

CHICHESTER DISTRICT COUNCIL
(OFF-STREET PARKING PLACES)
(CONSOLIDATION) ORDER 2020

Chichester District Council (hereinafter called "the Council") in exercise of its powers under Sections 32, 35 and Part IV of Schedule 9 of the Road Traffic Regulation Act 1984, as amended ("the 1984 Act") and of all other enabling powers, with the consent of the West Sussex County Council in accordance with section 39(3) of the 1984 Act and after consultation with the Chief Officer of Police in accordance with Part III of Schedule 9 to the 1984 Act hereby makes the following Order:

PART 1
GENERAL

Commencement and Citation

1. This Order shall come into operation on the 1 April 2020 and may be cited as the Chichester District Council (Off-Street Parking Places) (Consolidation) Order 2020.

Interpretation

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

"charging days" means the days as specified by notice at each parking place;

"charging hours" means the period as specified by notice at each parking place on all charging days;

"coach" means a vehicle constructed or adapted to carry more than eight passengers;

"Community Bus" means a vehicle parked whilst being used as vehicle to transport members of an identifiable community for the purposes of a community trip and not for personal use by an individual or family.

“Council” means Chichester District Council;

“daily charge” means the charge imposed by the Council for parking in a parking place on any one day and for a specified period of time as identified in the scale of charges.

For the avoidance of doubt, the daily charge includes any free concession offered in the scale of charges specified by notice at each parking place;

"disabled persons' badge" means a badge issued by any Local Authority in accordance with the provisions of the Local Authorities' Traffic Orders (Badges for Motor Vehicles) (England) Regulations 2000 or a badge having effect under those regulations as if it were a disabled person's badge;

“driver” means the person driving a vehicle at the time it is parked in a parking place;

“Electric Vehicle” means a Plug in Electric Vehicle or a Plug in Hybrid Vehicle

“Electric Vehicle Parking Bay” means any bays which are already designated or are, at the Council's discretion, hereafter designated for use by Electric Vehicles in order to recharge them by using the electric plug-in points adjacent to the parking bay. An Electric Vehicle Parking Bay shall be defined by lines and / or symbols and signage located within the boundaries of the parking place.

Only Electric Vehicles shall be parked in an Electric Vehicle Parking Bay. At all times whilst an Electric Vehicle is waiting in an Electric Vehicle Parking Bay, the driver shall cause that vehicle to be connected and charging via a recharging lead installed in or adjacent to the Electric Vehicle Parking Bay.

“Electronic Payment” means all payments made using any method of payment via the internet.

“expiry time” is the time indicated on the parking ticket and is the time by which the vehicle must leave the parking place;

“free vend” in respect of a parking ticket describes a ticket obtained from a ticket machine in respect of any concessionary free period of parking without any payment at the time of issue;

“Large Vehicle” means a medium or large vehicle or minibus (whether or not with a trailer attached) within the defined categories of vehicle established by the Ministry of Transport driving licence classes.

“light goods vehicle” means a vehicle which is constructed or adapted for use for the carriage of goods or burden of any description, provided that the vehicle is less than 5.5 m in length and can be parked wholly within a parking bay;

“lorry” means a goods vehicle greater in size than a light goods vehicle such that it cannot lawfully be parked in a parking place specified for use by passenger vehicles and light goods vehicles;

“motor cycle” means a two-wheeled motorcycle only and excludes any motor cycle which has a side-car or trailer and any vehicle which has more than two wheels;

“owner” in relation to a vehicle means the person who is recorded as the registered keeper by the Driver and Vehicle Licensing Agency on the date on which the vehicle was parked in the parking place in question;

“paper ticket” means a physical parking ticket

“park” and “parked” refer to the stopping of a vehicle and it remaining at rest whether or not the driver is still in the vehicle;

"parking bay" means an area of a parking place, which is provided for the leaving of a vehicle of a class specified and indicated by markings on the surface of the parking place or signed or otherwise indicated by signs in the parking place;

"parking permit" means any permit, including season tickets, however generated with such conditions and of a type and design approved by the Council and either:

- (a) issued by the Council; or
- (b) issued by such third party as the Council shall have authorised in writing to issue permits and subject to such conditions as the Council shall impose from time to time on that third party;

"parking place" means an area of land for the purpose of parking of vehicles and not closed (in part or in whole) by a notice erected thereon by the authority of the Council and either:

- (a) provided by the Council pursuant to Section 32(1) of the 1984 Act; or
- (b) provided by a third party pursuant to an arrangement with the Council under s.33(4)(b) of the 1984 Act;"

"parking ticket" means a ticket, administered by a ticket machine located in the parking place in which the vehicle has been parked or issued by an organisation or person nominated by the Council either on payment of a charge or as a free vend, which, as a minimum, specifies

- (i) the identity of the issuing ticket machine or person,
- (ii) either the amount paid or indication of a free vend,
- (iii) the date,
- (iv) either the time of issue, or the expiry time of the parking period for which the ticket is valid, and,
- (v) where required, the registration number of the vehicle in respect of which the ticket was obtained

and which is valid until the expiry time displayed on the ticket for the avoidance of doubt this will include parking purchased by means of Electronic Payment;

“passenger vehicle” means a motor vehicle (other than a two-wheeled motorcycle) constructed or adapted solely for the carriage of not more than seven passengers (exclusive of the driver) and their effects and not drawing a trailer;

“pay and display parking place”

Means a parking place listed as such in Schedule 7 to this Order where the owner must obtain a parking ticket at the time the vehicle has been parked.

“pay on foot parking place”

A parking Place listed as such in Schedule 7 to this Order where:

- A pay on foot parking ticket is issued by a ticket machine located at the entrance to parking place;
- The ticket is retained by the vehicle owner and need not be displayed;
- The relevant charge is paid as required at the parking place before returning to the vehicle and the ticket is presented to a machine upon exiting the parking place,

“pay on foot parking ticket”

Means a ticket issued by a machine upon entry to a pay on foot parking place

“penalty charge” means a charge imposed by legislation in respect of parking contraventions that are subject to civil enforcement and has the same meaning as in the Civil Enforcement of Parking Contraventions (England) General Regulations 2007;

“penalty charge notice” has the same meaning as in the Civil Enforcement of Parking Contraventions (England) General Regulations 2007;

“relevant position” means

- (a) in respect of a vehicle displaying a valid disabled person's badge -

- (i) in the case of a vehicle fitted with a dashboard or fascia panel, the badge is exhibited thereon so that Part 1 (the front of the badge), is legible from outside the vehicle; or
 - (ii) in the case of a vehicle not fitted with a dashboard or fascia panel, the badge is exhibited in a conspicuous position on the vehicle so that Part 1 of the badge is legible from outside the vehicle;
- (b) in respect of a vehicle displaying a parking ticket, or parking permit -
- (i) the parking ticket, or parking permit is exhibited on the inside surface of the windscreen or in a clearly visible position so that it is facing forwards and can be easily seen and read from the front or side of the vehicle; or
 - (ii) in the case of a vehicle that is not fitted with a transparent windscreen, the parking ticket, or parking permit is exhibited on the front of the vehicle facing forwards and clearly visible;

“season ticket” means the charges as set out in Schedule 7 hereof in respect of each parking place or as varied by notice under s.35C(1) of the Road Traffic Regulation Act 1984

“scale of current charges” means the charges as set out in Schedule 7 hereof in respect of each parking place or as varied by notice under s.35C(1) of the Road Traffic Regulation Act 1984

“ticket machine” means an apparatus of a type and design approved for use in accordance with Section 35(3) of the 1984 Act, being apparatus designed to indicate the time by a clock and to issue parking tickets;

“vehicle” includes any motor car, motor cycle or other mechanically propelled automobile.

3. Except where the context requires otherwise, any reference in this Order to a numbered Article shall be construed as a reference to the Article bearing that

number in this Order and any reference to Schedules shall be construed as a reference to a Schedule hereto attached.

4. Any reference in this Order to any 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. Unless the context otherwise requires, words denoting the singular shall include the plural and vice versa and words denoting the persons shall include either gender, bodies corporate, unincorporated associations and partnerships.
6. The Interpretation Act 1978 shall apply for the interpretation of this Order.
7. Headings within this Order have been inserted for convenience and shall not affect the construction and interpretation of the Order.

PART 2

DESIGNATION AND USE OF PARKING PLACES

Designation

8. Each area of land or building specified by name in the Schedules may be used, subject to the provisions of this Order, as a place to park vehicles of such classes, in such positions, on such days, during such hours, for such period and on payment of such charges as are specified by notice at each parking place respectively.

Class and position of vehicle

9. Where by notice at a parking place, the parking place, or any parking bay within the parking place, is specified as available for vehicles of a specified class or vehicles to be parked in a specified location, no person shall cause or authorise a vehicle to be parked in that parking place or in any parking bay within the parking place,
 - (i) unless it is of the specified class;

- (ii) that is parked beyond the parking bay markings;
- (iii) in a position other than that specified; or
- (iv) for a purpose other than provided for in this Order.

Classes of vehicle

10. No person shall cause or authorise a vehicle to be parked in a parking bay unless it is a passenger vehicle, light goods vehicle, a vehicle displaying a disabled person's badge, motor cycle or a class specifically prescribed in the Schedules and specified by notice at the parking place.

Position of vehicle

11. If parking bays are marked out in a parking place the driver of a vehicle shall ensure that it is positioned wholly within a parking bay and shall not authorise it to wait in that parking place unless it is so positioned.
12. If parking bays are not marked out in a parking place the driver of a vehicle shall ensure that it is positioned so that it does not obstruct other users of the parking place, the free flow of traffic circulating within the parking place and the entrances to and exits from the parking place.

Disabled person's parking bays

13. No person shall cause or authorise a vehicle to be parked in a parking bay marked for disabled persons unless the vehicle displays a valid disabled person's badge in the relevant position and immediately before or immediately after the act of parking the vehicle has been or is about to be used by the person(s) in respect of whom the disabled person's badge has been issued.

Reserved season ticket parking bays

14. No person shall cause or authorise a vehicle to park in a parking place or parking bay during the period that it is signed or marked for season ticket holders unless the vehicle is either displaying the physical season ticket issued or has paid electronically for a season ticket for that time and that parking place or parking bay.

For the avoidance of doubt, vehicles displaying a disabled person's badge are not permitted in a reserved season ticket car park unless there is also on display a physical season ticket or electronic payment has been made for a season ticket for that time and that parking place.

Motor cycle parking bays

15. No person shall cause or authorise a vehicle to park in a parking bay marked for motor cycles unless the vehicle is a motor cycle.

Vehicles with trailers or caravan

16. For the purposes of this Order, the towing vehicle and trailer or caravan will be deemed to be separate vehicles and the owner and driver shall be deemed to be the owner and driver of each of the said vehicles.
17. No person, without the express written permission of the Council, shall cause or authorise a vehicle drawing a trailer or caravan, having a combined length not exceeding 11 m, to park in a parking place unless
 - (i) the registration number of the towing vehicle is clearly displayed on the trailer or caravan;
 - (ii) they are parked wholly within two parking bays, and
 - (iii) a parking ticket or parking permit valid for the period of time for each parking bay has been purchased and where parking tickets have been purchased, displayed for both vehicles.
18. No person, without the express written permission of the Council, shall cause or authorise a trailer or caravan, having a length not exceeding 5.5 m., to be parked in a parking place unless the registration number of the towing vehicle is clearly displayed on the trailer and a parking ticket or parking permit valid for the period of time in that parking bay has been purchased and, where a parking ticket has been issued, for this to be clearly displayed in the vehicle.

Coach and lorry parking and large vehicle parking

19. No person shall cause or authorise a vehicle to park in a parking place or parking bay during such times as they are signed and marked for coaches,

coaches or lorries or large vehicles respectively unless the vehicle is of the designated class.

Hours of operation and maximum period of stay

20. Where by notice in the parking place, a parking place or in any parking bay within the parking place is described as being in operation on specified days, during specified hours or for a maximum period of stay, no person shall cause or authorise a vehicle to be parked in that parking place or in any parking bay within the parking place on any day, during such hours or for any period other or longer than those specified.

Power to close or suspend parking places

21. Nothing in this Order shall prevent the Council by notice, sign or barrier displayed or erected in a parking place:
- (i) from closing a parking place or any part thereof for any period; and/or
 - (ii) from setting aside a parking place or any part or parts thereof on all days or on certain days or during certain parts of days for use only by particular vehicles or organisations.
- 21A. Nothing in this Order shall prevent the Council from giving specific written permission to a person, persons or organisation to park vehicles in a parking place (or part thereof) which are not of the class or classes otherwise permitted to park therein. Such permission may be limited in time and duration or be subject to such conditions as the Council may from time to time specify. Such permission may be given in addition to, or in the alternative to, a notice, sign or barrier under paragraph 21 above. Any person or organisation entitled to specific written permission shall produce to the Council on demand a copy of such permission.
22. Any person closing or suspending the use of a parking place or any part thereof shall thereupon place or cause to be placed in or adjacent to that parking place or that part thereof a notice or traffic sign indicating that of that

parking place or that part thereof is closed or the use is suspended and that parking by vehicles is prohibited.

Contravention in closed or suspended parking place

23. No person shall cause or authorise a vehicle to be parked in a parking place or any part thereof during such periods that the parking place or that part thereof is closed or the use is suspended or during such period as there is in or adjacent thereto a notice or traffic sign indicating the closure or suspension placed by or on behalf of the Council.

Sale of goods

24. No person shall in a parking place without the express written permission of the Council, use a vehicle, in connection with trade or business, any form of advertisement, the sale of any article, including the vehicle itself, to any person in or near the parking place or in connection with the selling or offering for hire of skill or services in any other capacity.

Parked with engine running

25. No person shall in a parking place continue to run the engine when the vehicle is in the parking bay and shall not start the engine except when about to change the position of the vehicle in or to depart from the parking place.

Domestic purposes

26. No person shall in a parking place use any vehicle:
- (i) for sleeping or camping or cooking without the express written permission of the Council, which may be limited in time or duration and subject to such conditions as the Council may from time to time specify, or
 - (ii) for the purpose of servicing or washing any vehicle or part thereof other than is reasonably necessary to enable the vehicle to depart from the parking place.

PART 3
CHARGES FOR PARKING

Payment

27. No person shall cause or authorise any vehicle to be parked during the charging hours in a parking place without arranging for the appropriate daily charge (if any) to be paid in accordance with the scale of current charges.

Charges for set periods

28. Where a charge is specified for a period, the whole of that charge shall be due and payable for the use of the parking place for any part of that period.

Concessionary free period

29. Where specified by notice in a parking place that a concessionary free parking period is permitted, a free vend parking ticket, indicating the registration number of the vehicle and the time by which the vehicle must be removed from the parking place, must be obtained and displayed where the physical display of a ticket is required in the relevant position on the vehicle or an electronic payment is made, indicating the registration and correct location and the time by which the vehicle must be removed from the parking place.
30. In respect of Chichester Rugby Club car park concessionary free parking shall be permitted in a maximum of two parking bays (as designated by the Council by displaying a notice in the parking place) for a period of 30 minutes strictly for use by parents carers or guardians accompanied children under the age of 3. A free vend parking ticket must be obtained and displayed in the relevant position on the vehicle. Any vehicles parked for longer than 30 minutes or who do not fulfil the above criteria must pay the charges set out in Schedule 7 below.
31. Only one free parking concession may be obtained in respect of any one vehicle in any one parking place per calendar day.

Means of payment

32. The charges referred to in the scale of current charges shall be payable in the manner as specified by notice at each parking place respectively.

Pay and display parking places

Paragraphs 33 to 42 shall apply only to a pay and display parking place

33. The person in charge of a vehicle, upon parking the vehicle during the charging hours in a parking bay, shall immediately ensure that a parking ticket is purchased or (where appropriate) obtained on a free vend from a ticket machine situated at that parking place at the level of charge and for the period required in accordance with the scale of daily charges as specified by notice at that parking place.

For the avoidance of doubt, the concessionary free period (if applicable) is incorporated into the scale of daily charges.

- 33A. If the ticket machine so requires, the driver of the vehicle shall, in addition to paragraph 33, enter the exact registration number of the vehicle into the ticket machine. The parking ticket issued thereafter shall be valid only for the registration number entered and if the registration number shall have been entered incorrectly, the parking ticket shall be invalid.

34. If, at the time when a vehicle is parked during the charging hours in a parking place the nearest ticket machine in that parking place is out of order, then a parking ticket shall be obtained from another ticket machine within the same parking place (where provided) or as directed in the parking place. If for any reason there is no ability to make an electronic payment then a paper ticket must be purchased from a ticket machine.

Display of parking ticket

35. As soon as a vehicle has been parked during the charging hours within a pay and display parking place the person in charge of the vehicle shall ensure that:

- (i) a valid parking ticket has been obtained to cover the entire period that the vehicle is parked in the parking place, and
- (ii) where a paper parking ticket has been purchased the valid parking ticket must be displayed in the relevant position on the vehicle in respect of which it was issued at all times the vehicle is parked in the parking place.

Validity of parking tickets

- 36. A parking ticket is not transferable from one vehicle to another and on transfer the parking ticket ceases to be valid.
- 37. A parking ticket is valid only in the parking place in which it was issued. Validity is defined by the reference code of the parking place and the ticket machine located in that parking place printed on the parking ticket or where electronic payment has been made, the location code for the parking place.
- 38. A parking ticket is valid only until the expiry time and on the date shown on the parking ticket indicating the expiry of the period for which a charge has been paid or for which concessionary free parking is permitted.
- 39. Where required, a parking ticket is valid only if the vehicle registration number on the parking ticket matches that of the vehicle for which the parking ticket has been purchased and displayed where required.

Expiry of parking period

- 40. The expiry of the period for which the appropriate charge has been paid or the concessionary free parking is permitted, shall be when the time shown on the clock of the issuing ticket machine is later than the expiry time shown on the parking ticket displayed.
- 41. No person shall cause or authorise any vehicle to be parked during the charging hours in a pay and display parking place after the expiry of a displayed parking ticket.

No parking ticket displayed

42. If at any time while a vehicle is parked in a parking place and the display of a physical ticket is required no parking ticket is displayed on that vehicle in the relevant position and in accordance with the provisions of this Order, it shall be deemed that the daily charge has not been paid or that the concessionary free period has not been brought into use.

For the avoidance of doubt, indication of use of the concessionary free period of parking can only be authenticated by the display of a free vend parking ticket.

42A. The following paragraphs 42B to 42E (inclusive) shall apply only to a pay on foot parking place as listed in Schedule 7:

42B. The driver of a vehicle using a pay on foot parking place shall, unless the vehicle has the benefit of an exemption specified in Article 47 of this Order:

- (i) Upon arriving at the pay on foot parking place, take a pay on foot parking ticket from the machine to establish the date and time of entry;
- (ii) On returning to the vehicle prior to exiting the parking place:
 - a. Pay in accordance with the scale of current charges (for the time during which the vehicle was parked) at the relevant pay station which will validate the pay on foot parking ticket authorising it to be used to exit the parking place;
 - b. Within a period of grace of 15 (fifteen) minutes, proceed with the vehicle to the exit point for the parking place;
 - c. Insert the pay on foot parking ticket into the machine at the exit barrier to enable egress from the parking place;
- (iii) Or pay the attendant on duty, or a person nominated by the Council at the exit point, a parking fee in accordance with the scale of current charges;

- 42C. In the event that a driver of a vehicle is unable to produce a pay on foot parking ticket obtained from the machine as aforesaid the person in charge of vehicle will be liable for the all day charge applicable in the parking place as specified in the scale of current charges to enable the vehicle to exit the parking place.
- 42D. Any pay on foot parking ticket is not transferable between one vehicle and another, or between one parking place and another.
- 42E. In respect of those vehicles to which the exemption under paragraph 47 applies, the driver of a vehicle shall:
- (i) Upon arriving at the pay on foot parking place, take a pay on foot parking ticket from the machine to establish the date and time of entry;
 - (ii) On returning to the vehicle prior to exiting the parking place:
 - a. The driver shall not be required to pay at the relevant pay station but shall instead proceed directly with the vehicle to the exit point for the parking place;
 - b. A vehicle number plate recognition system shall read the number plate of the vehicle and, provided the exact number plate of the vehicle is registered as being authorised to use a parking permit, the exit barrier shall allow the vehicle to egress the parking place;

For the avoidance of doubt, if the vehicle registration number is not registered with the Council or the registration number is incorrectly registered, the driver of the vehicle shall be required to follow the procedure and pay the charges set out in clause 41B above.

For the further avoidance of doubt, pay on foot parking places shall not contain motorcycle bays and drivers of a motorcycle shall be required to pay in the same manner as any other vehicle.

Season tickets

43. A Season ticket is a type of parking permit available from the Council (or those commissioned by the Council to act on their behalf) at the appropriate fee, for a vehicle of a specific class and for specific parking place(s) issued up to the chosen expiry date all subject to conditions determined by the Council.
44. The driver shall abide by the terms stipulated by the Council for the use of the season ticket.

Display of season ticket

45. If a physical season ticket has been issued it shall be displayed in the relevant position on the vehicle in respect of which it was issued at all times during which the vehicle is parked in the parking place.

Restriction on removal

46. When a parking ticket or parking permit has been exhibited on a vehicle in the relevant position no person shall remove the parking ticket or parking permit from the vehicle until the vehicle is removed from the parking place.

PART 4 EXEMPTIONS

Exemption from daily charge

47. No daily charge shall be payable in respect of;
- (i) a motor cycle parked in a marked motor cycle bay;
 - (ii) a vehicle with a season ticket valid for that time and that parking place;
- or
- (iii) a vehicle parked displaying in a relevant position a valid Blue Badge unless that vehicle is parking in a Pay on Foot parking place.

Absence of ticket machine

48. If at the time when a vehicle is parked in a parking place during the charging hours
- (i) there is no ticket machine at the parking place, or

- (ii) all the ticket machines at that parking place carry notices placed upon them by a person duly authorised by the Council indicating that they are not in operation,

the driver of that vehicle shall be exempt from the requirement to purchase or to obtain a free vend parking ticket and to display the parking ticket provided that the vehicle may not be parked for longer than the maximum period of parking specified by notice at that parking place.

Ticket machine out of order

49. If at the time when a vehicle is parked in a parking place during the charging hours and all the ticket machines at the parking place are out of order, the driver of that vehicle shall be exempt from the requirement to purchase or to obtain a free vend parking ticket and to display the parking ticket provided that the vehicle may not be parked for longer than the maximum period of parking specified by notice at that parking place.

PART 5

RELOCATION, REMOVAL AND DISPOSAL OF VEHICLES

Emergencies

50. A person authorised by the Council or a police officer in uniform may, using such measures as are appropriate, move or cause to be moved in the case of an emergency to any place he/she thinks fit, any vehicle parked in a parking place.

Movement or removal on contravention

51. Where a vehicle has been left in contravention of the provisions of this order, a person authorised by the Council may, using such measures as are appropriate, remove or arrange for the vehicle to be removed from the parking place or alter the position of the vehicle in order that its position shall comply with the provisions of the order.

Contraventions in suspended parking place

52. A person authorised by the Council may, using such measures as are appropriate, move or cause to be moved to any place he/she thinks fit, any vehicle parked in a parking place which has been closed or suspended in whole or in part by the Council and the cost of movement or removal and safe keeping shall be the liability of the owner of the vehicle.

Safe keeping

53. Any person removing a vehicle from a parking place under the provisions of this Order shall make such arrangements as may be reasonably necessary to provide for the safe keeping of the vehicle.

Disposal of vehicles abandoned in parking places

54. The Council may sell or otherwise dispose of, in accordance with current legislation, a vehicle which has been, or could at any time be, removed from a parking place if the vehicle appears to have been abandoned.

PART 6 CONTRAVENTION AND PENALTY CHARGE

Contravention

55. Save for the provisions in Articles 43 to 46 and Part 7, if a vehicle is parked in a parking place without complying with the requirements of this Order, a contravention shall have occurred and a penalty charge shall be payable. A penalty charge notice may then be served and/or the vehicle may be removed from the location.

Restriction on removal of notices

56. Any notice fixed to a vehicle in accordance with this Order shall not be removed or interfered with except by or under the authority of:
- (i) the owner or driver of the vehicle;
 - (ii) the Council for the parking place in which the vehicle in question was found.

Indications as evidence

57. The particulars given in any notice served on a vehicle in accordance with the provisions of this Order shall be treated as evidence in any proceedings relating to failure to pay the penalty charge.
- 57A. The provisions of Regulation 10 of The Civil Enforcement of Parking Contraventions (England) General Regulations 2007 shall apply. The Council shall be entitled to serve a penalty charge notice by post in accordance with those regulations.

PART 7

LIABILITY AND OTHER PROVISIONS

Liability

58. The Council accepts no liability for the loss or damage to vehicles or other property left in any of the parking places to which this Order applies save for that arising from the negligence of the Council.

Validity

59. If a court, the Department for Transport, the Traffic Penalty Tribunal or the Traffic Enforcement Centre declares any part of this Order to be invalid or unenforceable, such declaration shall not invalidate the remainder of the Order.

Driving within a parking place

60. Where in a parking place signs are erected or surface markings are laid for the purpose of
- (i) indicating the entrance to or exit from the parking place, or
 - (ii) indicating that a vehicle using the parking place shall proceed in a specified direction within the parking place,
- any person who drives or authorises to be driven any vehicle
- (i) 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
 - (ii) in a direction other than so specified,

shall be guilty of an offence.

Provided that, if necessary, an exemption shall apply to any person with express written agreement with the Council for the purpose of (i) gaining access to or from, or (ii) loading or unloading goods or passengers at any premises adjoining the parking place.

61. Any person who drives or authorises to be driven any vehicle in or through a parking place as a means of passage proceeding from one road to another except after leaving that vehicle in the parking place in the parking place in accordance with the provisions of this Order shall be guilty of an offence. Provided that, if necessary, an exemption shall apply to any person with express written agreement with the Council for the purpose of (i) gaining access to or from, or (ii) loading or unloading goods or passengers at any premises adjoining the parking place.
62. Any person who, without with the permission of a person authorised by the Council in that behalf, drives or authorises to be driven any vehicle in a parking place for any purpose other than 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 shall be guilty of an offence. Provided that, if necessary, an exemption shall apply to any person with express written agreement with the Council for the purpose of (i) gaining access to or from, or (ii) loading or unloading goods or passengers at any premises adjoining the parking place.

Wilful damage

63. Any person who with intent to defraud interferes with a ticket machine or operates or attempts to operate it by the insertion of objects other than undamaged and unaltered coins of legal tender and of the appropriate denomination, shall be guilty of an offence.
64. Any person, who causes damage to any parking control equipment (including ticket machines), signing or lighting installations within the parking place or to any part of the fabric of the parking place, shall be guilty of an offence.

Domestic or business purposes

65. Any person who uses any part of the parking place or any vehicle parked in a parking place
- (i) for sleeping or camping or cooking,
 - (ii) tethering of animals,
 - (iii) storage of equipment, machinery or materials, or
 - (ii) for the purpose of servicing or washing any vehicle or part thereof other than is reasonably necessary to enable the vehicle to depart from the parking place,
- shall be guilty of an offence.

Leaflet distribution and business

66. Any person who uses any part of the parking place or any vehicle parked in a parking place
- (i) for the distribution of leaflets or advertising, or
 - (ii) for the purpose of carrying out any business activities without the express written consent of the Council,
- shall be guilty of an offence.

Behaviour

67. Any person who wilfully sounds any horn or any other similar instrument on a vehicle except when about to change the position of the vehicle in or to depart from the parking place shall be guilty of an offence.
68. Any person who in a parking place shouts or otherwise makes any loud noise to the disturbance or annoyance of users of the parking place or residents or premises in the neighbourhood shall be guilty of an offence.
69. Any person who in a parking place uses 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 shall be guilty of an offence.

Skateboarding and other wheeled activities

70. Any person who in a parking place undertakes activities such as roller-skating, skate boarding, go-carting, the use of mini-motorbikes, quad bikes or any other similar vehicles to the disturbance or annoyance of users of the parking place or residents or occupants of premises in the neighbourhood shall be guilty of an offence.

Other activities

71. Any person who in a parking place

- (i) erects or causes or authorises to be erected any tent, booth, stand, building or other structure without the express written consent of the Council, or
- (ii) lights or causes to be lit any fire,

shall be guilty of an offence.

PART 8
REVOCATIONS

Revocations

72. The following Orders made by Chichester District Council are hereby revoked.

The Chichester District Council (Off Street Parking Places) Consolidation Order 2012 and all of its Variations.

EXECUTED by affixing the COMMON SEAL
of Chichester District Council
in the presence of



Authorised signatory

Dated this 25th day of February 2020



18/2020

**CHICHESTER DISTRICT COUNCIL (OFF STREET PARKING PLACES)
(CONSOLIDATION) ORDER 2020**

SCHEDULE 7 – SCALE OF CURRENT CHARGES

| Charging place | Classes of vehicles | Days of operation (Hours of operation) | Charging days (Charging hours) | Pay on foot or pay and display parking place | Scale of charges |
|---|---------------------|---|---|--|--|
| CHICHESTER CITY PAY AND DISPLAY PARKING PLACES | | | | | |
| CHICHESTER CITY – Central Short Stay | | | | | |
| car park | None | All days All hours | Monday to Saturday - 8.00am to 6.00pm Sunday - 10.00am to 5.00pm | Pay and display | Up to 1 hour - £2.00 Up to 2 hours - £4.00 Up to 3 hours - £6.00 Up to 4 hours - £8.00 Up to 5 hours - £11.00 Up to 6 hours - £11.00 Up to 8 hours - £11.00 More than 8 hours |
| car park | None | All days All hours | Monday to Saturday - 8.00am to 6.00pm Sunday - 10.00am to 5.00pm | Pay and display | Up to 30 minutes Up to 1 hour - £1.00 Up to 2 hours - £2.00 Up to 3 hours - £4.00 Up to 4 hours - £6.00 Up to 5 hours - £8.00 Up to 6 hours - £9.00 Up to 8 hours - £11.00 More than 8 hours |
| CHICHESTER CITY - Short Stay | | | | | |
| car park | None | All days All hours | Monday to Saturday - 8.00am to 6.00pm Sunday - 10.00am to 5.00pm | Pay and display | Up to 30 minutes Up to 1 hour - £1.00 Up to 2 hours - £2.00 Up to 3 hours - £4.00 Up to 4 hours - £6.00 Up to 5 hours - £8.00 Up to 6 hours - £9.00 Up to 8 hours - £11.00 More than 8 hours |
| car park | None | All days All hours | Monday to Saturday - 8.00am to 6.00pm Sunday - 10.00am to 5.00pm | Pay and display | Up to 30 minutes Up to 1 hour - £1.00 Up to 2 hours - £2.00 Up to 3 hours - £4.00 Up to 4 hours - £6.00 Up to 5 hours - £8.00 Up to 6 hours - £9.00 Up to 8 hours - £11.00 More than 8 hours |

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| e car park (place) | None | All days | Saturday - 8.00am to 6.00pm | Pay and display | Up to 30 minutes Up to 1 hour - £1. Up to 2 hours - £2 Up to 3 hours - £4 Up to 4 hours - £6 Up to 5 hours - £8 Up to 6 hours - £9 Up to 8 hours - £1 More than 8 hours |
| | | All hours | Sunday - 10.00am to 5.00pm Including bank holidays and public holidays | | |
| | None | All days All hours | Monday to Saturday - 8.00am to 8.00pm Sunday - 10.00am to 5.00pm | | |
| d car park | None | All days All hours | | Pay and display | Up to 30 minutes Up to 1 hour - £1. Up to 2 hours - £2 Up to 3 hours - £4 Up to 4 hours - £6 Up to 5 hours - £8 Up to 6 hours - £9 Up to 8 hours - £1 More than 8 hours |

CITY - Long Stay

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|------------|--|-----------------------|---|------------------------------|--|
| artres car | Vehicles less than 1.93m in height | All days All hours | Monday to Saturday - 8.00am to 6.00pm | Pay on foot parking place | Up to 30 minutes Up to 1 hour - 90p Up to 2 hours - £1 Up to 3 hours - £2 Up to 4 hours - £3 Up to 5 hours - £4 |
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| | | | | | | Up to 6 hours - £4. More than 6 hours |
| | | | Sunday - 10.00am to 5.00pm | | | Up to 3 hours - £1. Up to 4 hours - £2 More than 4 hours |
| er park | None | All days | Monday to Saturday - 8.00am to 6.00pm | | Pay and display | Up to 30 minutes - Up to 1 hour - 90p Up to 2 hours - £1. Up to 3 hours - £2 Up to 4 hours - £3. Up to 5 hours - £4. Up to 6 hours - £4. More than 6 hours |
| ear park | | All hours | Sunday - 10.00am to 5.00pm | | | Up to 3 hours - £1. Up to 4 hours - £2. More than 4 hours |
| park | None | All days | Monday to Saturday - 8.00am to 8.00pm | | Pay and display | Up to 30 minutes - Up to 1 hour - 90p Up to 2 hours - £1. Up to 3 hours - £2 Up to 4 hours - £3 Up to 5 hours - £4. Up to 6 hours - £4. More than 6 hours |
| | | All hours | Sunday - 10.00am to 5.00pm | | | Up to 3 hours - £1 Up to 4 hours - £2 More than 4 hours |
| er park | None | All days | Monday to Saturday 9.00am to 5.30pm | | Pay and display | Up to 1 hour - 50p Up to 2 hours - £1. Up to 3 hours - £1. Up to 4 hours - £2 Up to 5 hours - £2 More than 5 hours |

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|------|------|-----------|--|-----------------|--|
| park | None | All days | Monday to Saturday 8.00am to 6.00pm | Pay and display | Up to 30 minutes - Up to 1 hour - 90p Up to 2 hours - £1 Up to 3 hours - £2 Up to 4 hours - £3 Up to 5 hours - £4 Up to 6 hours - £5 More than 6 hours Up to 3 hours - £1 Up to 4 hours - £2 More than 4 hours |
| | | All hours | Sunday - 10.00am to 5.00pm | | |

CHICHESTER CITY – FREE OF CHARGE PARKING PLACES

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|-------------|------|----------|--|----------------|-------------|
| id car park | None | All days | Free of charge – maximum stay 3 hours, no return within 3 hours | Free of charge | Free of cha |
|-------------|------|----------|--|----------------|-------------|

CHICHESTER CITY - COACH AND LORRY PARKING PLACE

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|----------|-----------------------------|-----------|---|-----------------|--|
| ry park, | Coaches and lorries only | All days | Monday to Saturday - maximum 24 hours | Pay and display | Coaches: Up to 2 hours - £3 More than 2 hours maximum of 24 ho £6.70 |
| | | All hours | Sunday - 10.00am to 5.00pm Lorries: Monday to Sunday - 5.00pm to Midnight | | |

Lorries:
Overnight fee - £6

COASTAL AND RURAL PAY AND DISPLAY PARKING PLACES

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|--------------|---|-----------------------|--------------------------------------|-----------------|--|
| car park off | Passenger vehicle, light goods vehicle, a vehicle displaying a disabled person's badge, motor cycle. Coaches and lorries in parking bays marked for coaches and lorries | All days All hours | Monday to Sunday 8.00am to 6.00pm | Pay and display | Up to 1 hour - 70p Up to 2 hours - £1 Up to 3 hours - £2 Up to 4 hours - £3 Up to 6 hours - £3 Up to 24 hours - £1 Up to 48 hours - £1 Additional 24 hours £3.10 Up to a 7 day max £18.50 Coaches - £6.20 |
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AM BAY

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|-----------------------|------|---------------------------|--|-----------------|---|
| Lane Car sham Lane | None | All days All hours | 1 st April to 31 st October - Monday to Sunday - 8.00am to 6.00pm | Pay and display | Up to 2 hours - £2 Up to 4 hours - £4 More than 4 hours - 70p |
| | | | 1 st November to 31 st March - Monday to Sunday - 8.00am to 6.00pm | | Up to 2 hours - 70p More than 2 hours - 70p |

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|--|---|---------------------------|--|-----------------|---|
| car park, (excluding the on ticket car | Passenger vehicle, light goods vehicle, a vehicle displaying a disabled person's badge, motor cycle. | All days All hours | 1 st April to 31 st October - Monday to Sunday - 8.00am to 6.00pm | Pay and display | Up to 2 hours - £ Up to 4 hours - £ More than 4 hours |
| | | | 1 st November to 31 st March - Monday to Sunday - 8.00am to 6.00pm | | Up to 2 hours - 7 More than 2 hours |
| | Large vehicle bays for campervans and cars with trailers | | 1 st April to 31 st October - Monday to Sunday - 8.00am to 6.00pm | | Up to 2 hours - £ More than 2 hours |
| scent car park, scent | None | All days | Monday to Saturday - 8.00am to 6.00pm | Pay and display | Up to 1 hour - Fre |
| | | All hours | | | Up to 2 hours - 6 |
| | | | | | Up to 3 hours - 8 |
| | | | | | Up to 4 hours - £ |
| | | | | | Up to 5 hours - £ |
| | | | | | Up to 6 hours - £ |
| | | | | | Up to 8 hours - £ More than 8 hours |
| car park | Passenger vehicle, light goods | All days | Monday to Saturday - 8.00am | Pay and display | Up to 2 hours - F |
| | | | | | Up to 3 hours - 8 |
| | | | | | Up to 4 hours - £ |

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| | vehicle, a vehicle displaying a disabled person's badge, motor cycle. Coaches and lorries in parking bays marked for coaches and lorries | All hours | to 6.00pm | | Up to 5 hours - £1 Up to 6 hours - £1 Up to 8 hours - £1 More than 8 hours |
| car park, car park, North | Passenger vehicle, light goods vehicle, a vehicle displaying a disabled person's badge, motor cycle. Coaches and lorries in parking bays marked for coaches and lorries | All days | Monday to Saturday - 8.00am to 6.00pm | Pay and display | Up to 1 hour - Free |
| | | All hours | | | Up to 2 hours - 60 Up to 3 hours - 80 Up to 4 hours - £1 Up to 5 hours - £1 Up to 6 hours - £1 Up to 8 hours - £1 More than 8 hours |

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|-----------|--------------------|----------|-----------------------------|-----------------|---|
| car park, | Passenger vehicle, | All days | Monday to Saturday - 8.00am | Pay and display | Up to 1 hour - Free Up to 2 hours - 60 |
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| | light goods vehicle, a vehicle displaying a disabled person's badge, motor cycle. Coaches and lorries in parking bays marked for coaches and lorries | All hours | to 6.00pm | | Up to 3 hours - 80p Up to 4 hours - £1 Up to 5 hours - £1 Up to 6 hours - £1 Up to 8 hours - £1 More than 8 hours |
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|----------------|------|-----------|---|-----------------|---|
| car park, East | None | All days | Monday to Saturday - 8.00am to 6.00pm | Pay and display | Up to 1 hour - 40p Up to 2 hours - 60p Up to 3 hours - 80p Up to 4 hours - £1 Up to 5 hours - £1 Up to 6 hours - £1 Up to 8 hours - £1 More than 8 hours |
| | | All hours | | | Up to 1 hour - 40p More than 1 hour |
| car park | None | All days | 1 st April to 31 st October - Monday to Sunday - 8.00am to 6.00pm | Pay and display | Up to 1 hour - 40p More than 1 hour |
| | | All hours | | | Up to 1 hour - 40p More than 1 hour |
| car park, | None | All days | 1 st April to 31 st October - Monday to Sunday - | Pay and display | Up to 1 hour - 40p More than 1 hour |
| | | All hours | | | Up to 1 hour - 40p More than 1 hour |

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| | | | | 8.00am to 6.00pm | |
|--|--|--|--|------------------|--|

COASTAL AND RURAL FREE OF CHARGE PARKING PLACES

| | | | | | |
|------|------|----------|----------------|----------------|----------------|
| park | None | All days | Free of charge | Free of charge | Free of charge |
| | | | | | |
| y | None | All days | Free of charge | Free of charge | Free of charge |
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CHICHESTER CITY - SEASON TICKET ONLY PARKING PLACES

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| e car park | Vehicles displaying a valid season ticket only or electronic payment has been made | All days | Monday to Saturday - 8.00am to 6.00pm | Pay and display | £90 per month (£513.00 months purchased (5% discount); £753.30 when months purchased (7% discount); and £990.00 months purchased (1 month free)) |
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CHICHESTER CITY - ROVING SEASON TICKET PARKING PLACES

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|----------|-----------------------|----------|-----------------------------|-----------------|--|
| car park | Vehicles displaying a | All days | Monday to Saturday - 8.00am | Pay and display | £55.00 per month (£313 when 6 months purchased |
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|----------|--|-----------------------|---|-----------------|---|
| car park | valid season ticket only or electronic payment has been made | All hours | to 6.00pm Sunday - 10.00am to 5.00pm | | discount); £460.35 when months purchased (7% discount); and £605.00 months purchased (1 month free)) |
| car park | Vehicles displaying a valid season ticket only or electronic payment has been made | All days All hours | Monday to Saturday - 8.00am to 8.00pm Sunday - 10.00am to 5.00pm | Pay and display | £55.00 per month (£313 when 6 months purchased discount); £460.35 when months purchased (7% discount); and £605.00 months purchased (1 month free)) |

CHICHESTER CITY – AVENUE DE CHARTRES CAR PARK SEASON TICKET PARKING PLACES

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|--------------|--|-----------------------|---|---------------------------|--|
| Chartres car | Vehicles displaying a valid season ticket only or electronic payment has been made | All days All hours | Monday to Saturday - 8.00am to 6.00pm Sunday - 10.00am to 5.00pm | Pay on foot parking place | £47 per month (£266.00 months purchased (5% discount); £393.39 when months purchased (7% discount); and £517.00 months purchased (1 month free)) |
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CHICHESTER CITY – RUGBY CLUB CAR PARK SEASON TICKET PARKING PLACES

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| car park | Vehicles displaying a valid season ticket only | All days All hours | Monday to Saturday 9.00am to 5.30pm | Pay and display | £500.00 per year £150.00 quarterly |
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COASTAL AND RURAL SEASON TICKET PARKING CHARGES/PLACES

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|-----------------------------|--|-----------------------|--|-----------------|---|
| car park off Bosham | Vehicles displaying a valid season ticket only or electronic payment has been made | All days All hours | All days All hours | Pay and display | £20.00 per month 1 - 12 months can be purchased in advance |
| car park, West rural season | Vehicles displaying a valid season ticket only or electronic payment has been made | All days All hours | Only available 1 April to 31 October - Monday to Sunday - 9.00am to 5.00pm | Pay and display | £17.50 per month 1 - 7 months can be purchased in advance |
| car park, Petworth | Vehicles displaying a valid season ticket only or electronic payment has been made | All days All hours | Monday to Saturday - 9.00am to 5.00pm | Pay and display | £17.50 per month 1 - 12 months can be purchased in advance |
| car park, | Vehicles displaying a valid season ticket only or electronic payment has been made | All days All hours | Monday to Saturday - 9.00am to 5.00pm | Pay and display | £17.50 per month 1 - 12 months can be purchased in advance |

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|----------------|--|-----------------------|---|-----------------|---|
| ange Road, | Vehicles displaying a valid season ticket only or electronic payment has been made | All days All hours | Monday to Saturday - 9.00am to 5.00pm | Pay and display | £17.50 per month 1 - 12 months can purchased in adva |
| ar park, | Vehicles displaying a valid season ticket only or electronic payment has been made | All days All hours | Monday to Saturday - 9.00am to 5.00pm | Pay and display | £17.50 per month 1 - 12 months can purchased in adva |
| r park, Selsey | Vehicles displaying a valid season ticket only or electronic payment has been made | All days All hours | Monday to Saturday - 9.00am to 5.00pm | Pay and display | £17.50 per month 1 - 12 months can purchased in adva |
| r park, Selsey | Vehicles displaying a valid season ticket only or electronic payment has been made | All days All hours | 1 st April to 31 st October - Monday to Sunday - 9.00am to 5.00pm | Pay and display | £17.50 per month 1 - 12 months can purchased in adva |