

## **PARKING ORDER**

Okehampton Town Council in exercise of its powers under **Section 32, 33 and 35** of the Road Traffic Regulation Act 1984 as amended by the Parking Act 1989, the Traffic Management Act 2004 and of all other enabling powers with the consent of the County Council of Devon in accordance with Section 39(3) of the Road Traffic Regulation Act 1984 and after consulting the Chief Officer of Police in accordance with Part III of Schedule 9 to the Road Traffic Regulation Act 1984 hereby makes the following Order:

This Order shall come into operation on **31<sup>st</sup> May 2025** and may be cited as The Okehampton Town Council (Off-Street Parking Places) Order 2025.

The Council hereby revokes the previous made orders as listed in Schedule 1 with effect from midnight **30<sup>th</sup> May 2025** at which point The Okehampton Town Council (Off-Street Parking Places) Order 2025 will come into effect.

### **Definitions and Interpretation**

1. In this Order the following definitions and interpretation shall apply:

The "**1984 Act**" means the Road Traffic Regulation Act 1984, and any statutory re-enactment, amendment or replacement thereof.

The "**2004 Act**" shall mean the Traffic Management Act 2004 and any statutory re-enactment, amendment or replacement thereof.

"**Bus**" means a motor vehicle constructed or adapted to carry more than eight passengers (exclusive of the driver).

"**Camping**" means any area of a Parking Place which is provided for the Parking of a Vehicle whereby the Owner is present with the purpose of overnight occupancy.

"**Cashless Session**" means a transaction carried out through any Ticketless Facility available in relation to that Parking Place in which the Vehicle has been left or issued by a person nominated by the Council on payment of a Parking Charge and valid for a period as advertised at that Parking Place until the Expiry Time.

"**Charging Hours**" means any period specified in Schedule 2 in respect of which a charge is payable.

"**Civil Enforcement Officer**" means a person authorised by or on behalf of the Council to supervise the off-street parking places and enforce the restrictions imposed by this Order and has the same meaning as in the 2004 Act.

"**Class of Vehicle**" means the class or type of Vehicle permitted in a particular Parking Place as specified in **Schedule 2** of this Order, such Classes of Vehicle are set out in **Schedule 5** to this Order.

"**Council**" means Okehampton Town Council.

"**Coach**" means a public service vehicle or passenger-carrying vehicle for more than twelve passengers.

"**Disabled Person and Disabled Persons Badge**" have the same meaning as in the Local Authorities Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000 and Disabled Persons (Badges for Motor Vehicles) (England) (Amendment) Regulations 2013.

"**Driver**" means the person responsible for the control of the Vehicle at the time when a breach of any of the sections occurs and 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 or the person leaving or depositing a boat or boat trailer in a Parking Place.

"**DVLA**" means the Driver and Vehicle Licensing Agency.

"**Electric Vehicle**" means a plug-in electric vehicle or plug in hybrid that uses rechargeable batteries or another energy source that can be restored by connecting to a recharging point.

"**Electric Vehicle Charging Bay**" means a parking bay that has been marked and signed for the exclusive use of an Electric Vehicle whilst that vehicle is being charged by means of an Electric Vehicle Charging Point.

"**Electric Vehicle Charging Point**" means a purpose built unit designed specifically for charging Electric Vehicles.

"**Expiry Time**" means the time indicated on the Pay & Display Ticket and is the time by which the Vehicle must leave the Parking Place.

"**Invalid Carriage**" shall have the same meanings as defined in Section 136 of the Road Traffic Act 1984

"**Loading/Unloading Bay or Drop-Off Point**" an area of a Parking Place or bay marked specifically for the purpose of loading/unloading or dropping-off.

"**Lorry**" means any goods vehicle that has an operating weight exceeding 7.5 tonnes.

"**Motorcycle**" means a mechanically propelled vehicle (not being an invalid carriage) with fewer than four wheels or which the weight un-laden does not exceed 410 kilograms.

"**Motorcycle Area**" means area restricted for motorcycles only.

"**Motorhome**" means a motor vehicle which is constructed or adapted for the carriage of passengers or their effects and which contains as permanently installed equipment, the facilities which are reasonably necessary for enabling the vehicle to provide living accommodation for its users.

"**Owner**" in relation to any Vehicle failing to comply with the regulations in this Order shall be that person or organisation to whom the Vehicle is registered with the DVLA on the date on which the Vehicle was left in the Parking Place in question.

"**Parking**" means leaving a stationary Vehicle in a Parking Place for any period of time, whether the Vehicle remains occupied or not, whether the engine is disengaged or not and "**park**" and "**parked**" shall be interpreted accordingly. For the avoidance of doubt "**wait**", "**waiting**", "**leaving**", "**leave**" and "**left**" shall also be interpreted as Parking in accordance with this definition.

"**Parking Bay**" means any area of a Parking Place which is provided for the Parking of a Vehicle and indicated by markings on the surface of the Parking Place. For the avoidance of doubt, any area of a Parking Place which is hatched or cross-hatched by markings is not a Parking Bay.

"Parking Charge" means the charge for Parking a particular Vehicle within a particular Parking Place during the Charging Hours specified within [Schedule 2](#).

"**Parking Device**" has the same meaning as the definition contained in S35 (3B) of the 1984 Act.

**"Parking Permit"** shall include any ticket issued for a specified period of time for use in the Parking Place in accordance with **Schedule 3** from the day of issue inclusive of the day of issue and expiry date.

**"Parking Place"** means any area of land specified by name in **Schedule 2** and shown edged red on the relevant plan attached to **Schedule 4** provided by the Council under Section 32 and 33 of the 1984 Act for use for the parking of Vehicles. This shall include approach roads, footpaths, footways, verges and grassed areas not forming part of the adopted highway.

**"Pay and Display Machine"** means apparatus or device approved in accordance with Section 35(3) of the 1984 Act provided by the Council for the purpose of paying the Parking Charge.

**"Pay and Display Ticket"** means a ticket issued by a Pay & Display Machine located in the signed Parking Place in which the Vehicle has been left or issued by a person nominated by the Council on payment of a Parking Charge and valid for a period as advertised at that Parking Place until the Expiry Time shown on the Pay & Display Ticket.

**"Penalty Charge"** means the charge imposed by legislation in respect of parking contravention subject to civil enforcement and which has the same meaning as in the Civil Enforcement of Road Traffic Contraventions (Approved Devices, Charging Guidelines and General Provisions) (England) Regulations 2022.

**"Penalty Charge Notice"** means a notice issued by or served by a Civil Enforcement Officer pursuant to the provisions of Regulation 9 and 10 (or either of them) of the Civil Enforcement of Road Traffic Contraventions (Approved Devices, Charging Guidelines and General Provisions) (England) Regulations 2022.

**"Public Service Vehicle"** has the same meaning as in the definition contained in the Public Passenger Vehicles Act 1981.

**"Parking Permit"** means a Parking Permit issued for a specified period entitling a person to park a specified Vehicle in a Parking Bay. It does not guarantee that a Parking Bay will be available.

**"Ticketless Facility"** means any online or telephone facility or service to allow the purchase of a period of parking for one specific Vehicle registration number to by way of a cashless and ticketless parking transaction.

**"Trailer"** means an unpowered Vehicle whether or not drawn by another Vehicle.

**"Vehicle"** means any vehicle whether motorised or otherwise and without prejudice to the generality of the foregoing shall include but is not limited to any motor car, Motorcycle, Caravan, Bus, Coach, **Motorhome** or anything attached to, forming part of or being carried on the vehicles and shall also mean any Trailer or boat or boat trailer whether attached to another Vehicle or not.

Commented [EJ1]: Are we allowing motorhomes?

**"Virtual Permit"** means an electronic record of a Parking Permit issued and confirmed by the Council.

2. The interpretation Act 1978 shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.
3. The paragraph headings in the Order are for information only.
4. The maps of the Parking Places at **Annex 3 to** this Order are for identification purposes only.

- 5 Reference to any statute or statutory provision includes a reference to:
  - a. that statute or statutory provision as from time to time amended extended reenacted or consolidated whether before or after the date of this Order; and
  - b. all statutory instruments or order made pursuant to it.
- 6 Any reference in this Order to a numbered section is a reference to the section bearing that number in this Order and any reference in this Order to the Schedules is a reference to the Schedules to this Order.

#### Use of a Parking Place

7. Each Parking Place specified by name in **Schedule 2** and shown for identification purposes on the maps attached at **Annex 3** may be used as a Parking Place for such Class of Vehicle in such positions as are specified in relation to that Parking Place in accordance with **Schedule 2 subject** to the provisions of this Order and any conditions displayed on any signs within the Parking Place and upon payment of the appropriate Parking Charge.
8. Access roads or areas with double yellow lines or hatched areas are restricted areas designated as no waiting or no parking areas and subject to the issue of a Penalty Charge Notice for misuse. These restrictions also apply to Blue Badge Holders.
9. Where in **Schedule 2** a Parking Place is described as available for Vehicles of a specified class or in a specified position the Driver of a Vehicle shall not permit it to park or wait in that Parking Place unless it is of the class and in the position so specified.
10. Where within a Parking Place there is a sign or surface marking, which indicates that a Parking Bay is available only for a Disabled Person's Vehicle, the Driver of a Vehicle shall not permit it to park or wait in that Parking Bay unless it is a Disabled Person's Vehicle displaying a valid Disabled Blue Badge in the front windscreen to enable the details to be read from outside of the Vehicle.
11. The Driver of a Vehicle using a Parking Place shall on parking the Vehicle pay the Parking Charge appropriate for that Parking Place and Class of Vehicle in accordance with this Order except:
  - a. Where a valid Parking Permit is displayed and the Vehicle is parked in accordance with the terms of issue of that; or
  - b. If that Vehicle is parked in a Parking Place and remains within the Parking Place during days or hours of the day which are not specified as being Charging Hours for that Parking Place within Schedule 2.
12. The Driver of a Vehicle must park the Vehicle wholly within a Parking Bay and must not park a Vehicle other than within a Parking Bay and must not park a Vehicle so as to obstruct other users of the Parking Place.
13. The Driver of a Vehicle must not park a Vehicle within a Parking Bay if the Parking Bay is marked on the ground as being available only for use by a specified Class of Vehicle unless the Vehicle is of the class specified.
14. Where, within a Parking Place, a Parking Bay or Parking Bays have been marked as being available only for specified Class of Vehicles, the Driver of such a specified Vehicle shall only park that Vehicle within the Parking Bay which is so marked out.
15. If at any time in or adjoining a Parking Place there is displayed a notice to the effect that a particular Parking Bay is reserved for Vehicles being driven by authorised

employees of the Council no person shall leave a Vehicle in any such Parking Bay other than those authorised by the Council.

- 16 The Driver of a Vehicle using a Parking Place shall stop the engine as soon as the Vehicle is in position in the Parking Place and shall not start the engine except when about to change the position of the Vehicle or to depart from the Parking Place.
- 17 No person shall use a Vehicle while it is in a Parking Place in connection with the sale of any article to persons in or near the Parking Place or in connection with the selling, offering for hire or advertising of their skill, services or products without the consent of the Council. I
- 18 No person shall use any part of a Parking Place or any Vehicle parked in a Parking Place:
  - a. For sleeping or Camping or cooking;
  - b. For the purpose of servicing or washing any Vehicle or part thereof other than is reasonably necessary to enable that Vehicle to depart from the Parking Place.
19. The Driver of a Vehicle using a Parking Place shall not sound any horn or other similar instrument nor cause any nuisance or annoyance to other users of the Parking Place, any employees of the Council or any adjoining landowner.
20. Where in a Parking Place signs are erected or surface markings are laid for the purpose of indicating the entrance to or exit from the Parking Place or indicating that a Vehicle using the Parking Place shall proceed in a specified direction within the Parking Place, no person shall drive or permit to be driven any Vehicle so that it enters the Parking Place otherwise than by an entrance or leaves the Parking Place otherwise than by an exit so indicated or in a direction other than so specified.
- 21 No person shall except with the permission of a person authorised by the Council in that behalf drive or permit to be driven any Vehicle in a Parking Place for any purpose other than the purpose of leaving that Vehicle in the Parking Place in accordance with the provision of this Order or for the purpose of departing from the Parking Place.
- 22 **No Vehicle in excess of 5.6 metres is permitted to enter a Parking Place unless otherwise stated. Where stated, an oversized vehicle must purchase a Pay & Display Ticket or Cashless Session for each parking bay occupied in full or in part.**
- 23 No person shall without the express permission of the Council undertake any commercial activity within any Parking Place or use any commercial Vehicle to undertake such activities.
- 24 No person shall undertake any repairs or maintenance of vehicles, boats or any other items that are left in a Parking Place without the express permission of the Council.
- 25 Motorcycle parking (where permitted) is free of charge only when parked in a Motorcycle Area. A Pay & Display Ticket or Cashless Session must be purchased when parking in a Parking Place not reserved for Motorcycles. In a designated Motorcycle Area, no person shall cause or permit a Vehicle to park in a Parking Bay marked for Motorcycles unless the Vehicle is a Motorcycle.

#### Payment of Parking Charges, Cashless Sessions and Display of Pay & Display Tickets

- 26 The Parking Charge shall be payable by:-
  - a. The insertion of an appropriate coin or coins into the Pay and Display Machine provided at that Parking Place; or
  - b. An accepted transaction completed by debit or credit card inserted into a Pay and Display Machine provided at that Parking Place (if available); or
  - c. An accepted transaction carried out through any Ticketless Facility available in relation to that Parking Place; or

**Commented [EJ2]:** WDBC parking order state 5m. 6 would be better. Council thoughts?

- d. By handing the appropriate payment to a person duly authorised by the Council.
28. A Pay & Display Ticket issued by a Pay and Display Machine following payment of the Parking Charge shall:
- a. Only be valid within the Parking Place in which it was purchased, unless otherwise specified;
  - b. Only be valid for one Parking Bay;
  - c. Only be valid until the Expiry Time specified thereon; and
  - d. Where possible, only be registered to the Vehicle Registration Number parked within the Parking Place; and
  - e. Shall not be transferred between Vehicles.
29. A Cashless Session carried out through any Ticketless Facility available in relation to that Parking Place following payment of the Parking Charge shall:
- a. Only be valid within the Parking Place using the correct location code, unless otherwise specified;
  - b. Only be valid for one Parking Bay;
  - c. Only be valid until the Expiry Time specified thereon;
  - d. Only be registered to the Vehicle Registration Number parked within the Parking Place; and
  - e. Shall not be transferred between Vehicles.
30. If a Pay & Display machine is found to be faulty, an alternative machine within the Parking Place should be used where available.

#### Parking Permits

31. A Parking Permit may be issued by the Council in respect of the Parking Places and for the charges specified within **Schedule 4** subject to the terms and conditions of use.
32. The Driver of a Vehicle who displays a Parking Permit issued by the Council in respect of that Vehicle shall be entitled so long as the Parking Permit remains valid to park without further payment in any Parking Place in respect of which that Parking Permit has been issued, but otherwise subject in all respects to the provisions of this Order and subject also to any conditions specified at the time of issue of the Parking Permit.
33. A Parking Permit does not guarantee a Parking Place will be available.
34. The driver shall abide by the terms and conditions stipulated by the Council for the use of the Parking Permit as described on the conditions of use.
35. A Parking Permit remains the property of the Council and must be surrendered on request.
36. The Council may, by notice in writing served on the holder of such Parking Permit at the address shown by that person on the application for the Parking Permit, or at any other address believed to be that person's residence or place of business, withdraw a Parking Permit if it appears to the Council that any of the stipulated terms and conditions have been abused and the Parking Permit will immediately become invalid.
37. Damaged or lost Parking Permits will be replaced on application to the Council and on payment of any administration fee agreed. The damaged or lost Parking Permit will then become immediately invalid. Refunds will not be made in any situation.
38. A Parking Permit shall not be displayed on a Vehicle:
- a. Other than in accordance with this Order;
  - b. Other than on the Vehicles in respect of which it has been issued, and
  - c. Other than in accordance with the terms and conditions by the Council at the time of issue.

#### Virtual Permits

39. A Virtual Permit may be issued via the internet by the Council in respect of the Parking Places and for the charges specified within **Schedule 4** subject to the terms and conditions of use.
40. Where a Virtual Permit has been obtained as an alternative to a Parking Permit and remains valid, any requirement in this order for a Parking Permit to be displayed on the Vehicle to which it relates shall not apply.
41. The Driver of a Vehicle who obtains a Virtual Permit issued by the Council in respect of that Vehicle shall be entitled so long as the Virtual Permit remains valid to park without further payment in any Parking Place in respect of which that Virtual Permit has been issued, but otherwise subject in all respects to the provisions of this Order and subject also to any conditions specified at the time of issue of the Virtual Permit.
42. The Council may, by notice in writing served on the holder of such Virtual Permit at the address shown by that person on the application for the Virtual Permit, or at any other address believed to be that person's residence or place of business, withdraw a Virtual Permit if it appears to the Council that any of the stipulated terms and conditions have been abused and the Virtual Permit will immediately become invalid.

#### Electric Charge Points

43. Locations where there are Electric Vehicle Charging Points may entail a charge by the charge card company electronically. In addition, the relevant Parking Charge for the Vehicle must be paid and the maximum permitted period abided by for the Vehicle.
44. Where, within a Parking Place, there is a sign or surface marking which indicates an Electric Vehicle Charging Point, an Electric Vehicle must only use Electric Vehicle Charging Bays whilst the Electric Vehicle is being charged by means of an Electric Vehicle Charging Point.

#### General

45. Any Pay & Display Ticket issued on payment of the Parking Charge or any Parking Permit shall be displayed in the front windscreen to the Vehicle in respect of which it was issued to ensure that the details on the ticket are clearly visible from outside the Vehicle.
46. If there is no windscreen, the Driver shall display the Pay & Display Ticket or Parking Permit in a conspicuous position on the front or nearside of the Vehicle with all details available for inspection.
47. For the avoidance of doubt, the Pay & Display Ticket required to be displayed shall be the original issued by a Pay and Display machine or the Council and not a copy, howsoever created.
48. It shall be a breach of this Order to tamper with or otherwise alter or interfere with any Pay & Display Ticket, Parking Permit or Virtual Permit, and any such tampering or alteration shall invalidate the same.
49. It shall be a breach of this Order to leave or permit a Vehicle to remain in a Parking Place if it has a Cashless Session, Parking Permit or displays a Pay & Display Ticket or Blue Badge which has expired or does not otherwise comply with, or is not displayed in accordance with the provisions of this Order and for the avoidance of doubt it shall be a breach of this order to leave or permit a Vehicle to remain in a Parking Place without paying the Parking Charge under the terms of this Order.
50. No person shall in a Parking Place use any threatening, abusive or insulting language gesture or conduct with intent to put any person in fear or so as to occasion a breach of the peace or whereby a breach of the peace is likely to be occasioned.

51. In a Parking Place no person shall:
- a. Erect or cause or permit to be erected any tent booth stand building or other structure without the written consent of the Council;
  - b. Light or cause or permit to be lit any fire;
  - c. Use or permit to be used any skateboard or roller skate;
  - d. Deposit or otherwise leave any Caravan or Trailer (whether or not attached to a Vehicle) or any object except as may be authorised in **Schedule 2** or on any notice displayed at or near the entrance to the Parking Place;
  - e. Place or attach to or cause to be placed without prior authorisation from the Council in a Parking Place any leaflet or advertising material whatsoever;
  - f. deposit or cause to be deposited, any rubbish or litter of whatever description, except in a container provided in the Parking Place for that purpose;
  - g. Play any ball games.
55. Sub-section of (4) and (6) of Section 47 of the 1984 Act shall apply to the Parking Place as if it were a Parking Place provided on the highway.

#### Waiting Restrictions

56. Parking Charges will only be covered up until the Expiry Time of a Cashless Session or Pay and Display Ticket. **Multiple Cashless Sessions or Pay & Display tickets (where available) will not be may be extended beyond the stated Expiry Time even where no charge is payable on a particular day under the terms of this Order and Schedule.**
57. The Driver of a Vehicle shall not permit the Vehicle to wait in a Parking Place for longer than the maximum permitted period for waiting specified in relation to that Parking Place on **Schedule 2**
58. The Driver of a Vehicle shall not permit the Vehicle to wait in a Parking Place for longer than the maximum permitted period for waiting specified in relation to that Parking Place on **Schedule 2** and on any notice displayed at or near the entrance to the Parking Place
59. The Driver of a Vehicle shall not permit the Vehicle to wait in a Parking Place for longer than the maximum permitted period for waiting specified in relation to that Parking Place on **Schedule 2** and on any notice displayed at or near the entrance to the Parking Place.
60. ~~When a Vehicle has left a Parking Place after waiting, the Driver of the vehicle shall not within two hours after leaving, permit the Vehicle to wait again in that Parking Place unless the Driver has paid the scale charge for all day parking (if applicable) in accordance with Schedule 2.~~
61. The Driver of a Vehicle shall not permit that Vehicle to wait in a Parking Place unless the Vehicle displays such license as is required in respect of that Vehicle by the provisions of the Vehicle Excise Registration Act 1994 and unless there is in relation to that Vehicle by the Driver such policy of insurance as required by Part VI of the Road Traffic Act 1988.

#### Exemptions

62. The Council may at its discretion suspend the operation of this Order by notice displayed at or near a Parking Place in relation to the whole or part of any Parking Place at any time and for whatever purpose it deems fit.
63. The Council may at its discretion allow plant and machinery or other Vehicles to park within the Parking Place where it considers it necessary.
64. The Council may by notice displayed at or near the Parking Place or Parking Bays close any Parking Place or any Parking Bay either permanently or temporarily.



65. The Driver of a Vehicle may not enter upon, use or attempt to use a Parking Place when the Council have closed the Parking Place or have placed restrictions on use of that Parking Place and exhibited notice of such closing or restrictions on or near the Parking Place.
66. The provision of this Order shall not apply to any Public Services Vehicle where the Vehicle is used for emergency purposes ONLY.
67. The following Vehicles left in a Parking Bay reserved for the use of a Vehicle by a Disabled Person shall be entitled to an additional hour of free parking on top of the payment of the Parking Charge specified for that Parking Place:
- A Vehicle which displays in the relevant position a Disabled Person's Badge;
  - An invalid carriage;
  - A vehicle left by a driver who on account of his severe physical disability has been given a notice in writing by the Council stating that he is exempt from any such charge or limitation on time provided that such notices is displayed on the Vehicle in a conspicuous condition;
  - A vehicle displaying a notice of exemption from the Parking Charge issued by the Council.
68. For the purpose of this order a Vehicle shall be regarded as displaying a Disabled Persons Badge in the relevant position when:
- The badge is exhibited on the front windscreen of the Vehicle with the obverse side facing forwards on the nearside of and immediately behind the windscreen; and
  - In the case of a Vehicle not fitted with a front windscreen the badge is exhibited in a conspicuous position on the vehicle; and
  - In either case the Vehicle at the time of arrival in the Parking Bay is indicated by a parking disc (conforming to British Standard specifications) displayed in a like manner.
69. The Driver of a Vehicle not being a Vehicle referred to in Clause 65 above shall not permit that Vehicle to wait in a Parking Bay reserved for Vehicles used by Disabled Persons.
70. Any contravention of this Order shall be deemed to be an offence and shall be enforceable under the relevant legislation including 1984 Act and the 2004 Act and any regulations made there under or any statutory amendment or replacement thereof.

#### Enforcement

71. Parking contraventions and the level of Penalty Charge applicable to each contravention shall be set as specified by part 6 of the Traffic Management Act 2004 or any subsequent amendments or re-enactments thereof.
72. The Penalty Charge and any unpaid Penalty Charge shall be recoverable as a civil debt.
73. If a Vehicle is left in a Parking Place without complying with the requirements of this Order a contravention shall have occurred and a Penalty Charge shall be payable.
74. A Penalty Charge Notice showing the information required by the 2004 Act may then be issued by the Civil Enforcement Officer in accordance with the requirements of the 2004 Act and any subsequent applicable secondary legislation.
75. In the case of a Vehicle in respect of which the Penalty Charge may have been incurred, it shall be the duty of a Civil Enforcement Officer to either hand the Penalty Charge Notice to the driver of the Vehicle or affix the Penalty Charge Notice to the Vehicle in a conspicuous position subject to the provisions for postal service as set out

**Commented [EJ3]:** Currently parking is free but this means they could park there 24/7 for no fee. What does the council want to do?

in Regulation 10 of the Civil Enforcement of Road Traffic Contraventions (Approved Devices, Charging Guidelines and General Provisions) (England) Regulations 2022.

76. When a Penalty Charge Notice has been affixed to a Vehicle in accordance with any of the foregoing conditions of this order, no person (other than a person authorised by the Council on their behalf) shall remove the penalty charge notice from the vehicle.

#### Payment of the Penalty Charge

- 77 The Driver of a Vehicle in respect of which a Penalty Charge has been incurred shall pay it (together with any unpaid penalty charge) to the authority acting on behalf of the Council as required by them.
- 78 If the Driver fails to pay the Penalty Charge by the end of the 28 day period, a Notice to Owner and subsequently a Charge Certificate may be issued and served in accordance with the Civil Enforcement of Road Traffic Contraventions (Approved Devices, Charging Guidelines and General Provisions) (England) Regulations 2022.

#### Removal of Vehicle

82. The Council may remove or arrange the removal of a Vehicle in the following circumstances;
- a) Where three or more Penalty Charge Notices have been issued and remain unpaid;
  - b) For the purpose of meeting the requirements of an emergency;
  - c) Where the Vehicle poses a risk to the health and safety of the public;
  - d) In exercise of any of the Council's other statutory powers or functions.
85. Where a Vehicle is removed from the Parking Place in accordance with Paragraph ??? above, the Council shall remove the said Vehicle to a place of safe storage and, in such event the registered keeper of the Vehicle shall be liable for all costs of both the removal, storage and reasonable administrative costs so incurred by the Council.