# The East Sussex (Eastbourne)(Parking Places and Waiting, No Stopping and Loading Restrictions)Traffic Regulation Order 2021

**EAST SUSSEX COUNTY COUNCIL**
**ROAD TRAFFIC REGULATION ACT 1984 & ROAD TRAFFIC ACT 1991**
**TRAFFIC MANAGEMENT ACT 2004**

The East Sussex (Eastbourne)(Parking Places and Waiting, No Stopping and Loading Restrictions)Traffic Regulation Order 2021

East Sussex County Council, in exercise of their powers under Sections 1(1), 2(1) to (4), 3(2), 4(2), 32, 35(1) and (3), 45, 49, 51, 52, 53 of, and Part IV of Schedule 9 to the Road Traffic Regulation Act 1984 ("the Act") as amended, the Road Traffic Act 1991 (as amended), Part 6 of the Traffic Management Act 2004, and of all other enabling powers and after consultation with the Chief Officer of Police in accordance with Part III of Schedule 9 to the Act hereby make the following Order:-

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| 1. | **Part I - Preliminary** |
| | **Interpretation** |
| | Reference to any statute or statutory provision includes a reference to that statute or statutory provision as from time to time amended, extended, re-enacted or consolidated or modified whether substantial or not and whether before or after the date of this Order and all statutory instruments or Orders made pursuant to it; |
| | Reference to a numbered Article or Schedule in this Order shall, unless the context otherwise requires, be construed as a reference to the Article or Schedule bearing that number in this Order; |
| | "the Act of 1984" and "the 1984 Act" means the Road Traffic Regulation Act 1984, and any re-enactment or modification thereof from time to time in force; |
| | "ambulance" has the same meaning as in the Vehicle Excise and Registration Act 1994; |
| | "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; |
| | "bus" and "bus and coach" mean motor vehicles constructed or adapted to carry more than eight passengers (excluding the driver); and local buses not so constructed or adapted; |
| | "bus lane" means an area of road that may be used only by buses (or a particular description of bus);<br>or only by buses (or a particular description of bus) and some other class or classes of vehicle as shown in the Order Plans; |
| | "business" means any Company limited by shares or guarantee, business partnership, sole trader or charitable organisation; |
| | "business permit" means a permit issued under the provisions of Article 26; |
| | "business Permit Holder" means a person to whom a business permit has been issued under the provisions of Article 26; |
| | "business user" means a person who carries out business at any premises the postal address of which is in any street with designated parking places shown in the Order Plans; |
| | "carriageway" has the same meaning as defined in Section 329 (1) of the Highways Act 1980 or any re-enactment or modification thereof from time to time in force; |
| | "Civil Enforcement Officer" means a person authorised by or on behalf of the East Sussex County Council under Section 76 of the Traffic Management Act 2004 to supervise and enforce the road traffic contraventions for which East Sussex County Council is the enforcement authority; |
| | "concessionaire", means a person who has been granted a concession by the Council to be eligible for a day permit for bona fide reasons; |

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| | "day permit" means a permit issued under the provisions of Article 29; |
| | "disabled person's badge" and "time clock" have the same meanings as in Regulation 3(1) of the Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000 and "relevant position" has the same meaning as in Regulation 4 of those Regulations; |
| | "disabled persons' vehicle" has the same meaning as given by Section 142 of the Road Traffic Regulation Act 1984, or any re-enactment or modification thereof from time to time in force; |
| | "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; |
| | "dual purpose vehicle" has the same meaning as in the Road Vehicles (Construction and Use) Regulations 1986, or any re-enactment or modification thereof from time to time in force; |
| | "electric vehicle" means a vehicle primarily powered by an electrical motor; |
| | "emergency vehicle" has the same meaning as in The Road Vehicles Lighting Regulations 1989 or any re-enactment or modification thereof from time to time in force; |
| | "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 and 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; |
| | "entrance marking" means an area of carriageway as shown by the order plans where a vehicle must not stop; |
| | "footway" has the same meaning as defined in Section 329 (1) of the Highways Act 1980 or any re-enactment or modification thereof from time to time in force; |
| | "goods" means any article not easily carried by hand or burden of any description and "delivering" and/or "collecting" in relation to any goods includes checking, loading or unloading the goods for the purposes of their delivery or collection; |
| | "goods vehicle" has the same meaning as in the Road Vehicles (Construction and Use) Regulations 1986, or any re-enactment or modification thereof from time to time in force; |
| | "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 in pursuit of their duties; |
| | "heavy commercial vehicle" means, as defined in Section 138 of the Road Traffic Regulation Act of 1984, or any re-enactment or modification thereof from time to time in force, which has an operating weight exceeding 7.5 tonnes; |
| | "heavy goods vehicle" means, for the purposes of this Order, a goods vehicle which has an operating weight exceeding 5 tonnes; |

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| | "Higher Level Contravention" has the same meaning as defined in the Civil Enforcement of Parking Contraventions (Guidelines on Levels of Charges) (England) Order 2007; |
| | "Higher Level Penalty Charge" has the same meaning as defined in the Civil Enforcement of Parking Contraventions (Guidelines on Levels of Charges) (England) Order 2007; |
| | "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 having designated parking places as shown in the Order Plans; |
| | "invalid carriage" has the same meaning as in the Road Vehicles (Construction and Use) Regulations 1986, or any re-enactment or modification thereof from time to time in force; |
| | "licensed taxi" or "taxi" has the same meaning as in Section 13(3)(a) of the Transport Act 1985; |
| | "local bus" means a public service vehicle used in provision of a public service; |
| | "local service" has the same meaning as in the Transport Act 1985; |
| | "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; |
| | "motor cycle" or "motor tricycle" has the same meaning as in the Road Vehicles (Construction and Use) Regulations 1986, or any re-enactment or modification thereof from time to time in force; |
| | "the Order Plans" means the plans associated with this Order; |
| | "this Order" means The East Sussex (Eastbourne)(Parking Places and Waiting, No Stopping and Loading Restrictions)Traffic Regulation Order 2021, or any re-enactment or modification thereof from time to time in force; |
| | "Owner", in relation to a vehicle, has the same meaning as defined in Section 92 of the Traffic Management Act 2004; |
| | "parking period" means a period of time for which payment of the parking charge has been paid in respect of a vehicle and during which that vehicle may be left in a parking place shown in the Order Plans, subject to the provisions of this Order; |
| | "parking place" means any length of road authorised by this Order to be used as a parking place; |
| | "parking space" means a space in a parking place, which is provided for the leaving of a vehicle; |

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| | "Part 1" when used in relation to a disabled person's badge, means the front of the badge; |
| | "passenger vehicle" means a motor vehicle (other than a motor cycle or invalid carriage) constructed or adapted solely for the carriage of not more than twelve passengers (exclusive of the driver) and their effects and not drawing a trailer; |
| | "parking disc" means a disc issued by a local authority, 125 millimetres square coloured blue if issued on or after 1st April 2000, or coloured orange if issued before that date, which has not ceased to be valid, and which is capable of showing the quarter hour period during which a period of waiting begins; |
| | "Penalty Charge" and "Reduced Penalty charge" means a charge set by East Sussex County Council in accordance with the provisions of Section 77 and Schedule 9 of the Traffic Management Act 2004 and Regulations made thereunder and in accordance with and any guidance given by the Secretary of State, following the issue of a penalty charge notice; |
| | "Penalty Charge notice" means a notice issued by a Civil Enforcement Officer pursuant to the provisions of Section 78 of the Traffic Management Act 2004 and any Regulations made thereunder; |
| | "prescribed hours" in relation to a street or length of street shown in the Order Plans, means the time shown in the Order Plans; |
| | "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" for the purpose of this Order means a person whose usual place of abode is at premises the postal address of which is in any street or property within the boundaries of the zones shown on the Eastbourne Permit Zones map in the Order Plans provided the street is not private; |
| | "resident's permit" means a permit issued under the provisions of Article 23; |
| | "resident's visitor" means a person who is visiting a resident; |
| | "restricted street" means a street or part of a street shown in the Order Plans as having a 'No Waiting' restriction, provided that the expression "restricted street" shall not for the purpose of this Order include any area on a highway or any place for the time being designated or described as a parking place by any order made or having effect as if made under sections 1, 9, 32 and 45 of the Road Traffic Regulation Act 1984, or any re-enactment or modification thereof from time to time in force; |
| | "solo motor cycle" has the same meaning as in the Traffic Signs Regulations and General Directions 2002; |
| | "Schedule" means a Schedule to this Order; |
| | "street" includes any part of a street; |
| | "telecommunication system" has the same meaning as in the Telecommunications Act 1984; |

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| | "ticket" means a ticket issued by a ticket parking meter relating to a parking place shown in the Order Plans as being a Pay and Display parking place; | |
| | "ticket parking meter" means an apparatus of a type and design approved by the Secretary of State for Transport for the purposes of this Order being an apparatus designed to issue a ticket indicating the payment of the parking charge referred to in Article 14 and the time by which the parking period will expire; | |
| | "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 with parking places shown in the Order Plans, 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; | |
| | "verge" means any part of a highway which is not a carriageway or footway; | |
| | "waiting restriction" means a prohibition of waiting in a street and shall be at any time or at the times shown in the Order Plans; | |
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| 2. | 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 the Order Plans as having a waiting restriction, 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 a restricted 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; |
| | (c) | 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; |
| | (d) | 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. |
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| **Application of Order** | | |
| The restrictions imposed by Part II of this Order are subject to the exceptions, exemptions, and supplementary provisions set out in Part III of this Order. | | |

| Part II – Waiting and Loading restrictions and designation of Parking Places | | | |
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| 3. | (1) | No person shall cause or permit any vehicle to wait during the prescribed hours, in any street or length of street specified in the Order Plans as having a waiting restriction 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. | |
| | (2) | No person shall cause or permit any vehicle to wait in any road shown in the Order Plans as having a weight limit restriction if that vehicle exceeds the weight limit restriction except for so long as may be necessary for the purpose of delivering or collecting goods or for loading or unloading the vehicle at premises adjacent to the road. | |
| | (3) | No person shall cause or permit any vehicle to wait, including waiting for the purpose of delivering or collecting goods or loading or unloading the vehicle during the prescribed hours, in any street or length of street specified in the Order Plans as having a 'No Loading/Unloading' restriction. | |
| | (4) | Save as provided in Article 3 (5), no person shall cause or permit any vehicle to stop on any of the lengths of road and on such days during the permitted hours as specified in the Order Plans as having a 'No Stopping on Entrance Markings' restriction. | |
| | (5) | Nothing in Article 3 (4) of this Section shall render it unlawful to cause or permit any vehicle to wait in the length or road referred to in that Article for so long as may be necessary to enable:- | |
| | | (a) | The vehicle to be used for emergency services purposes; |
| | | (b) | A vehicle to wait owing to the driver being prevented from proceeding by circumstances beyond his control or to such waiting being necessary in order to avoid accident; |
| | (6) | No person shall cause or permit any vehicle the maximum weight of which exceeds 5 tonnes to wait during the prescribed hours, in any road or length of road in the Borough of Eastbourne | |
| | (7) | No person shall cause or permit a bus or coach to wait in any road or length of road in the Borough of Eastbourne | |
| 4. | (1) | Each parking place 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 or goods carrying vehicles the vehicle exceeds 3.2 metres overall height, 6.5 metres overall length and 5 tonnes gross weight, motor cycles or invalid carriages. | |

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| | (2) | Each parking place referred to in the Order Plans as being Permit Holders parking places, or as being Permit Holders or Time Limited parking places may be used, subject to the provisions of this Order, for the leaving during the permitted hours of such vehicles of the class specified in paragraph (1) of this Article which display in the manner specified in Article 5(2) either a valid resident's, business or day permit issued in respect of that vehicle under the provisions of this Order, or where such a permit is not displayed in the manner specified in Article 5(2), the vehicle does not wait in the parking place for a period exceeding the permitted length of stay. |
| | (3) | Each parking place referred to in the Order Plans as being Pay and Display parking places may be used, subject to the provisions of this Order, for the leaving during the permitted hours of such vehicles of the class specified in paragraph (1) of this Article which display in the manner specified in Article 5(2) either a valid business permit or a valid ticket issued in respect of that vehicle under the provisions of this Order. |
| | (4) | Each parking place referred to in the Order Plans as being Permit Holders or Pay and Display parking places may be used, subject to the provisions of this Order, for the leaving during the permitted hours of such vehicles of the class specified in paragraph (1) of this Article which display in the manner specified in Article 5(2) either a valid resident's, business or day permit or a valid ticket issued in respect of that vehicle under the provisions of this Order. |
| | (5) | Each parking place referred to in the Order Plans as being Motorcycle parking places 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. |
| | (6) | Each parking place referred to in the Order Plans as being Blue Badge Holders only parking places may be used, subject to the provisions of this Order, for the leaving during the permitted hours of such vehicles clearly and continuously displaying in the relevant position a disabled person's badge. |
| | (7) | Each parking place referred to in the Order Plans as being Taxi parking places may be used, subject to the provisions of this Order, for the leaving during the permitted hours of such vehicles as are taxis. |
| | (8) | Each parking place referred to in the Order Plans as being free parking places may be used, subject to the provisions of this Order, for the leaving during the permitted hours of such vehicles of the class specified in paragraph (1) of this Article. |
| | (9) | Each parking place referred to in the Order Plans as being Goods Vehicle Loading Only may be used, subject to the provisions of this Order, for 'active loading' during the permitted hours of goods carrying vehicles of the class specified in paragraph (1) of this Article. |
| | (10) | Each parking place referred to in the Order Plans as being Loading Only may be used, subject to the provisions of this Order, for 'active loading' during the permitted hours of any vehicles of the class specified in paragraph (1) of this Article. |

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| | (11) | Each parking place referred to in the Order Plans as being Time Limited parking places may be used, subject to the provisions of this Order, for the leaving during the permitted hours of such vehicles of the class specified in paragraph (1) of this Article, provided that the vehicle does not wait in the parking place for a period exceeding the permitted length of stay. |
| | (12) | Each parking place referred to in the Order Plans as being Ambulance parking places may be used, subject to the provisions of this Order, for the leaving during the permitted hours of such vehicles as are ambulances. |
| | (13) | Each parking place referred to in the Order Plans as being Buses parking places may be used, subject to the provisions of this Order, for the leaving during the permitted hours of such vehicles as are buses. |
| | (14) | Each parking place referred to in the Order Plans as being Doctors parking places may be used, subject to the provisions of this Order, for the leaving during the permitted hours of such vehicles displaying a valid Doctor's permit issued by Eastbourne Parking Information Centre. |
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| **Part III – Supplementary Provisions** | | |
| **Display of tickets, permits, waivers and blue badges** | | |
| 5. | (1) | A valid ticket shall be clearly and continuously displayed in a vehicle so that the VRM (Vehicle Registration Mark) of the vehicle in which it (the ticket) is displayed, the amount paid, expiry date and expiry time of the parking period is clearly visible from the front or nearside of the vehicle, for its entire length of stay in that parking place. |
| | (2) | A valid permit shall be clearly and continuously displayed in a vehicle so that the VRM (Vehicle Registration Mark), permit code and expiry date, or in the case of a scratch card permit the VRM, permit code and date when parking is allowed, including the time where applicable, is clearly visible from the front or nearside of the vehicle, for its entire length of stay in that parking place. |
| | (3) | A valid waiver shall be clearly and continuously displayed in a vehicle so that the location, dates and times of the waiver are clearly visible from the front or nearside of the vehicle, for its entire length of stay in that parking place. |
| | (4) | A valid blue badge shall be clearly and continuously displayed in a vehicle so that the serial number, issuing authority and expiry date, and where applicable, the time clock set at the time of arrival, are clearly visible from the front or nearside of the vehicle, for its entire length of stay in that parking place. |
| | (5) | When payment has been made according to Article 15 (4) there shall be no requirement to display a ticket or permit, and evidence that the charge has been paid shall be provided by the appearance on a hand-held device (where "hand-held device" means a wireless hand-held computer used by a Civil Enforcement Officer, which is programmed to interface with the telephone payment system) of: |

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| | | (a) | an indication that the correct payment for a valid permit applicable to the parking place in which the vehicle has been left has been made in respect of that vehicle; or |
| | | (b) | an indication that the correct payment applicable to the parking place in which the vehicle has been left has been made in respect of that vehicle, together with details of the date and time of the expiry of the parking period for which that payment has been made; and |
| | | (c) | an indication that the parking period for which the payment has been made has not expired. |
| | (6) | When payment has been made via an online application, there shall be no requirement to display a ticket or permit, and evidence that the payment has been paid shall be provided by the appearance on a hand-held device (where "hand-held device" means a wireless hand-held computer used by a Civil Enforcement Officer), provided that: | |
| | | (a) | an 'online application' has been approved by East Sussex County Council, and |
| | | (b) | the session has been activated by the online application. |
| **Contraventions and Penalty Charge** | | | |
| 6. | A penalty charge will be payable if a vehicle is left in a parking place without complying with the provisions of this Order. A contravention shall be deemed to have occurred if: | | |
| | (a) | a vehicle is parked after expiry of the parking period for which the parking charge (where applicable) was paid; or | |
| | (b) | a vehicle is parked without displaying a valid ticket in accordance with Article 5 (1) of this Order or a valid permit in accordance with Article 5 (2) of this Order, or where necessary both, or a valid waiver in accordance with Article 5 (3), or a valid blue badge in accordance with Article 5 (4), as required for that parking place; or | |
| | (c) | where facilities allow payment by a mobile telephone, confirmation of a valid parking period or parking charge paid for that parking place does not appear on the CEOs hand-held device when the VRM is entered; or | |
| | (d) | a vehicle is parked in a parking space or part of a parking place designated for a specific user and it is not of that class of vehicle or driver; or | |
| | (e) | where there are marked bays in a parking place, a vehicle is not parked fully within a marked bay; or | |
| | (f) | a vehicle is parked obstructing the entrance or exit of the parking place or causing an obstruction to other vehicles using the parking place; or | |
| | (g) | a vehicle exceeds the permitted length, height or weight for that parking place; or | |
| | (h) | a vehicle exceeds the permitted length of stay for that parking place; or | |

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| | (i) | a vehicle returns to the same parking place before the minimum length of time between stays has elapsed; or |
| | (j) | a vehicle is using the parking place for any purpose other than parking. |
| 6.1 | When a CEO identifies a contravention as having occurred they will issue a Penalty Charge Notice (PCN) which they will either attach to the vehicle in a noticeable position or hand to the driver of the vehicle. | |
| 6.2 | The driver of a vehicle which has been issued a PCN can pay the penalty charge to the Council by: | |
| | (a) | telephone, using a secure line which is available 24 hours, 7 days a week; or |
| | (b) | in person at the following addresses:<br>Eastbourne Library, Grove Road, Eastbourne, BN21 4TL<br>Hastings Library, Brassey Institute, 13 Claremont, Hastings, TN34 1HE<br>Lewes Library, Styles Field, Friars Walk, Lewes, BN7 2LZ |
| | (c) | online, using a secure link from the Council's website; or |
| | (d) | sending cheque or postal orders (payable to East Sussex County Council) with the tear off slip at the bottom of the PCN, by post to East Sussex County Council, Parking Services, Eastbourne Library, Eastbourne, BN21 4TL |
| 6.3 | The amount of penalty charge referred to in Article 6.2 above shall be £70 for a Higher Level Contravention and £50 for all other contraventions. | |
| 6.4 | A Penalty Charge Notice shall also be served by post by the Council (the enforcement authority) as defined in The Civil Enforcement of Parking Contraventions (England) General Regulations (CEPCGR) 2007 or any re-enactment or modification thereof from time to time in force where; | |
| | (a) | on the basis of a record produced by an approved device, the authority has reason to believe that a penalty charge is payable with respect to a vehicle which is stationary in a civil enforcement area; or |
| | (b) | a civil enforcement officer had begun to prepare a penalty charge notice for service in accordance with regulation 9 of CEPGCR, but the vehicle concerned was driven away from the place in which it was stationary before the civil enforcement officer had finished preparing the penalty charge notice or had served it in accordance with regulation 9 of CEPGCR, |
| | and references in these Regulations to a "regulation 10 penalty charge notice" are to a penalty charge notice served by virtue of this paragraph. | |
| **Alteration of position, duty to move on, and contravention of restrictions** | | |
| 7. | (1) | Where any vehicle is standing in a parking place in contravention of the provisions of Article 9, a civil enforcement officer may alter or cause to be altered the position of the vehicle in order that its position shall comply with those provisions. |

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| | (2) | Notwithstanding any exception or exemption contained in this Order, the person in control of a vehicle waiting during the prescribed hours in any restricted street, or in any street or length of street with No Waiting restrictions, or in a parking place shall move the vehicle on the instructions of a police constable in uniform or a civil enforcement officer 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. |
| | (3) | Except as provided by this Order, if a person causes or permits a vehicle to wait during the prescribed hours in any restricted street or length of street with No Waiting or No Loading restrictions, then a contravention shall be deemed to have occurred and a penalty charge shall be payable. |
| | (4) | Except as provided in this Order, if a person causes or permits a vehicle to be in a Bus Lane, whether it be for the purposes of driving, waiting, stopping, loading, unloading, or any other reason during the prescribed hours then a contravention shall be deemed to have occurred and a penalty charge shall be payable. |
| **Exemptions for vehicles displaying a disabled person's badge when left in certain parking places** | | |
| 8. | (1) | Notwithstanding the foregoing provisions of this Order, a vehicle which displays in the relevant position a valid disabled person's badge may be left in a parking place referred to in the Order Plans as being Pay and Display, Permit Holders or Pay and Display, Time Limited, Permit Holders or Time Limited, or for Disabled Persons without charge or time limit 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 9. |
| **Exemptions for vehicles displaying a disabled person's badge when left in restricted streets or streets with waiting restrictions** | | |
| 8.1 | Notwithstanding the foregoing provisions of this Order, a vehicle which displays in the relevant position a valid disabled person's badge and a time clock, may be left in any part of a street or length of street specified in the Order Plans as No Waiting At Any Time or No Waiting during certain times, or a restricted street 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:- | |
| | (1) | the driver of the vehicle or other person in charge of the vehicle sets the time clock to the time at which the period of waiting has begun; |
| | (2) | the Disabled Persons Blue Badge and time clock are clearly and continuously displayed, and; |
| | (3) | the vehicle is not causing obstruction or inconvenience to other road users, including pedestrians. |
| **Other exemptions** | | |

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| 8.2 | Nothing in Part II of this Order shall render it unlawful to cause or permit a vehicle to wait in any street or length of street specified in the Order Plans as No Waiting At Any Time or No Waiting during certain times, as a restricted street, Pay and Display, Permit Holder Only, or Permit Holder or Pay and Display parking places: | | |
| | (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 referred to in the Order Plans as having waiting or parking restrictions; |
| | | (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; | |
| | (g) | in relation to a vehicle being used for ambulance, fire brigade, police, or other emergency vehicle purposes, provided the vehicle is being used for statutory duties; | |

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| | (h) | | 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 restricted street; |
| | (i) | | to anything done with the permission or at the direction of a police constable in uniform or a civil enforcement officer; |
| | (j) | | 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. |
| **Manner of standing in a parking place** | | | |
| 9. | (1) | | The driver of a vehicle waiting in a parking place 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 30 centimeters 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 motor cycle waiting in a parking place 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 12(3)(a) or to or from which goods are being delivered or collected by virtue of the provisions of Article 12(3)(b). |

| Power to suspend the use of a parking place | | | |
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| 10. | (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) | (a) | 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:- |
| | | (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. |

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| | (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 12(2)(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 civil enforcement officer. |
| **Restriction on the use of a parking place** | | | |
| 11. | 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 12(3)(b) apply. | |
| **Restriction on waiting by a vehicle in a parking place** | | | |
| 12. | (1) | 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:- | |
| | (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 waiting for so long as may be reasonably necessary to enable a 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; |

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| | | (c) | the vehicle is being used for emergency vehicle 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 10(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. |
| | (3) | 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 civil enforcement officer may approve. |
| | (4) | 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. | |
| | (5) | The driver of a vehicle waiting in a parking place by virtue of the provisions of paragraph (1) (2) or (3) of this Article shall cause it so to stand in accordance with the provisions of Article 9. | |
| | (6) | 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 or any re-enactment or modification thereof from time to time in force relating to pedestrian crossing regulations. | |

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| **Installation of ticket parking meters, placing of traffic signs, etc.** | | | |
| 13. | The Council shall:- | | |
| | (a) | place and maintain traffic signs indicating the limits of each parking place; | |
| | (b) | place and maintain in or in the vicinity of each parking place traffic signs indicating that such parking place may be used during the permitted hours for the leaving only of the vehicles specified in Article 4; | |
| | (c) | carry out such other work as is reasonably required for the purposes of the satisfactory operation of a parking place. | |
| **Amount of the parking charge paid at ticket parking meters and maximum parking periods** | | | |
| 14. | (1) | Except as provided in Article 21, the relevant parking charge for a vehicle left in a parking place referred to in the Order Plans as being Pay and Display, or Permit Holders or Pay and Display parking places during the permitted hours shall, subject as hereinafter provided, be as specified in Schedule G5. | |
| | (2) | Where payment of the parking charge has been made in respect of a vehicle left in a parking place referred to in the Order Plans as being Pay and Display parking places, or Permit Holders or Pay and Display parking places, the parking period shall not exceed that period shown in the Order Plans. | |
| **Payment of the Parking Charge** | | | |
| 15. | (1) | The driver of a vehicle using a parking place shall pay the parking charge relevant to that parking place. | |
| | (2) | The parking charge shall be paid: | |
| | | (a) | where facilities allow, by the insertion of coins into a pay and display ticket machine which is approved in accordance with Section 35 (3) of the Road Traffic Regulation Act 1984 (as amended); or |
| | | (b) | where facilities allow, by a credit card, debit card or other pre-paid card at a pay and display ticket machine which is approved in accordance with Section 35(3) of the Road Traffic Regulation Act 1984 (as amended); or |
| | | (c) | where facilities allow, by a mobile telephone payment; or |
| | | (d) | where facilities allow, in the case of a Permit, by a mobile telephone payment or by any other method described in this Order. |
| | (3) | When payment of a parking charge is made using a pay and display ticket machine, a ticket will be issued by the machine identifying the amount paid and the expiry time of the parking period, and the VRM of the vehicle. This ticket is non-transferable between parking places or vehicles and must be displayed in the vehicle as set out in Article 5. | |

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| | (4) | When payment is made by mobile telephone, the parking place will be identified by the Location Identification Number (LIN) displayed on the information signs and the parking period paid for will only be valid for that specific parking place and vehicle. The LIN, parking charge paid and parking period will be available for CEOs to view on their hand-held devices when the VRM is entered. |
| | (5) | If, when a vehicle is parked in a parking place, payment of the parking charge is not possible using the drivers preferred method, it should be paid using any alternative method available. Where there is a problem with a pay and display ticket machine, the driver should check if there is another machine in that parking place that could be used. |
| | (6) | Only if all of the facilities for paying the parking charge at a parking place are not working or have been covered by an authorised agent, will the driver of that vehicle be exempt from paying the parking charge, provided that if the said facilities are rectified or replaced not later than two hours before the expiration of the permitted hours, the vehicle is removed within two hours of such rectification or replacement. If the vehicle is not so removed the parking charge for a period of two hours shall be deemed to have been incurred and paid at the time when the vehicle was left in the parking place and all the provisions of this Order shall apply accordingly. |
| **No additional tickets to be displayed** | | |
| 16. | Where a ticket has been displayed on a vehicle in accordance with the provisions of Article 15(3), no person shall display or cause to be displayed on that vehicle any ticket other than that which was initially displayed on that vehicle at the time the vehicle was first left in a parking place.<br>Provided that, nothing in this Article shall apply in relation to a vehicle which is taken away from a parking place and – | |
| | (1) | is returned to that same parking place after the expiration of at least one hour from the time the vehicle was taken away from that parking place; or |
| | (2) | is left in a different parking place. |
| **Restriction on the removal of tickets** | | |
| 17. | Where a ticket has been displayed on a vehicle in accordance with the provisions of Article 15(3), no person not being the driver of the vehicle shall remove the ticket from the vehicle unless authorised to do so by the driver of the vehicle. | |
| **Indications by tickets** | | |
| 18. | (1) | Payment of the parking charge for a vehicle left in a parking place referred to in the Order Plans as being Pay and Display, or Permit Holders or Pay and Display parking places shall be indicated by the issue by a ticket parking meter of a ticket indicating that a parking charge has been paid, and the day and time by which the parking period will expire, and by the display of that ticket in the manner specified in Article 15(3). |

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| | (2) | The expiry of the parking period in respect of a vehicle left in a parking place referred to in the Order Plans as being Pay and Display, or Permit Holders or Pay and Display parking places shall be indicated when there is displayed on the vehicle a ticket issued by a ticket parking meter relating to that parking place, showing the day and time by which the parking period will expire, and the day so shown is not the day on which the vehicle is left or the time shown on the clock of that ticket parking meter is later than the time shown on the ticket. |
| **Ticket and ticket parking meter indications as evidence** | | |
| 19. | (1) | Except as provided in Article 21, if at any time while a vehicle is left in a parking place referred to in the Order Plans as being Pay and Display, or Permit Holders or Pay and Display parking places during the permitted hours no ticket issued by a ticket parking meter is displayed on that vehicle in accordance with the provisions of Article 15(3) it shall be presumed, unless the contrary is proved, that the parking charge has not been duly paid. |
| | (2) | Except as provided in Article 21, if at any time while a vehicle is left in a parking place referred to in the Order Plans as being Pay and Display, or Permit Holders or Pay and Display parking places during the permitted hours, the ticket issued by a ticket parking meter and displayed on the vehicle in accordance with the provisions of Article 15(3) and the clock on the ticket parking meter by which such ticket was issued gives the indication mentioned in Article 18(2), it shall be presumed, unless the contrary is proved, that the parking charge has been duly paid in respect of that vehicle, and that the parking period has already expired. |
| | (3) | If it is presumed, unless the contrary is proved, in accordance with the provisions of paragraph (1) of this Article that the parking charge has not been duly paid, or in accordance with paragraph (2) of this Article that the parking period has already expired, then these indications shall be evidence that a contravention has occurred for the purposes of Article 6. |
| | (4) | Any ticket issued by a ticket parking meter relating to a parking place referred to in the Order Plans as being Pay and Display, or Permit Holders or Pay and Display parking places shall be presumed, unless the contrary is proved, to have been issued on the day shown thereon. |
| **No ticket to be displayed other than that obtained on payment of the parking charge** | | |
| 20. | (1) | No person shall display on a vehicle left in a parking place referred to in the Order Plans as being Pay and Display, or Permit Holders or Pay and Display parking places during the permitted hours any ticket other than that issued by the ticket parking meter relating to that parking place upon payment of the parking charge in respect of that vehicle. |
| **Exemptions from the parking charge** | | |
| 21. | (1) | Notwithstanding the provisions of Articles 14, 15 or 16, a vehicle which displays a valid business permit issued in respect of that vehicle in accordance with the provisions of this Order, may be left in a parking place referred to in the Order Plans as being Pay and Display parking places without time limit, provided that the use of that parking place has not been suspended. |

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| | (2) | | Notwithstanding the provisions of Articles 14, 15 or 16, a vehicle which displays either a valid resident's, business or day permit issued in respect of that vehicle in accordance with the provisions of this Order, may be left in a parking place referred to referred to in the Order Plans as Permit Holder Only, or Permit Holder or Pay and Display parking places without time limit provided that the use of that parking place has not been suspended. |
| | (3) | | No parking charge shall be incurred or payable in accordance with the provisions of Article 15(2) in respect of any vehicle referred to in either paragraph (1) or (2) of this Article. |
| **Interval before a vehicle may again be left in a parking place** | | | |
| 22. | | | No vehicle which, having displayed a ticket, has been taken away from a parking place during the permitted hours shall, until the expiration of one hours from the time it was taken away, again be left in that parking place during the permitted hours. |
| **Issue of a Resident's Permit** | | | |
| 23. | (1) | | A resident who is the registered keeper of a vehicle of the class specified in Article 4(1) 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 G1. Provided 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;<br><br>if in the planning application process for the development of the premises of which the applicant for a permit is or will be a resident (hereafter "the Premises"), or if either as part of the process of the local planning authority considering whether prior approval under the Town and Country Planning (General Permitted Development) Order 1995 is required in respect of the Premises or in any document which specifies whether prior approval under the order is required in relation to the Premises, the local planning authority has and/or the Council in any consultation or other discussion with the planning authority has stated that no permit or a single permit will be issued in respect of the property. |
| | (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 Holders, 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. |

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| | (3) | On receipt of an application made under the provisions of this Article and on receipt of the relevant charge specified in Schedule G1, 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 4(1) 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 the Order Plans as Permit Holder Only or Permit Holder or Pay and Display parking places, 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; |
| **Surrender, withdrawal and validity of resident's permits** | | | |
| 24. | (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 4(l). |
| | (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 Holders 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. | |

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| | (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** | | | |
| 25. | (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 Holders 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** | | | |
| 26. | (1) | | A business user who uses a vehicle of the class specified in Article 4(l) 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 within the controlled parking areas in Eastbourne; 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 G2. |
| | (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 |

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| | | (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 G2, 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 4(1), shall issue to the applicant:- | |
| | | (a) | one business permit for the leaving during the permitted hours in a parking place referred to in the Order Plans as Permit Holder Only, or Permit Holder or Pay and Display, of the vehicle to which such business permit relates, by the business Permit Holders or by any person using such vehicle with the consent of the business Permit Holders, other than a person to whom such vehicle has been let for hire or reward; |
| **Surrender, withdrawal and validity of business permits** | | | |
| 27. | (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 4(l); |
| | | (e) | the issue of a duplicate business permit by the Council or authorised agent under the provisions of Article 28. |
| | (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 Holders shall surrender the permit to the Council or authorised agent within 48 hours of the receipt of the afore-mentioned notice. | |

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| | (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** | | |
| 28. | (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 Holders 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** | | |
| 29. | (1) | 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 4(1) 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 G4.<br><br>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 G4 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 the Order Plans as Permit Holder Only, or Permit Holder or Pay and Display parking places inclusive of vehicles of the class specified in Article 4(1):-<br><br>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 11 a.m. on the following day. |
| **Surrender, withdrawal and validity of day permits** | | |
| 30. | (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** | | |
| 31. | 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 G6. | |
| **Restriction on the removal of permits** | | |

| | | | |
|---|---|---|---|
| 32. | Where a resident's permit, a business permit or a day permit has been displayed in accordance with the provisions of Article 5, no person not being the driver of the vehicle shall remove that permit unless authorised to do so by the driver of the vehicle:<br>Provided that nothing in this Article shall apply to a civil enforcement officer 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** | | | |
| 33. | (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 24(4) or 27(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. |
| **Clamping, moving and removal of a vehicle** | | | |
| 34. | (a) | When a persistent evader is identified in a parking place, a person authorised on behalf of the Council may clamp the vehicle. The owner is responsible for the payment of the clamping fees before their vehicle will be released. If the vehicle is in contravention at the time it is identified and a PCN is issued, this must also be paid before the vehicle is released. | |
| | (b) | When a contravention of this Order has occurred or a persistent evader is identified, a person authorised on behalf of the Council may move the vehicle to a different position within that parking place so that it complies with the provisions of this Order, or remove the vehicle completely from the parking place. | |
| | (c) | Any person authorised by the Council for moving or removal of vehicles in a parking place may do so by any manner they think necessary and when removing a vehicle from a parking place, will make sure the vehicle is stored securely until such time as the owner claims the vehicle. The owner is responsible for the payment of any removal and storage charges before their car will be released. | |

## STRUCTURE OF TARIFFS

### Schedule G1 - Cost of resident permits

| | 1st Permit | | | 2nd Permit | | |
|---|---|---|---|---|---|---|
| Period | 12 Months | 6 Months | 3 Months | 12 Months | 6 Months | 3 Months |
| Standard | £25.00 | £15.00 | £8.00 | £75.00 | £38.00 | £19.00 |
| Standard -More than 185g/km of CO2 | £95.00 | £47.50 | £23.75 | £130.00 | £65.00 | £32.50 |
| Discount - 185g/km or less of CO2 | £85.00 | £42.50 | £21.25 | £120.00 | £60.00 | £30.00 |
| Discount 2 - 150g/km or less of CO2 | £75.00 | £37.50 | £18.75 | £110.00 | £55.00 | £27.50 |
| Discount 3 - 120g/km or less of CO2 | £55.00 | £27.50 | £13.75 | £90.00 | £45.00 | £22.50 |
| Discount 4 - 100g/km or less of CO2 | £15.00 | N/A | N/A | £50.00 | N/A | N/A |
| Disabled resident | £6.50 | N/A | N/A | N/A | N/A | N/A |

### Schedule G2 - Cost of Business Permits

| Vehicle Type | All Zone Permit | | | Single Zone Permit | | |
|---|---|---|---|---|---|---|
| Period | 12 Months | 6 Months | 3 Months | 12 Months | 6 Months | 3 Months |
| Petrol/Diesel | £546 | £273 | £136.50 | £286 | £143 | £71.50 |
| Electric/LPG | £130 | £65 | £32.50 | £143 | £65 | £32.50 |

### Schedule G3 - Cost of Doctor's Permits

Doctors Permit - £78 each

### Schedule G4 - Day Permits

| Type of permit | Cost |
|---|---|
| Resident Visitor | £12 per book of 10 (£1.20 pence each) |
| Resident Visitor (Concessions) | £6 per book of 10 (60 pence each) |
| Hotel Guest | £20 per book of 10 (£2 each) |
| Health and Care Worker | £12 per book of 10 (£1.20 pence each) |
| Tradesperson's Permit | £4.50 each |

## Schedule G5 - Charges relating to pay and display tickets

| *Length of Stay* | **Central controlled area** (Max. stay 2 hours) *1 | **Rest of CPZ** (Max. stay 2 hours) | **Rest of CPZ** (Max. stay 4 hours) *2 | **Seafront** *3 Summer tariff 1 April to 31 October | **Seafront** *4 Winter tariff 1 November to 31 March | **Bus Bay** (Max. stay 4 hours) *5 |
|---|---|---|---|---|---|---|
| **Up to 15 mins** | £0.40 | £0.40 | £0.40 | £0.40 | N/A | N/A |
| **Up to 30 mins** | £1.95 | £1.00 | £1.00 | £0.80 | N/A | N/A |
| **Up to 1 hour** | £3.90 | £1.95 | £1.95 | £1.60 | £0.40 | £3.90 |
| **Up to 2 hours** | £5.85 | £3.90 | £3.90 | £2.95 | £0.80 | N/A |
| **Up to 4 Hours** | N/A | N/A | £5.85 | £4.90 | £2.35 | £7.80 |
| **Up to 6 Hours** | N/A | N/A | N/A | £5.85 | £2.95 | N/A |
| **All Day** | N/A | N/A | N/A | £7.80 | £7.80 | N/A |

**Charges apply on bank holidays, with the exception of 25-26 December and 1 January.**

*1 Tariff structure in Hyde Gardens, Lushington Road, Cornfield Road and Gildredge Road.
*2 Tariff structure in Burlington Place (between Compton Street and Grand Parade) Howard Square, Lascelles Terrace and Wilmington Square, Devonshire Road, Terminus Road (between Trinity Road and Grand Parade), Hardwick Road (between Blackwater Road and Compton Street), Compton Street (between Hardwick Road and Jevington Gardens), Jevington Gardens (between Compton Street and King Edwards Parade)
*3 Tariff Structure applicable in King Edwards Parade (between Grand Parade and Bolsover Road), Grand Parade, Marine Parade, Royal Parade.
*4 Tariff Structure applicable in King Edwards Parade (between Grand Parade and Jevington Gardens) , Grand Parade, Marine Parade, Royal Parade.
*5 Tariff Structure applicable in King Edwards Parade Bus Bay

## Schedule G6 - Refunds relating to Resident and Business Permits

| | **Amount of Refund** |
|---|---|
| **Permit surrendered before it becomes valid** | |
| | Full refund of charge paid |
| | |
| **Permit surrendered after it becomes valid** | |
| 12 monthly | The sum of one twelfth of the charge paid in respect of each complete month which remains unexpired at the time the permit is surrendered |
| 6 monthly | The sum of one sixth of the charge paid in respect of each complete month which remains unexpired at the time the permit is surrendered |
| 3 monthly | The sum of one third of the charge paid in respect of each complete month which remains unexpired at the time the permit is surrendered |

There will be no charge for Motorcycles parking in permit holder only, shared use, pay and display or designated motorcycle bay. Motorcycles must park perpendicular to the kerb line.

**Orders for Revocation**

The following Orders are hereby revoked in their entirety:

The East Sussex (Eastbourne Town Centre) (On-Street Parking Places and Prohibition & Restriction of Waiting) Order 2008

The East Sussex (Eastbourne Town Centre) (On-Street Parking Places and Prohibition & Restriction of Waiting) (Consolidation No. 1) Order 2008

The Eastbourne (Prohibition of Waiting) (Consolidation No 2) Order 2008

The Eastbourne (On-Street Parking Places) (Consolidation No 2) Order 2008

The Eastbourne (Prohibition of Loading) (Consolidation No 2) Order 2008

The East Sussex (Pacific Drive, Eastbourne) (Prohibition of Waiting) (Amendment No.4) Order 2009

The East Sussex (Various Roads, Eastbourne) (Waiting Restriction, Parking Restriction and Restriction of Loading) (Amendment No. 1) Order 2009

The East Sussex (Rodmill, Eastbourne) (Prohibition of Waiting) (Amendment No. 2) Order 2009

The East Sussex (Station Approach Hampden Park, Eastbourne) (Prohibition of Loading and Unloading) Order 2009

The East Sussex (Eastbourne Town Centre) (Loading and Unloading Restriction) Traffic Regulation Order 2010

The East Sussex (U2240 Brodrick Road, Eastbourne) (Prohibition of Waiting) Order 2010

The East Sussex (U2387 Macquarie Quay, Eastbourne) (Prohibition of Waiting) Order 2012

The East Sussex (U2292 Atlantic Drive, Eastbourne) (Prohibition of Stopping and Waiting on School Keep Clear Markings) Order 2012

The East Sussex (Eastbourne Town Centre) (Loading and Unloading Restriction) Traffic Regulation Order 2010, Amendment Order 2013 No 1

The East Sussex (Eastbourne Town Centre) (On-Street Parking Places and Prohibition of Waiting) Order 2008, Amendment Order 2013 No 1

The Eastbourne (On-Street Parking Places) (Consolidation No 2) Order 2008, Amendment Order 2013 No 1

The Eastbourne (Prohibition of Waiting) (Consolidation No 2) Order 2008, Amendment Order 2013 No 1

The East Sussex (Wade Close, Eastbourne) (Prohibition of Waiting and No Loading or Unloading) Order 2014

The East Sussex (B2103 Duke's Drive, Eastbourne) (Prohibition of Waiting) Order 2014

The East Sussex (U2168 Ringwood Road Eastbourne) (Prohibition of Waiting, Prohibition of Stopping and Waiting on School Keep Clear Markings) Order 2014

The East Sussex (Eastbourne Town Centre) (On Street Parking Places and Prohibition and Restriction of Waiting) Order 2008 Amendment Order No.1 2014

The East Sussex (Eastbourne Town Centre) (On-Street Parking Places and Prohibition of

Waiting) Order 2008, Amendment Order 2015 No 1

The East Sussex (Eastbourne Town Centre) (On-Street Parking Places and Prohibition of Waiting) Order 2008 Amendment Order 2016 No 1

The East Sussex (Eastbourne Town Centre) (On-Street Parking Places and Prohibition of Waiting) Order 2008 (Amendment No.2) 2016

The East Sussex (Various Roads in Eastbourne) (Prohibition of Waiting, Prohibition of Stopping and Waiting on School Keep Clear Markings, Disabled Persons Parking Places and Goods Vehicle Only Loading Bay) Traffic Regulation Order 2016

The East Sussex (Horsey Cycle Route, Eastbourne) (Traffic Regulation) Order 2016

The East Sussex (Eastbourne Town Centre) (On-Street Parking Places and Prohibition of Waiting) Order 2008 Amendment Order 2016 No 3

The Eastbourne (Prohibition of Waiting) (Consolidation No 2) Order 2008 Amendment Order 2017 No 1

The East Sussex (Eastbourne Town Centre) (On-Street Parking Places and Prohibition of Waiting) Order 2008 Amendment Order 2017 No 1

The East Sussex (Eastbourne Town Centre) (On-Street Parking Places and Prohibition of Waiting) Order 2008 Amendment Order 2018 No 1

The East Sussex (Devonshire Park) (Parking, Waiting and Loading) Traffic Regulation Order 2019

The East Sussex (Eastbourne Town Centre) (On-Street Parking Places and Prohibition & Restriction of Waiting) Order 2008 Amendment Order 2019 No 1 (Carlisle Road)

The East Sussex (Eastbourne Town Centre Improvement Scheme) (Parking Places and Waiting and Loading Restriction) Traffic Regulation Order 2019

**Citation and commencement**

This Order may be cited as "The East Sussex (Eastbourne)(Parking Places and Waiting, No Stopping and Loading Restrictions)Traffic Regulation Order 2021" and shall come into effect on 29th March 2021..

THE COMMON SEAL of )
EAST SUSSEX COUNTY COUNCIL )
was affixed hereto on the 19th day )
of March two thousand and twenty one )
in the presence of: )

AUTHORISED SIGNATORY

1023700

H & T Ctte. 2.4.74 - para 4.2 joint report of Director of Legal & Community Services & County Engineer - para 4.