

**THE BOROUGH OF SOUTHEND-ON-SEA
(HARTINGTON ROAD AREA PARKING MANAGEMENT SCHEME) (ZONE HR)
(WAITING RESTRICTONS, PARKING PLACES
& PERMIT PARKING ZONE) ORDER 2018**

The Southend-on-Sea Borough Council, in exercise of the powers conferred by sections 1, 2, 4, 32, 35, 36, 45, 46, 47, 49, 53 and 124 and Part IV of Schedule 9 of the Road Traffic Regulation Act 1984 (“the Act”), as amended and part 6 of the Traffic Management Act 2004 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:

PART I – GENERAL

Citation and Commencement

- 1 This Order shall come into operation on _____ and may be cited as The Southend-on-Sea Borough Council (The Hartington Road Area Parking Management Scheme) (Zone HR) (Waiting Restrictions, Parking Places & Permit Parking Zone) Order 2018.

Interpretation

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

“the Act of 1984” means the Road Traffic Regulation Act 1984;

“the Regulations” means The Traffic Signs Regulations and General Directions 2016;

“the 2004 Act” means the Traffic Management Act 2004;

“appropriate remittance” in relation to parking permits is the sum referred to in Column 3 of Schedule 8;

“ambulance” means a motor vehicle which is constructed or adapted, and is primarily used for the carriage or persons to a place where they will receive, or from a place where they have received, medical or dental treatment, and which by reason of design, marking or equipment, is readily identifiable as a vehicle so constructed or adapted;

“Article” means the appropriately numbered article of this Order, unless the context otherwise requires;

“bicycle” means a pedal cycle with two wheels.

“business permit” means a permit issued by the Council under the provisions of this Order to any person with a registered business within the Parking Management Scheme (PMS) area or living outside the PMS area,

“carer’s permit” means a permit issued by the Council under the provisions of this Order to a registered address within the Parking Management Scheme (PMS) area to allow for carers visiting a property to park within the zone;

“charging device” means an installation adjacent to a parking place for the purposes of recharging the battery of an electric vehicle by way of a connecting lead;

“civil enforcement officer” means a person authorised by the Council for the enforcement of road traffic contraventions;

“controlled parking zone” means an area in which, during specified controlled times, every length of street is subject to either a restriction on waiting or is a permitted parking place and there is at each entry point to the area vehicular traffic signs indicating the boundary of the area and the times of control;

“Council” means the Southend-on-Sea Borough Council;

“cyclist” means a person who rides a pedal cycle;

“designated parking place” means a parking place designated by an Order made under Section 32 of the Road Traffic Regulation Act 1984;

“disabled person’s badge” has the same meaning as in the Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000

“disabled person’s vehicle” means a vehicle displaying a disabled person’s badge in accordance with Regulations 12, 14 and 16 of the Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000 S I 682;

“dispensation certificate” means a certificate issued by or on behalf of the Council for the purpose of this Order permitting a specified vehicle to wait in specified circumstances on a length or lengths of road where the waiting of that vehicle would otherwise be restricted or prohibited;

“driver” in relation to a vehicle waiting in a restricted area, means the person driving the vehicle at the time it was left in the restricted waiting area or parking place;

“Eligible Address” means any postal address which is listed in Schedule 6 to this Order and therefore indicates that the resident may apply for a Parking Permit and/or Visitors Permits

“goods” means goods of any kind whether animate or inanimate and includes postal packets of any description; and “delivering” and “collecting” in relation to any goods includes checking the goods for the purpose of their delivery or collection;

“goods vehicle” means a motor vehicle which is constructed or adapted for the use of the carriage of goods or burden of any description;

“hand held device” means a hand held computer used by a Civil Enforcement Officer (CEO) whilst carrying out his/her duties; including the issuing of a Penalty Charge Notice (PCN), logging of parked cars and holding information from Pay by Phone;

“hotel” for the purposes of the provisions of Part 7 of this Order means a Hotel or Guest House situated in premises wholly or principally used or adapted for Hotel or Guest House use, such premises being listed in either a local or central non-domestic rating list;

“hotel visitor permit” means a Permit or block of Permits issued to a Hotel or Guest House for use by Hotel/Guest House Guests in a Permit Parking Place in accordance with the provisions of Part 7 of this Order;

"household" means any domestic establishment having an individual postal address within the residents' parking area and maintained as the usual place of abode for any number of residents;

"invalid carriage" has the same meaning as defined in Section 136 (1) of the Road Traffic Regulation Act 1984;

“Map Schedule” means a collection of Map Tiles attached to this Order and listed in Schedule 9, which depict the stopping, waiting and loading prohibitions and restrictions and parking places, loading places and parking areas designated by this Order, and in conjunction with the Map Schedule Legend and/or Map Tile label, identifies the type of each particular type of prohibition, restriction, parking place, loading place or parking area and certain of its governing provisions:

Provided that the Council does not accept responsibility for inaccuracies contained in the Ordnance Survey data relied upon to create the Map Schedule and where a prohibition, restriction, parking place, loading place or parking area is depicted on the Map Schedule, that provision continue to apply irrespective of any subsequent changes that have been made to the underlying Ordnance Survey data;

“Map Schedule Legend” means the Map Schedule Legend to this Order which, when used in conjunction with a Map Tile as listed in Schedule 9, identifies the specific type of prohibition, restriction, parking place, loading place or parking area designated by this Order and, where appropriate, certain of their governing provisions;

“Map Tile” means an individual map with a specific tile reference, being part of the Map Schedule as listed in **Schedule 9 to** this Order;

“Map Tile label”, where shown on a Map Tile forming part of the Map Schedule in relation to a prohibition, restriction, parking place, loading place or parking area, means a label which indicates the type of provision and, if appropriate, certain of its governing conditions;

“mobile phone payment” means a cashless payment made by mobile phone to the number displayed in the parking place allowing the vehicle to be parked for the period of time for which payment has been made, to be used where such facility is advertised and provided for in a parking place and use of which is specified by notice in the parking place

“motor cycle” has the same meaning as Section 136 (4) of the Road Traffic Regulation Act 1984;

“motor car/vehicle” has the same meaning as in Section 136 (2) of the Road Traffic Regulation Act 1984;

“owner” in relation to a vehicle, means the person by whom such vehicle is kept and used;

“parking area” means any area on a highway designated as a parking area by this Order, which includes solo motorcycle parking areas, restricted zone parking areas and permit parking areas, and which are identified as to the type of parking area on the Map Tile relating to that parking area, by reference to the Map Schedule Legend and/or the Map Tile label in the Map Schedule;

“parking charge” means the amount specified in Article 19 which is payable, subject to the provisions of this Order, in respect of a vehicle left in a payment parking place;

“parking disc” has the same meaning as given in Regulation 8(5) of the Local Authorities Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000”

“parking period” means a period of time for which payment of the parking charge has been made in respect of a vehicle and during which, subject to the provisions of this Order, that vehicle may be left in a payment parking place;

“parking place” means an area of a highway designated by this Order for the waiting of vehicles of specific classes and indicated on a carriageway by markings in accordance with the Traffic Signs Regulations and General Directions 2016;

“parking ticket machine” means an apparatus designed to issue a ticket indicating the payment of a charge by way of cash or a payment card, for the leaving of a vehicle in a payment parking place and the period in respect of which that charge has been paid;

“payment parking place” means any charged-for parking place where a charge applies on leaving a vehicle in that parking place designated as such by this Order and where payment of the parking charge is made by means of a parking ticket machine, telephone or mobile phone payment parking system or by the advance purchase of a season ticket;

“passenger vehicle” means a motor vehicle (other than a solo motor cycle) constructed or adapted solely for the carriage of not more than twelve passengers (exclusive of the driver) and their effects and not drawing a trailer;

“payment” means:

(a) in the case of a payment of a parking charge in respect of a payment parking place, a payment by coins, payment card or by use of the telephone or mobile phone payment parking system; and

(b) in relation to a valid permit the method used for the purchase of permits and shall be in the form of a cheque, payment card, postal order or any other approved electronic means;

“payment card” means a debit/credit card, or any other accepted form of electronic payment system, that can be used by a person and accepted by a parking ticket machine, or by pay by phone payment as a means of making a payment for a valid permit, for the purposes of paying a parking charge;

“payment parking ticket” means a ticket issued by a parking ticket machine located in the vicinity of the parking place in which a vehicle has been left and valid for a parking period or periods in relation to the payment for the periods of parking made, as advertised at that parking place and set out in Schedule 9;

“passenger vehicle” means a motor vehicle (other than a motor cycle or invalid carriage) constructed or adapted solely for the carriage of not more than twelve passengers (exclusive of driver) and their effects and not drawing a trailer;

“penalty charge” and “penalty charge notice” have the same meanings as in The Civil Enforcement of Parking Contraventions (England) General Regulations 2007

“permit” means a permit issued by the Council under the provisions of this Order;

“permit identifier” is an alpha and or alpha/numeric identifier specified

a. on permits;

b. on signs at relevant permit parking places or parking areas; and

c. in the Map Tile labels of such permit parking places and areas in the Map

Schedule;

to identify the permits that are valid for use in such permit parking places and areas to which that permit identifier relates;

“permit holder” means a person to whom a permit has been issued under the provisions of this Order;

“permit parking place” means an area on a highway designated as a parking place for use by permit holders by Article 11 of this order;

“permit zone” or “permit parking area” means an area introduced by the Council for the administration of permits, identified in and indicates that permits bearing the same permit identifier are valid permits for use in a permit parking place, or permit parking area, where that permit identifier is displayed on the sign in the vicinity of the permit parking place, or on the signs at the entrance to that permit parking area, and in both cases by the inclusion of the same permit identifier in the Map Tile label related to that permit parking place, or permit parking area, in the Map Schedule;

"permitted hours", in relation to a parking place or parking area, means the period specified in the Map Tile related to that parking place or parking area, by reference to the Map Schedule Legend and/or the Map Tile label in the Map Schedule;

“postal packet” has the same meaning as in the Postal Services Act 2000;

“prescribed hours” in relation to parking bays located in a restricted street, means the time specified in column 3 of Schedule 7

“reduced penalty charge” means the charge set by the Council under provision of the Traffic Management Act 2004 and following approval of the Secretary of State, which is to be paid following the issue of a penalty charge notice within 14 days of the issue of that notice;

“relevant parking place” means any parking place or parking area designated as such by the provisions of this Order in which a valid permit is required to be displayed during permitted hours and shall include any permit parking place, shared use parking place or permit parking area identified as such in the Map Schedule;

“relevant position” has the same meaning as in the Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000;

"resident" means a person whose usual place of abode is listed in Schedule 6 to this Order;

“resident parking area” means the roads or parts of roads which are specified in Schedule 6 as being either:

- (a) within the area identified as being the boundary of the permit zone within which households can apply for a permit, including any property with its main access within the said boundary and may also include the roads or parts of roads which are indicated as private roads on the plans within the said boundary in cases where an individual address has no access to either a dedicated parking space or a communal parking space or spaces associated with that household; or
- (b) the specific households eligible for specific permit parking places if not within a permit zone area.

“residents’ permit” means a permit issued under the provisions of Article 24 of this order;

“restricted hours” in relation to waiting restrictions in a restricted street, means the times when a prohibition or restriction on waiting applies as identified as such in the

Map Tile relating to that prohibition or restriction by the Map Schedule Legend and/or Map Tile label in the Map Schedule;

“restricted street” means any of the roads, lengths of road or sides of road where any prohibition or restriction of waiting is indicated as being present and is identified as such in the Map Tile relating to that prohibition or restriction by the Map Schedule Legend and/or Map Tile label in the Map Schedule;

"Schedule" or “Map Schedule” means a Schedule or Map Schedule to this Order;

“shared use parking place” means any parking place designated as such by the provisions of this Order for the leaving of vehicles that comply with the provisions of that parking place as indicated on the Map Tile related to that parking place by means of the Map Schedule Legend and/or the Map Tile label in the Map Schedule;

“street” includes any part of a street;

“tariff code” is a payment parking charge identifier specified in the Map Tile labels for such payment parking places in the Map Schedule to indicate the parking charge applicable at a payment parking place by determining the tariffs.

“telephone or mobile phone payment” means a cashless payment made by telephone or mobile phone to allow the vehicle to be parked for the period of time for which payment has been made and available for use as a parking charge payment method where such facility is advertised and provided for in a parking place and use of which is specified by notice in the parking place;

“telecommunications system” has the same meaning as in the Telecommunications Act 1984.

"ticket" means a ticket issued by a parking ticket machine relating to a payment parking place so identified in the Map Tile related to that parking place, by reference to the Map Schedule Legend and/or the Map Tile label in the Map Schedule;

“ticket machine” means an apparatus designed to issue parking tickets indicating the payment of a charge and the date and time at which the period for which payment was made will expire;

“valid permit” means any permit or voucher issued under the provisions of this Order.

“valid permit holder” means a person to whom a valid permit has been issued under the provisions of this Order;

“vehicles”, “motor car”, “motor vehicle” and “trailer” are as described in Section 185 of the Road Traffic Act 1988;

“virtual parking permit” means an electronic record of parking ticket permit issued and confirmed by Southend-on-Sea Borough Council to exempt a vehicle from a restriction under the terms and charges applicable at the time of issue.

“visitors parking permit” means a permit which can only be issued to a Resident in accordance with the provisions of this Order and which can only be used in respect of vehicles of persons who are visiting the dwelling of the resident; and

- (2) For the purposes of this Order a vehicle shall be deemed to wait:
 - (a) in a restricted street if any point in that street is below the vehicle or its load (if any) and the vehicle is stationary; or
 - (b) for more than a specified period in the same place in a restricted street if any one point in that street is below the vehicle or its load (if any) throughout a period exceeding the specified period whether or not the vehicle is moved during that period.
- (3) 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.
- (4) Any reference in this Order to a length of street shall, unless otherwise specified, be construed as a reference to the whole width of that length of street.
- (5) The restrictions, prohibitions and requirements imposed by this Order are in addition to and not in derogation of any restriction, prohibition or requirement imposed by any other enactment and any exception or exemption from the provisions of this Order is without prejudice to the provisions of any other enactment.
- (6) The Interpretation Act 1978 shall apply for the interpretation of this Order as it applies to the interpretation of an Act of Parliament

Application of Order

3. The restrictions imposed by Part 2 of this Order are subject to the exceptions and exemptions set out in Part 3 of this Order and any such exceptions and exemptions are subject to the provisions of Part 4 of this Order.

PART 2 – RESTRICTIONS

Prohibition on waiting

4. Except as provided in Part 3, no person shall cause or permit any vehicle to wait contrary to the restrictions identified in the Map Schedule to this order which indicate, with reference to the Map Schedule Legend and/or Map Tile label, the roads or parts of roads where and the restricted hours when waiting or parking is prohibited.

Contravention of restrictions

5. (1) Except as provided Part 3 of this Order, if a vehicle waits or stops in a road or part of a road contrary to any prohibition or restriction stated in Article 4, of this Order, then a contravention shall have occurred and a penalty charge is payable.
(2) If a vehicle is left in a prohibited or restricted road or parking place without complying with the requirements of this Order, a contravention shall have occurred and a penalty charge is payable.

PART 3 – EXEMPTIONS FROM RESTRICTIONS

Exempted vehicles

6. The restrictions imposed by Part 2 of this Order shall not apply in relation to the following vehicles:-
 - (1) a bicycle propelled by mechanical power and not having a side-car attached thereto whilst waiting wholly within the limits of a parking area;
 - (2) a vehicle when used for emergency services e.g. those being used for fire brigade, ambulance, police or coastguard/RNLI purposes.

Exemptions for vehicles displaying disabled persons' badge

7. Waiting restrictions specified in Article 4 shall not apply to disabled persons' vehicles:
 - (1) in a case where the period of the waiting restriction is for 3 hours duration or less, for the whole of that period; and
 - (2) in a case where the period of the waiting restriction is more than 3 hours duration, for a period of 3 hours (not being a period separated by an interval of less than 1 hour from a previous period of waiting by the same vehicle in the same road or part of a road on the same day),

and provided that the following requirements are satisfied, namely:

- (3) that in all cases a valid disabled person's badge is displayed in the relevant position on the vehicle, and
- (4) in the case mentioned at paragraph (2) of this Article, a parking disc is displayed in a relevant position on the vehicle, and the driver, or other person in charge of the vehicle, marks on the parking disc the time at which the period of waiting has begun.

- (5) Any Blue Badge holder can park in any disabled parking bay area. However, if a resident of a Parking Management Scheme Zone is also a Blue Badge Holder, they need to purchase a Resident's Parking Permit which allows them to park in a residents bay should a disabled parking bay not be available.

Miscellaneous exemptions

8. (1) Nothing in Article 4 of this Order shall render it unlawful to cause or permit a vehicle to wait or remain at rest in any restricted street for as long as stated or as may be necessary to enable:
- (a) a person to board or alight from a vehicle for as long as may be necessary;
 - (b) postal packets addressed to premises adjacent to any such street in which the vehicle is waiting to be unloaded from the vehicle or having been unloaded therefrom, to be delivered;
 - (c) postal packets to be collected for loading on the vehicle from premises or posting boxes in or adjacent to any street in which the vehicle is waiting or, having been so collected, to be loaded thereon;
 - (d) a vehicle, if it cannot conveniently be used for such purpose in any other street or outside of restricted hours, to be used in connection with any of the following operations:
 - (i) building, industrial or demolition operations;
 - (ii) the removal of any obstruction to traffic;
 - (iii) the maintenance, improvement, or reconstruction of the any part of the restricted street;
 - (iv) cleansing or lighting of any street; or
 - (v) the laying, erection, alteration or repair in or adjacent to any street of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity, or of any electronic communications network, or the placing, maintenance or removal of any traffic sign;
 - (e) a vehicle to take in petrol, oil water or air from any garage situate on or adjacent to the street or any length of street;
 - (f) a vehicle being used as an official funeral or wedding vehicle in connection with a funeral or wedding to wait in any restricted street during restricted hours, if it cannot safely and conveniently do so elsewhere;
 - (g) any gate or other barrier at the entrance to premises, to which the vehicle requires access or from which it has emerged to be opened or closed; or
 - (h) with the written consent of the Council and such conditions and requirements as they may impose are being compiled with.
- (2) Nothing in Article 5 of this Order shall render it unlawful to cause or permit any vehicle to wait or remain at rest in any restricted street during restricted hours for:
- (a) as long as stated or as may be necessary to enable those actions specified in paragraph (1) (a), (c), (d), (e), (f) and (h) of this Article;
- (3) Nothing in Article 6 of this Order shall render it unlawful to cause or permit any vehicle to wait or stop in any restricted street during restricted hours, if it cannot conveniently be use for such purpose in any other street or outside restricted hours for the actions set out in paragraph (1) (c), (d), (e), or (f).
- (4) Nothing in Part 2 of this Order shall apply to anything done with the permission or at the direction of a police constable in uniform or a civil enforcement officer or where the person in control of the vehicle is required by law to stop or wait or remain at rest, or is obliged to do so in order to avoid an accident, or is prevented from proceeding by circumstances beyond their control.

PART 4 – ADDITIONAL PROVISIONS

Duty to move on

9. Notwithstanding any exception or exemption contained in this Order, the person in control of a vehicle waiting during the restricted hours in any restricted street shall move the vehicle on the instructions of a police officer in uniform or a civil enforcement officer whenever such moving may be reasonably necessary for the purpose of preventing or removing obstruction.

Restriction on Street Trading

10. No person shall sell, offer or expose for sale goods from a vehicle which is in any restricted street unless:
- (1) that person is licensed by the Council to sell goods from a stationary vehicle on a pitch in that street and sells goods from that pitch; or
 - (2) the goods are immediately delivered at or taken into premises adjacent to the vehicle from which the sale is affected.

PART 5 – DESIGNATION AND USE OF PARKING PLACES

Designation of parking places

11. (1) Each area on a highway identified:
- (a) on the Map Schedule by way of a Map Tile label and/or the Map Schedule Legend as a parking place, loading place or parking area; and
 - (b) as an area marked out and signed for the use therein of specified classes of vehicles following the conditions specified in this Order in relation to that parking place, loading place or parking area, is designated as a parking place by this Order.
- (2) Unless otherwise so identified, a designated parking place shall be bounded on one side of its length by the edge of the carriageway and be an area marked out to a road marking and depicted by a regulatory sign, either in accordance with the Regulations or, if applicable, by virtue of any special authorisation given by the Secretary of State.

Vehicles for which parking places are designated

12. (1) Each parking place identified as such in the Map Tile relating to that parking place, by reference to the Map Schedule Legend and/or the Map Tile label in the Map Schedule may be used, subject to the provisions of this Order, for the leaving during the permitted hours of passenger vehicles, goods carrying vehicles, solo motor cycles or disabled persons vehicles.
- (2) Where the parking place or parking area identified in Article 11 is a relevant parking place for valid permit holders it may be used, subject to the provisions of this Order, for the leaving during the permitted hours of such vehicles as are described in Article 10(1) which either:
- (a) display a valid permit in the manner specified in Article 16 (1); or
 - (b) display a disabled persons badge in the relevant position.

- (3) A valid permit applicable to a parking place or parking area, to be displayed in accordance with paragraph (2)(a) of this Article..
- (4) Where the parking place identified in Article 11 is a payment parking place or a shared use parking place in which a parking payment applies, it may be used, subject to the provisions of this Order, for the leaving during the permitted hours of such vehicles as are described in Article 12(1) which either:
 - (a) displayed in the manner specified in Article 18(2)(a) a valid parking ticket machine ticket;
 - (b) indicates on a hand held device a payment having been made, using the telephone or mobile phone payment parking system;
 - (c) displays a disabled person's badge in the relevant position; or
 - (d) Or registered for a virtual parking permit
- (5) Subject to the provisions of this Order, the following parking places or parking areas identified in Article 11 may only be used by the class of vehicle specified as follows:
 - (a) a disabled persons' badge parking place may be used, for the leaving during the permitted hours of such vehicles as display in the relevant position a disabled persons' badge;
 - (b) a solo motor cycle parking areas may be used for the leaving during the permitted hours of such vehicles as are solo motor cycles;

Restriction on waiting

- 13.** No person shall, except upon the direction or with the permission of a police constable in uniform or civil enforcement officer, cause or permit any vehicle to wait during the permitted hours on any restricted parking place specified in Article 14 and as specified in the Map Tile related to that parking place as identified in the Map Schedule Legend and/or Map Tile label in the Map Schedule:
- (1) for a period longer than that specified; or
 - (2) if a period of less than that specified as being a period during which the vehicle must not be left again in that parking place has elapsed since the termination during the permitted hours of the last period of waiting (if any) of that vehicle.

PART 6 - GENERAL CONDITIONS IN RESPECT OF PARKING PLACES

Alteration of position of a vehicle in a parking place

14. Where any vehicle is standing in a parking place in contravention of the provisions of this Order, a police officer in uniform or civil enforcement officer may alter, or cause to be altered, the position of the vehicle in order that its position shall comply with those provisions.

Movement of a vehicle in parking place or parking area in an emergency

15. A police officer in uniform or a civil enforcement officer, may move or cause to be moved, in case of emergency, to any place he thinks fit, any vehicle left in a parking place or a parking area.

Exemptions for Vehicles

- 16.** (1) Notwithstanding any provision of this Order, a solo motor cycle may be left in any part of a parking place without time limit, provided that the parking place in which the vehicle is left has not been suspended.
- (2) No charge shall be incurred or payable in respect of any vehicle left in a parking place in accordance with the foregoing provisions of this Article.
- (3) Without prejudice to the generality of this Article, a vehicle to which this Article applies shall stand in a parking place in accordance with the provisions of this Order.

Contraventions in a parking place

17. If a vehicle is left in a parking place at any time during the permitted hours, without complying with the provisions of this Order, then a contravention of this Order and a parking contravention within Paragraph 2 of Schedule 7 to the Traffic Management Act 2004 shall be deemed to have occurred.

PART 7 –PERMIT AND PAYMENT PARKING PLACES

Tickets, permits to be displayed

- 18.** (1) At all times during which a vehicle is left during the permitted hours in a relevant parking place in accordance with the provisions of Article 12 (2), (5) and (6), the driver thereof shall cause to be displayed on the front windscreen of the vehicle a valid permit issued in respect of that vehicle so that all the particulars referred to in Article 51 for that permit are readily visible from the front or near-side window of the vehicle.
- (2) At all times during which a vehicle is left during the permitted hours in a payment parking place, or a shared use parking place where payment parking is permitted, in accordance with the provisions of Article 12 (6), the driver thereof shall cause to be displayed on the front or nearside thereof, either:
- (a) a valid parking ticket machine ticket issued in respect of that vehicle by a parking ticket machine in accordance with the provisions of Article 20 (7) so that all the particulars on that side of the ticket which bears the indications that it has been issued in respect of that vehicle and the time by which the charge period for which it is permitted to be left in that parking place will expire are readily visible from the front or nearside of the vehicle; or
- (b) In the case where the vehicle is registered for a virtual parking permit details are checked on the hand held device by the CEO

- (3) If at any time while a vehicle is parked in a payment parking place and no parking payment ticket is displayed on that vehicle in the relevant position in accordance with paragraph (2)(a) of this Article, it shall be deemed that the charge has not been paid.

Provided that, the requirement for that vehicle to clearly display a valid parking ticket machine ticket in paragraph (2) (a) of this Article and the provision of the foregoing paragraph shall not apply if the driver of that vehicle, or a person authorised by the driver to act on their behalf, has paid the parking charge using the telephone or mobile phone, electronic payment system, or virtual permit system or a valid season ticket has been displayed in accordance with paragraph (2) (b) of this Article.

Amount of the charge at payment parking places

19. The charge payable for the leaving of a vehicle in accordance with the provisions of this Order in a parking place identified as a payment parking place, or a shared use parking place in which payment parking is permitted, as indicated in the Map Tile relating to that parking place, by reference to the Map Schedule Legend and/or the Map Tile label in the Map Schedule, shall be the tariffs indicated by:
 - (1) a sign on the parking ticket machine in the vicinity of the parking place;
 - (2) the tariff code included in the Map Tile label in relation to that parking place in which the vehicle is left. .

Payment of the charge in respect of payment parking places

20. Subject to the provisions of Articles 16 (2) and 22 (1):
 - (1) The charge shall be payable, subject to paragraph (8) of this Article, on the leaving of the vehicle in a payment parking place by:
 - (a) the insertion of appropriate coins or a credit / debit card in a parking ticket payment machine; or
 - (b) payment being made using the telephone or electronic payment system;at the level of charge and for the period required in accordance with the scale of charges specified by notice on each pay and display machine and the appropriate tariff being identified by the tariff code indicated in the Map Tile label identified in the Map Tile related to that parking place, by reference to the Map Schedule Legend and/or the Map Tile label in the Map Schedule.
 - (2) Where payment has resulted in the issue of a parking payment ticket this will indicate the charge paid, the date and time of expiry and by the display of that ticket on the vehicle in the manner specified in Article 28 (2) (a). The ticket shall be valid from the time and date of issue up to the time and date of expiry indicated on the ticket.

- (3) No person shall after obtaining a parking payment ticket alter the indication given by that ticket whilst the vehicle to which the ticket relates remains in the parking place, or knowingly exhibit on a vehicle a parking payment ticket which has been altered, defaced, mutilated, or added to or upon which the figures or particulars have become illegible, except where such mutilation or illegibility has been produced by the parking ticket payment machine.
- (4) If at any time when a vehicle is parked during the charging hours in a payment parking place and the nearest parking ticket payment machine to that payment parking place is out of order, then a ticket shall be obtained from another parking ticket payment machine within the same zone area.
- (5) In the event that one of the methods of payment specified under paragraph (1) above is unavailable, then the alternative method of payment must be used on leaving a vehicle in a payment parking place.
- (6) Upon payment of the charge for a vehicle left in a payment parking place:
 - (a) the driver thereof shall display or cause to be displayed on the vehicle, in accordance with the provisions of the next following paragraph, the ticket issued by the parking ticket machine on payment of the charge in accordance with the provisions of the last foregoing paragraph; or
 - (b) cause an indication that payment has been made using the telephone or mobile phone payment parking system and the parking period for which payment has been made to appear on a hand held device.
- (7) The ticket referred to in the last preceding paragraph shall be displayed on the front or nearside of the vehicle in respect of which it was issued at all times during which the vehicle is left during the permitted hours in the parking place so that all the particulars on that side of the ticket which bears the indication that a charge has been paid are readily visible from the front or nearside of the vehicle, as the case maybe.
- (8) No charge shall be payable on the leaving of the vehicle in a payment parking place if a valid parking permit is displayed at that time in accordance with Article 20 (2) (b).
- (9) A vehicle left in a payment parking place displaying in the relevant position a valid disabled person's badge shall be exempt from the payment of any parking charge and in addition shall be exempt from any limitation of time as identified in the Map Tile related to that parking place, by reference to the Map Schedule Legend and/or the Map Tile label in the Map Schedule.
- (10) If at any time when a vehicle is left in a payment parking place, or a shared use parking place where payment parking applies, and no parking ticket machine ticket is displayed and no indication appears on a CEO's hand held device that a payment of the parking charge has been made using the telephone payment parking system, or registered for a virtual parking permit, or the parking period for which payment was made has expired, it shall be presumed, unless the contrary is proved, that either:
 - (a) the parking charge has not been duly paid in respect of that vehicle; or
 - (b) the parking period for which payment was made has already expired.

Validity of payment parking tickets

21. (1) A parking payment ticket is not transferable from one vehicle to another.
- (2) A parking payment ticket is valid in any payment parking place within the parking payment zone in which it was purchased.

PART 9 – DISPENSATION CERTIFICATE

Dispensation certificate

22. (1) The Council may issue a dispensation certificate on receipt of an application and may impose such terms and conditions as it deems appropriate.
- (2) A dispensation certificate may be cancelled at any time at the sole discretion of the Council and shall thereupon immediately cease to be valid. Notification of such cancellation shall be in writing to the holder of the certificate at any address that the Council believes to be that person's address and the certificate shall forthwith be surrendered to the Council.
- (3) A dispensation certificate with the Council's permission and terms of use on view, must be displayed in the relevant position within the vehicle when waiting in a restricted street in restricted hours or in a parking place or parking area during permitted hours.

PART 10 – PERMITS

Permit zones and areas

23. (1) For the purposes of administering permits the Council shall define, by name and/or unique reference code as a permit identifier, such permit zones and areas as the Council at its absolute discretion may deem necessary..
- (2) The names of roads in relation to each permit zone or area listed in Schedule 6, which are eligible to apply for permits.

Eligibility and application for residents permits

24. Any resident who is the owner of a vehicle of the class specified in Article 34 may apply to the Council for the issue of a residents permit in respect of that vehicle and the permit zone of which they are resident and any such application shall be made on a form issued by and obtainable from the Council or for a virtual permit on line and shall include the particulars and information required by such form to be supplied.

Visitor permit

25. Any resident may apply to the Council for the issue of a visitor permits for the leaving of a vehicle by any visitor to that resident, or any other person resident at the same address, during the permitted hours in a residents parking place within the permit zone of which they are resident and any such application shall be made on a form issued by, or on behalf of, the Council or on line and shall include the particulars and information required by such form to be supplied.

Issue of visitor permits

26. The Council, upon being satisfied that an applicant is a resident of the permit zone for which application is being made and on receipt of the appropriate fee as shown in Column 3 of Schedule 8 may issue to that applicant a visitor permit or virtual permit agreed by the Council for the leaving of a vehicle of a class specified in Article 45 at any time in any residents parking place within the permit zone specified on the visitor permit. All applicants must either have registered a vehicle for the virtual visitor permit or display a valid permit in their vehicle when left in a permit parking place within the zone or area to which the permit relates on the days and during the prescribed hours of operation, as identified by the sign in the vicinity of the parking place and as shown on the Map Tile related to that parking place by the Map Tile Label and/or the Map Schedule Legend in the Map Schedule to this Order and must at all such times use it in accordance with the conditions of issue.

Carers Permit

27. Any resident may apply to the Council or on line in the case of a virtual carers permit for the issue of a carers permit for the leaving of a vehicle by a carer to that resident in a residents parking place within the permit zone of the resident for whom they care, as specified in Schedule 8, and on such days and during such hours as are the prescribed hours for that permit zone.

Business Permit

28. (1) Any person, whether having a business within or living outside but working at a business within the permit zone area, will be eligible to purchase a business parking permit or virtual business permit for the cost listed in Column 4 of Schedule 8 for a business permit. Details of the applicant's vehicle's V5C (log book), insurance and proof of employment will be required.

(2) Businesses with addresses in the permit zone area can also apply for a permit to allow their business vehicles temporary parking in a designated business bay, whilst visiting the respective business. These will be available on written application only. During the permit zone hours of operation, business vehicles displaying a valid business parking permit will be authorised to park in designated 'Business Permit Holders Only' parking places.

AUTHORISATION AND USE OF HOTEL & GUEST HOUSE GUEST PERMITS

- 29.** (1) Any Hotel occupying premises within the area specified in Schedule 6 to this Order may apply to the Council where there is sufficient on street space for the issue of Hotel Visitor Permits for the leaving during the Prescribed Hours in the Permit Parking Places specified in Schedule 7 to this Order, a vehicle of a class specified in Article 34 belonging to or on hire or lease to or otherwise associated with a Hotel guest.
- 30** (1) Such application shall be made on a form issued by and obtainable from the Council and shall include the particulars and information required by the form to be supplied.
- (2) A person authorised by the Council may at any time require an applicant for Hotel Visitor Permit(s), or require the person to whom a blank block of Hotel Visitor Permits has been issued, to produce such evidence in respect of any application for a Hotel Visitor Permit as may be reasonably required to verify the particulars of information given to the Council or, in respect of any block of Hotel Visitor Permits issued by the Council, as may reasonably be required to verify their validity.
- (3) On receipt of an application duly made under part (1) of this Article, the Council, upon:-
- (a) being satisfied that the applicant is a Hotel within the area specified in Schedule 6;
 - (b) receipt of the charge for the Hotel Guest Permits as specified in (4) of this Article;
 - (c) being satisfied that no more than the number of Hotel Guest Permits stated in (5) of this Article have already been issued in respect of that Hotel shall issue to the applicant one Hotel Visitor Permit or a block of Hotel Visitor Permits associated with that Hotel for use in any Permit Parking Place in Schedules 1 & 2 of this Order.
- (4) The charge for each Hotel Visitor Permit shall be £5.00 daily.
- (5) Any registered hotel shall be entitled to a maximum daily number of visitor's guest permits equating to the number of guest rooms available minus the number of Parking Spaces provided off street by the Hotel and the number of annual Resident Permits held by the owner.

- 31 (1) A Hotel Visitor Permit shall be valid for the full 24 hours of a particular day as it were a Permit issued by the Council pursuant to Article 29 of this Order if, and if only, in the first available section on the face of the Permit there is written in ink by the Hotel the name of the Hotel, the registration mark of the vehicle in respect of which it is displayed, the day of the week and the date on which it is valid are indicated.
- (2) If it appears to the Council that any of the provisions contained in this Part of this Order are being abused or not being complied with in respect of the use of Hotel Visitor Permits, the Council may, in its absolute discretion, by notice in writing served on the Hotel by sending the same by the recorded delivery service to the Hotel at the address shown by that person on the application for the Hotel Visitor Permit, withdraw the Hotel Visitor Permits and the Hotel shall surrender the Hotel Visitor Permits to the Council within 48 hours of the receipt of the aforementioned notice.
32. The Council may, by serving notice in writing to the Hotel, withdraw the Hotel Visitor Permits if it appears to the Council that the Hotel has ceased to operate from an address within the areas specified in Schedule 6 of this order and the Hotel shall surrender the Permit to the Council within 48 hours of the receipt of the aforementioned notice.
33. The maximum number of residents', visitor, carers, business and hotel permits is as specified in Schedule 8.

Classes of vehicles for which permits are applicable

34. Subject to the provisions of this Order, permits may be issued to classes of vehicles being passenger vehicles, goods vehicles and solo motor cycles.

Verification of permits

35. The Council may require an applicant for a permit or permit holder to produce such evidence in respect of the application as may be reasonably be required to verify any particulars or information given to them or in respect of any residents or visitor permit issued by them as may reasonably be required to verify that the details of the application are valid or that the permit is valid.

Issue of permits

36. (1) The Council, upon being satisfied that an applicant is the keeper of a vehicle of a class specified and on receipt of the appropriate fee, as detailed in Schedule 8 may issue to that applicant a permit, for the leaving on that vehicle at any time in a parking place to which such permit relates by the owner or by any person using such vehicle with the consent of the owner in the case of a virtual permit this will be stored electronically by the Council or its contractors.

Validity of permits

37. A permit shall only be valid for the use in a parking place on a road within a permit zone or area identified on the permit by the permit identifier and must be used in accordance with the conditions of issue and within the period of validity specified on the face of the permit.

Surrender of permits

38. (1) A resident or business 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 of the events as set out in Article 39.

- (2) A permit holder who surrenders a permit:
- (a) before the permit becomes valid shall be entitled to a refund of the fee paid in respect thereof;
 - (b) after the permit has become valid the applicant shall be entitled to a refund of part of the fee paid in respect thereof calculated in accordance with the Council policy.).

Withdrawal of permits

39. (1) The Council, may by notice by email or in writing served on the permit holder of a residence or business at the address shown by that person on the application for the permit or at any other address believed to be that person's residence, withdraw a permit if it appears to the Council that any of the events set out in paragraph (2) of this Article has occurred. The permit holder shall contact the Council or its contractor or surrender the permit to the Council within 48 hours of the receipt of the said notice in writing.

- (2) The events referred to in the foregoing paragraph are:-
- (a) the permit holder ceases to be a resident;
 - (b) the permit holder ceasing to be the keeper of the vehicle in respect of which a permit was issued;
 - (c) the vehicle in respect of which such permit was issued being adapted or used in such manner that it is not a vehicle of a class specified in Article 34
 - (d) the issue of a duplicate permit by the Council; and
 - (e) a breach of any condition which may from time to time be determined by the Council and is specified on the permit and / or any application form.
- (3) A permit shall cease to be valid on the occurrence of any of the events set out in this Article.

Duplicate permits

- 40.** (1) If a permit is mutilated or defaced or the figures or particulars on it have become illegible or the colour of the permit has become altered by fading or otherwise, the permit holder shall surrender it to the Council and may then apply to the Council for the issue of a duplicate permit.
- (2) If a permit is lost or destroyed, the permit holder may apply to the Council for the issue of a duplicate permit.
- (3) The provisions of this Order shall apply to a duplicate permit and an application for such a permit as if it were a permit or, as the case may be, an application for a permit.
- (4) Any permit issued by virtue of the provisions of paragraphs (1) or (2) above shall be marked as a duplicate, and upon the issue of a duplicate permit the permit which it duplicates shall become invalid.

Form of permits

- 41.** (1) A resident or business permit shall include the following particulars:-
- (a) the registration mark of the vehicle in respect of which the permit has been issued;
 - (b) the parking zone in respect of the permit is valid;
 - (c) the period during which, subject to the provisions of this Order, the permit shall remain valid;
 - (d) any condition imposed by virtue of Article 41; and
 - (e) an authentication that the permit has been issued on behalf of the Council.
- (2) A resident carer's permit shall include the particulars set out in sub-paragraph (b), (c), (d) and (e) in paragraph (1) of this Article.
- (3) A visitors permit shall have included before being displayed in the vehicle the following particulars:-
- (a) the registration mark of the vehicle in which the permit will be displayed; and
 - (b) the date.
 - (c) Provide details of the vehicle registration mark and date on line in the case of a virtual visitor permit

Renewal of permits

- 42.** Not more than one month before a permit expires; the permit holder may apply to have it renewed, by either;
- (1) applying for a residents, carers or business permit in the manner specified in Articles 24, 27 and 28 and fulfilling the requirements specified in those Articles; or
 - (2) the permit holder is able to apply for the permit via the following methods;
 - (a) by internet, on the form provided on the Council's website. The form must be completed with all required information and the permit charge paid in full;
 - (b) by telephone or mobile phone , providing the details required by the Council and paying the appropriate permit charge in full; or
 - (c) by post using the hard-copy form that accompanies the letter issued by the Council in accordance with the Articles referred to in sub-paragraph (a) above, with all required information and paying the appropriate permit charge in full.
 - (d) on line in the case of a virtual permit

Charges for permits

43. The permit charges for residents, visitor, carers and business permits are as set out in Column 3 of Schedule 8.

Payment of permit charges

44. The permit charge shall be paid to the Council in the manner specified within the application form or on line.

Refund of permit charges

45. (1) Refunds in respect of residents, business and carers permits are calculated by the number of complete months remaining less an administration charge..
- (2) A holder of a residents' visitors permit shall be entitled to surrender to the Council the permit at any time after issue. There is no refund available for residents visitors permit books.

Appeal against a decision not to issue a permit

46. (1) Where an application for a permit or virtual permit is declined by the Council or an authorised agent, the applicant may, subject to paragraph (2) of this Article, appeal against this decision. Such an appeal must be in writing and be sent to the Council within 28 days of the application being declined.
- (2) Appeals will be considered by the Permit Appeals Panel. This Panel shall comprise a minimum of two senior designated officers of the Council who have not been initially involved in the decision to reject the application. The Permit Appeals Panel shall provide a written decision to the appellant within 28 days of receipt of the appeal. There is no right of appeal against the decision of the Permit Appeals Panel.

PART 11 – SUPPLEMENTARY PROVISIONS

Manner of standing in a parking place

47. Every vehicle left in a parking place in accordance with the foregoing provisions of this Order shall stand;
- (1) so that every part of the vehicle is within the limits of that parking place;
 - (2) if the vehicle is a solo motor cycle, so that its rear wheel is nearest to and at an angle of 90° to the nearest edge of the carriageway; and
 - (3) So that no part of the vehicle obstructs any vehicular means of ingress to or egress from any premises adjacent to the side of the road on which the vehicle is waiting;
 - (4) in the case of a parking place in relation to which special provisions as to the manner of standing of a vehicle in that parking place are specified on the Map Tile Schedules to this Order, so as to be in accordance with those provisions

Provided that in this sub-paragraph the expression "premises" shall not include any premises to or from which any furniture is being delivered or removed.

Power to suspend the use of a parking place

48. (1) The Council may suspend the use of a parking place or any part thereof for a period not exceeding twenty-eight days, whenever they consider such suspension is necessary for the purposes of maintaining the safety of any person or premises in the vicinity of that parking place.
- (2) At the expiration of the period of twenty-eight days specified in paragraph (1) of this Article, the suspension of the parking place or any part thereof, as the case may be, shall be reviewed by the person who suspended its use and any continuation of the suspension that they consider necessary shall be notified to the Council and shall not exceed a further period of twenty-eight days without similar review.
- (3) Any person duly authorised by the Council, may suspend the use of a parking place or any part thereof whenever they consider such suspension reasonably necessary:
- (a) On any occasion on which it is likely, to be appropriate by reason of some special attraction or occurrence, on any street.
- (b) for the purpose of any building operation, demolition or excavation adjacent to the parking place, the maintenance, improvement or reconstruction of the highway or the cleansing of gullies in or adjacent to the parking place, the laying, erection, alteration 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 electronic communications network or the placing, maintenance or removal of any traffic sign.
- (c) to facilitate the removal of furniture to or from one office or dwelling-house adjacent to the parking place from or to a depository, another office or dwelling-house;
- (d) for the purpose of facilitating filming on or near a road;
- (e) to facilitate occupiers of premises adjacent to the parking place at all times when the essential vehicles of weddings or funerals, are reasonably expected or on any other occasion when it is authorised by the Council in writing and any conditions or requirements they may impose are being complied with;
- (4) On the suspension of the use of a parking place or any part of a parking place, in accordance with the provisions of this Article, the person authorised by the Council carrying out the suspension shall place or cause to be placed in or adjacent to that parking place or part of a parking place a traffic sign indicating that waiting by vehicles is prohibited.
- (5) No vehicle shall wait in any parking place or any part of a parking place at any time during which there is displayed in or adjacent to that parking place or part of that parking place, a traffic sign placed in pursuance of paragraph (4) of this Article.

Provided that nothing in this paragraph shall apply-

- (a) in respect of any vehicle being used for police, fire brigade or ambulance purposes or any vehicle which is waiting for any reason specified in Article 50; or
- (b) to anything done with the permission of the person suspending the use of the parking place or part of a parking place, in pursuance of paragraph (1) and (3) of this Article or by a police officer in uniform or a civil enforcement office.

Restriction on the use of a parking place

49. During the permitted hours, no person shall use any parking place or any vehicle while it is in a parking place in connection with the sale or offering or exposing for sale of goods to any person in or near the parking place or the selling or offering for sale of his skill or services in any capacity:

Exemption on waiting by a vehicle in a parking place

- 50.** (1) Notwithstanding the foregoing provisions of this Order, any vehicle may wait during the permitted hours in any part of a parking place if the use of that part has not been suspended and whenever the following circumstances apply:
- (a) a vehicle may wait for as long as may be reasonably necessary to enable a passenger to board or alight from the vehicle;
 - (b) the vehicle is waiting owing to the driver being prevented from proceeding by circumstances beyond their control or to such waiting necessary in order to avoid an accident;
 - (c) the vehicle is being used for emergency services e.g. fire brigade, ambulance, police or coastguard/RNLI purposes;
 - (d) the vehicle, is being used in the service of a local authority in pursuance of statutory powers or duties provided that in all the circumstances it is reasonably necessary in the exercise of such powers or in the performance of such duties for the vehicle to wait in the place in which it is waiting;
 - (e) the vehicle is waiting only for so long as may be necessary to enable it to be used in connection with the removal of obstruction to traffic;
 - (f) the vehicle is waiting-
 - (i) while postal packets addressed to premises adjacent to the parking place are being unloaded and delivered; or
 - (ii) while postal packets are being collected for delivery from premises or post boxes adjacent to the parking place;
 - (g) any vehicle that is authorised by the Council to be able to offer and sell goods from a stationary vehicle on a pitch situated in the parking place;
 - (h) any vehicle which is waiting with the written consent of the Council and such conditions and requirements as they may impose are being complied with.
- (2) a vehicle waiting in a parking place by virtue of the provisions of paragraph (1) of this Article shall stand in accordance with the provisions of Article 47.
- (3) no charge specified in the provisions of this Order shall be payable in respect of any vehicle waiting in a parking place in accordance with the provisions of paragraph (1) of this Article.

PART 12 - PAY BY PHONE PARKING PLACES & VIRTUAL PERMIT PARKING

Pay by Phone Parking Places

51. The driver of a vehicle using a pay by phone in a pay and display parking place, shall upon parking the vehicle in a parking pay, and prior to leaving a parking place, shall use the telephone payment system to pay for the said parking charge at the level of charge and for the period required in accordance with the scale of charges specified by notice on each pay and display machine.

Indication of payment of parking charges using the pay by phone system

52. Where a vehicle has been left in a pay and display parking place and payment of the parking charge has been made using the telephone payment parking system, an indication that the payment has been made and the parking period for which payment has been made shall appear on the CEO's hand-held device.

Virtual Permit Parking

53. Virtual Permits are electronic forms of parking tickets or permits. To be valid the virtual permit must be registered on line and paid for through an account held with Southend-on-Sea Borough Council or its contractors.
54. Once a virtual permit has been purchased there will be no requirement to display a parking ticket or permit in the vehicle. Civil Enforcement Officers download the information regarding which vehicles have paid onto the hand held computers they carry for enforcement purposes. The account holder will have the ability to manage their account online and are able to make changes instantaneously, such as the registration numbers permitted to park, without the need to contact the Council

PART 13 – VALIDITY

Validity

55. If a Court, or 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.

No waiting on grass verges

56. Nothing in this Order shall prejudice or affect the operation of any of the relevant statutory provisions, or Regulations made under, the Essex Act 1987 Part III Section 6.

Revocations

57. Without prejudice to the validity of anything done or to any liability incurred in respect of any act or omission before the coming into operation of this Order, the Orders specified in Schedule 10 and any variations or amendments to the Orders in so far as they are consolidated by this Order are hereby revoked.

THE COMMON SEAL of the **SOUTHEND-ON-SEA**

BOROUGH COUNCIL was pursuant to a resolution

of the Council hereunto affixed this day

of Two Thousand and Eighteen

in the presence of:-

Proper Officer of the Council

**Schedule 1- “Resident Permit Holder” Parking Places
9am to 6pm**

Ash Walk	South Side In the perpendicular parking bays
Hartington Place	North Side from approx. 10 metres north-east of its junction with Hartington Road to the north-eastern boundary of no.5 Hartington Place
Hartington Place	South Side from approx. 10 metres north-east of its junction with Hartington Road to the north-eastern boundary of no.5 Hartington Place
Hartington Place	South Side From approx.. 10 metres north-east of its junction with Hartington Road to No.36 Hartington Place
Pleasant Road	East Side Outside Nos.30 to 40 Pleasant Road
Pleasant Road	East Side Between Nos.46 to 60 Pleasant Road
Pleasant Road	East Side From opposite No.9 Pleasant Road to outside No.28b Pleasant Road
Pleasant Road	South-West Side Between Nos.23 and 45 Pleasant Road
Hartington Road	South-West Side Outside Nos.17 to 47 Hartington Road
Hartington Road	North-East Side Outside Nos.30 to 56 Hartington Road
Hartington Road	South-West Side Outside Nos.17 to 47 Hartington Road
Hartington Road	North-East Side Outside Nos.30 to 56 Hartington Road

**Schedule 2 - Permit holders only 9am-6pm / Payment
parking 9am-6pm (Tariff_2)**

Road	Side of Road	Proposed Description
Seaway	North-East	from approximately 7.5 metres south east of the south eastern flank wall of Nos 1 to 4 Seaway south-eastwards for approximately 9 metres:
Seaway	North-East	Outside Nos.1 to 4 Seaway
Lucy Road	South	From No.32 Lucy Road eastwards to approximately 5 metres east of the Sunset Club
Hartington Road	East	Outside Nos.4 to 22 Hartington Road
Hartington Road	West	Outside Nos.3 to 7 Hartington Road

Schedule 3 - No Waiting At Any Time

Road	Side of Road	Proposed Description
Seaway	North-East	Outside nos.1 to 4 Seaway
Seaway	North-East	From opposite south-eastern flank wall of nos. 1 to 4 Seaway south-eastwards for 7.5 metres
Seaway	North	From its junction with Hartington Road westwards for 15 metres
Hartington Road	West	From its junction with Seaway northwards for approximately 13 metres
Hartington Road	North	From its junction with Hartington Road eastwards for approximately 9 metres
Hartington Road	North	From its junction with Pleasant Road westwards for approximately 29 metres
Hartington Road	West	Outside Nos.9 to 15 Hartington Road
Pleasant Road	East	From opposite No.9 Pleasant Road to City Beach restricted parking zone
Pleasant Road	Both	From the boundary between Nos.45 and 47 Pleasant Road to the boundary between Nos.60 to 62 Pleasant Road
Lucy Road	South	Outside Nos.4 to 32 Lucy Road
Lucy Road	South	From its junction with Hartington Road westwards for approximately 29 metres

Schedule 4 - No Waiting 9am to 6pm

Road	Side of Road	Proposed Description
Pleasant Road	East	Across the entrance to Pleasant Mews
Pleasant Road	East	Across the entrance to Sea Watch

SCHEDULE 5 -- PERMIT ELIGIBILITY

Residents Permit

Vehicles eligible for a Resident Parking Permit must be registered as a resident at an address within the Permit Management Scheme (PMS) Zone. Proof of resident's particulars will need to be provided on application.

Residents having company vehicles and lease vehicles will require proof from their company/agent supporting the requirement for the vehicle to be parked at their address.

Visitors Permit

During the PMS hours of operation visitors vehicles displaying a valid visitors parking permit will be authorised to park in the designated residents parking area

All residents in the area are eligible to receive visitor permits even if they do not buy a residents permit.

Carers Permit

A Carer's Permit can be issued to a property (address) within the zone, but it must meet the following criteria.

The applicant must provide a letter from their doctor or care company, on their headed paper, stating that the applicant must receive either 24 hour care or continuous/daily care at their address due to their condition (the type of condition or disability need not be disclosed).

The letter replaces the need to provide a vehicle V5C (logbook) and insurance documents. The applicant must also send proof of residency, e.g. a utility or Council Tax bill etc, showing their name and address.

A Carer's Permit is not registered to a particular vehicle and may be used by different carers visiting the property concerned. Only one Carer's Permit can be issued to a property (address) and any property having a Carer's Permit is ineligible to apply for a Resident's Permit. A household having a carer's permit can still apply for visitors permits.

Business Permit

Any person, whether having a business within and/or living outside the Permit area, will be eligible to purchase a business parking permit the cost as listed in Schedule 7. Details of the applicant's vehicle's V5C (log book), insurance and proof of employment in the area will be required.

During the Permit area hours of operation, business vehicles displaying a valid business parking permit will be authorised to park in any road designated in Schedule 2 to this order.

Hotel/Guest House Permits

Any Hotel occupying premises within the area specified in Schedule 4 to this Order may apply to the Council where there is sufficient on street space for the issue of Hotel Visitor Permits for the leaving during the Prescribed Hours in the Permit Parking Places specified in Schedule 2 to this Order, a vehicle of a class specified in Article 34 belonging to or on hire or lease to or otherwise associated with a Hotel guest.

Permit Management Scheme (PMS) parking permits are only valid for Hartington Road Area (HR) and would not be eligible for use elsewhere within the Borough

All vehicles parked in the area during the hours of operation must display a valid permit

SCHEDULE 6 - PERMIT ELIGIBILITY

All properties in Hartington Road, Hartington Place, Pleasant Road, Ash Walk, Seaway, and southern section of Lucy Road

SCHEDULE 7 - DAYS AND HOURS OF OPERATION

PARKING PLACE	DAYS OF OPERATION	PRESCRIBED HOURS OF OPERATION
Resident, Visitor, Carers, Business & Hotel Visitor Permit Parking Places	Daily inclusive, any such day not being Christmas day or Good Friday	Between 9.00 am to 6.00pm

SCHEDULE 8 – MAXIMUM NUMBER OF PERMITS & CHARGES

Residents Permit

Each household situated within the Permit Parking Places Zone can purchase a maximum of 4 resident parking permits per year.

Visitors Permit

Maximum 5 Books per Year

Carers Permit

A Carer's Permit can be issued to a property (address) within the zone. One permit can be issued subject to the criteria being met (as detailed in Schedule 3)

Business Permit

No Limit

Hotel Visitor Permit

Any registered hotel shall be entitled to a maximum daily number of visitor's guest permits equating to the number of guest rooms available minus the number of Parking Spaces provided off street by the Hotel and the number of annual Resident Permits held by the owner.

Residents	Carers	Visitors	Business	Hotel /Guest House Visitors
1 st Permit - £15			£250 for each permit	£5 a day for each Guest Permit
2 nd Permit - £25	1 Permit - £15	Max cost £5 per Book		
3 rd Permit - £50				
4 th Permit - £75				

SCHEDULE 9 – INDEX OF MAP TILES

Map Tile Numbers **U19, V18 & V19** will be updated.

SCHEDULE 10 – REVOCATIONS

THE SOUTHEND-ON-SEA BOROUGH COUNCIL (VARIOUS ROADS) (STOPPING, WAITING, LOADING AND UNLOADING PROHIBITIONS AND RESTRICTIONS, PARKING PLACES AND PERMIT PARKING ZONES) (CONSOLIDATION) ORDER 2016

No Waiting at Any Time

Seaway Item No. 111878; Hartington Road Item Nos. 111879 & 111886; Hartington Place Item No.111883;

Pleasant Road Item Nos. 111894, 111890 & 111893; Lucy Road Item No. 111871

**No Waiting Mon-Sat 9am-6pm
Hartington Road Item No. 111880**