

**The Borough Council of Worthing (Off- Street Parking Places) (Consolidation Order) 2007. (Amendment No. 10) Order 2024**

The Council of the Borough of Worthing (hereinafter called the “Council”) in exercise of its powers under Section 35 of the Road Traffic Regulations Act 1984, as amended (“the Act”) and of all other enabling powers, and after consultation with West Sussex County Council, the Chief Officer of Police and other relevant bodies in accordance with Part III of Schedule 9 of the Act hereby make the following Order;

Commencement and Citation

This Order shall come into operation on 23rd May 2024 and may be cited as The Borough Council of Worthing (Off Street Parking Places) (Consolidation Order) 2007 (Amendment No. 10) Order 2024. The Order amends The Borough Council of Worthing (Off Street Parking Places) (Consolidation Order) 2007.

Effect of the Order

The Order shall have the effect as follows;

Amend the Schedule of the 2007 Order as follows

- A. 1. To include The Civic Quarter Multi-Storey Car Park, Civic Place, Worthing in the Off-Street parking order
- 2. Normal tariffs will apply to motorists displaying a disabled persons badge

Parking Place	Class of Vehicle	Days and Hours of Operation	Charging days & Hours	Scale of charges
The Civic Quarter Multi-Storey Car Park	All vehicles except  (a). Passenger vehicles capable of carrying more than 12 passengers exclusive of driver  (b). Goods Vehicles	All days  All Hours	Every day	
			Monday to Sunday including bank holidays	
			Monday to Saturday (Day tariff) 6am to 10pm	£1.40 Up to 1 hour £2.80 Up to 2 hours £4.20 Up to 3 hours £5.60 Up to 4 hours £7.00 Up to 5 hours £11.80 All Day (6am to 10pm)
			Sundays (Day tariff) 6am to 10pm	£1.10 Up to 1 hour £2.10 Up to 2 hours £3.20 Up to 3 hours £4.20 Up to 4 hours £5.40 Up to 5 hours £5.40 All Day (6am to 10pm)
			Monday to Sunday (Night Tariff) 10pm to 6am	£1.10 Up to 1 hour £2.10 Up to 2 hours

				<p>£3.20 Up to 3 hours (Maximum charge)</p> <p>Normal tariffs apply to motorists displaying a disabled persons badge</p> <p><u>Reserved Bays</u> Areas of the Multi-Storey Car Park will be reserved for specific users who hold a valid permit to park for the parking place authorised by the council</p> <p><u>Ambulance Bay</u> Reserved for Ambulances to enable passengers to board and alight only</p> <p><u>Loading Bay</u> Reserved for vehicles to load or unload or make collection/deliveries limited to a maximum of 30 minutes only</p>
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B. Further definitions were added to the Order as follows:

(1) “Ambulance” means a vehicle which is constructed or adapted and is being used primarily for the carriage of persons to a place where they will receive or from a place they have received medical treatment and which by reason of design marking or equipment is readily identifiable;

(2) “Ambulance bay” means a bay in an area of the car park provided solely for Ambulances to stop and wait to enable a person to board or alight from the ambulance. The bay is defined by means of surface marking for example lines and wording or with symbols and signage within the boundaries of the parking place in the demised area of the car park that the vehicle has parked in.

(3) “Electric vehicle” means any vehicle which is propelled entirely or partially by electricity and is capable of being charged from an external source.

(4) "Plug-in electric vehicle" means an electric drive vehicle using one or more electric motors for propulsion which may also contain a combustion engine either for the exclusive use of supplying energy to recharge the power source and/or supplying motive power.

(5) "Plug-in hybrid electric vehicle" means a hybrid vehicle which utilises rechargeable batteries, or another energy storage device that can be restored to full charge by connecting a plug to an external electric power source.

(6) "Electric vehicle charging point" means an installation adjacent to an electric vehicle parking bay for the purpose of recharging the batteries of electric vehicles by way of connecting leads.

(7) "Electric vehicle parking bay" means a bay in an area of the car park provided solely for actively recharging the battery of an plug-in electric vehicle and plug-in hybrid electric vehicle by means of an electric vehicle charging point and defined by means of surface marking for example lines and or symbols and signage within the boundaries of the parking place in the car park that the vehicle has parked in.

(8) Only vehicles of a specified class, for this purpose "specified class" means plug-in electric vehicles or plug-in hybrid vehicles 'electric vehicles', may park in the designated electric vehicle parking bay whilst actively recharging, if the vehicle is not of the specified class or is of the specified class but is not actively recharging a contravention occurs.

(9) "Vehicle" means " a motor car, plug-in electric vehicle, plug-in hybrid electric vehicle, motorcycle, light goods vehicle or goods vehicle.

(10) "Car Club" means a community car club or similar organisation including any person or organisation acting on behalf of such club or organisation approved in writing by the council for the purposes of this order.

(11) “Car Club Parking Bay” means a bay in an area of the car park provided solely for the use of an approved car club by the council for leaving the vehicle in the bay and clearly displaying a valid ‘car club permit’, the bay will be defined by lines and or symbols and signage.

(12) “Car Club vehicle” means a mechanically propelled vehicle (excluding a trailer) with three or more wheels not being an invalid carriage or motorcycle provided for by a Car Club or by the Council for the use of persons who have paid for any relevant membership or other car club fee and by means of a real time or advance booking system may have use of the vehicle for a specified period and which clearly displays the permit issued by the council on the dashboard of the vehicle so that all of the relevant details can be read from the outside of the vehicle. A contravention occurs where a vehicle is parked in the car club bays without clearly displaying a valid car club permit issued by the council for that vehicle and that parking place.

(13) “Car Club Permit” means a paper permit or virtual or digital issued by the council to a car club.

(14) “pay by phone technology / pay by phone technology method/scheme” means a park and pay by phone scheme that allows a driver to make daily “pay by phone payments” to park facilitated by mobile phone, by SMS, text, smartphone applications, online or by telephone;

(15) The definition of “payment methods” was amended to include pay and display machines and pay by phone technology method/scheme, which allows a driver to make daily payments to park at designated car parks. This requires the driver to pay by phone, mobile phone, by SMS, text, smartphone applications, online or by telephone to park in designated car parks. Each car park has its own unique code, the driver must select the code for where they have parked and enter the vehicle registration number of the car they are

parking. A nominal administration fee is charged per booking. A driver can make daily payments for up to a month in advance in a block. Where an incorrect vehicle registration number has been entered or selected or the wrong parking place or location code has been entered or selected incorrectly or another vehicle registration number has been entered or selected which is different to the vehicle that has been parked then a contravention occurs and a penalty charge notice may be issued.

(16) The definition of “relevant position” was amended with the following:

(b) in respect of a vehicle displaying a pay and display ticket, season ticket, parking permit (paper or virtual/digital) or parking disc except for where indication of participation in a scheme of approved methods of payment by phone has been used.

(17) The definition of “expiry time” was amended with the following definition:

“expiry time” is the time indicated on the pay and display ticket or as indicated by the confirmation given by the phone technology service and is the time by which the vehicle must leave the parking place

(18) Articles 15, 17 and 18 of the Order was amended with the addition of:

The person in charge of a vehicle or trailer, upon parking the vehicle or trailer in a parking bay, shall immediately ensure that a pay and display ticket is purchased from a ticket machine situated at that parking place except where the driver is part of the pay by phone technology scheme and has paid for parking by phone, mobile phone, by SMS, text, smartphone applications, online or by telephone and having a valid pay by phone technology scheme parking session or valid paper or virtual/digital permit for that vehicle in that parking place at the level of charge and for the period required in accordance with the scale of daily charges at that parking place Or having a valid POD session for the vehicle registration number entered for the parking place the vehicle is parked.

(19) Article 38 amended to include where a machine is out of order, the pay by phone technology service should be used to make payment to cover that parking place and to cover the entire period that the vehicle or trailer is parked in the parking place. Failure to do so a contravention will occur and a penalty charge notice may be issued.

(20) Article 19 to be amended to also include: Where the driver is part of the pay by phone technology scheme and has paid for parking by phone, mobile phone, by SMS, text, smartphone applications, online or by telephone to cover that parking place and to cover the vehicle registration number entered whilst using the pay by phone technology scheme which must be identical to the vehicle registration number of the vehicle parked in the parking place and must have paid for the entire period that the vehicle or trailer is parked in the parking place there is no requirement to display a pay and display ticket.

(21) Article 22 of the Order was amended with the addition of:

The expiry of the period for which the appropriate charge has been paid shall be where a pay and display ticket has been purchased or payment made by phone technology scheme, when the time shown on the clock of the issuing ticket machine is later than the expiry time shown on the pay and display ticket displayed or later than the time recorded by the pay by phone system.

(22) Articles 23 and 24 of the Order was amended with the addition of:

If at any time while a vehicle is parked in a parking place no pay and display ticket is displayed on that vehicle or there being no valid permit paper or virtual/digital or no record of pay by phone payment has been made for the vehicle parked, in accordance with the provisions of this order, it shall be deemed that the charge has not been paid and a contravention occurs and a penalty charge notice may be issued.

(23) Amend Articles 25 and 26 of the Order was amended with the addition of:

If at the time when a vehicle is parked during the charging hours in a parking place and the nearest ticket machine in that parking place is out of order, then a ticket shall be obtained from another ticket machine within the same parking place (where provided) or as directed in the parking place. If there are no alternative ticket machines then payment should be made by phone by using the payment by phone technology scheme.

(24) "POD and Valid POD Session" A screen which is on a stand where the vehicle registration number for the vehicle that has parked in the car park is entered onto the screen and confirmed by the user that the vehicle registration number entered is the vehicle registration number that has parked in the car park. By entering the vehicle registration number into the POD allows the vehicle to have a period of parking for free whilst parked in the car park on the provision that the vehicle registration number entered into the POD is correct and no errors in the vehicle registration number have been made. For the avoidance of doubt If the vehicle registration has not been entered correctly for the vehicle that has been parked in the car park or has not been entered into the POD or has been parked in a different parking place than permitted or overstays the free period then a contravention occurs and is liable to be issued and served with a penalty charge notice.

Once the free period has expired payment for parking is required to be made for the vehicle parked in the parking place, payment can be made by payment at the pay and display machine or by the pay by phone technology scheme.

(25) "SDLT" Means "South Downs Leisure Trust"

(26) "SDLT Staff Permit" means a permission in writing issued by the Council at its absolute discretion allowing a vehicle or vehicle of a specific class to park or wait in any Parking Place where such a Permit is required to be displayed in accordance with the provisions of this Order. The permit will be required to be clearly displayed inside the vehicle and valid in accordance

with this order Or where it is a virtual or digital permit it must be for the identical vehicle registration number that has been parked and for the parking place authorised by the council for it to be parked in.

(27) “SDLT Parking Bay” means a bay in an area of the car park provided solely for the use by SDLT Staff approved by the council for leaving the vehicle in the bay and clearly displaying a valid ‘SDLT Staff Permit’ or having a valid virtual or digital permit for that vehicle and the parking place it has parked in, the bay will be defined by lines and or symbols and signage.

(28) “NHS” Means National Health Service and “NHS Staff” means an employee employed by the National Health Service.

(29) “NHS Staff Permit” means a permission in writing issued by the Council at its absolute discretion allowing a vehicle or vehicle of a specific class to park or wait in any Parking Place where such a Permit is required to be displayed in accordance with the provisions of this Order. The permit will be required to be clearly displayed inside the vehicle and valid in accordance with this order Or having a valid virtual or digital permit for that vehicle and the parking place it has parked in.

(30) “NHS Parking Bay” means a bay in an area of the car park provided solely for the use by NHS Staff approved by the council for leaving the vehicle in the bay and clearly displaying a valid ‘NHS Staff Permit’ or having a valid virtual or digital permit for that vehicle and the parking place it has parked in, the bay will be defined by lines and or symbols and signage.

(31) “Permit” means a physical paper permit which is a permission in writing issued by the Council at its absolute discretion allowing a vehicle or vehicle of a specific class to park or wait in any Parking Place where such a Permit is required in accordance with the provisions of this Order;



(32) "Virtual or Digital Permit" means a permission in writing issued by the Council at its absolute discretion allowing a vehicle or vehicle of a specific class to park or wait in any Parking Place where such a Permit is required in accordance with the provisions of this Order. The permit is issued by the Council to the permit holder electronically as an alternative to a paper permit. A virtual or digital permit allows a driver/customer to purchase a permit to park facilitated by mobile phone, by SMS, text, smartphone applications, online or by telephone which can be daily, monthly, quarterly or annually or any other period as the council wishes. If the vehicle registration number is not identical to that on the digital or virtual permit or the parking place the vehicle has parked in is not the same as the one authorised on the permit then a contravention shall occur and a penalty charge notice may be issued.

(33) A virtual or digital or paper permit or season ticket amended to also include but not limited to "Resident season ticket or permit" which means a season ticket or permit issued to residents of a specified place by the council for a specified vehicle to park in a specified parking place or a "Resident visitor permit or season ticket" issued to residents of a specified place by the council for a specified vehicle to park in a specified parking place to enable the resident's visitors to park.

(34) The council may issue any permit or season ticket as either a paper permit or a virtual or digital permit. The permit can be daily, weekly, monthly, quarterly or annually or any other period as the council wishes.

(35). Where a valid virtual or digital permit is held in respect of a vehicle parked in the parking place it has been issued for and in the relevant parking bay or parking place associated with the permit then no contravention of this Order shall occur for failing to display a valid permit in the relevant vehicle. For the avoidance of doubt for the permit to be valid the correct vehicle registration number and parking place must have been entered or selected on application and must correspond to the vehicle registration number of the

vehicle parked and the parking place it has parked in. If the vehicle registration number is not identical to that on the digital or virtual permit or the parking place the vehicle has parked in is not the same as the one authorised on the permit then a contravention shall occur and a penalty charge notice may be issued.

(36) "Permit Holder" means a person to whom a Permit paper or virtual or digital has been issued by the council under this Order;

(37) "Council Pool Cars has the same meaning as Council Pool Vehicle" means a Motor Vehicle provided by the Councils ("Councils" means Adur District Council or Worthing Borough Council) for the sole use of persons in the execution of their duties on the Councils business.

(38) "Council Pool Car or vehicle Bay" means a bay in an area of the car park provided solely for the use by Council Pool Cars/Vehicles approved by the council for leaving the vehicle in the bay and clearly displaying a valid 'Permit', or having a valid virtual or digital permit for that vehicle for that parking place, the bay will be defined by lines and or symbols and signage

(39) "Council Pool Car permit" means a permission in writing issued by the Council at its absolute discretion allowing a vehicle or vehicle of a specific class to park or wait in any Parking Place where such a Permit is required to be displayed in accordance with the provisions of this Order. The permit will be required to be clearly displayed inside the vehicle and valid in accordance with this order Or having a valid virtual or digital permit for that vehicle and the parking place it has parked in.

(40) "Loading / Delivery bay" means a bay in an area of the car park provided solely for the use by vehicles of the specified class in order to load or unload goods or burden of any description or to deliver or collect goods providing the activity occurs only in the designated coach bay and the activity is constant.

"delivering" and "collecting" in relation to any goods includes checking the goods for the purpose of their delivery or collection. If the vehicle is not undertaking the specified activity of loading or unloading, delivering or collecting a contravention will occur and a penalty charge notice may be issued. The bay will be defined by lines and or symbols and signage. Where the bay has a restriction of time limit the vehicle must not overstay the permitted time restriction otherwise a contravention will occur and a penalty charge notice may be issued.

The COMMON SEAL of THE BOROUGH  
COUNCIL OF WORTHING was hereto affixed  
on the            day of  
In the presence of  
Authorised Signatory