)"	-	means a ticket purchased from a ticket machine at a parking place, such machine having been specially or generally approved by the Secretary of State for such purpose or a mobile phone paperless/electronic ticket purchased using a mobile telephone (or other electronic method);
"Partner General Permits"	-	means a parking permit issued to an employee of a partnering organisation by the Council under the provisions of Part F of this Order;
"penalty charge"	-	means a charge by the Secretary of State under the provisions of Section 77 and Schedule 9 of the Traffic Management Act 2004 and the Civil Enforcement of Parking Contraventions (Guidelines on levels of Charges) (England) Order 2007 which is to be paid to the Council within 28 days beginning with the date of issue endorsed upon the penalty charge notice;
"penalty charge notice"	-	means a penalty charge notice issued by or served by a Civil Enforcement Officer or posted by the enforcement authority pursuant to the provisions of Section 78 of the Traffic Management Act 2004 and the Civil Enforcement of Parking Contraventions (England) General Regulations 2007;

"public service vehicle" - is as defined in Section 1 of the Public Passenger Vehicles Act 1981;

"reduced penalty charge" - means a charge set by the Secretary of State under the provisions of Section 77 and Schedule 9 of the Traffic Management 2004 Act and The Civil Enforcement of Parking Contraventions (Guidelines on Level of Charges) (England) Order 2007 which is to be paid within 14 days following the date of issue endorsed on the penalty charge notice;

"relevant position" means:-

(i) In the case of a disabled person's badge, or parking disc, the position defined in section 4 of the Local Authorities Traffic Orders (Exemption for Disabled Persons) (England) Regulations 2000;

(ii) In the case of a permit, or parking ticket not obtained via the Mobile Telephone Parking Scheme:

a) in the case of a vehicle fitted with a front windscreen, the permit or parking ticket is exhibited thereon with the obverse side facing forward on the near side of the vehicle and immediately behind the windscreen either attached to it or upon the dashboard or fascia so that the same is readable from the outside of the vehicle;

b) in the case of a vehicle not fitted with a front windscreen, dashboard or fascia panel, the permit or parking ticket is exhibited in a conspicuous position on the vehicle so that the obverse side of the permit or parking ticket is readable from the outside of the vehicle

"Residents Permit" - means a parking permit issued by the Council under the provisions of Part F of this Order to residents who live within a residents parking zone;

"residents parking zone" - means an area indicated as such on plan appended to an order made by the Council and may be referred to by the reference letter on the plan of that zone;

"Specific Permit" - means a parking permit issued by the Council under the provisions of Part F of this Order for a specific parking place;

"Staff General Permit" - means a parking permit issued by the Council under the

provisions of Part F of this Order to Officers of the Council;

"Staff Specific Permit"	-	means a parking permit issued by the Council under the provisions of Part F of this Order to Officers of the Council;
"Tradesman Permit"	-	means a permit issued to a tradesman under the provisions of Part F of this Order;
"Virtual Permit"	-	means a permit purchased from the Council and registered online;
"tradesman"	-	means a person working at premises within a residents parking zone;
"Visitor Permit"	-	means a parking permit issued by the Council under the provisions of Part F of this Order to residents who live within a residents parking zone;

(4) Any reference in this Order to an enactment shall be construed as a reference to that enactment as amended, applied, consolidated, re-enacted by or as having effect by virtue of any subsequent enactment.

(5) Any reference in this Order to a numbered Article or Schedule shall, unless the context otherwise requires, be construed as a reference to the Article or Schedule bearing that number in this Order.

(6) Any reference in this Order to a masculine gender shall include reference to the feminine gender and neuter gender.

(7) Any reference in this Order to a singular includes the plural.

(8) The Interpretation Act 1978 shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.

(9) Any reference to the City Council of Lancaster On Street Permits and Charges Order 2004 shall be construed as a reference to that order as amended, applied, consolidated, re-enacted by or as having effect by virtue of any subsequent enactment.

PART B

USE OF PARKING PLACES

2. The named areas of land specified in the First Schedule to this Order, the location of which area shown on the plans attached to this Order, are hereby authorised to be used subject to the following provisions of this Order as parking places for such classes of vehicles as are specified in the First Schedule to this Order.

(1) Where in the second column of the First Schedule a parking place is described as available for vehicles of a specified class or in a specified position, the driver of a vehicle shall not permit it to enter or wait in that parking place unless it is of a class and in the position so specified.

(2) Where surface markings and/or signs have been laid in a bay or bays within a parking place to indicate that the bay or bays are only available for vehicles of a specified class, the driver of a vehicle shall not permit it to wait in that parking bay unless it is of a class so specified.

(3) Where a vehicle is left in a parking place specified in the First Schedule during the hours of charging specified in the fourth column of the First Schedule for that parking place the driver shall either:-

(i) obtain a parking ticket via the Mobile Telephone Parking Scheme; or

(ii) display in the relevant position a valid permit, parking ticket or badge, as specified in the sixth column of the First Schedule against the relevant parking place; or

(iii) purchase and register a Virtual Permit; or

(iv) shall be required to pay by the ANPR system if installed within the parking place.

(4) Where in the First Schedule a parking place is described as available for vehicles displaying a Specific Permit or Staff Specific Permit the driver of a vehicle shall not permit it to wait in that parking place unless it is displaying a valid Specific Permit or Staff Specific Permit issued by the Council for use in that particular parking place. For the avoidance of doubt, a Specific Permit is valid only for the parking place and parking bay stated on the permit whereas a Staff Specific Permit is valid for the parking bay stated on

the permit and a number of parking places as specified in the First Schedule.

(5) The driver of a vehicle shall not permit it to wait in any parking place for a period exceeding the maximum permitted length of stay specified for that parking place in the fifth column of the First Schedule and shall not return to that parking place before the expiry of the return period of time stated in the fifth column of the First Schedule.

(6) Where a parking place, or part thereof, is marked out with parking bays, the driver of a vehicle shall not cause or permit it to wait in that parking place, or part thereof, unless it is positioned wholly within a parking bay.

(7) Where an area of any of the parking places in the First Schedule has been deemed to have been closed by the Council as indicated by signs and or physical barriers, the driver of a vehicle shall not cause or permit it to wait in that area.

(8) No person shall cause or permit a vehicle to park or wait on grass verges or soft landscaped areas within a parking place in the First Schedule.

(9) The driver of a vehicle shall not cause or permit an obstruction to any other vehicle in any part of a parking place in the First Schedule.

(10) Overnight stays (including camping) are prohibited in all parking places in the First Schedule.

(11) Sleeping in any vehicle is prohibited in all parking places in the First Schedule.

(12) No person shall cause a motor vehicle to enter any part of a parking place in the First Schedule to this Order which exceeds the height and or weight restrictions applicable to that parking place specified in the First Schedule except with the permission of a Police Constable in uniform or a Civil Enforcement Officer.

(13) No person shall use a parking place as a means of passage proceeding from one road to another.

(14) Subject to the provisions of Article 4 (1) and 4 (2), a vehicle of the permitted class specified in the second column of the First Schedule may be left in a parking place for any period outside the hours of operation referred to in the fourth column of the First

Schedule to this Order, free of charge.

(15) Unless previously authorised by a Police Constable in uniform or a Civil Enforcement Officer, caravans, and trailers are prohibited from all parking places in the First schedule.

(16) The driver of a vehicle drawing a trailer shall not permit the vehicle or the trailer to wait in a parking place unless they have been disconnected and for the purpose of this Order the vehicle and the trailer shall be deemed to be separate vehicles and the driver shall be deemed to be the driver of each of the said vehicles, although this requirement shall not apply to a heavy goods vehicle.

(17) Where in a parking place signs and/or surface markings are placed for the purpose of indicating that waiting is prohibited or that access is to be kept clear no person shall cause or permit a vehicle to wait in that part of the parking place.

(18) Where within a parking place there is a sign and/or surface marking that indicates a parking bay is designated as an Electric Vehicle Parking Bay, no motor vehicle or Electric Vehicle shall be permitted to stand or wait in the parking bay unless it is connected to an Electric Charging Point for the entire duration and actively charging.

3. (1) The Council may, by notice placed in or near a parking place, suspend the use of that parking place or any part thereof and the driver of a vehicle shall not, without the consent of the Council, cause or permit that vehicle to wait in that parking place or part thereof which is suspended, notwithstanding the provisions of Article 3 and the other paragraphs of this Article.

(2) The Council may, by notice placed in or near a parking place, designate that parking place or any part thereof for free use by vehicles waiting in connection with functions or purposes authorised by the Council and the driver of a vehicle shall not cause or permit that vehicle to wait in that parking place or part thereof so designated unless in connection with that function or purpose, notwithstanding the provisions of Article 3 and the other paragraphs of this Article.

(3) Nothing in Article 2 (1), 2 (2), 2 (3) or 4(1), 4 (2) and 4 (3) relating to the permitted class of vehicle or payment of charges shall apply to the following:

(i) vehicles in use for works of building, demolition, repair or maintenance to car parks or buildings adjacent to the car parks,

(ii) vehicles of the emergency services while in use for such purposes,

(iii) vehicles authorised by the Council for specified purposes.

4. (1) Subject to Article 4 (2) and Article 4 (3) the driver of a vehicle using a parking place specified in the First Schedule during the hours of charging specified in the fourth column of the First Schedule against that parking place shall upon leaving the vehicle in the parking place pay for each bay occupied the charge specified in the seventh column of the First Schedule as appropriate by the insertion in a ticket machine relating to that parking place of a coin or coins together making up the amount of the charge and, where more than one coin is required for payment of that charge, the coins shall be inserted in the ticket parking meter one immediately after the other.

(2) No charge shall be payable by the driver of a vehicle left in that parking place which displays in the relevant position a valid permit, or badge, or of the type specified in the sixth column of the First Schedule against that specific parking place and permitted class of vehicle.

(3) Parking places specified in the First Schedule may allow for the purchase of parking tickets via the Mobile Telephone Scheme. As with the purchase of a parking ticket from a ticket machine, payment via the Mobile Telephone Scheme of the relevant charge described in the seventh column of the First Schedule must be made upon parking of a vehicle. Following the payment of the relevant charge as described in the seventh column, via the Mobile Telephone Scheme, a vehicle may be parked in a parking bay without physically displaying a valid ticket. In such circumstances references to electronic proof of purchase will be the means of confirming compliance with the provision of Article 2 of this Order

(4) Following the purchase of a parking ticket via the Mobile Telephone Scheme further parking time may be purchased (if the parking place, in accordance with the fifth column of the First Schedule, does not restrict return parking) via the Mobile Telephone Scheme but any supplementary purchase must comply with the provisions of charges in the seventh column of the First Schedule

(5) No person shall insert into a ticket machine relating to the parking place in which a vehicle has been left any coin additional to the coin or coins inserted by way of payment of the initial charge in respect of that vehicle.

(6) A parking ticket purchased at a machine or via the Mobile Telephone Scheme situated in a parking place is not valid in any other parking place. Should a ticket be purchased in one parking place and displayed in a vehicle parked in another parking place it shall be deemed that the vehicle is not displaying a valid parking ticket.

(7) The ANPR car parking system allows for the purchase of additional parking time during the initial period or after the driver has left the parking place. All fee's owing for the period of time for parking within the parking place must be paid by 12.00 midnight of that days parking.

PART C

OTHER PROVISIONS

5. 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.

6. 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 Vehicle (Excise and Registration) Act, 1994, and unless there is, in relation to the use of the vehicle by the driver, such a policy of insurance as complies with requirements of Part VI of the Road Traffic Act, 1988.

7. No person shall, except with the permission of any person duly authorised by the Council, 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.

8. The driver of a vehicle using a parking place shall comply with the lawful instructions of any authorised Civil Enforcement Officer on duty in that parking place and, in particular, but without prejudice, to the generality of the foregoing, shall forthwith remove the vehicle from the parking place on being instructed to do so by any such Civil Enforcement Officer.

9. (1) If a vehicle is left in a parking place in contravention of the provision of Articles 2(1), 2(2), 2(7), 2(9), 2(11), 2(12), 3(1) or 3(2) a Civil Enforcement Officer or other person authorised by the Council in that behalf may alter or cause to be altered the position of the vehicle so that its position is in accordance with the said provisions.

(2) If a vehicle is left in a parking place in contravention of any of the foregoing provisions of this Order a person authorised by the Council in that behalf may remove the vehicle from the parking place or arrange for such removal.

(3) For the purpose of meeting the requirements of an emergency, a person authorised in that behalf by the Council or a Police Officer in uniform may alter or cause to be altered the position of a vehicle in a parking place or remove or arrange for the removal of a vehicle from a parking place.

(4) Any person altering, or causing the alteration of the position of a vehicle by virtue of paragraphs (1) or (3) of this Article, or removing or causing the removal of, a vehicle by virtue of paragraph (2) or (3) of this Article, may do so by towing or driving the vehicle or in such other manner as he may think reasonably necessary to enable the position of the vehicle to be altered or the vehicle to be removed.

(5) Any person removing or arranging for the removal of a vehicle by virtue of paragraph (2) or (3) of this Article shall make such arrangements as considered to be reasonably necessary for the safety of the vehicle in the place to which it is removed

(6) The Council may as respects a vehicle which has been removed from a parking place in pursuance of Articles 9(2), 9(3), and 9(5) if it appears to it to have been abandoned, sell or otherwise dispose of the vehicle in accordance with the Removal and Disposal of Vehicles Regulations 1986, as amended and any other amendments made from time to time.

10. Any person duly authorised by the Council may suspend the use of a parking place or any part thereof whenever he considers such suspension reasonably necessary.

PART D

PENALTY CHARGE AT PARKING PLACES

11. If a vehicle is left in a parking place in contravention of or non-compliance with any Article of this Order a penalty charge shall be payable by the owner (subject to the provisions of Section 77, 78 and Schedule 9 of the 2004 Act and the Civil Enforcement of Parking Contraventions (England) General Regulations 2007) for each day of the said contravention or non-compliance.

12. In the case of a vehicle in respect of which a penalty charge has been incurred, it shall be the duty of a Civil Enforcement Officer to attach to the vehicle in a conspicuous position, a penalty charge notice which shall include the particulars as proscribed in the Schedule of the Civil Enforcement of Parking Contraventions (England) General Regulations 2007 and section 3 (2) of the Civil Enforcement of Parking Contraventions (England) Representations and Appeals Regulations 2007.

13. Where a penalty charge is payable, a penalty charge notice may be issued by post if a civil enforcement officer attempted to serve a penalty charge notice in accordance with regulation 9 of the Civil Enforcement of Parking Contraventions (England) General Regulations 2007 but was prevented from doing so by some person, or a civil enforcement officer had begun to prepare a penalty charge notice for service in accordance with regulation 9 of Civil Enforcement of Parking Contraventions (England) General Regulations 2007, but the vehicle concerned was driven away from the place in which it was stationary before the civil enforcement officer had finished preparing the penalty charge notice or had served it.

14. Subject to regulation 20 of the Civil Enforcement of Parking Contraventions (England) General Regulations 2007 where a penalty charge notice has been served in accordance with regulation 9 of the Civil Enforcement of Parking Contraventions (England) General Regulations 2007 and the period of 28 days specified in the penalty charge notice as the period within which the penalty charge is to be paid has expired without the charge being paid the enforcement authority may serve a notice to owner on the person who appears to them to have been the owner of the vehicle when the contravention occurred.

15. In accordance with regulation 21 of the Civil Enforcement of Parking Contraventions (England) General Regulations 2007 where a notice to owner is served on any person and the penalty charge to which it relates is not paid before the end of the relevant period, the Council may serve on that person a charge certificate to the effect that the penalty charge in question is increased by 50 per cent in accordance with Regulation 21 of the Civil Enforcement of Parking Contravention (England) General Regulations 2007.

16. Service of a penalty charge notice, notice to owner or charge certificate by first class post is deemed effective on the second working day after the day of posting.

17. The level of penalty charge, reduced penalty charge and surcharge for payment of a penalty charge after a certificate has been issued payable by the owner for contravention of or non-compliance with any Article of this Order shall be differentiated between a higher level

contravention and all other contraventions in accordance with Band 2 as set out in Table 1 of section 2 of the schedule to the Civil Enforcement of Parking Contraventions (Guidelines on Levels of Charges) (England) Order 2007.

18. Higher level contraventions are those proscribed in Table 3 of section 2 of the schedule to the Civil Enforcement of Parking Contraventions (Guidelines on Levels of Charges) (England) Order 2007.

19. The level of penalty charge shall be in the sum of the following amounts:-

a. For a higher level contravention or non-compliance with any Article of this Order the sum of £70 on the issue of a penalty charge notice and £50 for all other contraventions and non-compliance with any Article of this Order subject to being discounted to a reduced penalty charge of £35 for a higher contravention or non-compliance and £25 for all other contraventions and non-compliance of any Article of this Order.

b. On the issue of a 'charge certificate' in accordance with the provisions of Regulation 21 of the Civil Enforcement of Parking Contraventions (England) General Regulations 2007 and The Civil Enforcement of Parking Contraventions (Guidelines on Levels of Charges) (England) Order 2007 the penalty charge for a higher level contravention or non-compliance with any Article of this Order shall be increased to the sum of £105 and increased to the sum of £75 for all other levels of contravention or non-compliance.

20. (1) Payment of the penalty charge or reduced penalty charge to the Council shall be by cash, cheque, postal order, credit card, or debit card.

(2) Payments shall be made to the relevant department or office of the Council or Council's Contractor as stated on the penalty charge notice.

(3) Payment of the penalty charge or reduced penalty charge must be made by not later than 5.00pm by the date specified on the penalty charge notice but should the said Council Department/Office or the office of the Council's Contractor be closed on the said date specified the period for receiving payment may be extended until the next full working day.

21. The particulars given in the penalty charge notice attached to a vehicle in accordance with the requirements of section 78 of the Act of 2004 and Regulation 9 and the Schedule to the Civil Enforcement of Parking Contraventions (England) General Regulations 2007 shall be

treated as evidence in any proceedings relating to failure to pay such penalty charge.

22. When a penalty charge notice has been attached to a vehicle in accordance with any of the foregoing provisions of this Order no person other than a person authorised by the Council in that behalf or the owner or driver or a person authorised by the owner or driver in that behalf shall remove the penalty charge notice from the vehicle in accordance with Section 11 of the Civil Enforcement of Parking Contravention (England) General Regulations 2007.

23. (1) Save for the provisions in Article 4 (3) if at any time while a vehicle is left in a parking place specified in the First Schedule no ticket is displayed on that vehicle in accordance with the provisions of Article 2 (3) it shall be presumed, unless the contrary is proved, that the parking charge has not been paid.

(2) Any ticket issued by a ticket parking meter shall be presumed, unless the contrary is proved, to have been issued on the day and time shown thereon.

PART E

LIABILITIES AND PENALTIES

24. The use of a parking place is subject to the conditions that the leaving of a vehicle in a parking place constitutes no bailment, actual or inferred, and that no liability shall attach to the Council for any personal injuries suffered or any loss or damage sustained to any vehicle or personal property arising out of or in connection with the use of any parking place unless such injury, loss or damage is a result of the negligence of the Council , its servants or agents.

PART F

PROVISIONS RELATING TO PERMITS ISSUED BY THE COUNCIL

Residents Permits, Visitor Permits, Tradesman Permits and Carer Permits

25. (1) The provisions relating to the validity of a Residents Permit, Visitor Permit, Tradesman Permit and Carer Permit for use in a parking place authorised by this Order shall be determined by reference to the sixth column of the First Schedule.

(2) The provisions relating to the issue, amount of charge, replacement and renewal of Residents Permits, Visitor Permits, Tradesman Permits and Carer Permits shall be determined by reference to the City Council of Lancaster On Street Parking Permits and Charges Order 2004 as amended, applied, consolidated, re-enacted by or having effect by virtue of any subsequent enactment.

(3) Permits are valid only for the period of time up to and including the expiry date stated on the permit.

General Permit, Specific Permits, Staff General Permits, Staff Specific Permits, Partner Permits, Members Permits, Council Visitor Permit and Business Permit

1) General Permits

26. 1. General Permits and General (5 day) Permits – Any person who is the registered keeper of vehicle of a class authorised to use a parking place may apply to the Council for the issue of a General or General (5 day) Permits for the parking of that vehicle in the parking place or parking places as specified in the First Schedule. The application shall be accompanied by a remittance of the charge stated in the First Schedule.

2. Morecambe General Permits and Morecambe General (5 day) Permits – Any person who is the registered keeper of vehicle of a class authorised to use a parking place may apply to the Council for the issue of a Morecambe General or Morecambe General (5 day) Permit for the parking of that vehicle in the parking place or parking places as

specified in the First Schedule. The application shall be accompanied by a remittance of the charge stated in the First Schedule.

2) Specific Permits

27. Specific Permits and Specific (5 day) Permits - Any person who is the registered keeper of vehicle of a class authorised to use a parking place may apply to the Council for the issue of a Specific or Specific (5 day) Permits for the parking of that vehicle in the parking place as specified in the First Schedule. For the avoidance of doubt, a Specific Permit is valid only for the parking place stated on the permit. The application shall be accompanied by a remittance of the charge stated in the First Schedule.

3) Staff General Permits

28. Staff General Permits and Staff General (5 day) Permits - Any employee of the Council who is the registered keeper of vehicle of a class authorised to use a parking place may apply to the Council for the issue of a Staff General or Staff General (5 day) Permit for the parking of that vehicle in the parking place or parking places as specified in the First Schedule. The application shall be accompanied by a remittance of the charge stated in the First Schedule.

4) Staff Specific Permits

29. Staff Specific Permits and Staff Specific (5 day) Permits - Any employee of the Council who is the registered keeper of vehicle of a class authorised to use a parking place and is employed in a post designated by the Council as being one entitling the holder to obtain a Staff Specific or Staff Specific (5 day) Permit may apply to the Council for the issue of a Staff Specific or Staff Specific (5 day) Permit for the parking of that vehicle in the parking place as specified in the First Schedule. The application shall be accompanied by a remittance of the charge stated in the seventh column of the First Schedule. For the avoidance of doubt, a Staff Specific Permit is valid for the parking bay stated on the permit and a number of parking places as specified in the First Schedule.

5) Partner General Permits

30. Partner General Permits and Partner General (5 day) Permits – Any employee of a partnering organisation with the Council whose place of work is at one of the Council's offices may apply to the Council for the issue of a Partner General or Partner General (5 day) Permit for the parking of that vehicle in the parking place or parking places as specified in the First Schedule. The application shall be accompanied by a remittance of the charge stated in the First Schedule.

6) Members Permits

31. Member Permits and Member (5 day) Permits - Any elected member of the Council who is the registered keeper of vehicle of a class authorised to use a parking place may apply to the Council for the issue of a Member or Member (5 day) Permit for the parking of that vehicle in the parking place or parking places as specified in the First Schedule. The application shall be accompanied by a remittance of the charge stated in the seventh column of the First Schedule.

7) Council Visitor Permit

32. (1) Any person who is visiting employees or Members of the Council at a Council Building and who is the registered keeper of vehicle of a class authorised to use a parking place may apply to the Council for the issue of a Council Visitor Permit for the parking of that vehicle in the parking places as specified in the First Schedule for a period determined by the Council Officer issuing the permit.

(2) Prior to Displaying the permit in the vehicle the Council Visitor permit shall be validated by writing the registration mark of the vehicle and date in ink on the permit. A permit will not deemed to be valid unless this information is written in ink and is legible.

8) Business Permit

33. Business Permits – Any business having business premises within a Business Zone (as contained in the Second Schedule of the Order) may apply to the Council for the issue of a Business Permit for the parking of a vehicle in the parking place or parking places as specified in the First Schedule. The application shall be accompanied by a remittance of the charge stated in the First Schedule.

Replacement and Renewal of Permits

34. (1) If a permit issued under Articles 26, 27, 28, 29, 30, 31, 32 or 33 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 surrender it to the Council and may apply to the Council for the issue to him of a duplicate permit and the Council, upon the receipt of the permit, if such receipt is accompanied by an application for a duplicate permit, shall issued a duplicate permit so marked and upon such issue the original permit shall become invalid.

(2) If a permit issued under Article 26, 27, 28, 29, 30, 31, 32 or 33 is lost or accidentally destroyed; the permit holder may apply to the Council for the issue to him of a duplicate permit, and the Council, upon being satisfied as to such loss or destruction, and upon receipt of an application for a duplicate permit, may issue a duplicate permit so marked and upon such issue the original permit shall become invalid.

(3) The provisions of this Order shall apply to a duplicate permit and an application therefore as if it were a permit or as the case may be an application therefore.

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 regulation made or having effect as if made under the Act of 1984 or by or under any other enactment

THE COMMON SEAL of

THE CITY COUNCIL OF LANCASTER

Was hereunto affixed on this 25TH day

[JUNE] 2019

in the presence of:

SEAL REGISTER No: 25010