

**THE HIGHLAND COUNCIL (PROHIBITION AND RESTRICTION OF WAITING AND  
LOADING AND PARKING PLACES) (DECRIMINALISED PARKING ENFORCEMENT  
AND CONSOLIDATION) ORDER 2016**

THE HIGHLAND COUNCIL (PROHIBITION AND RESTRICTION OF WAITING AND  
LOADING AND PARKING PLACES) (DECRIMINALISED PARKING ENFORCEMENT  
AND CONSOLIDATION) ORDER 2016

THE HIGHLAND COUNCIL in exercise of its powers under Sections 1(1), 2(1) to (3), 4, 19, 32, 35, 45, 46,47 and 124 and Part IV of Schedule 9 of the Road Traffic Regulation Act 1984 (“the Act of 1984”) as amended and of the Road Traffic Act 1991 (“the 1991 Act”) and of all other enabling powers, and after consultation with the Chief Constable of Police Scotland in accordance with Part III of Schedule 9 to the Act of 1984, hereby makes the following Order.

**SECTION 1 – PRELIMINARY**

Citation and commencement

1. This Order shall come into operation on the \_\_\_\_\_ and may be cited as The Highland Council (Prohibition and Restriction of Waiting and Loading and Parking Places) (Decriminalised Parking Enforcement and Consolidation) (Order 2016).

Interpretation

2. Except where otherwise stated, any reference in this Order to a numbered Article or Schedule is a reference to the Article or schedule bearing that number in this Order.
3. The prohibitions and restrictions imposed by this Order shall be in addition to and not in derogation from any restriction or requirement imposed by any regulation made or having effect as if made under the Act of 1984 or by or under any other enactment provided that where a prohibition or restriction which is imposed, varied or revoked by this Order is in conflict with a prohibition or restriction imposed by a previous Order, then the provision of this Order shall prevail.
4. The On Street Plans forming schedule 1 to this Order and titled “The Highland Council (Prohibition and Restriction of Waiting and Loading and Parking Places) (Decriminalised Parking Enforcement and Consolidation) Order 2016 On Street Plans” including the key (the “Plans”) are hereby incorporated into this Order and are recorded in schedule 2 to this Order “The Plan Index”.

5. "The Plan Index" forms schedule 2 to this Order.
6. In this Order except where the context otherwise requires, the following expressions have the meaning hereby respectively assigned to them:

"Council" means The Highland Council and includes any parking services contractors or authorised agent appointed by or acting on behalf of the Council for the purposes of any function under the provisions of this Order;

"alternative approved method of payment" means cashless payments, park and phone, payment by debit or credit card facilitated by on site or remote verification by, for example, card reader or mobile phone text or phone call or decrementing card authorised by the Council;.

"bus" means -

- (i) a motor vehicle constructed or adapted to carry 8 or more passengers (exclusive of the driver);
- (ii) a local bus not so constructed or adapted;

"business user" means a person who occupies or is employed at premises the postal address of which is in any road or part of a road described in Schedule 3 and who uses such premises for non-residential purposes;

"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;

“Car Club Vehicle” means a vehicle of the type approved by the Council and provided by a Car Club or by the Council for the use of persons who have paid 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 displays the relevant identification issued and/or approved by the Council.

“carer” means a person who is construed as a carer at the absolute discretion of the Council;

“clearway” means the main carriageway of any of the lengths of roads marked in accordance with the Traffic Signs Regulations and General Directions 2016 and specified in the Plans where stopping is prohibited during the restricted hours provided that the expression clearway shall not include any lay-by or parking place;

“daily charge” means the parking charge imposed by the Council for parking in a parking place on any one day and for a specified period of time as is identified in the scale of charges specified in schedule 4 and by notice at the parking place;

"disabled person's badge" has the same meaning as in the Disabled Persons ('Badges for Motor Vehicles) (Scotland) Regulations 2000, as amended;

“disabled persons' vehicle” means a vehicle lawfully displaying a disabled persons' badge in the relevant position.

“dispensation certificate” means a certificate issued by or on behalf of the Council under the provisions of this Order permitting a specified vehicle to park in specified circumstances in a parking place, where the parking of that vehicle would otherwise be restricted or prohibited;

“driver” in relation to a vehicle waiting or parked in a prohibited or restricted area or parking place respectively, means the person driving the vehicle at the time it was left or parked in the prohibited or restricted area or parking place;

“emergency service vehicles” means a vehicle being used by the Police, Fire and Rescue Services or Ambulance Services;

“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;

“event times” means periods on any specific day when special events are taking place which require regular but temporary prohibition or restriction of waiting or parking. At event times, appropriate signs under the Traffic Signs Regulations and General Directions 2016 (as amended) will be in place to indicate the required restrictions;

“goods” means goods of any kind whether animate or inanimate and includes postal packets;

"goods vehicle" means a vehicle constructed or adapted for the use for the conveyance of goods or burden of any description.

“household” means a house or flat which has its own postal address. In the case of sub-divided properties the establishment of an individual address is subject to any appropriate planning consent having been obtained for the sub-division of the property and the paying of separate Council Tax

“invalid carriage” has the same meaning as given by section 185(1) of the Road Traffic Act 1988

“key” means the key attached to the Plans to be read in conjunction with the Plans;

“keeper” means:

a) the owner of a qualifying vehicle; or

- b) a qualifying resident identified and authorised by a registered business as being the sole or main user of a qualifying vehicle owned or leased by that business; or
- c) a qualifying resident identified and authorised by the owner of a qualifying vehicle as being the sole or main user of that vehicle, provided that both the owner of the qualifying vehicle and the qualifying resident are resident at the same address

“lay-by” in relation to a main carriageway means any area of a road at the side of the main carriageway but not part of it and marked in accordance with the Traffic Signs Regulations and General Directions 2016 intended for the parking of vehicles, provided that no person shall cause or permit any vehicle to park in any lay-by for the purpose of selling goods or services from that vehicle;

“light goods vehicle” means a motor vehicle under 1500 kg in weight which is constructed or adapted for use for the carriage of goods or burden of any description the overall height of which does not exceed 2.3 metres and the overall length of which does not exceed 5.25 metres and is not drawing a trailer or caravan;

“loading area” means any of the lengths of roads specified on the Plans where activities other than loading are prohibited;

"local service" has the same meaning as in the Transport Act 1985;

“main carriageway” means that part of a public road used primarily for through traffic provided that the expression main carriageway shall not include any lay-by;

“motor-cycle” has the same meaning as that in Section 136 of the Act of 1984;

“no loading hours” means in relation to any no loading road the hours during which loading and unloading is restricted on the Plans;

“no loading road” means any of the lengths of road specified on the Plans where loading is prohibited provided that the expression “no loading road” shall not include any parking place

“no stopping hours” means in relation to any no stopping road the hours of which are specified on the Plans during which stopping is restricted;

“no stopping road” means any of the lengths of road (including clearways) specified on the Plans where stopping is prohibited provided that “no stopping road” shall not include any parking place

“one-way street” means a road in which the driving of vehicles otherwise than in one direction is prohibited;

“owner” in relation to a vehicle, means the person by whom such vehicle is kept and used. In determining who was the owner at any time it shall be presumed that the owner was the person named in the vehicle registration document as the registered keeper of the vehicle or the person who has the use of such vehicle in the course of his / her employment and who is entitled to use such vehicle as though he / she were the registered keeper thereof;

“park” “parking” and “parked” refer to the stopping of a vehicle and it remaining at rest for some time whether or not the driver is still in the vehicle and a vehicle shall be deemed to be parked for any period in the same parking place or parking bay (as the case may be) if any part of it is below the vehicle or the vehicle’s load (if any) whether or not the vehicle is moved during that period;

“park and phone” means a method of payment of the parking charge involving registration of payment by phone or electronic means and, on first use, registration of the relevant registration number of the vehicle, location of the parking bay or parking place, credit or debit card details or any such other details as the Council may from time to time require which is accepted by the Council as a valid method of payment for the relevant time of use of the parking bay or parking place;

“parking attendant” has the same meaning as in section 63A of the Act of 1984

"parking bay" means the area of a road within a parking place which is provided for the leaving of a vehicle and is indicated in such a manner as the Council may determine by signs, carriageway markings, lines or other indications;

“parking device” has the meaning given by Sections 35(3)(b) and 51(4) of the Act of 1984;

“parking enforcement officer” has the same meaning as parking attendant in section 63A of the Act of 1984

“parking place” means an area of a road designated by this Order for the parking of vehicles of specific classes; and within which parking bays may be indicated;

“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;

“pay and display ticket machine” means an apparatus of a type approved by the Secretary of State for issuing a ticket indicating the payment of a charge, the date on which the ticket is valid and the time by which the vehicle is required to leave the parking place;

“pay and display ticket” means a parking ticket issued by a pay and display ticket machine relevant to the parking place in which a vehicle has been parked;

“penalty charge” means a penalty charge which is payable by virtue of paragraph 3(1) and (2) of Schedule 3 to the Road Traffic Act 1991; or any subsequent legislation so enabling;



“penalty charge notice” means a notice issued or served by a parking enforcement officer pursuant to the provisions of section 66 of the 1991 Act

“permit” means any permit being a resident, business, car club, civic staff or trade permit or visitor voucher or any other permit issued by the Council under the provisions of this Order;

“permit holder” means a person to whom a permit has been issued under the provisions of this Order;

“permitted hours” means the periods specified for each parking place during which parking by vehicles of a specific class is permitted as specified on the Plans;

“prohibited hours” means in relation to any prohibited road the hours during which waiting or loading is prohibited as specified on the Plans;

“prohibited road” means any of the lengths of roads specified on the Plans where waiting is prohibited provided that the expression “prohibited road” shall not include any parking place;

“qualified medical practitioner” or “doctor” means a fully registered person within the meaning of the Medical Act 1983;

"qualifying vehicle" for the purpose of “permits” means a passenger vehicle, goods vehicle, motor cycle or invalid carriage which in each case:

- a) has a height not exceeding 2.5 metres; and
- b) is not drawing a trailer

“relevant position” in respect of: -

- (a) a disabled person’s badge has the same meaning as in the Disabled Persons (Badges for Motor Vehicles) (Scotland) Regulations 2000, as amended;

- (b) a permit means exhibited on the windscreen, dashboard or fascia of the vehicle or, where the vehicle does not have a windscreen, dashboard or fascia, in a conspicuous position on the vehicle so that the whole of the information on the front of the permit is clearly legible from outside the vehicle; and
- (c) a pay and display ticket means exhibited on the windscreen, dashboard or fascia of the vehicle or, where the vehicle does not have a windscreen, dashboard or fascia, in a conspicuous position on the vehicle so that the whole of the information on the front of the ticket is clearly legible from outside the vehicle;

“resident” a person qualifying as a resident means

- a) a person who is solely or mainly resident at premises the postal address of which is in a road described in schedule 3; or
- b) a qualified medical practitioner with consulting rooms the postal address of which is in such a road described in schedule 3; or
- c) any person who owns or leases, on a long-term basis, any residential property the postal address of which is in a road described in Schedule 3, where the said property is not the sole or main place of residence and is used as a second home or holiday home;

“restricted hours” means in relation to any restricted road the hours during which waiting is restricted or specific activities are restricted as specified on the Plans;

“restricted road” means any of the lengths of roads specified on the Plans where waiting is restricted or specific activities are restricted during the restricted hours provided that the expression “restricted road” shall not include any parking place;

"taxi" has the same meaning as in Section 23(1) of the Civic Government (Scotland) Act 1982;

“taxi rank” means an area of carriageway which is indicated by road markings complying with diagram 1028.2 in the Traffic Signs Regulations and General Directions 2002 for use by taxis;

“telecommunication system” has the same meaning as in the Telecommunications Act 1984;

“tradesperson” means a person who is construed as a tradesperson at the absolute discretion of the Council;

“trailer” means any apparatus drawn by a motor vehicle and for the purposes of this Order shall include a boat;

"vehicle" unless the context otherwise requires, means a vehicle of any description and includes a machine or implement of any kind drawn or propelled along roads, whether or not by mechanical power;

“virtual parking permit” means an electronic record of parking ticket, permit or dispensation certificate issued and confirmed by the Council to exempt a vehicle from a restriction in the provisions of this Order, under the terms applicable at the time of issue. A virtual parking permit may be obtained by any of the methods provided from time to time by the Council and to be valid must be registered on an account in an electronic database approved by the Council with an indication that the permit has been issued and validated in accordance with Council procedures.

“wait” and “waiting” refer to the stopping of a vehicle and it remaining at rest for some time whether or not the driver is still in the vehicle; Wait and waiting apply as for “park” and “parked”

“waiver certificate” means a certificate issued by or on behalf of the Council for the purposes of this Order permitting a specified vehicle to wait in specified circumstances on a length or lengths of road where the waiting of that vehicle would otherwise be restricted or prohibited.

“visitor voucher” means a voucher issued by the Council for the leaving of a vehicle belonging to a visitor to a resident in a parking place designated for vehicles displaying a valid resident permit or visitor voucher;

“zone” means an area comprising the respective roads specified in the respective Plans

7. Any reference in this Order to a numbered Article shall, unless the context requires otherwise, be construed as a reference to the Article bearing that number in this Order and any reference to the Plans is a reference to the Plans incorporated as schedule 2 into this Order.
8. 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.
9. The Interpretation Act 1978 shall apply to the interpretation of this Order as it applies for the interpretation of an Act of Parliament and as if for the purposes of Section 21 of that Act this Order were an Act of Parliament and the Orders revoked by this Order were Acts of Parliament thereby repealed.
10. The restrictions imposed by this Order shall be in addition to and not in derogation from any restriction or requirements imposed by any regulations made or having effect as if made under the Act of 1984 or by or under any other enactment.
11. If a court, Transport Scotland or the Parking and Bus Lane Tribunal Service for Scotland, declares any part of this Order to be invalid or un-enforceable, such declaration shall not invalidate the remainder of the Order.

## SECTION 2 – PROHIBITION AND RESTRICTION OF WAITING AND LOADING

### Prohibition of waiting

12. Save as provided in Articles 19 to 27 no person shall, except upon the direction or with the permission of a parking enforcement officer in uniform or a police officer in uniform, cause or permit any vehicle to wait or park at any time on any prohibited road as specified on the Plans.

### Restriction of waiting

13. Save as provided in Articles 19 to 27 no person shall, except upon the direction or with the permission of a parking enforcement officer in uniform or a police officer in uniform, cause or permit any vehicle or a vehicle of a specific class to wait on any restricted road during the restricted hours as specified on the Plans.

### Loading areas

14. Save as provided in Articles 19, 20,21,24 25 and 27 no person shall, except upon the direction or with the permission of a parking enforcement officer in uniform or a police officer in uniform, cause or permit any vehicle to wait during the restricted hours in any loading area specified on the Plans unless it is of the specified class and except for the loading or unloading of goods in connection with nearby trade or business premises.
15. Where there is specified in the Plans a maximum period during the restricted hours for which loading or unloading is permitted, no person shall, except upon the direction or with the permission of a parking enforcement officer in uniform or a police officer in uniform, cause or permit any vehicle to wait on any loading area,
  - (a) for longer than is necessary for goods to be loaded onto or unloaded from the vehicle
  - (b) for a period longer than specified on the Plans, or

- (c) if a period less than that specified on the Plans as being the period in which the vehicle shall not return has elapsed since a previous period of waiting by the same vehicle on the same side of length of road.

#### Restriction on loading and unloading

- 16. Save as provided in Articles 19, 20 and 25 no person shall, except upon the direction or with the permission of a parking enforcement officer in uniform or a police officer in uniform, cause or permit any vehicle or a vehicle of a specific class to wait for the purpose of enabling goods to be loaded to or unloaded from the vehicle on any no loading road during the no loading hours as specified on the Plans.

#### Restriction on stopping

- 17. Save as provided in Articles 19, 20, 24 and 25 no person shall, except upon the direction or with the permission of a parking enforcement officer in uniform or a police officer in uniform, cause or permit any vehicle to stop on any no stopping road or clearway during the no stopping hours as specified on the Plans.

#### Emergencies

- 18. Nothing in Articles 13 to 18 shall render it unlawful to cause or permit any vehicle to wait in any of the roads, lengths of road or loading areas specified therein for so long as may be necessary to enable the vehicle to be used in an emergency for fire and rescue, ambulance or police purposes:

## General exemptions

19. Nothing in Articles 13 to 18 shall render it unlawful to cause or permit any vehicle to wait in any of the roads, lengths of road or loading areas specified therein for so long as may be necessary to enable:
- (a) the vehicle, if it cannot conveniently be used for such purpose in any other road, to be used in connection with any of the following operations, namely:-
    - (i) building, shop fitting, industrial or demolition operations;
    - (ii) the removal of any obstruction to traffic;
    - (iii) the maintenance, improvement or reconstruction of the said lengths of road; and
    - (iv) the laying, erection, alteration or repair in or on land adjacent to the said lengths of road of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity or of any telecommunications system,
  - (b) the vehicle, not being a passenger vehicle, if it cannot conveniently be used for such purposes in any other road, to be used in the service of a local authority or its contractors in pursuance of that authority's statutory powers or duties;
  - (c) the vehicle of the Royal Mail or other universal service provider (as defined in section 4(3) and (4) of the Postal Services Act 2000) to be used for the purpose of delivering and/or collecting mail; or
  - (d) in any case where the person in control of the vehicle,
    - (i) is required by law to stop;
    - (ii) is obliged to stop so as to prevent an accident, or
    - (iii) is prevented from proceeding by circumstances outside his/her control.

## Loading and unloading

20. Nothing in Articles 13 to 16 shall render it unlawful to cause or permit any vehicle to wait in any of the roads, lengths of road or loading areas specified therein for so

long as may be necessary to enable goods to be loaded to or unloaded from a vehicle (or goods or merchandise to be delivered or collected).

#### Board and alight from a vehicle

21. Nothing in Articles 13 to 14 shall render it unlawful to cause or permit any vehicle to wait in any of the roads or lengths of road specified therein for so long as may be necessary to enable a person to board or alight from the vehicle.

#### Funerals and weddings

22. Nothing in Articles 13 to 14 shall render it unlawful to cause or permit any vehicle to wait, if it cannot safely and conveniently do so elsewhere, in any of the roads or lengths of road specified therein if it is an official vehicle being used for funerals or weddings.

#### Parking places

23. Nothing in Articles 13 to 18 shall render it unlawful to cause or permit any vehicle to park upon a designated parking place.

#### Waiting by vehicle displaying a waiver certificate

24. Nothing in Articles 13 to 18 shall prevent any person from causing or permitting a vehicle to wait in any prohibited or restricted road if it is displaying in the relevant position a valid waiver certificate issued by the Council and the vehicle is waiting in accordance with the terms and conditions of the said certificate.

#### Waiting / parking by disabled persons' vehicle

25. Nothing in Articles 13 to 14 shall render it unlawful to cause or permit a disabled person's vehicle, which is not causing an obstruction and which displays in the relevant position a disabled person's badge, to wait or park in a prohibited road or a



restricted road specified on the Plans provided that the vehicle immediately before or after the act of waiting or parking has been or is about to be driven or used by the person to whom the badge has been issued or, as the case may be, used for the carrying of disabled person(s) as passenger(s).

#### Taxi ranks

26. Nothing in Articles 13 and 14 and 15 shall prevent any person from causing or permitting a licensed taxi to stop or wait in any duly authorised taxi rank during the period of operation specified on the Plans.
27. No person shall cause or permit any vehicle other than a taxi to stop or wait on a taxi rank during the period of operation.
28. No person shall cause or permit a taxi to stop or wait on a taxi rank during the period of operation other than for the purpose of plying for hire.

#### General conditions of waiting

29. No person shall cause or permit any vehicle to wait unless all wheels are on the carriageway and, if conditions dictate that the vehicle should wait parallel to the kerb, so that the distance between the edge of the carriageway and the nearest wheel of the vehicle is not more than 50cms.
30. No person shall cause or permit any vehicle to wait so that any part of the vehicle obstructs any dropped kerb or any vehicular means of ingress to or egress from premises adjacent to the side of the road on which the vehicle is waiting.

### **SECTION 3 – PERMITTED PARKING PLACES**

#### **Limited waiting parking places**

### Designation of limited waiting parking places

31. The parts of roads identified as such on the Plans are hereby designated to be used subject to the following provisions of this Order as limited waiting parking places and may be used subject to the provisions of this Order on such days and during such hours as are specified on the Plans.
32. No person shall cause or permit any vehicle to park in a limited waiting parking place during the permitted hours unless it is of the specified class.

### Classes of vehicles for which limited waiting parking places are designated

33. Subject to the provisions of this Order, limited waiting parking places may be used during the permitted hours for the parking of passenger vehicles, light goods vehicles, motor cycles and vehicles displaying a disabled persons' badge.

### Restriction on parking

34. Save as in an emergency, no person shall cause or permit any vehicle to remain in a limited waiting parking place for longer than the maximum period specified for that parking place in the Plans.

### No return

35. Where a period within which a vehicle must not be parked again in the limited waiting parking place is specified in the Plans, no person shall permit or cause the vehicle to park again in that parking place until the expiry of that specified period.

### Verge and footway parking

36. Where parking partially on the verge or footway is specified on the Plans, nothing shall render it unlawful for any person to cause or permit a vehicle of the class specified to park in a limited waiting parking place partially on the verge or footway.

## **Payment parking places**

### Designation of pay and display parking places

37. The parts of roads identified as such on the Plans are hereby designated to be used subject to the following provisions of this Order as pay and display parking places and may be used subject to the provisions of this Order on such days and during such hours as are specified on the Plans.
38. No person shall cause or permit any vehicle to be parked in a pay and display parking place during the permitted hours unless it is of the specified class and there is displayed on that vehicle in the relevant position a pay and display ticket valid for that time and for that parking place.

### Classes of vehicles for which pay and display parking places are designated

39. Subject to the provisions of this Order, parking places may be used during the permitted hours for the parking of passenger vehicles, light goods vehicles, motor cycles and vehicles displaying a disabled persons' badge.

### Ticket machines to be installed at pay and display parking places

40. The Council will –
  - (a) install in such positions at or in the vicinity of a payment parking place as it may think fit such pay and display ticket machines as are required by this Order for the purposes of that parking place; and
  - (b) carry out such other work as is authorised by this Order or is reasonably required for the purposes of the satisfactory operation of a parking place.

### Maximum period of parking

41. Subject to the provisions of this Order, no person shall cause or permit any vehicle to be parked in a pay and display parking place

- (i) beyond the time of expiry of the period for which the parking charge has been paid, or
- (ii) for longer than the maximum period specified for that parking place on the Plans .

#### No return

42. Subject to the provisions of this Order, where a period within which a vehicle must not be parked again in the pay and display parking place as specified on the Plans, no person shall permit or cause the vehicle to park again in that parking place until the expiry of that specified period.

#### Payment

43. No person shall cause or permit any vehicle to be parked in a pay and display parking place without arranging for the appropriate parking charge (if any) to be paid in accordance with the scale of charges as specified in Schedule 4.

#### Means of payment

44. The parking charge referred to in the preceding Article shall be payable in the manner as specified in schedule 4.
45. The person in charge of a vehicle, upon parking the vehicle in a pay and display parking place, shall immediately
- (i) purchase a pay and display ticket from a ticket machine situated close to that parking place at the level of charge and for the period required in accordance with the scale of charges as specified or
  - (ii) make arrangements to pay the appropriate parking charge through an alternative approved method of payment at the level of daily charge and for the period required in accordance with the scale of charges as specified

### Display of ticket

46. Save for Article 56, where on payment of the parking charge a pay and display ticket has been obtained, the person in charge of the vehicle shall
- (i) display the pay and display ticket issued in the relevant position on the vehicle in respect of which it was issued, and
  - (ii) ensure that the pay and display ticket is displayed during the entire period that the vehicle is parked in the parking place.

### Validity of Pay and Display Tickets

47. A pay and display ticket is not transferable from one vehicle to another.
48. A pay and display ticket is valid only until the expiry of the period for which a charge has been paid.
49. A pay and display ticket is valid only in the location in respect of which it was issued. This is defined by the identification on the parking ticket machine located in respect of that location and the information printed on the pay and display ticket.

### Expiry of parking period

50. The expiry of the period for which the charge has been paid shall be when the time shown on the clock of the issuing ticket machine is later than the time exhibited on the pay and display ticket displayed on the vehicle.
51. For the avoidance of doubt, the limit of waiting time applicable to a parking place shall take precedence over the times shown on a pay and display ticket in determining whether or not a contravention has taken place.

### No ticket displayed

52. Save for Article 56, if at any time while a vehicle is parked in a parking place no pay and display ticket is displayed on that vehicle, it shall be judged that the charge has not been paid.

### Ticket machine out of order

53. If at the time when a vehicle is parked during the permitted hours in a parking place and the nearest ticket machine is out of order, then a pay and display ticket shall be obtained from another parking ticket machine relative to that location (where provided).

### Restriction on removal of tickets

54. Where a ticket has been attached to a vehicle in accordance with the provisions of this Order no person, not being the driver of the vehicle, shall remove the ticket from the vehicle unless authorised to do so by the driver.

## **Exemptions**

### Alternative approved method of payment

55. Where arrangements to pay the daily charge have been made through an alternative approved method of payment and no pay and display ticket is produced by following the process, the driver of a vehicle shall be exempt from the requirement to display such a ticket.

### Pay and display machines out of order

56. If at the time when a vehicle is parked during the permitted hours in a pay and display parking place and all the ticket machines are out of order, the driver of that vehicle shall be exempt from payment of the parking charge and display of ticket,

Provided that the maximum period of parking specified for that parking place on the Plans still applies.

#### Permit or voucher

57. Save for Article 60, the driver of any vehicle displaying in the relevant position a permit or visitor voucher valid for that pay and display parking place shall be exempt from payment of the parking charge, display of ticket and any time limit provided that the vehicle is being used in accordance with the conditions applying to the said permit or voucher.

#### Dispensation certificate

58. The driver of any vehicle displaying in the relevant position a valid disabled persons badge or valid dispensation certificate shall be exempt from payment of the parking charge, display of ticket and any time limit provided that the vehicle is being used in accordance with the conditions applying to the said badge or certificate.
59. Where a virtual parking permit has been obtained as an alternative to a Parking Ticket and remains valid, any requirement in the relevant Parking Order for the Parking Ticket to be displayed on the vehicle to which it relates shall not apply.

### **Police Vehicle only parking places**

#### Designation of Police vehicle only parking places

60. The parts of roads identified as such on the Plans are hereby designated to be used subject to the following provisions of this Order as police vehicle parking places and may be used subject to the provisions of this Order on such days and during such hours as are specified on the Plans.
61. No person shall cause or permit any vehicle to park in a police vehicle parking place during the permitted hours unless there is displayed on that vehicle in the relevant

position a police vehicle permit valid for that vehicle, that time and that parking place.

62. A police vehicle permit may comprise the display of a warrant card or similar issued by the Police in such form and subject to such conditions as may be agreed from time to time by the Council. A police vehicle permit will also be recognised as a liveried or suitably marked police vehicle as prescribed by Police Scotland.

### **Disabled person's parking places**

#### Designation of disabled person's parking places

63. The parts of roads identified as such on the Plans are hereby designated to be used subject to the following provisions of this Order as parking places for vehicles displaying a valid disabled person's badge and may be used subject to the provisions of this Order on such days and during such hours as are specified on the Plans.

#### Display of disabled person's badge

64. No person shall cause or permit any vehicle to park in a disabled person's parking place during the permitted hours unless there is displayed on that vehicle in the relevant position a valid disabled person's badge.
- Provided that the vehicle immediately before or after the act of parking has been or is about to be driven or used by the person to whom the badge has been issued or, as the case may be, used for the carrying of disabled person(s) as passenger(s).

#### Maximum period of parking in a disabled person's parking place

65. Save as in an emergency, no person shall cause or permit any vehicle to remain in a disabled person's parking place for longer than the maximum period specified for that parking place in the Plans.



66. Where as indicated on the Plans there is a maximum period specified for that disabled person's parking place, the driver of a vehicle shall upon leaving the vehicle in the parking place, display in the relevant position a disabled person's badge and shall remove that vehicle from the said parking place within the maximum time specified.
67. Where a period within which a vehicle must not be parked again in the disabled person's parking place is specified in the Plans, no person shall permit or cause the vehicle to park again in that parking place until the expiry of that specified period.

### **Car Club only parking places**

68. The parts of roads identified as such on the Plans are hereby designated to be used subject to the following provisions of this Order as parking places for car club vehicles and may be used subject to the provisions of this Order on such days and during such hours as are specified on the Plans.
69. A car club vehicle permit may comprise the display of a card or similar subject to such conditions as may be agreed from time to time by the Council. A car club permit will also be recognised as a liveried or suitably marked car club vehicle as may be agreed from time to time by the Council.

### **Permit only parking places**

#### **Designation of permit holders only parking places**

70. The parking places identified in the Plans as permit holders only parking places are hereby designated as being restricted to use during the permitted hours by vehicles displaying a valid residents' permit, visitor voucher, business permit, or any other such permit type issued by the Council.
71. Where a virtual parking permit has been obtained as an alternative to a Permit or dispensation certificate or visitor voucher and remains valid, any requirement in the

relevant Parking Order for the Permit or dispensation certificate to be displayed on the vehicle to which it relates shall not apply.

Classes of vehicles for which permits are applicable

72. Subject to the provisions of this Order, permits and visitors vouchers may be issued in respect of classes of vehicles being passenger vehicles, light goods vehicles, motor-cycles and disabled persons vehicles.

## Permits to be displayed on vehicles

73. Save as provided for article 70 no person shall cause or permit any vehicle to park in a permit holders only parking place during the periods specified in the Plans unless there is on display in the relevant position on that vehicle a residents parking permit, visitor voucher, business permit, or any other such permit type issued by the Council valid for that vehicle and valid for that parking place.
74. Where a permit has been displayed on a vehicle in accordance with the preceding Article, no person other than the driver of the vehicle shall remove the permit or visitors voucher from the vehicle unless authorised to do so by the driver of the vehicle.

## **Other parking places**

### Special classes of vehicles

75. The parts of roads identified as such on the Plans are hereby designated to be used subject to the following provisions of this Order as parking places for specific classes of vehicles and may be used subject to the provisions of this Order on such days and during such hours as are specified on the Plans.
76. Where parking places are provided for the leaving of specific classes of vehicle with or without charge or time limit, no person shall cause or permit any vehicle to park in that parking place during the periods specified in the Plans unless it is of the class specified, on payment of any charge and
- (a) for a period longer than that specified, or
  - (b) where a period within which a vehicle must not be parked again in the parking place is specified in the Plans, no person shall permit or cause the vehicle to park again in that parking place until the expiry of that specified period.

## **General conditions in respect of parking places**

### Manner of standing in a parking place

77. Unless indicated otherwise by markings on the carriageway, each vehicle parked in a limited waiting, pay and display, disabled persons and permit parking place in accordance with the foregoing provisions of this Order shall stand:
- (i) if the parking place is in a one-way street, so that the vehicle is facing according to the direction of the traffic flow and adjacent to the edge of the carriageway;
  - (ii) if the parking place is not in a one-way street, so that the left or near side of the vehicle is adjacent to the left-hand edge of the carriageway;
  - (iii) so that the distance between the edge of the carriageway and the nearest wheel of the vehicle is not more than 50cms;
  - (iv) so that no part of the vehicle obstructs any vehicular means of ingress to or egress from premises adjacent to the side of the road on which the vehicle is parked; and
  - (v) so that every part of the vehicle is within the limits of the parking place as marked on the carriageway.

### Alteration of position of a vehicle in a parking place

78. Where any vehicle is standing in a parking place in contravention of the provisions of the preceding Article, a parking enforcement officer or person duly authorised by the Council or police officer in uniform may alter or cause to be altered the position of the vehicle in order that its position shall comply with those provisions.

### Movement of a vehicle in a parking place in an emergency

79. A parking enforcement officer in uniform or a police officer in uniform may move or cause to be moved or remove or cause to be removed, in case of emergency, to any place he / she thinks fit, any vehicle parked in a parking place and shall provide for the safe custody of the vehicle.

## Suspension of use of a parking place

80. A parking enforcement officer in uniform or any person duly authorised by the Council may suspend the use of a parking place or any part thereof whenever they consider such suspension reasonably necessary:
- (a) for the purpose of facilitating the movement of traffic or promoting its safety;
  - (b) for the purpose of any building operation, demolition or excavation adjacent to the parking place, the maintenance, improvement or reconstruction of the road or the cleansing of gullies in or adjacent to the parking place, the laying, erection, alteration or repair in or adjacent to the parking place or any sewer or of any main, pipe, or apparatus for the supply of gas, water or electricity or of any telecommunications system or the placing, maintenance or removal of any traffic sign;
  - (c) for the convenience or 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 the parking place from or to a depositary, another office or dwelling-house;
  - (d) on any occasion on which it is likely by reason of some special attraction that any street will be thronged or obstructed;
  - (e) for the convenience of occupiers of premises adjacent to the parking place at times of weddings or funerals, or on other special occasions;
- or
- (f) on any occasion in the interests of traffic or pedestrian movement and safety when a special event is taking place in the vicinity;
81. A parking enforcement officer in uniform or any person duly authorised by the Council or a police officer in uniform may suspend for not longer than 7 days at a time the use of a parking place or any part thereof whenever he / she considers such suspension reasonably necessary for the purpose of facilitating the movement of traffic or promoting its safety.

82. Any parking enforcement officer in uniform or any person duly authorised by the Council or a police officer in uniform suspending the use of a parking place or any part thereof in accordance with the provisions of this Order shall thereupon place or cause to be placed in or adjacent to that parking place or part thereof a traffic sign indicating that parking by vehicles is prohibited.

#### No parking in a suspended parking place

83. No person shall cause or permit a vehicle to park in a parking place or any part thereof during which such period as the Council or a police officer in uniform has suspended that parking place or part thereof and exhibits notice of such suspension on or near that parking place.

84. Nothing in the preceding Article shall render it a contravention to cause or permit a vehicle to be parked in a parking place which has been suspended, which displays in the relevant position a valid waiver or dispensation certificate issued by the Council, and the vehicle is parking in accordance with the terms and conditions of the said certificate.

#### Restrictions on the use of vehicles in a parking place

85. During the permitted hours no person shall use any parking place or any vehicle whilst it is in a parking place

- (i) to carry out any trade,
- (ii) in connection with the sale or offering or exposing for sale any goods to any person in or near the parking place, or
- (iii) in connection with the selling or offering for sale of their skill in handicraft or their services in any other capacity:

Provided that

- (iv) nothing in this Article shall prevent the sale of goods from a vehicle if there is on display in the vehicle a Street Trader's Licence issued by the Council and the vehicle is being operated in accordance with any conditions of the said certificate, and

- (v) nothing in this Article shall prevent the sale of goods from a vehicle if the vehicle is a passenger vehicle, a goods vehicle or a motorcycle and the goods are immediately delivered at or taken into premises adjacent to the vehicle from which the sale is effected and the vehicle does not park for a period exceeding 20 minutes or such longer period as a parking enforcement officer or person duly authorised by the Council may approve.

#### Exemptions to restriction on parking by a vehicle in a parking place

86. Notwithstanding the foregoing provisions of this Order any vehicle may be parked 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 parked for so long as may be necessary for the purpose of enabling any person to board or alight from a vehicle or load thereon or unload therefrom their personal luggage;
  - (b) the vehicle is parked owing to the driver being prevented from proceeding by circumstances beyond their control or to such parking being necessary in order to avoid an accident;
  - (c) the vehicle is being used by a doctor or nurse visiting premises as part of their official duties, of care to a patient, away from their normal place of work, adjacent to the parking place;
  - (d) the vehicle is being used for fire and rescue, ambulance or police purposes or, not being a passenger vehicle, is being used in the service of a local authority in pursuance of statutory powers or duties provided that in all the circumstances it is reasonably necessary in the exercise of such powers or in the performance of such duties for the vehicle to park in the place in which it is parked;
  - (e) the vehicle is parked for so long as may be necessary to enable it to be used in connection with the removal of any obstruction to traffic;

- (f) the vehicle of the Royal Mail or other universal postal service provider (as defined in Section 4(3) and (4) of the Postal Services Act 2000) is parked for the purpose of delivering and/or collecting mail; or
- (g) in any other case the vehicle is parked 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 parked and the vehicle does not park for a period exceeding 20 minutes or for such longer period as a parking enforcement officer or person duly authorised by the Council may approve.

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

87. Notwithstanding the foregoing provisions of this Order any vehicle displaying in the relevant position a valid disabled person's badge may be parked without payment of a daily charge or time limit during the permitted hours in any part of a parking place if the use of that part has not been suspended provided that the vehicle is parked in accordance with the terms and conditions of the said badge.

#### Exemptions for vehicles displaying a valid dispensation certificate

88. Notwithstanding the foregoing provisions of this Order any vehicle displaying in the relevant position a valid dispensation certificate issued by the Council may be parked
- (i) without payment of a daily charge or time limit during the permitted hours in any part of a parking place if the use of that part has not been suspended, or
  - (ii) in any part of a parking place the use of which has been suspended; provided that the vehicle is parked in accordance with the terms and conditions of the said certificate.

#### Placing of traffic signs etc.

89. The Council shall:



- (a) place and maintain traffic signs indicating the limits of each parking place,
- (b) place and maintain traffic signs of a design approved by the Secretary of State for Transport indicating that such parking places may be used during the permitted hours for the leaving only of the vehicles of the specified classes, and
- (c) carry out such other work as it reasonably required for the purposes of the satisfactory operation of a parking place.

#### **SECTION 4 - CONDITIONS AS TO PERMITS AND CERTIFICATES**

##### Classes of vehicles for which permits are applicable

90. Subject to the provisions of this Order, permits may be issued to classes of vehicles being passenger vehicles, light goods vehicles, motor-cycles and disabled persons vehicles.

##### Use of permits and vouchers

91. A permit or voucher shall only be valid for use in a parking place on a road or within the zone identified on the permit and specified on the Plans.

##### **Entitlement to and application for permits**

##### Residents permits

92. Any resident who is the owner of a vehicle of the class specified may apply to the Council for the issue of a residents permit in respect of that vehicle and / or the issue of visitor vouchers for use by visitors to the resident and any such application shall be made on a form issued by and obtainable from the Council and shall include the particulars and information required by such form to be supplied.

### Residents visitor voucher

93. Any resident may apply to the Council for the issue of a residents visitor voucher for use by visitors to the resident and any such application shall be made on a form issued by and obtainable from the Council and shall include the particulars and information required by such form to be supplied.

### Business permits

94. Any business user operating from premises with a postal address in the roads or parts of road as specified in schedule 3 who is the operator of a vehicle of the class specified and use of the vehicle is integral to the daily operation of the business may apply to the Council for the issue of a business permit in respect of that vehicle and any such application shall be made on a form issued by and obtainable from the Council and shall include the particulars and information required by such form to be supplied.

### Trade permits

95. Any carer or representative of a carer or registered medical practitioner or prescribed tradesman or member of an organisation approved from time to time by the Council may apply to the Council for the issue to them of a trade permit for the leaving of a vehicle of the class specified in a parking place in which such permits are valid; provided that the Council may require such specific and supportive information as it considers appropriate.

### Evidence in respect of application

96. The Council may at any time require an applicant for any approved permit or holder of any approved permit to produce to an officer of the Council or authorised agent such evidence in respect of an application for a permit made to them as they may reasonably require to verify any particulars or information given to them or in

respect of any permit issued by them as they may reasonably require for to verify that the permit is valid.

### **Issue of permits**

#### **Residents permits**

97. Upon receipt of an application duly made under the provisions of this Order, the Council upon being satisfied that the applicant is a resident who is the owner of a vehicle of the class specified and on payment of any fee as specified in schedule 4 may issue to the applicant a resident's permit for the leaving during the permitted hours in a parking place of the vehicle to which such residents permit relates; provided that if a limit on the number of permits per resident or per household applies in accordance with the scheme details, the limit is not exceeded.

#### **Residents visitor vouchers**

98. Upon receipt of an application duly made under the provisions of this Order, the Council upon being satisfied that the applicant satisfies the requirements and on receipt of any fee that the Council may from time to time determine, may issue to the applicant residents visitor vouchers for the parking during the permitted hours in a parking place to which such residents visitor voucher relates of a vehicle to which a permit relates by the owner of such vehicle; provided that, if a limit on the number of residents visitor vouchers per resident or per household applies in accordance with the scheme details, the limit is not exceeded.

#### **Business permits**

99. Upon receipt of an application duly made under the provisions of this Order, the Council upon being satisfied that the applicant satisfies the requirements and on receipt of any fee may issue to the applicant business permit(s) or visitor voucher(s) up to the maximum permitted for the leaving during the permitted hours in a parking place of the vehicle to which a permit relates; provided that the Council

may impose such conditions on the use of the permit as it considers appropriate and that if a limit on the number of permits applies the limit is not exceeded.

### Trade permits

100. Upon receipt of an application duly made under the provisions of this Order, the Council upon being satisfied that the applicant satisfies the requirements and on receipt of any fee may issue to the applicant trade permits up to the maximum permitted for the leaving during the permitted hours in a parking place of the vehicle to which a permit relates; provided that the Council may impose such conditions on the use of the permit as it considers appropriate and that if a limit on the number of permits applies the limit is not exceeded.

### Surrender of permits

101. A permit holder may surrender such permit to the Council or authorised agent at any time and shall surrender such permit to the Council or authorised agent on the occurrence of any one of the surrender events.

### Withdrawal of permit

102. The Council or authorised agent may, by notice in writing served on the permit holder at the address shown by that person on the application for the permit or at any other address believed to be that person's residence or place of business, withdraw a permit if it appears to the Council or authorised agent that any one of the surrender events has occurred and the permit holder shall surrender the permit to the Council or authorised agent within 48 hours of the receipt of the aforementioned notice.

### Surrender events

103. Each of the following is a surrender event:  
(i) the permit holder ceasing to be a resident;

- (ii) the permit holder ceasing to be the owner of the vehicle in respect of which the resident's permit was issued;
- (iii) the vehicle in respect of which such permit was issued being adapted or used in such a manner that it is not a vehicle of the class specified;
- (iv) the issue of a duplicate permit or visitor voucher by the Council under the provisions of this Order; or
- (v) the permit being defaced, mutilated or altered.

#### Validity of permit

104. A permit shall cease to be valid at the expiration of the period specified thereon or on the occurrence of any of the surrender events, whichever is the earlier.
105. Where a permit or voucher is issued to any person upon receipt of a cheque and the cheque is subsequently dishonoured, the permit or voucher shall cease to be of any effect and the council shall by notice in writing served on the person to whom such permit or voucher was issued by sending the same to the permit holder at the address shown by that person on the application for the permit, or at any other address believed to be that person's place of abode, require that person to surrender the permit or voucher to the Council within 48 hours of receipt of the aforementioned notice.
106. A permit shall cease to be valid if:
- (i) the details have been altered or defaced;
  - (ii) any additional details required as a condition of the permit are not exhibited;  
or
  - (iii) the details cannot be easily read from outside the vehicle.

#### Duplicate permits

107. If a permit or visitor voucher is accidentally mutilated or defaced or the figures or particulars thereon have become illegible or the colour of the permit has become

altered by fading or otherwise, the permit holder shall surrender it to the Council and apply to the Council for the issue of a replacement permit or voucher.

108. If a permit or visitor voucher is lost or destroyed, the permit or voucher holder may apply to the Council for the issue of a duplicate permit or voucher.
109. On application under the provisions of this Order, the Council, being satisfied as to the circumstances as indicated, and on payment of any fee as the Council may from time to time determine, shall issue a replacement or duplicate permit or voucher so marked and upon such issue the original permit or voucher shall become invalid.
110. All the provisions of this Order shall apply to a replacement or duplicate permit to the same extent as they applied to the original permit.

#### Form of permit

111. A permit may be in writing or virtual and if in writing shall include the following particulars:-
  - (i) the registration mark of the vehicle in respect of which the permit has been issued.  
Provided that in exceptional circumstances at the absolute discretion of the Council the vehicle registration mark may be omitted;
  - (ii) the period during which, subject to the provisions pertaining to surrender or withdrawal, the permit shall remain valid;
  - (iii) an indication that the permit has been issued by the Council; and
  - (iv) a code or identification indicating the parking area for which the permit is valid.

### Refund of charge paid

112. A permit holder who surrenders a permit to the Council before the permit becomes valid or after the permit becomes valid may be entitled to a refund of a sum determined by reference to a policy agreed from time to time by the Council.

### Waiver certificate and / or Dispensation certificate

113. The Council may issue a waiver certificate or a dispensation certificate on receipt of application and may impose fees, terms and conditions as appropriate.
114. A waiver certificate or dispensation certificate may be cancelled at any time at the sole discretion of the Council and shall thereupon immediately cease to be valid. Notification of such cancellation shall be in writing to the holder of the certificate at any address that the Council believes to be that person's address and the certificate shall forthwith be surrendered to the Council.

## **SECTION 5 - GENERAL**

### Pedestrian crossings

115. Nothing in the 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 Act of 1984.

## **SECTION 6 - CONTRAVENTION AND PENALTY CHARGE**

### Contravention

116. If a vehicle is waiting or parked in a prohibited or restricted road or parking place respectively without complying with the requirements of this Order, a contravention shall have occurred and a penalty charge shall be payable and or the vehicle may be removed from that parking place.

### Penalty Charge Notice

117. In the case of a vehicle in respect of which a penalty charge may be or have been incurred, it shall be the duty of a parking enforcement officer to issue a penalty charge notice which shall include the information required by the 1991 Act

### Manner of Payment of penalty charge notice

118. The penalty charge shall be paid to the Council either by cheque, banker's draft, money order or postal order or other such electronic payment means as approved by the Council which shall be made payable to The Highland Council and delivered or sent by post so as to reach The Highland Council at the address as detailed on the penalty charge notice not later than 4.30pm on the twenty eighth day following the day on which the penalty charge was incurred.

### Indications as evidence

119. The particulars given in any notice served on a vehicle in contravention of any provision of this Order shall be treated as evidence in any proceedings relating to failure to pay such penalty charge.

### Restriction on removal of notices

120. Where a notice has been attached to a vehicle in accordance with the provisions of this Order no person, not being the driver of the vehicle, a police officer in uniform, a parking enforcement officer or some other person duly authorised by the Council shall remove the notice from the vehicle unless authorised to do so by the keeper of the vehicle.



## Removal of vehicle

121. Where a parking enforcement officer or some other person duly authorised by the Council has removed or caused to be removed a vehicle in accordance with the provisions of this Order,
- (a) he / she shall provide for the safe custody of the vehicle;
  - (b) the Council shall be entitled to recover from the person responsible such charges in respect of the removal, storage and disposal of the vehicle as it might prescribe from time to time;
  - (c) the provisions of the Act of 1984 as amended shall apply to the disposal of such vehicles removed by or on behalf of the Council.
122. Nothing in respect of a removal of a vehicle shall apply in respect of a vehicle displaying in a relevant position a valid disabled person's badge.
123. The restrictions imposed by this Order shall be in addition to and not in derogation from any restriction or requirements imposed by any regulations made or having effect as if made under the Act of 1984 or by or under any other enactment.

## **SECTION 7 - REVOCATIONS**

124. All the traffic regulation orders or parts of traffic regulation orders imposing the following restrictions:
- (a) Prohibition and restrictions of parking and loading and unloading;
  - (b) Prohibition of stopping,
  - (c) Loading areas,
  - (d) Restrictions on parking places,
  - (d) Restrictions on disabled parking places, and
  - (e) Restrictions on motor cycle parking places
- as they relate to roads in THE HIGHLAND COUNCIL area as defined in the Plans made prior to this Order are hereby revoked.

This Order and the four Schedules annexed hereto are sealed with the Common Seal of  
The Highland Council

**THE COMMON SEAL of           XXXX            )**  
**COUNCIL was hereunto affixed            )**  
**This            day of                   2016            )**  
**in the presence of:-                                            )**

## **SCHEDULES**

**Schedule I** - The Highland Council (Prohibition and Restriction of Waiting and Loading and Parking Places) (Decriminalised Parking Enforcement and Consolidation) Order 2016 - On Street Plans.

**Schedule 2** - The Highland Council (Prohibition and Restriction of Waiting and Loading and Parking Places) (Decriminalised Parking Enforcement and Consolidation) Order 2016  
– The Plan Index.

**Schedule 3** - The Highland Council (Prohibition and Restriction of Waiting and Loading and Parking Places) (Decriminalised Parking Enforcement and Consolidation) Order 2016  
- List of roads & Regulated Car Parks with permit schemes.

**Table 3.1 Roads with Permit Schemes**

|                              |                                      |
|------------------------------|--------------------------------------|
| Abertarff Road Inverness     | Queen Street Inverness               |
| Ardconnel Terrace Inverness  | Raining Stairs Access Road Inverness |
| Ardross Place Inverness      | Reay Street Inverness                |
| Argyll Court Inverness       | Rosebery Place Inverness             |
| Balnain Street Inverness     | Southside Place Inverness            |
| Beaufort Road Inverness      | Southside Road Inverness             |
| Broadstone Avenue Inverness  | Stephen's Street Inverness           |
| Broadstone Park Inverness    | Stephen's Brae Inverness             |
| Bruce Gardens Inverness      | Tomnahurich Street Inverness         |
| Cawdor Road Inverness        | Union Road Inverness                 |
| Celt Street Inverness        | Wells Street Inverness               |
| Charles Street Inverness     | Hill Place Inverness                 |
| Crown Avenue Inverness       | Hill Street Inverness                |
| Crown Drive Inverness        | Huntly Street Inverness              |
| Crown Street Inverness       | Innes Street Inverness               |
| Culduthel Road Inverness     | Kenneth Street Inverness             |
| Darnaway Road Inverness      | King Street Inverness                |
| Denny Street Inverness       | Kingmills Road, Inverness            |
| Douglas Row Inverness        | Leys Drive Inverness                 |
| Duff Street Inverness        | Leys Park Inverness                  |
| Duncraig Street Inverness    | Lovat Road Inverness                 |
| Fairfield Lane Inverness     | MacDonald Street Inverness           |
| Fairfield Road Inverness     | MacEwen Drive Inverness              |
| Fraser Street Inverness      | Mayfield Road Inverness              |
| Friars Place Inverness       | Midmills Road Inverness              |
| George Street Inverness      | Mitchell's Lane Inverness            |
| Glebe Street Inverness       | Montague Row Inverness               |
| Gordon Terrace Inverness     | Ness Bank Inverness                  |
| Gordonville Road Inverness   | Argyll Terrace Fort William          |
| Greig Street Inverness       | Fassifern Road Fort William          |
| Huntly Street Inverness      | Victoria Road Fort William           |
| Old Edinburgh Road Inverness | Linnhe Road Fort William             |
| Paton Street Inverness       | Riverside Road Kinlochleven          |
| Planefield Road Inverness    | Victoria Place Mallaig               |
| Porterfield Bank Inverness   | Cawdor Street Nairn                  |
| Portland Place Inverness     | Church Street Nairn                  |
|                              | Douglas Street Nairn                 |

### **Table 3.2 Off Street Car Parks with Permit Schemes**

This table 3.2 is for information only as the off street car parks with permit schemes are regulated under a council off street parking order

|                                                                                     |
|-------------------------------------------------------------------------------------|
| Harrowden Road Car Park Inverness – Residents Permit Parking                        |
| Kenneth Street Car Park Inverness – Residents Permit Parking                        |
| Rose Street Multi Storey Car Park Inverness – Contract Parking Bays                 |
| Cathedral Car Park Inverness – Permit Bays                                          |
| Castle Street Car Park Inverness – Part Time Permit Parking                         |
| Council HQ Car Park, Inverness – Part Time Permit Parking                           |
| Viewforth Car Park Fort William – Contract Parking Bays                             |
| Middle Street Car Park Fort William – Contract Parking Bays                         |
| West End Car Park Fort William - Season Tickets, Residents Permit Parking           |
| An Aird Nos.1 & 2 Car Parks Fort William - Season Tickets, Residents Permit Parking |
| Transport Centre Car Park Fort William - Season Tickets                             |

**Schedule 4** - The Highland Council (Prohibition and Restriction of Waiting and Loading and Parking Places) (Decriminalised Parking Enforcement and Consolidation) Order 2016 - list of on street parking charges and permit fees.

**Table 4.1 On-Street Parking Tariffs**

**PARKING CHARGES**

Parking Charges in the roads below will be as detailed below from the 3<sup>rd</sup> of October 2016

| <b>On Street Parking</b>         |                           |                                                              |
|----------------------------------|---------------------------|--------------------------------------------------------------|
| <b>Parking Bay Locations</b>     | <b>Times</b>              | <b>scale of charges</b>                                      |
| Abban Street, Inverness          | Mon to Sat<br>8am to 6pm  | Up to 1 Hr £1.00                                             |
| Ardross Street, Inverness        | Mon to Sat<br>10am to 5pm | Up to 2 Hr £2.00                                             |
| Castle Street, Inverness         | Mon to Sat<br>8am to 6pm  | Up to 1 Hr £1.00                                             |
| Church Street, Inverness         | Mon to Sat<br>8am to 6pm  | Up to 1 Hr £1.00<br>Up to 2 Hr £2.00                         |
| Crown Shopping Centre, Inverness | Mon to Sat<br>8am to 6pm  | Up to 30 min £0.50                                           |
| Culduthel Road, Inverness        | Mon to Sat<br>8am to 6pm  | Up to 3 hrs £1.00<br>Up to 4 hrs £2.00<br>Up to 24 hrs £5.00 |
| Friars Lane, Inverness           | Mon to Sat<br>8am to 6pm  | Up to 1 Hr £1.00<br>Up to 2 Hr £2.00                         |
| Hill Place, Inverness            | Mon to Sat<br>8am to 6pm  | Up to 1 Hr £1.00                                             |
| Huntly Street, Inverness         | Mon to Sat<br>8am to 6pm  | Up to 1 Hr £1.00<br>Up to 2 Hr £2.00                         |
| Ness Bank, Inverness             | Mon to Sat<br>10am to 4pm | Up to 2 Hrs £1.00                                            |
| Ness Walk, Inverness             | Mon to Sat<br>8am to 6pm  | Up to 1 Hr £1.00<br>Up to 2 Hrs £2.00                        |
| Stephens Brae, Inverness         | Mon to Sat<br>8am to 6pm  | Up to 1 Hr £1.00                                             |

Note: all other parking bay locations with on-street parking charges will be subject to a minimum charge of £1.00 for use with operation times and limits of use clearly displayed at each.



**Table 4.2 Annual Tariff – Permits, valid for 12 months**

|                                               | <b>First Permit<br/>(12 months)</b> | <b>Second Permit<br/>(12 months)</b> | <b>Single Visitor<br/>Permit<br/>(12 months)</b> | <b>Visitor<br/>Voucher<br/>(per 7 days)</b> |
|-----------------------------------------------|-------------------------------------|--------------------------------------|--------------------------------------------------|---------------------------------------------|
| <b>Residents<br/>Permit</b>                   | £50.00                              | £80.00                               | £50.00                                           | £10.00                                      |
| <b>Business<br/>Permit</b>                    | £140.00                             | £180.00                              | £160.00                                          | £20.00                                      |
| <b>Trade permit</b>                           | £150                                | NA                                   | NA                                               | NA                                          |
|                                               |                                     |                                      |                                                  |                                             |
| <b>Change of<br/>Vehicle<br/>Notification</b> | £20.00                              | £20.00                               | £20.00                                           | NA                                          |
|                                               |                                     |                                      |                                                  |                                             |

**Notes:**

1. A Senior Citizen holder of a Residents Permit receives a 50% discount on the fee for a residents first permit.
2. A Disabled badge holders receives a 100% discount on the fee for a resident's first permit.
3. A carer or a qualified medical practitioner holder of a trade permit receives a 50% discount on the fee for a trade permit.
4. Lost or damaged permit replacement costs are 50% of standard permit price.