

THE ST ALBANS CITY AND DISTRICT COUNCIL (OFF-STREET PARKING PLACES)
ORDER 2022

The St Albans City and District Council (hereinafter referred to as "the Council") in exercise of the powers under Sections 32 and 35 and Part IV of Schedule 9 of the Road Traffic Regulation Act 1984, and the provisions of the Traffic Management Act 2004 and of all other enabling powers and with the consent of the Hertfordshire County Council in accordance with Section 39 (3) of and after consultation with the Chief Officers of Police in accordance with Part III of Schedule 9 to the Road Traffic Regulation Act 1984, makes the following Order:-

PART I
GENERAL

Commencement and Citation

1. This Order shall come into operation on TBC and may be cited as "The St Albans City and District Council (Off-Street Parking Places) Order 2022.

Revocation

2. This order hereby revokes the following orders;
 - "The Council of the City and District of St Albans (Off Street Parking Places) Order 2015.
 - "The St Albans City and District Council (Cotlandswick Off-Street Parking Place) Order 2018

Interpretations and Definitions

3. In this Order:

"Act of 1984" means the Road Traffic Regulation Act 1984;

"bay markings" means white or yellow lines marked on the surface of a parking place to indicate the limits of each individual parking bay;

"car park" means any area of land specified by name in Column 2 of Schedules 1, 2, 3, and 4 and shown outlined in red on the plans in Schedule 7 to this order;

"charging hours" means the period of time specified in relation to a parking place or part thereof in Column 6 of Schedule 1 to this order;

"civil enforcement officer" means a civil enforcement officer appointed by the Council under section 76 of the Traffic Management Act 2004,

"coach or bus" means a vehicle designed for the carriage of more than 8 passengers excluding the driver;

"Council" means St Albans City and District Council;

"Councillor" means an elected Member of the Council;

"disabled person's badge" has the same meaning as in Regulation 3(1) of the Local Authorities' Traffic Orders (Exemption for Disabled Persons)(England) Regulations 2000;

"disabled person's vehicle" has the same meaning as in Section 142(1) of the Act of 1984;

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

“electric vehicle” means a vehicle in which the electrical motive power is derived from an electrical storage battery;

“expiry” means the end of the period for which a disabled persons badge, pay and display ticket, parking period, parking session, permit or silver permit is valid as displayed on the disabled persons badge, pay and display ticket, parking period, parking session, permit, or silver permit or as indicated by the pay by phone service provider;

"handheld device" means equipment used by Civil Enforcement Officers that receives and displays information on valid and expired parking sessions;

"Honorary Alderman" means a former Councillor who has had the Honour granted to them by The Council;

"Honorary Alderman permit holder" means a person to whom a Honorary Alderman permit has been issued;

"invalid carriage" has the same meaning as in section 136(5) of the Act of 1984;

“Licence” means an agreement to use an allocated parking space within a parking place detailed within Schedule 4;

“Licence Holder” means a person to whom a Licence has been issued;

“market trader” means a person who is an authorised trader of the chartered market of St Albans City and District Council or any other market managed or authorised by St Albans City and District Council;

"market traders permit" means a permit issued to an authorised market trader for the parking of a vehicle in a parking place as detailed in Schedule 1 to this order;

"market trader permit holder" means a person to whom a market trader permit has been issued;

"motor car" has the same meaning as in section 136(2)(a) of the Act of 1984;

"motorcycle" has the same meaning as in section 136(4) of the Act of 1984;

"operational times", in relation to a parking place, means the times specified in relation to that parking place in Column 5 of Schedules 1 to 4 of this order;

"parked in a restricted area" means the stopping of a vehicle and it remaining at rest;

"parking bay" means an area within a parking place which is provided for the leaving of one vehicle only and is indicated by bay markings on the surface of the parking place;

"parking charge" means an amount specified in Column 8 of Schedules 1 to 4 which is payable;

"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" or “parking session” means a period of time specified in column 8 of Schedules 1 to 4, for which payment of the parking charge specified in relation thereto 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 parking place during the charging hours;

"parking place" means an area of land or building, that is provided by the Council under section 32 of the Act of 1984 for use as a parking place and is specified by name in Column 2 of Schedules 1 to 4;

"pay and display ticket" means a ticket issued by a ticket machine located in the parking place in which the vehicle has been parked on payment of a charge defined in Column 8 of Schedule 1 in accordance with the terms of this Order;

"Pay by Phone Service" means the system of paying for purchasing parking by use of a phone or internet;

"payment card" means a bank credit or debit card, e-purse card, discount card, or pre-payment card to be used where such facility is advertised and provided in a parking place;

"payment method" means a way of making a payment for a parking session. Such methods may include any payment made via an approved service provider on behalf of the Council for period of parking within a parking place specified by name in column 2 of schedule 1 to this order.

"particulars" means –

- a. in relation to a ticket, those particulars which indicate that a charge has been paid and the date and time of expiry of the parking period, permit or season ticket;
- b. the vehicle registration mark of the vehicle or vehicles in respect of which the contractor permit, councillor permit, discretionary permit, Honorary Alderman permit, season ticket, silver permit, senior citizen permit, staff permit, visitor permit or licence holder in respect of which the permit has been issued;
- c. the period during which, subject to the provisions of this order, the permit or season ticket is valid;
- d. the name or names of the parking place(s) in respect of which the permit or season ticket is valid;

"permit holder", means a person to whom a permit has been issued;

"permit", means either a contractor permit, councillor permit, Honorary Alderman permit, residents permit season ticket, senior citizens permit or visitor permit;

"public holiday" means Christmas Day, Good Friday or a day which is a Bank Holiday within the meaning of the Banking and Financial Dealings Act 1971;

"relevant position" means:

- a. in relation to the display by a vehicle of a disabled person's badge, the same as in Regulation 4(1) of the Local Authorities' Traffic Orders (Exemptions for Disabled Persons)(England) Regulations 2000;
- b. in relation to the display by a vehicle of a valid pay and display ticket, permit, season ticket or licence;
 - i. on the inside of the windscreen or dashboard of the vehicle; or
 - ii. where the vehicle does not have a windscreen or dashboard, in a conspicuous position on the front of the vehicle;
 - iii. in each case so that the front face and all of the information is able to be read from outside the vehicle and that it is displayed continuously throughout the duration of the period of time during which the vehicle occupies the parking place;

“restricted area” means an area within the parking place specified by name in Column 2 of Schedules 1 to 4, that is not marked as a parking bay, e.g., Yellow hatch markings, yellow lines, access roads, turning area, grassed area, raised or lowered kerb or areas of landscaping;

“season ticket” means a ticket that is valid in the designated car park;

“season ticket holder” means a person to whom a season ticket has been issued under the provisions of Article 25;

"service provider" means the contractor appointed by the Council to operate the Pay by Phone Service;

"senior citizen" means a person who is a resident in the City and District of St Albans and is aged 65 or over;

"senior citizen permit" means a permit which provides a concession and is valid for a period of up to 3 hours if it is within a parking place specified by name in Column 2 of Schedule 1;

“silver parking space” means a parking bay within the parking place identified with individual markings and / or signage stating ‘silver permit holders only’

“silver permit” means a permit issued to a senior citizens parking permit holder for the specific use of parking in a silver parking space when displayed alongside a valid senior citizens parking permit within a parking place specified by name in Column 2 of Schedule 1;

“silver permit holder” means a person to whom a silver permit has been issued

“ticket machine” means an apparatus or device installed in a parking place in accordance with section 35(3) of the Act of 1984, which is designed to accept payment of the parking charge and to issue a pay and display ticket;

Contraventions

4. If a vehicle is left in a parking place without complying with the provisions of this Order, then a contravention of this Order shall be deemed to have occurred, and a parking contravention within Part 1 of Schedule 7 to the Traffic Management Act 2004 in so far as that Part is applicable, shall be deemed to have occurred.

Provision of Pay by Phone service

5. The Council may provide a Pay by Phone service in each parking place as indicated by signage within the parking place.

PART II

CONDITIONS OF USE OF PARKING PLACES

Conditions of use of a parking place during its operational times (including alteration of position and removal of a vehicle)

6. no vehicle shall enter or be left in that parking place outside of the operational hours as specified in Column 5 of Schedules 1 to 4;
7. During the operational times of a parking place;
 - a. no vehicle shall enter or be left in that parking place unless the vehicle is of the class specified in relation thereto in Column 4 of Schedules 1 to 4;

- b. except with the written permission of the Council, no vehicle shall be left in that parking place other than in the position specified in relation thereto in Column 3 of Schedules 1 to 4;
- c. where, within that parking place, there is a sign or surface marking which indicates that a parking bay is available only for a vehicle displaying a disabled person's badge, a vehicle shall not be left in that parking bay unless it is displaying a disabled person's badge in the relevant position;
- d. where, within that parking place, there is a sign or surface marking which indicates that a parking bay is available only for a vehicle displaying a silver permit, a vehicle shall not be left in that parking bay unless it is displaying a valid silver permit alongside a valid senior citizens parking permit in the relevant position;
- e. where, within that parking place, there is a sign or surface marking which indicates that a parking bay is available only for a motorcycle, a vehicle shall not be left in that parking bay unless it is a motorcycle;
- f. where, within that parking place, there is a sign or surface marking which indicates that a parking bay is available only for a bus or coach, a vehicle shall not be left in that parking bay unless it is a bus or coach;
- g. where, within that parking place, there is a sign or surface marking which indicates that a parking bay is available only for the charging of an electric vehicle, a vehicle shall not be left in that parking bay unless it is an electric vehicle that is charging;
- h. when a vehicle has left a parking place after waiting therein, it shall not, return to that parking place and be left therein again, unless a period exceeding two hours has elapsed since it leaving, unless it displays in the relevant position a valid permit or season ticket;
- i. no vehicle shall be left in that parking place in such a position that it causes an obstruction;
- j. if a vehicle is left in that parking place in a position other than in accordance with the provisions of sub-paragraph (b) of this Article, a person authorised by the Council in that behalf may alter or cause to be altered the position of the vehicle so that its position is in accordance with those provisions;
- k. if a vehicle is left in that parking place in contravention of any provision contained in Part II, III, IV or V of this Order, a person authorised by the Council may remove the vehicle from that parking place or arrange for such removal and a fee shall be payable to the Council in respect of the removal of that vehicle and a daily charge shall be payable in respect of the storage of that vehicle;
- l. for the purpose of meeting the requirements of an emergency, a person authorised in that behalf by the Council or a police officer in uniform may alter or cause to be altered the position of a vehicle in a parking place or remove or arrange for the removal of a vehicle from the parking place;
- m. no vehicle shall be left in that parking place in such a position that it remains at rest on or within a restricted area;

Conditions of use of a parking place during the charging hours or restricted hours

8. During the charging hours or restricted hours as specified in column 6, relating to a parking place as specified in column 2 of Schedules 1 to 4
 - a. at all times during which a vehicle is left in that parking place it shall display in the relevant position a valid pay and display ticket or permit, so that all the particulars on that ticket, or permit are clearly and easily visible from outside the vehicle and from the front of the vehicle:

Nothing in this paragraph shall apply in relation to

- i. a vehicle displaying a disabled person's badge in the relevant position for a period of no more than 3 hours;
 - ii. a motor cycle which is left in a parking bay in respect of which there is a sign or surface marking indicating that the parking bay is available only for motor cycles;
 - iii. An electric vehicle for 3 hours whilst charging which is left in a parking bay in respect of which there is a sign or surface marking indicating that the parking bay is available only for the charging of electric vehicles;
 - iv. a vehicle which is left in a parking place which has purchased a valid Parking Session from the Council's Pay by Phone provider;
 - v. a parking place as specified in schedule 2 to this order;
- b. no vehicle shall be left in that parking place or part thereof for longer than the period of time specified in relation thereto in Column 7 of Schedules 1 to 4;
 - c. a ticket shall not be transferred from one vehicle to another and shall only be used in the parking place in which the ticket machine that issued the said ticket is installed;
 - d. no vehicle shall display any pay and display ticket, permit or season ticket which has been altered, defaced, mutilated, copied, or added to, or upon which the figures or particulars have become illegible.

PART III **CHARGES FOR USE OF PARKING PLACES**

Pay and display tickets and parking sessions

9. The driver of a vehicle left in accordance with the provisions of this Order in a parking place indicated in Column 2 of Schedule 1 shall purchase a valid pay and display ticket or valid parking session at the charge and for the period indicated in Column 8 of Schedules 1. A driver who has purchased a valid pay and display ticket shall exhibit it continuously in the vehicle in the relevant position for the duration of the time the vehicle is parked during charging hours.
10. A pay and display ticket used in a parking place indicated in Column 2 of Schedule 1 shall only be a valid pay and display ticket if;
 - a. it has been purchased from a ticket machine in the parking place where the vehicle is left;
and
 - b. it is continuously exhibited in the vehicle in the relevant position

- c. it has been purchased in accordance with the provision that one ticket per vehicle shall be valid and that the expiry time shown on the pay and display ticket has not expired; and
 - d. it has been purchased in accordance with the charge and for the period indicated in Column 8 of Schedule 1;
11. The driver of a vehicle left in accordance with the provisions of this Order in a parking place specified in Column 2 of Schedule 1 may as an alternative to purchasing a pay and display ticket, purchase a parking session using the pay by phone service or any other similar payment method offered and approved by the Council and detailed on the tariff board or within the terms and conditions displayed within the parking place.
12. A parking session used in accordance with the charge and for the period indicated in Column 8 of Schedule 1 shall only be a valid parking session if;
- a. it has been purchased from the pay by phone service provider or other offered payment method as described in article 11 above, in accordance with its instructions and has resulted in a booking for that parking place; and
 - b. it is shown on the handheld devices used by Civil Enforcement Officers; and
 - c. it has been purchased in accordance with the provision that one parking session per vehicle shall be valid for the number of hours or for the period specified in the booking commencing; and
 - d. it has been purchased for the vehicle identified by its vehicle registration mark (VRM) which is in a parking bay in a parking place as specified in column 2 of schedule 1. A parking session purchased for any other vehicle not within that parking place, if in error or otherwise, will be deemed as invalid.
13. If at the time when a vehicle is left in a parking place specified in Column 2 of Schedule 1 of this Order during the charging hours specified in Column 6 of Schedule 1 of this Order, the payment methods specified in article 11 are unavailable for whatever reason, the driver shall purchase a valid pay and display ticket in accordance with the provisions of Article 9 and 10.
14. In the case of parking places controlled by entry and exit barriers the following provisions shall have affect during charging hours and those of Article 9, 10, 11, 12 and 13 shall not apply:
- a. The driver of a vehicle shall gain entry by taking a ticket at the barrier save in the case of a Season Ticket holder or disabled persons badge the ticket obtained on entry shall be submitted to a pay station and validated by making payment of the charge in accordance with column 8 of Schedule 1 before the vehicle is removed.
 - b. In the event that a driver is unable to produce a ticket through loss or any other cause a lost ticket charge may be applied as specified in Column 8 of Schedule 1.

Payment of Parking Charge

15. The charge referred to in Column 8 of Schedule 1 shall be payable by the insertion of an appropriate coin(s) or payment card at the ticket machine provided, being an apparatus or device approved in accordance with section 35(3) of the Act of 1984.
16. The charge referred to in Column 8 of Schedule 2 shall be payable by payment card at the ticket machine provided, being an apparatus or device approved in accordance with section 35(3) of the Act of 1984

17. The charge referred to in Column 8 of Schedule 1 may as an alternative, be paid for by payment card with the Pay by Phone service provider.

Restriction on Removal of Pay and Display Tickets

18. When a pay and display ticket has been exhibited on a vehicle, in accordance with the provisions of Article 8, 9 and 10 no person shall remove the pay and display ticket from the vehicle until the vehicle is removed from the parking place.

Motorcycles

19. The driver of motorcycle, which is left in accordance with the provisions of this order in a parking place specified in Column 2 of Schedules 1 to 2 and in the position provided for such vehicles as specified in Article 7 (e), shall be exempt from the requirement to purchase a valid pay and display ticket and from the requirement to purchase a valid parking session.

Bus or Coach

20. The driver of a bus or coach, which is left in accordance with the provisions of this order in a parking place specified in Column 2 of Schedules 1 in the position provided for such vehicles as specified in Article 7 (f), is required to purchase either a valid pay and display ticket as specified in Articles 9, 10 and 11 or parking session as specified in Article 12.

Disabled Person's Vehicles

21. The driver of a vehicle left in accordance with the provisions of this Order in a parking place indicated in Column 2 Schedule 1 of this Order shall be exempt from purchasing a valid pay and display ticket for a period not exceeding three hours if the vehicle is a vehicle which displays a Disabled Person's badge and parking disc in the relevant position in the manner prescribed by Regulation 12 of the Disabled Person's (Badges for Motor Vehicles)(England) regulations 2000 and the vehicle is being driven or used by the person the badge is issued.

Electric Vehicles

22. The driver of an electric vehicle, which is left in accordance with the provisions of this order in a parking place specified in Column 2 of Schedule 1 shall be exempt from the requirement to purchase a valid pay and display ticket and from the requirement to purchase a valid parking session for a maximum period of three hours provided:

- a. The vehicle is charging and;
- b. in the position provided for such vehicles as specified in Article 7 (g)

Stopping the engine of the vehicle

23. The driver of a vehicle using a parking place shall stop the engine as soon as the vehicle is parked in the parking place, and shall not start the engine, except when about to change the position of the vehicle in the parking place or when about to depart from the parking place.

PART IV
SEASON TICKETS AND PERMITS

Application for and Issue of Season Tickets for Use in Parking Places

24. a. Where in Column 9 of Schedule 1 in relation to a parking place or part thereof, there are specified the words "Season Ticket", any person who is the owner or driver of a vehicle of the class specified in relation to that parking place or part thereof in Column 4 of Schedule 1, may apply to the Council for the issue of a season ticket in respect of that vehicle and parking place and any such application shall be made on a form issued by and obtainable from the Council and shall include the particulars and information required by such form to be supplied.
- b. Upon receipt of an application duly made under the provisions of paragraph (a.) of this Article and being satisfied that the applicant is the owner or driver of a vehicle of the class referred to in paragraph (a.) of this Article and upon receipt of the charge specified in paragraph (c.) of this Article, the Council or its Appointed Contractor shall issue to the applicant one season ticket which, subject to the provisions of this Order, shall allow the vehicle in respect of it is issued to be parked in the parking place or part thereof in respect of which it is issued, without displaying a valid pay and display ticket or purchasing a valid Parking Session.
- c. The season ticket must be displayed in the relevant position.
- d. The charge for a season ticket referred to in paragraph (b) of this Article shall be the amount specified in Schedule 1 column 8 in relation to the parking place or part thereof in respect of which the season ticket is to be issued;
- e. The issue of a season ticket does not entitle the season ticket holder's vehicle to a reserved parking bay, nor can a parking bay be guaranteed.
- f. A season ticket is not transferable and is not valid if displayed on a vehicle bearing a different registration number from that shown on the season ticket.

Application for and Issue of a Senior Citizen Permit and Silver Parking Permit for Use in Parking Places

25. a. Any person who is a resident in the City and District of St Albans and is aged 65 and over and is the owner or driver of a vehicle of the class specified in relation to that parking place or part thereof in Column 4 of Schedule 1, may apply to the Council for the issue of a Senior Citizen Permit in respect of that vehicle. Any such application shall be made on a form issued by and obtainable from the Council and shall include the particulars and information required by such form to be supplied;
- b. Any person who is a resident in the City and District of St Albans and is aged 65 and over and is the owner or driver of a vehicle of the class specified in relation to that parking place or part thereof in Column 4 of Schedule 1, and holds a valid senior citizens permit may also apply to the Council for the issue of a Silver Permit. Any such application shall be made on a form issued by and obtainable from the Council and shall include the particulars and information required by such form to be supplied;

- c. Upon receipt of an application duly made under the provisions of paragraph (a.) of this Article and being satisfied that the applicant is a resident of the City and District of St Albans the owner or driver of a vehicle of the class referred to in paragraph (a.) of this Article and upon receipt of the charge specified in column 8 of schedule 1 to this order, the Council or its Appointed Contractor shall issue to the applicant one senior citizen permit which, subject to the provisions of this Order, shall allow the vehicle to be parked in the parking place or part thereof in respect of which it is issued, up to a period of 3 hours without displaying a valid pay and display ticket or purchasing a valid Parking Session;
- d. Upon receipt of an application duly made under the provisions of paragraph (b.) of this Article and being satisfied that the applicant is a resident of the City and District of St Albans, the owner or driver of a vehicle of the class referred to in paragraph (b.) of this Article and a senior citizen permit holder the Council or its Appointed Contractor shall issue to the applicant one silver parking permit which, subject to the provisions of this Order, shall allow the vehicle to be parked in a parking bay designated for silver permit holders within the parking place or part thereof in respect of which it is issued, up to a period of 3 hours without displaying a valid pay and display ticket or purchasing a valid Parking Session as long as it is displayed alongside a valid senior citizens permit.
- e. The charge for a Senior Citizen Permit referred to in paragraph (a.) of this Article shall be the amount specified in column 4 of Schedule 1 in relation to the parking place or part thereof in respect of which the senior citizens permit is to be issued.
- f. A Senior Citizen Permit must be displayed in the relevant position and shall be valid for the period of time specified in paragraph (c.) of this article.
- g. A Silver Permit must be displayed alongside a senior citizen permit in the relevant position and shall be valid for the period of time specified in paragraph (d.) of this article. A silver permit may also be valid if displayed alongside a valid pay and display ticket or after payment of a parking session for as long as that pay and ticket or parking session is valid.
- h. The issue of a Senior Citizen - Permit does not entitle the Senior Citizen Permit holder's vehicle to a reserved parking bay, nor can a parking space or bay be guaranteed.
- i. A Senior Citizen Permit or Silver Permit is not transferable and is not valid if displayed on a vehicle bearing a different registration number from that shown on the Permit/s
- j. A Senior Citizen Permit or Silver Permit is not transferable and is not valid if it is deemed to be displayed in a vehicle not being occupied by the named resident aged 65 or over.
- k. A valid Senior Citizen Permit is valid for up to 3 hours in any parking place named in schedule 1 column 2 and listed as a valid permit type under schedule 1 column 9 to this order.

Application for and Issue of Staff Permits for use in Parking Places

- 26. a. Where in column 9 of Schedule 1 in relation to a parking place or part thereof, there is specified the words "Staff Permit", a member of staff who is the owner or driver of a vehicle of the class specified in relation to that parking place or part thereof in column 4 of Schedule 1, may, apply to the Council for the issue of a staff permit in respect of that vehicle and parking place, and any such application shall be made on a form issued by and obtainable from the Council and shall include the particulars and information required by such form to be supplied.

- b. Upon receipt of an application duly made under the provisions of paragraph (a) of this Article and the charge specified in Schedule 5 of this order and upon being satisfied that the applicant is a member of staff and the owner of a vehicle of the class referred to in paragraph (a.) of this Article, the Council may issue to the applicant a staff permit.
- c. A staff permit must be displayed in the relevant position and subject to the provisions of this Order, shall allow the vehicle to be parked in the parking place or part thereof in respect of which it is issued, without displaying a valid pay and display ticket or purchasing a valid Parking Session
- d. The issue of a staff permit does not entitle the staff permit holder's vehicle to be left in a reserved parking bay, nor can a parking bay or space be guaranteed.
- e. A staff permit is not transferable and is not valid if displayed on a vehicle bearing a different registration number from that shown on the permit.
- f. A staff permit is not transferable and is not valid if it is deemed to be displayed in a vehicle not being occupied by the named staff member.

Application for and Issue of Councillor Permits for use in Parking Places

- 27. a. Where in column 9 of Schedule 1 in relation to a parking place or part thereof, there is specified the words "Councillor Permit", a Councillor who is the owner or driver of a vehicle of the class specified in relation to that parking place or part thereof in column 4 of Schedule 1, may, apply to the Council or its Authorised Contractor for the issue of a Councillor permit in respect of that vehicle and parking place, and any such application shall be made on a form issued by and obtainable from the Council and shall include the particulars and information required by such form to be supplied.
- b. Upon receipt of an application duly made under the provisions of paragraph (a.) of this Article and the charge specified in Schedule 5 of this order, and upon being satisfied that the applicant is a member of the Councillor and the owner or driver of a vehicle of the class referred to in paragraph (a.) of this Article, the Council may issue to the applicant a Councillor permit.
- c. A Councillor permit must be displayed in the relevant position and shall be subject to the provisions of this Order, allow a vehicle in respect of which that permit is issued to be left in the parking place in respect of which that permit is issued.
- d. The charge for a Councillor permit referred to in paragraph (b.) of this Article shall be as specified in Schedule 5, in relation to the parking place or part thereof in respect of which that permit is to be issued.
- e. The issue of a Councillor permit does not entitle the Councillor Permit holder's vehicle to be left in a reserved parking bay, nor can a parking bay or space be guaranteed.
- f. A Councillor permit is not transferable and is not valid if displayed on a vehicle bearing a different registration number from that shown on the permit.
- g. A Councillor permit is not transferable and is not valid if it is deemed to be displayed in a vehicle not being occupied by the named Councillor.

Application for and Issue of Honorary Alderman Permits for use in Parking Places

28. a. Where in column 9 of Schedule 1 in relation to a parking place or part thereof, there is specified the words “Honorary Alderman Permit”, a member of Honorary Alderman who is the owner or driver of a vehicle of the class specified in relation to that parking place or part thereof in column 4 of schedule 1, may, apply to the Council for the issue of an Honorary Alderman permit in respect of that vehicle and parking place, and any such application shall be made on a form issued by and obtainable from the Council and shall include the particulars and information required by such form to be supplied.
- b. Upon receipt of an application duly made under the provisions of paragraph (1) of this Article and the charge specified in paragraph (d.) of this Article, and upon being satisfied that the applicant is an Honorary Alderman and the owner or driver of a vehicle of the class referred to in paragraph (a.) of this Article, the Council may issue to the applicant a Honorary Alderman permit.
- c. A Honorary Alderman permit must be displayed in the relevant position and shall be subject to the provisions of this Order, allow a vehicle in respect of which that permit is issued to be left in the parking place in respect of which that permit is issued.
- d. The charge for a Honorary Alderman permit referred to in paragraph (b.) of this Article shall be as specified in Schedule 5, in relation to the parking place or part thereof in respect of which that permit is to be issued.
- e. The issue of a Honorary Alderman permit does not entitle the Honorary Alderman permit holder’s vehicle to be left in a reserved parking bay, nor can a parking bay or space be guaranteed.
- f. An Honorary Alderman permit is not transferable and is not valid if displayed on a vehicle bearing a different registration number from that shown on the permit.
- g. An Honorary Alderman is not transferable and is not valid if it is deemed to be displayed in a vehicle not being occupied by the named Honorary Alderman.

Application for and Issue of Market Trader Permits for use in Parking Places

29. a. Where in column 9 of Schedule 1 in relation to a parking place or part thereof, there is specified the words “Market Trader”, the owner or driver of a vehicle of the class specified in relation to that parking place or part thereof in column 4 of Schedule 1, may, apply to the Council for the issue of a – Market Trader Permit in respect of that vehicle and parking place, and any such application shall be made on a form issued by and obtainable from the Council and shall include the particulars and information required by such form to be supplied.
- b. Upon receipt of an application duly made under the provisions of paragraph (1) of this Article and the charge specified in paragraph (d.) of this Article, and upon being satisfied that the applicant requires a Market Trader Permit and is the owner or driver of a vehicle of the class referred to in paragraph (a.) of this Article, the Council may issue to the applicant a Market Trader Permit.
- c. A Market Trader Permit must be displayed in the relevant position and shall be subject to the provisions of this Order, allow a vehicle in respect of which that permit is issued to be left in the parking place in respect of which that permit is issued.
- d. The charge for a Market Trader Permit referred to in paragraph (b.) of this Article shall be as specified in column 8 of Schedule 1, in relation to the parking place or part thereof in respect of which that permit is to be issued.

- e. The issue of a Market Trader Permit does not entitle the Market Trader permit holder's vehicle to be left in a reserved parking bay, nor can a parking bay or space be guaranteed.
- f. A Market Trader Permit is not transferable and is not valid if displayed on a vehicle bearing a different registration number from that shown on the permit.

Application for and Issue of Licence for use in Parking Places

30. a. Where in column 9 of Schedule 4 in relation to a parking place or part thereof, there is specified the words "Licence Holder", the owner or driver of a vehicle of the class specified in relation to that parking place or part thereof in column 4 of Schedule 4, may apply to the Council for the issue of a Licence in respect of that vehicle and parking place, and any such application shall be made on a form issued by and obtainable from the Council and shall include the particulars and information required by such form to be supplied.
- b. Upon receipt of an application duly made under the provisions of paragraph (a.) of this Article and the charge specified in paragraph (d.) of this Article, and upon being satisfied that the applicant requires a Licence and is the owner or driver of a vehicle of the class referred to in paragraph (a.) of this Article, the Council may issue to the applicant a Licence.
- c. A Licence must be displayed in the relevant position and shall be subject to the provisions of this Order, allow a vehicle in respect of which that permit is issued to be left in the parking place in respect of which that permit is issued.
- d. The charge for a Licence referred to in paragraph (b.) of this Article shall be as specified in column 8 of Schedule 4, in relation to the parking place or part thereof in respect of which that permit is to be issued.
- e. The issue of a Licence entitles the Licence holder's vehicle to be left in a specific parking bay.
- f. A Licence is not transferable and is not valid if displayed on a vehicle bearing a different registration number from that shown on the permit.

Application for and Issue of Resident Parking Permits for use in Parking Places

31. a. Where in column 9 of Schedule 3 in relation to a parking place or part thereof, there is specified the words "Resident Permit", a resident who is the owner or driver of a vehicle of the class specified in relation to that parking place or part thereof in column 4 of Schedule 3 and a resident of the streets listed in Schedule 6, may, apply to the Council or its Authorised Contractor for the issue of a Resident permit in respect of that vehicle and parking place, and any such application shall be made on a form issued by and obtainable from the Council and shall include the particulars and information required by such form to be supplied.
- b. Upon receipt of an application duly made under the provisions of paragraph (a.) of this Article and the charge specified in paragraph (d.) of this Article, and upon being satisfied that the applicant is a resident and the owner or driver of a vehicle of the class referred to in paragraph (a.) of this Article, the Council may issue to the applicant a Councillor permit.
- c. A resident permit must be displayed in the relevant position and shall be subject to the provisions of this Order, allow a vehicle in respect of which that permit is issued to be left in the parking place in respect of which that permit is issued.
- d. The charge for a resident permit referred to in paragraph (b.) of this Article shall be as specified in Column 8 Schedule 3, in relation to the parking place or part thereof in respect of which that permit is to be issued.

- e. The issue of a resident permit does not entitle the resident permit holder's vehicle to be left in a reserved parking bay, nor can a parking bay or space be guaranteed.
- f. A resident permit is not transferable and is not valid if displayed on a vehicle bearing a different registration number from that shown on the permit.

Refund of Charge Paid in Respect of a Season Ticket, or Permit

32. A season ticket holder, or a permit holder who surrenders a season ticket or permit to the Council or its Authorised Contractor whether before or after it becomes valid shall be entitled to a refund of any charge paid in respect of that season ticket, or permit, the amount of refund will be limited to a pro rata sum for complete unexpired months and an administration charge specified in Schedule 5 of this order.

Refund of Charge Paid in Respect of a Licence

33. A licence holder who surrenders a licence to the Council or its Authorised Contractor whether before or after it becomes valid shall be entitled to a refund of any charge paid in respect of that licence providing adequate notice has been provided within the terms of the licence.

Application for and Issue of Duplicate Season Tickets or Permits

34. a. If a valid season ticket or permit is mutilated or accidentally defaced or the figures or particulars thereon have become illegible or the colour of the season ticket or permit has become altered by fading or otherwise, the season ticket holder or the permit holder, as the case may be, shall, if they wish to continue using the season ticket or permit, surrender it to the Council and apply to the Council for the issue to them of a duplicate season ticket or permit, as the case may be. The Council, upon receipt of the original valid season ticket or permit, as the case may be, and, if applicable, the charge specified in Schedule 5 may issue a duplicate season ticket or permit, as the case may be, so marked, and upon such issue the original season ticket or permit shall become invalid.

b. If a valid season ticket or permit is lost, destroyed or stolen, the season ticket holder or permit holder, as the case may be, may apply to the Council for the issue to them of a duplicate season ticket or permit, as the case may be. The Council, upon being satisfied as to such loss, destruction or theft, and, if applicable, upon receipt of the charge specified in Schedule 5 may issue a duplicate season ticket or permit, as the case may be, so marked, and upon such issue the original season ticket or permit, as the case may be, shall become invalid.

c. The provisions of this Order shall apply to a duplicate season ticket or permit and an application therefor as if it were a season ticket or permit, or as the case may be, an application therefor.

35. There shall be a charge for the issue of a duplicate season ticket or permit issued to a season ticket holder or a permit holder in accordance with Schedule 5 to this order.

Application for a Replacement Season Ticket or a Permit Due to Change of Vehicle Registration Mark

36. If a season ticket holder or permit holder wishes to have the vehicle registration mark on their valid season ticket or valid permit changed, they may apply to the Council or Authorised Contractor for the issue to them, a replacement season ticket or permit. The Council or Authorised Contractor, upon being satisfied as to the need for such a change to the registration mark issue a replacement season ticket or permit bearing a different vehicle registration mark, and upon such issue the original season ticket or permit shall become invalid.

37. There shall be a charge for the issue of a replacement season ticket or permit issued to a season ticket holder or a permit holder in accordance with Schedule 5 to this order.
38. a. A permit holder shall surrender their season ticket or permit, to the Council on the occurrence of one or more of the events set out in paragraph (c.) of this Article.
- b. The Council may, by notice in writing served on the permit holder at the address shown by that person on the application for the permit or at any other address believed to be that person's place of abode, withdraw a permit if it appears to the Council that any of the events set out in paragraph (c.) of this Article has occurred.
- c. The events referred to in paragraph (a.) and (b.) of this Article are:
- i. a Councillor permit holder ceasing to be a member of Council or a Councillor;
 - ii. a staff permit holder ceasing to be a member of Staff;
 - iii. an Honorary Alderman permit holder ceasing to be an Honorary Alderman;
 - iv. the vehicle in respect of which the permit was issued being adapted or used in such a manner that it is not a vehicle of the class specified in column 4 of Schedules 1 to 4.
 - v. a Senior Citizen permit holder ceasing to be a resident of the City and District of St Albans.
 - vi. a market trader permit holder ceasing to be a Market Trader within the City and District of St Albans.
 - vii. a resident permit holder ceasing to be a resident of the streets in Schedule 6 of this order.
 - viii. Any misuse of the season ticket or permit as described in the provisions of this order and / or the terms and conditions issued with the season ticket or permit or any other terms and conditions for season tickets or permits issued by the Council for that purpose.

Restriction on Removal of Season Tickets or Permits

39. Where a season ticket or permit has been displayed on a vehicle in accordance with this Order, no person, except the driver of the vehicle shall remove the season ticket or permit, as the case may be, from the vehicle unless authorised to do so by the driver:
40. Provided that nothing in this Article shall apply in relation to a civil enforcement officer or an officer or representative of the Council who removes the season ticket or permit, as the case may be, in the process of the vehicle being removed in accordance with Article 7(i) or 7(j).

PART V **POWER OF THE COUNCIL TO SUSPEND A PARKING PLACE**

Suspension of the Operation of a Parking Place As Named in the schedules to this Order

41. a. Notwithstanding the foregoing provisions of this Order, the Council may, by notice or sign displayed at or near a parking place or by barriers placed at the entrance or entrances to a parking place, suspend the operation of that parking place or any part thereof, for any purpose.

- b. When the operation of a parking place is suspended pursuant to paragraph (a) of this Article, no vehicle shall enter or be left in the parking place or any part thereof, without the written authorisation of the Council, except for any vehicle being used for ambulance, fire brigade or police purposes or any vehicle permitted or directed by a police officer in uniform.
- c. If at any time the Council requires a parking place or part thereof for any purpose whatsoever, then the right of any person to leave a vehicle in that parking place shall immediately terminate until the Council no longer requires that parking place or part thereof.

PART VI
OTHER PROVISIONS

- 42. a. No person shall, except with the permission of any person duly authorised by the Council use a vehicle, while it is in a parking place, in connection with the sale of any article to persons in or near the parking place or in connection with the selling or offering for hire of that persons skills or services.
- b. No person shall use any part of a parking place or any vehicle left in a parking place:
 - i. for sleeping or camping or cooking or eating; or
 - ii. for the purpose of servicing or washing any vehicle or part thereof other than is reasonably necessary to enable that vehicle to depart from the parking place.
- c. In a parking place no person shall:
 - i. erect or cause or permit to be erected any tent, booth, stand building or other structure without the written consent of the Council; or
 - ii. light or cause or permit to be lit any fire.
- 43. Nothing in Article 7(a) of this Order shall unreasonably prevent access to any premises adjoining a parking place or the use of any access by any person entitled to the use thereof.
- 44. No person shall, in a parking place, wantonly shout or otherwise make any loud noise to the disturbance or annoyance of users of the parking place or residents of premises in the neighbourhood.
- 45. No person shall in a parking place, use any threatening, abusive, or insulting language, gesture or conduct with intent to put any person in fear so as to occasion a breach of the peace or whereby a breach of the peace is likely to be occasioned.
- 46. The driver of a vehicle left in a parking place shall not sound any horn or similar instrument except when about to change the position of the vehicle in or to depart from the parking place, or in the case of an emergency.
- 47. Where in a parking place signs are erected, or surface markings are laid for the purpose of:
 - a. indicating the entrance to or exit from the parking place, or
 - b. indicating that a vehicle using the parking place shall proceed in a specified direction within the parking place,

48. no person shall drive or permit to be driven any vehicle;
 - a. so that it enters the parking place otherwise than by an entrance, or leaves the parking place otherwise than by an exit, so indicated, or
 - b. in a direction other than so specified.
49. No person shall, except with the permission of a person authorised by the Council in that behalf, drive or permit 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.
50. The Council shall not be liable for any damage to or theft of a vehicle, or any of its parts or contents, while a vehicle is left in a parking place.