

EAST SUSSEX COUNTY COUNCIL  
ROAD TRAFFIC REGULATION ACT 1984

The East Sussex (Lewes District) (Traffic Regulation) Order 2004 Amendment Order 2005 No.1

Made	2005
Coming into force	2005

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### SCHEDULES

- Schedule 1 – Streets and lengths of streets on which waiting restrictions apply (Prohibition of Waiting).
- Part A – At any time.
  - Part B – 8am to 6pm on Mondays to Sundays inclusive.
  - Part C – 8am to 6pm on Mondays to Saturdays inclusive.
  - Part D – 8am to 6pm on Mondays to Fridays inclusive.
  - Part E – 7.30am to 8.30am and 2pm to 3pm on Mondays to Fridays inclusive.
  - Part F – 9am to 6pm on all days between 1<sup>st</sup> April and 30<sup>th</sup> September in any one year.
- Schedule 2 – Streets and lengths of streets on which waiting restrictions apply for goods vehicles.
- Part A – At any time.
- Schedule 3 – Streets and lengths of streets on which limited waiting restrictions apply.
- Part A – 12 hours in any one day – At any time.
  - Part B – 2 hours in any period of 4 hours – 8am to 6pm on Mondays to Saturdays.
  - Part C – 1 hour in any period of 2 hours – 8am to 6pm on Mondays to Fridays.
  - Part D – 15 minutes in any period of 30 minutes – At any time.
  - Part E – 2 hours no return within 2 hours – 8am to 6pm on Mondays to Saturdays.
  - Part F – 2 hours no return within 2 hours – 9am to 4pm on Mondays to Fridays 1<sup>st</sup> September to 31<sup>st</sup> May.
- Schedule 4 – Streets and lengths of streets on which loading restrictions apply (Prohibition of Loading).
- Part A – At any time
- Schedule 5 – Areas on streets authorised as solo motor cycle parking places.
- Schedule 6 – Areas on streets authorised as disabled persons parking places.
- Schedule 7 – Areas on streets authorised as free 12 hours in any one day limited waiting parking places.
- Schedule 8 – Areas on streets designated as permit holders' parking places 9am to 4pm on Mondays to Fridays 1<sup>st</sup> September to 31<sup>st</sup> May.
- Schedule 9 – Streets and lengths of streets for the purpose of the issue of permits (residents', business or day).
- Schedule 10 – Charges relating to residents' permits.
- Schedule 11 – Charges relating to business permits.
- Schedule 12 – Charges relating to day permits.
- Schedule 13 – Refunds relating to residents' and business permits.

East Sussex County Council in exercise of their powers under sections 1(1) and (2), and 2(1) to (4), 3(2), 4(2), 32, 35(1) and (3), 45, 49, 51, 52, 53 and 63A of, and Part IV of Schedule 9 to the Road Traffic Regulation Act 1984(a) ("the Act"), as amended, and sections 43, and 63 to 79 inclusive and Schedule 3 to the Road Traffic Act 1991(b), and of all other enabling powers, after consultation with the Chief Officer of Police in accordance with Part II of Schedule 9 to the Act, hereby make the following Order:-

#### PART I – PRELIMINARY

##### Citation, commencement and revocation

1. (1) This Order may be cited as the East Sussex (Lewes District) (Traffic Regulation) Consolidation Order 2005 No.1 and shall come into force on the                      day of                      2005.
- (2) Without prejudice to the validity of anything done or to any liability incurred in respect of any act or omission, when this Order comes into force, the Orders or parts of Orders referred to in part (3) of this sub-paragraph below, are hereby revoked –
- (3) The East Sussex (Lewes District) (Traffic Regulation) Order 2004, in its entirety

##### Interpretation

2. (1) In this Order, unless the context otherwise requires, all measured distances are approximate, and:-
  - "ambulance" has the same meaning as in the Vehicle Excise and Registration Act 1994(c);
  - "authorised agent" means the parking services contractor appointed by and acting on behalf of the Council for the purposes of the supervision and enforcement of the provisions of this Order;
  - "business permit" means a permit issued under the provisions of Article 23;
  - "business permit holder" means a person to whom a business permit has been issued under the provisions of Article 23;
  - "business user" means a person who carries out business at any premises the postal address of which is in any street or property specified in Schedule 9;
  - "concessionaire", means a person who has been granted a concession by the Council to be eligible for a day permit for bona fide reasons;
  - "Council" means the East Sussex County Council;
  - "day permit" means a permit issued under the provisions of Article 26;
  - "day permit holder" means a person to whom a day permit has been issued under the provisions of Article 26;
  - "disabled person's badge" and "parking disc" have the same meanings as in Regulation 3(1) of the Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000(d) and
  - "relevant position" has the same meaning as in Regulation 4 of those Regulations;
  - "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 primarily powered by an electrical motor;
  - "enactment" means any enactment, whether public general or local, and includes any order, byelaw, rule, regulation, scheme or other instrument having effect by virtue of an enactment;

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(a) 1984 c.27

(b) 1991 c.40

(c) 1994 c.22

(d) S.I. 2000/683

“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” has the same meaning as in the Traffic Signs Regulations and General Directions 2002(e);

“goods carrying vehicle” means a motor vehicle which is constructed or adapted for use for the carriage of goods or burden of any description and is not drawing a trailer;

“health care worker”, means a person working for a Primary Care Trust or a health and community care organisation who needs to park in order to provide services to a resident of any street or property specified in Schedule 9 in pursuit of their duties;

“hotel or guest house” means any premises offering overnight accommodation to visitors on a commercial basis from a business rated premises, or a holiday home let to persons on holiday;

“hotel guest” means a person staying or lodging at a hotel or guest house being premises the postal address of which is in any street or property specified in Schedule 9;

“licensed taxi” has the same meaning as in Section 13(3)(a) of the 1985 Act;

“local service” has the same meaning as in the Transport Act 1985(f);

“lpg vehicle” means a vehicle primarily powered by a motor using liquefied petroleum gas or a hybrid vehicle using either petrol, diesel or liquefied petroleum gas;

“maximum gross weight” has the same meaning as in the Traffic Signs Regulations and General Directions 2002;

“motor cycle” and “invalid carriage” have the same meanings as in section 136 of the Road Traffic Regulation Act 1984;

“parking attendant” means a person in uniform authorised by or on behalf of the Council to enforce the provisions of this Order;

“parking place”, means a parking place authorised by this Order;

“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 eight passengers (exclusive of the driver) and their effects and not drawing a trailer;

“penalty charge” means the charge set under the provisions of the Road Traffic Act 1991, with the approval of the Secretary of State for Transport, Local Government and the Regions, which is to be paid to the Council following the issue of a penalty charge notice;

“penalty charge notice” means a notice issued or served by a parking attendant pursuant to the provisions of section 66 of the Road Traffic Act 1991;

“permitted hours”, in relation to a parking place means the period specified at the beginning of the Schedule relating to that parking place;

“protective cover” means a cover issued by the Council under the provisions of Article 20 or 23;

“registered keeper” in relation to a vehicle means the person in whose name the vehicle is registered under the provisions of the Vehicle Excise and Registration Act 1994;

"resident" means a person whose usual place of abode is at premises the postal address of which is in any street or property specified in Schedule 9;

"resident's permit" means a permit issued under the provisions of Article 20;

"resident's permit holder", means a person to whom a permit has been issued under the provisions of Article 20;

"resident's visitor" means a person who is visiting a resident;

"restricted hours" in relation to a street or length of street specified in any part of Schedule 1, 2, 3 or 4, means the time specified at the beginning of the Schedule or Part of the Schedule relating to that street or length of street;

"solo motor cycle" has the same meaning as in the Traffic Signs Regulations and General Directions 2002;

"street" includes any part of a street;

"taxi" has the same meaning as in the Traffic Signs Regulations and General Directions 2002;

"telecommunication system" has the same meaning as in the Telecommunications Act 1984(a);

"tradesperson", means a person who in the course of their business is engaged in work at any premises the postal address of which is in any street or property specified in Schedule 9, provided that such a person's business is not based at those premises;

"traffic sign" means a sign of any size, type and colour prescribed and authorised under, or as having effect as though prescribed or authorised under section 64 of the Road Traffic Regulation Act 1984;

"universal service provider", "provision of a universal postal service" and "postal packet" have the same meanings as in the Postal Services Act 2000(b);

- (2) 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 numbered Article or Schedule shall, unless the context otherwise requires, be construed as a reference to the Article or Schedule bearing that number in this Order.
- (4) For the purposes of Part II of this Order, a vehicle shall be deemed to wait –
- (a) in any street or length of street specified in Schedule 1, 2, 3 or 4, if any point in that street or length of 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 any street or length of street if any point in a 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.
- (5) For the purposes of Part II of this Order in relation to any street or length of street specified in Schedule 1, 2, 3 or 4, any reference to a street or length of street shall, unless otherwise specified, be construed as a reference to the whole width of that street or length of street.
- (6) The restrictions, prohibitions and requirements imposed by Part II of 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.

## PART II – WAITING AND LOADING RESTRICTIONS

### Restrictions applicable to streets specified in Schedule 1, 2, 3 or 4

3. (1) No person shall cause or permit any vehicle to wait during the restricted hours, in any street or length of street specified in any Part of Schedule 1 except, subject to the provisions of paragraph (4) below, for so long as may be necessary for the purpose of delivering or collecting goods or loading or unloading the vehicle at premises adjacent to the street or length of street.

(a) Nothing in paragraph (1) of this Article shall apply in relation to any area on a highway or any place on a street for the time being designated or authorised as a parking place either by this Order or by any other Order made or having effect as if made under section 1, 9, 32 or 45 of the Road Traffic Regulation Act 1984, providing that the parking place has not been suspended under the provisions of Article 15.

(2) No person shall cause or permit any goods vehicle the maximum gross weight of which exceeds 5 tonnes to wait during the restricted hours, in any street or length of street specified in any Part of Schedule 2 except for so long as may be necessary for the purpose of delivering or collecting goods or loading or unloading the vehicle at premises adjacent to the street or length of street.

(3) No person shall cause or permit any vehicle to wait during the restricted hours, in any restricted street or length of restricted street specified in any Part of Schedule 3 for more than the time limit or duration specified at the beginning of that Part of the Schedule in relation to that street or length of street except, subject to the provisions of paragraph (4) below, for so long as may be necessary for the purpose of delivering or collecting goods or loading or unloading the vehicle at premises adjacent to the street or length of street.

(4) No person shall cause or permit any vehicle to wait during the restricted hours for the purpose of delivering or collecting goods or loading or unloading the vehicle in any street or length of street specified in any Part of Schedule 4.

(5) Nothing in paragraph (1), (2), (3) or (4) of this Article shall apply in relation to any area on a highway or any place on a street for the time being designated or authorised as a parking place either by this Order or by any other Order made or having effect as if made under section 1, 9, 32 or 45 of the Road Traffic Regulation Act 1984, providing that the parking place has not been suspended under the provisions of Article 17.

### Picking up and setting down passengers

4. Nothing in Article 3 shall render it unlawful to cause or permit a vehicle to wait in any street or length of street specified in any Part of Schedule 1, 2 or 3 for so long as may be necessary for the purpose of enabling any person to board or alight from the vehicle or to load onto or unload from the vehicle their personal luggage.

### Exemptions for vehicles displaying a disabled person's badge

5. Notwithstanding the foregoing provisions of this Order, a vehicle which displays in the relevant position a disabled person's badge and a parking disc, may be left in any part of a street or length of street specified in any Part of Schedule 1, 2 or 3 for a period of not more than 3 hours (not being a period separated by an interval of less than one hour from a previous period of waiting by the same vehicle in the same length of road), provided that:-

(a) the driver of the vehicle or other person in charge of the vehicle marks on the parking disc the time at which the period of waiting has begun;

- (b) the part of the street or length of street in which the vehicle is left is not part of a street or length of street specified in any Part of Schedule 4; and
- (c) the vehicle is not causing obstruction or inconvenience to other road users, including pedestrians.

**Other exemptions**

6. (1) The restrictions imposed by Article 3 of this Order shall not apply:-
- (a) in relation to a bus being used to provide a local service, whilst waiting at any authorised stopping place, terminal or turning point, providing such waiting is not prohibited by virtue of any other enactment;
  - (b) in relation to a vehicle being used for ambulance, fire brigade or police purposes;
  - (c) in relation to a taxi, whilst waiting on any duly authorised cab rank;
  - (d) in relation to a vehicle being used in the service of a local authority in pursuance of statutory powers or duties provided that in all the circumstances the vehicle cannot reasonably be used for such purpose in a street not being a street specified in any Part of Schedule 1, 2 or 3;
  - (e) in relation to a vehicle whilst waiting for so long as may be necessary in connection with the taking in of petrol, oil, water or air, if such taking in cannot be effected unless the vehicle waits in the place in which it is waiting;
  - (f) to anything done with the permission or at the direction of a police constable in uniform or a parking attendant;
  - (g) where notice is given to the Council or authorised agent, their consent is obtained in writing and any such conditions as they may impose are complied with.
- (2) Nothing in Article 3 of this Order shall render it unlawful to cause or permit a vehicle to wait in any street or length of street specified in any Part of Schedule 1, 2, 3 or 4:-
- (a) for so long as may be necessary to allow the vehicle to be used in connection with the removal of any obstruction to traffic;
  - (b) if the driver is required by law to stop or is prevented from proceeding by circumstances beyond their control or such waiting is necessary to avoid an accident;
  - (c) while the vehicle is being used by a universal service provider in the course of the provision of a universal postal service and the vehicle is waiting only for so long as may be reasonably necessary for postal packets to be collected or delivered at premises or posting boxes adjacent to the place in which the vehicle is waiting;
  - (d) while the vehicle is being used in connection with any of the following:-
    - (i) any building operation, industrial operation, demolition or excavation in or adjacent to that street or length of street;
    - (ii) the maintenance, improvement, re-construction, cleansing or lighting of that street or length of street;
    - (iii) the laying, erection, alteration or repair in or adjacent to that street or length of street of any sewer or of any pipe, main or apparatus for the supply of gas, water or electricity, or of any telecommunication system;



- (iv) the placing, maintenance or removal of any traffic sign in that street or length of street, if the vehicle cannot be conveniently and lawfully used for these purposes in a street not being a street specified in any Part of Schedule 1, 2 or 9;
  - (v) the posting or removing of advertising material in the form of posters on or from, or cleaning windows or chimneys in premises adjacent to that street or length of street.
- (e) while the vehicle is in actual use in connection with the removal of furniture or in connection with a wedding or a funeral;
  - (f) while the vehicle is being used for the purpose of selling or offering for sale of goods from the vehicle by a person who is licensed by the Council to sell goods from a stationary vehicle on a pitch situated in the place where the vehicle is waiting.

#### **Duty to move on and contravention of restrictions**

7. (1) Notwithstanding any exception or exemption contained in this Part of this Order, the person in control of a vehicle waiting during the restricted hours in any street or length of street specified in any Part of Schedule 1, 2, 3 or 4 shall move the vehicle on the instructions of a police constable in uniform or a parking attendant whenever such moving may be reasonably necessary for the purpose of preventing or removing obstruction, including any obstruction to pedestrians or obstruction to lines of sight for reasons of safety.
- (2) Except as provided by this Part of this Order, if a person causes or permits a vehicle to wait during the restricted hours in any street or length of street specified in any Part of Schedule 1, 2, 3 or 4, then a contravention shall be deemed to have occurred and a penalty charge shall be payable.

### **PART III - PARKING PLACES DESIGNATION AND AUTHORISATION OF PARKING PLACES AND SUPPLEMENTARY PROVISIONS**

#### **Section 1 - Designation and Authorisation of parking places**

8. Whilst this Order continues in force each area on a street comprising the length of carriageway of a street specified in Schedule 5, 6, 7 or 8 and, unless otherwise so specified, bounded on one side of that length by the edge of the carriageway and having a width throughout of 2 metres, is designated or authorised as a parking place;

#### **Vehicles for which parking places are designated or authorised**

9. (1) Each parking place referred to in Schedule 5 may be used, subject to the provisions of this Order, for the leaving during the permitted hours of such vehicles as are solo motor cycles.
- (2) Each parking place referred to in Schedule 6 may be used, subject to the provisions of this Order, for the leaving during the permitted hours of such vehicles as display in the relevant position a disabled person's badge.
- (3) Each parking place referred to in Schedule 7 may be used, subject to the provisions of this Order, for the leaving during the permitted hours of vehicles of the following class, that is to say, passenger vehicles of not more than 2.28 metres in height, goods carrying vehicles, motor cycles or invalid carriages, any such vehicle not being a caravan.
- (4) Each parking place referred to in Schedule 8 may be used, subject to the provisions of this Order, for the leaving during the permitted hours of vehicles of the following class, that is to say, passenger vehicles of not more than 2.28 metres in height, goods carrying vehicles, motor cycles or invalid carriages that display in the manner specified in Article 10 either a valid resident's, business or day permit issued in respect of that vehicle under the provisions of this Order.



**Tickets, resident's permits, business permits and day permits to be displayed on vehicles left in certain designated parking places**

10. At all times during which a vehicle is left in a parking place referred to in Schedule 8 during the permitted hours, the driver shall cause to be displayed on the front or nearside of the vehicle either a valid resident's, business or day permit issued in respect of that vehicle in accordance with the provisions of this Order, so that all the particulars on that permit are readily visible from the front or nearside of that vehicle.

**Contravention in a parking place**

11. If a vehicle is left in a parking place during the permitted hours without complying with the provisions of this Order, then a contravention shall be deemed to have occurred and a penalty charge shall be payable.

**Alteration of position or movement of a vehicle in a parking place**

12. (1) Where any vehicle is standing in a parking place in contravention of the provisions of Article 14, a parking attendant may alter or cause to be altered the position of the vehicle in order that its position shall comply with those provisions.
- (2) A police constable in uniform or a parking attendant may move or cause to be moved, in case of emergency, to any place they think fit, any vehicle left in a parking place.

**Exemptions for vehicles displaying a disabled person's badge when left in certain parking places**

13. (1) Notwithstanding the foregoing provisions of this Order, a vehicle which displays in the relevant position a disabled person's badge may be left in a parking place referred to in Schedule 6, 7 or 8 for a period of not more than three hours, provided that the use of that part of the parking place in which the vehicle is left has not been suspended.
- (2) Without prejudice to the generality of this Article, a disabled person's vehicle shall stand in a parking place in accordance with the provisions of Article 14.

**Manner of standing in a parking place**

14. (1) The driver of a vehicle waiting in a parking place referred to in Schedule 6, 7 or 8 during the permitted hours shall cause it so to stand:-
- (a) 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, so as to be in accordance with those provisions;
  - (b) in the case of any other parking place so that the longitudinal axis of the vehicle is parallel to the edge of the carriageway nearest to the vehicle and the wheels of the vehicle are not more than 300 millimetres away from the edge of the carriageway nearest the vehicle.
  - (c) so that every part of the vehicle is within the limits of a parking place;
  - (d) 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.
- (2) The driver of a vehicle waiting in a parking place specified in Schedule 5 during the permitted hours shall cause it so to stand:-
- (a) so that every part of the vehicle is within the limits of that parking place;
  - (b) 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;

- (3) For the purposes of sub-paragraph (1)(d) and (2)(b) of this Article, the expression "premises" shall not include any premises to or from which any furniture is being removed by virtue of the provisions of Article 17(2)(a) or to or from which goods are being delivered or collected by virtue of the provisions of Article 17(2)(b).

**Power to suspend the use of a parking place**

15. (1) The Chief Officer of Police or any police officer above the rank of Chief Inspector may suspend the use of a parking place or any part thereof for a period not exceeding twenty-eight days whenever he considers such suspension necessary for maintaining the security of premises in the vicinity of that parking place.

(2) At the expiration of the period of twenty-eight days mentioned in paragraph (1) of this Article, the suspension of the parking place, as the case may be, or any part thereof 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 or authorised agent may suspend the use of a parking place or any part thereof whenever they consider such suspension reasonably necessary:-

- (a) for the purpose of facilitating the movement of traffic or promoting its safety;
- (b) on any occasion on which it is likely, by reason of some special attraction or occurrence, that any street will be thronged or obstructed;
- (c) 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 or loading area, as the case may be, 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 telecommunication system or the placing, maintenance or removal of any traffic sign;
- (d) for the convenience of occupiers of premises adjacent to the parking place on any occasion of the removal of furniture to or from one office or dwelling-house adjacent to that parking place from or to a depository, or another office or dwelling-house;
- (e) for the convenience of occupiers of premises adjacent to the parking place at times of weddings or funerals, or on other special occasions.

(4) A police constable in uniform may suspend for not longer than seven days the use of a parking place or any part thereof whenever he considers such suspension reasonably necessary:-

- (a) for the purpose of facilitating the movement of traffic or promoting its safety;
- (b) on any occasion on which it is likely, by reason of some special attraction or occurrence, that any street will be thronged or obstructed.

(5) On the suspension of the use of a parking place or any part thereof in accordance with the provisions of this Article, the person authorising or causing such suspension shall place or cause to be placed in or adjacent to that parking place, or that part thereof, as the case may be, a traffic sign indicating that waiting by vehicles is prohibited.

(6) No person shall cause or permit a vehicle to wait in a parking place or any part thereof at any time during which there is displayed in or adjacent to that parking place or that part thereof, as the case may be, a traffic sign placed in pursuance of paragraph (5) of this Article:

Provided that nothing in this paragraph shall apply:-

- (a) in respect of any vehicle being used for ambulance, fire brigade or police purposes or any vehicle which is waiting for any reason specified in Article 17(1)(b), (d) or (e);
- (b) to anything done with the permission of the person suspending the use of the parking place or the part thereof, as the case may be, in pursuance of paragraph (1), (3) or (4) of this Article, a police constable in uniform or a parking attendant.

**Restriction on the use of a parking place**

16. 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 any goods to any person in or near the parking place or in connection with the selling or offering for sale of their skill in handicraft or their services in any other capacity:

Provided that nothing in this Article shall prevent the sale or offering or exposing for sale of goods from a vehicle:-

- (a) if the vehicle is a passenger vehicle, a goods carrying vehicle, a motor cycle or an invalid carriage and the goods are immediately delivered at or taken into premises adjacent to the vehicle from which the sale is effected; or
- (b) if the vehicle is one to which the provisions of Article 17(2)(b) apply.

**Restriction on waiting by a vehicle in a parking place**

17. (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 if:-

- (a) the vehicle is waiting for a period not exceeding two minutes or such longer period as a parking attendant may approve to enable a person to board or alight from the vehicle or load thereon or unload therefrom their personal luggage:

Provided that if the said person is a person suffering from any disability or injury which seriously impairs their ability to walk, or who is blind, the vehicle may wait for so long as may be necessary to enable that person to board or alight from the vehicle or load thereon or unload therefrom their personal luggage;

- (b) the vehicle is waiting owing to the driver being prevented from proceeding by circumstances beyond their control or to such waiting being necessary in order to avoid an accident;
- (c) the vehicle is being used for ambulance, fire brigade or police purposes or, not being a passenger 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 the performance of such duties for the vehicle to wait in the place in which it is waiting;
- (d) the vehicle is waiting only for so long as may be necessary to enable it to be used in connection with the removal of any obstruction to traffic;
- (e) the vehicle is being used by a universal service provider in the course of the provision of a universal postal service and the vehicle is waiting only for so long as may be reasonably necessary for postal packets to be collected or delivered at premises or posting boxes adjacent to the place in which the vehicle is waiting;

- (f) the vehicle, not being a passenger vehicle, is waiting only for so long as may be necessary to enable it to be used for any purpose specified in Article 15(3)(c);
  - (g) the vehicle is waiting with the written consent of the Council or authorised agent and such conditions and requirements as they may impose are being complied with.
- (2) 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 if:-
- (a) the vehicle is in actual use in connection with 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;
  - (b) in any other case the vehicle is waiting for the purpose of delivering or collecting goods or loading or unloading the vehicle at premises adjacent to the parking place in which the vehicle is waiting and the vehicle does not wait for such purpose for more than twenty minutes or for such longer period as a parking attendant may approve.
- (3) Except as provided by this Order, the driver or person in charge of a vehicle shall not cause or permit that vehicle to wait in a parking place during the permitted hours.
- (4) The driver of a vehicle waiting in a parking place by virtue of the provisions of paragraph (1) or (2) of this Article shall cause it so to stand in accordance with the provisions of Article 14.
- (5) Nothing in the foregoing provisions of this Order shall be taken as authorising anything which would be a contravention of any Regulations made or having effect as if made under section 25 of the Road Traffic Regulation Act 1984.

**Placing of traffic signs, etc.**

18. The Council shall:-
- (a) place and maintain traffic signs indicating the limits of each parking place referred to in Schedule 5, 6, 7 or 8;
  - (b) place and maintain in or in the vicinity of each parking place referred to in Schedule 5, 6, 7 or 8 traffic signs indicating that such parking place may be used during the permitted hours for the leaving only of the vehicles specified in Article 9(1), (2) (3) or (4) respectively;
  - (c) carry out such other work as is reasonably required for the purposes of the satisfactory operation of a parking place.

**Conflict with the provisions of Part II of this Order**

19. So far as a provision contained in Part II of this Order conflicts with a provision contained in Part III of this Order, the provision of Part III of this Order shall prevail.

**Section 2 – Application for and issue of permits**

**Application for and issue of resident's permits**

20. (1) A resident who is the registered keeper of a vehicle of the class specified in Article 9(4) may apply to the Council or authorised agent for the issue of a resident's permit in respect of that vehicle and any such application shall be made on a form obtainable from the Council or authorised agent and shall include the particulars and information required by such form to be supplied and shall be accompanied by the remittance of the relevant charge specified in Schedule 10:-

Providing that a resident may not apply to the Council or authorised agent for the issue of a resident's permit in any case where more than one other residents' permit has previously been issued to either that resident or any other resident in the same household and that permit remains valid or if in granting planning permission, the Local Authority has informed the applicant that the number of permits issued in respect of the property of which the applicant is a resident should be restricted to one, or that no permit be issued.

- (2) On receipt of an application for a resident's permit or after the issue of a resident's permit, the Council or authorised agent may at any time require an applicant for a resident's permit or a resident's permit holder, as the case may be, to produce to an officer of the Council or a representative of the authorised agent:-
  - (a) in respect of any application, such evidence as they may reasonably call for to verify the details of that application; or
  - (b) in respect of any resident's permit that has been issued, such evidence as they may reasonably call for to verify that the resident's permit is valid.
- (3) On receipt of an application made under the provisions of this Article and on receipt of the relevant charge specified in Schedule 10, the Council or authorised agent, upon being satisfied that the applicant is a resident and is the registered keeper of the vehicle in respect of which the application is made and the vehicle is of the class specified in Article 9(4) and that no other permit which remains valid has been issued under the provisions of this Order in respect of that vehicle, shall issue to the applicant:-
  - (a) one resident's permit for the leaving during the permitted hours in a parking place referred to in Schedule 8 of the vehicle to which such resident's permit relates by the resident's permit holder or by any person using such vehicle with the consent of the resident's permit holder, other than a person to whom such vehicle has been let for hire or reward;
  - (b) one protective cover in which the resident's permit must be displayed.

#### Surrender, withdrawal and validity of resident's permits

21. (1) A resident's permit holder may surrender a resident's permit to the Council or authorised agent at any time and shall surrender a resident's permit to the Council or authorised agent on the occurrence of any one of the following events:
  - (a) the resident's permit holder ceasing to be a resident;
  - (b) the resident's permit holder ceasing to be the registered keeper of the vehicle in respect of which the resident's permit was issued;
  - (c) the withdrawal of such resident's permit by the Council or authorised agent under the provisions of paragraph (2) of this Article;
  - (d) the vehicle in respect of which such resident's permit was issued being adapted or used in such a manner that it is not a vehicle of the class specified in Article 9(4);
  - (e) the issue of a duplicate resident's permit by the Council or authorised agent under the provisions of Article 22.
- (2) The Council or authorised agent may, by notice in writing served on the resident's permit holder by sending the same by the recorded delivery service to the resident's permit holder at the address shown by that person on the application for the resident's permit or at any other address believed to be that person's place of abode, withdraw a resident's permit if it appears to the Council or authorised agent that any of the events set out in paragraph (1)(a), (1)(b) or (1)(d) of this Article has

occurred and the resident's permit holder shall surrender the permit to the Council or authorised agent within 48 hours of the receipt of the afore-mentioned notice.

- (3) Where a resident's permit is issued to any person upon receipt of a cheque and the cheque is subsequently dishonoured, the resident's permit shall cease to be of any effect and the Council or authorised agent shall, by notice served on the person to whom such resident's permit was issued, by sending the same by the recorded delivery service to him or her at the address shown by that person on the application for the resident's permit or at any other address believed to be that person's place of abode, require that person to surrender the resident's permit to the Council or authorised agent within 48 hours of the receipt of the afore-mentioned notice.
- (4) A resident's permit shall cease to be valid at the expiration of the period specified on it or on the occurrence of one or more of the events referred to in paragraph (1) of this Article, whichever is the sooner.

#### Application for and issue of duplicate resident's permits

22. (1) If a resident's permit is mutilated or accidentally defaced or the figures or particulars thereon have become illegible or the colour of the residents' permit has become altered by fading or otherwise, the resident's permit holder shall either surrender it to the Council or authorised agent or apply to the Council or authorised agent for the issue to them of a duplicate resident's permit and the Council or authorised agent, upon receipt of the resident's permit, shall issue a duplicate resident's permit, so marked, and upon such issue the resident's permit shall become invalid.
- (2) If a resident's permit is lost or destroyed, the resident's permit holder may apply to the Council or authorised agent for the issue to them of a duplicate resident's permit and the Council or authorised agent, upon being satisfied as to such loss or destruction, shall issue a duplicate resident's permit, so marked, and upon such issue the resident's permit shall become invalid.
- (3) The provisions of this Order shall apply to a duplicate resident's permit and an application for a duplicate resident's permit, as if it were a resident's permit or, as the case may be, an application for a resident's permit.

#### Application for and issue of business permits

23. (1) A business user who uses a vehicle of the class specified in Article 9(4) that:-
  - (a) is essential to the operation of a business carried out at any premises the postal address of which is in a street or property specified in Schedule 9; and
  - (b) is used for the purchase or sale of goods or services or for delivering goods or providing a service, in connection with that business –

may apply to the Council or authorised agent for the issue of a business permit in respect of that vehicle and any such application shall be made on a form obtainable from the Council or authorised agent and shall include the particulars and information required by such form to be supplied and shall be accompanied by the remittance of the relevant charge specified in Schedule 11:-
- (2) On receipt of an application for a business permit or after the issue of a business permit, the Council or authorised agent may at any time require an applicant for a business permit or a business permit holder, as the case may be, to produce to an officer of the Council or a representative of the authorised agent:-
  - (a) in respect of any application, such evidence as they may reasonably call for to verify the details of that application; or
  - (b) in respect of any business permit that has been issued, such evidence as they may reasonably call for to verify that the business permit is valid.



- (3) On receipt of an application made under the provisions of this Article and on receipt of the charge specified in Schedule 11, the Council or authorised agent, upon being satisfied that the applicant is a business user and uses the vehicle in respect of which the application is made and the vehicle is of the class specified in Article 9(4), shall issue to the applicant:-
- (a) one business permit for the leaving during the permitted hours in a parking place referred to in Schedule 8, of the vehicle to which such business permit relates, by the business permit holder or by any person using such vehicle with the consent of the business permit holder, other than a person to whom such vehicle has been let for hire or reward;
  - (b) one protective cover in which the business permit must be displayed.

**Surrender, withdrawal and validity of business permits**

24. (1) A business permit holder may surrender a business permit to the Council or authorised agent at any time and shall surrender a business permit to the Council or authorised agent on the occurrence of any one of the following events:
- (a) the business permit holder ceasing to be a business user;
  - (b) the business permit holder ceasing to be the user of the vehicle in respect of which the business permit was issued;
  - (c) the withdrawal of such business permit by the Council or authorised agent under the provisions of paragraph (2) of this Article;
  - (d) the vehicle in respect of which such business permit was issued being adapted or used in such a manner that it is not a vehicle of the class specified in Article 9(4);
  - (e) the issue of a duplicate business permit by the Council or authorised agent under the provisions of Article 25.
- (2) The Council or authorised agent may, by notice in writing served on the business permit holder by sending the same by the recorded delivery service to the business permit holder at the address shown by that person on the application for the business permit or at any other address believed to be that person's place of abode or business, withdraw a business permit if it appears to the Council or authorised agent that any of the events set out in paragraph (1)(a), (1)(b) or (1)(d) of this Article has occurred and the business permit holder shall surrender the permit to the Council or authorised agent within 48 hours of the receipt of the afore-mentioned notice.
- (3) Where a business permit is issued to any person upon receipt of a cheque and the cheque is subsequently dishonoured, the business permit shall cease to be of any effect and the Council or authorised agent shall, by notice served on the person to whom such business permit was issued, by sending the same by the recorded delivery service to him or her at the address shown by that person on the application for the business permit or at any other address believed to be that person's place of abode or business, require that person to surrender the business permit to the Council or authorised agent within 48 hours of the receipt of the afore-mentioned notice.
- (4) A business permit shall cease to be valid at the expiration of the period specified on it or on the occurrence of one or more of the events referred to in paragraph (1) of this Article, whichever is the sooner.

**Application for and issue of duplicate business permits**

25. (1) If a business permit is mutilated or accidentally defaced or the figures or particulars thereon have become illegible or the colour of the business permit has become altered by fading or otherwise, the business permit holder shall either surrender it to the Council or authorised agent or apply to the

Council or authorised agent for the issue to them of a duplicate business permit and the Council or authorised agent, upon receipt of the business permit, shall issue a duplicate business permit, so marked, and upon such issue the business permit shall become invalid.

- (2) If a business permit is lost or destroyed, the business permit holder may apply to the Council or authorised agent for the issue to them of a duplicate business permit and the Council or authorised agent, upon being satisfied as to such loss or destruction, shall issue a duplicate business permit, so marked, and upon such issue the business permit shall become invalid.
- (3) The provisions of this Order shall apply to a duplicate business permit and an application for a duplicate business permit, as if it were a business permit or, as the case may be, an application for a business permit.

#### **Application for and issue of day permits**

26. (1) The Council, an employer, hotelier or resident may apply to the Council or authorised agent for the issue of a day permit for use by either a concessionaire, health care worker, hotel guest, resident's visitor or tradesperson, as the case may be, in respect of a vehicle of the class specified in Article 9(4) being used by that person and any such application shall be made on a form obtainable from the Council or authorised agent and shall include the particulars and information required by such form to be supplied and shall be accompanied by the remittance of the relevant charge specified in Schedule 12:-

Providing that the quota of day permits issued to either a concessionaire, health care worker, hotel guest, resident's visitor or tradesperson, that the Council may from time to time resolve to limit, has not been exceeded.

- (2) On receipt of an application made under the provisions of this Article and of the relevant charge specified in Schedule 12 and on being satisfied that the applicant is either a concessionaire, health care worker, hotel guest, resident's visitor or tradesperson and that they satisfy the Council's criteria, the Council or authorised agent shall issue to the applicant a book of ten appropriate day permits, or in the case of a tradesperson, a book of five day permits, for the leaving during the permitted hours in a parking place referred to in Schedule 8 of vehicles of the class specified in Article 9(4):-

Provided that the Council or authorised agent shall not issue more than the quota of day permits that the Council may from time to time resolve to supply.

- (3) The Council may at any time require an applicant for day permits to produce to an officer of the Council or the authorised agent such evidence in respect of an application for day permits as they may reasonably require to verify any particulars or information given to them or in respect of any day permits issued by them as they may reasonably call for to verify that the day permits are valid.
- (4) A day permit shall be valid during the permitted hours from the beginning of the day on which it is first validated by the day permit holder until 10 a.m. on the following day.

#### **Surrender, withdrawal and validity of day permits**

27. (1) An employer, hotelier or resident may surrender a day permit to the Council or authorised agent at any time and shall surrender a day permit to the Council or authorised agent on ceasing to be either a concessionaire, health care worker, hotel guest, resident's visitor or tradesperson.
- (2) The Council or authorised agent may, by notice in writing served on the day permit holder by sending the same by the recorded delivery service to the day permit holder at the address shown by that person on the application for the day permit or at any other address believed to be that person's place of abode, withdraw all day permits if it appears to the Council or authorised agent that the person has ceased to be a day permit holder and they shall surrender the permits to the Council or authorised agent within 48 hours of the receipt of the afore-mentioned notice.

**Refunds of charges paid for resident's permits and business permits**

28. A resident's permit holder or a business permit holder who surrenders a resident's permit or a business permit respectively to the Council or authorised agent, shall be entitled to a refund of the charge paid or part of the charge paid, in accordance with the provisions set out in Schedule 13.

**Restriction on the removal of permits**

29. Where a resident's permit, a business permit or a day permit has been displayed in accordance with the provisions of Article 10, no person not being the driver of the vehicle shall remove that permit unless authorised to do so by the driver of the vehicle:

Provided that nothing in this Article shall apply to a parking attendant or a police constable in uniform or any other person removing the vehicle in pursuance of an arrangement made under regulations in pursuance of powers contained in sections 99, 100 and 101 of the Road Traffic Regulation Act 1984.

**Form of permits**

30. (1) A resident's permit or a business permit shall be in writing and shall include the following particulars:-

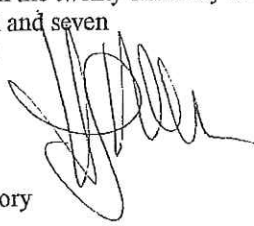
- (a) the registration mark of the vehicle in respect of which the permit has been issued;
- (b) the period during which the permit shall remain valid, subject to the provisions of Article 21(4) or 24(4), as the case may be;
- (c) an indication that the permit has been issued by the Council or authorised agent; and
- (d) an indication of the parking sub-zone or sub-zones within which the permit is valid.

(2) A day permit shall be in writing and shall include the following particulars:-

- (a) the registration mark of the vehicle in respect of which the permit has been validated;
- (b) the date on which the permit has been validated;
- (c) an indication that the permit has been issued by the Council or authorised agent; and
- (d) an indication of the parking sub-zone or sub-zones within which the permit is valid.

(3) The particulars specified in paragraphs 2(a) and (b) of this Article are to be completed by the person who applied for the day permit before the permit is displayed in accordance with the provisions of Article 10.

THE COMMON SEAL of the EAST )  
SUSSEX COUNTY COUNCIL was )  
affixed hereunto on the twenty-sixth day of )  
June two thousand and seven )  
in the presence of: )



Authorised Signatory

