**CITY OF NEWCASTLE UPON TYNE**

**(OFF STREET PARKING PLACES) ORDER 2021**

**(OFF-STREET CAR PARKS VARIATION) ORDER 202x**

The Council of the City of Newcastle upon Tyne in exercise of their powers under sections 32 and 35, and Part IV of Schedule 9 to the Road Traffic Regulation Act 1984, as amended, (hereinafter referred to as “the Act”) and of all other powers them enabling in that behalf and after consultation with the Chief Officer of Police in accordance with Part III of Schedule 9 to the Act, hereby make the following Order:-

1. The City of Newcastle upon Tyne (Off Street Parking Places) Order 2021 (“the 2021 Order”), is hereby varied by:

1. The following term and definition shall be inserted into the table in Article 4(1) thereto in the appropriate alphabetical place:

|  |  |
| --- | --- |
| Ruby Season Ticket | A season ticket issued by the Council in accordance with Article 21A of this Order |

1. After Article 6(10)(e) there shall be inserted a new Article 6(10)(ee) as specified below –

“(ee) That certain Parking Bays are designated at all times on all days for the use of Ruby Season Ticket holders only, no person shall cause or permit a vehicle to wait or be left in any such Parking Bay unless:

1. It is a vehicle displaying in the Specified Position a Ruby Season Ticket which is valid for that Parking Place and which has been issued by the Council in accordance with the provisions of Article 21A of this Order; or
2. Records held in the Council’s Virtual Permit System indicate that the vehicle in question is registered as having the benefit of a valid Ruby Season Ticket for that Parking Place which has been issued by the Council in accordance with the provisions of Article 21A of this Order.”
3. the deletion of the wording “26-weekly” from Articles 19(3), 19(10), 20(3), 20(10), 21(3), 21(10), and from Columns 11, 12 and 13 of Schedules 1 and 2 to the Order
4. After Article 21 thereto, there shall be inserted a new Article 21A as follows:

“21A. Ruby Season Tickets

1. The Council may at its discretion issue a Ruby Season Ticket, or more than one Ruby Season Ticket, to any person or organisation to authorise one vehicle or two vehicles per Ruby Season Ticket of a class permitted to use a specified Parking Place to wait or be left in a Parking Bay in that specified Parking Place in the circumstances provided for in paragraphs (6) to (9) of this Article, provided that Ruby Season Tickets shall only be issued upon receipt of an application for that purpose containing such particulars as the Council may reasonably require to enable the application to be considered, and upon payment of the fee specified in paragraph (10) of this Article.
2. An application for a Ruby Season Ticket will only be considered by the Council in respect of a Parking Place where a figure is specified in Column 14 of Schedules 1 and 2 to this Order for that Parking Place. Any application for a Ruby Season Ticket in respect of a Parking Place where the entry in Column 14 is blank will be refused automatically.
3. A Ruby Season Ticket may be issued on a 4-weekly, 13-weekly or yearly basis, and any application for a Ruby Season Ticket shall, without prejudice to paragraph (1) of this Article, include the period for which the applicant requests the Ruby Season Ticket to be issued.
4. A Ruby Season Ticket may be issued in writing and if so issued shall include the following particulars:
5. The Parking Place in which the Ruby Season Ticket will be valid for use;
6. An authentication that the Ruby Season Ticket has been issued by the Council;
7. The date on which the Ruby Season Ticket will expire;
8. The Ruby Season Ticket number; and
9. The Registration Mark of the vehicle, or vehicles, on which the Ruby Season Ticket may validly be displayed.
10. A Ruby Season Ticket may be issued virtually by means of the Council entering the information set out at sub-paragraphs (4)(a) to (e) inclusive of this Article into the Virtual Permit System and upon the Council confirming to the person applying for the Ruby Season Ticket that such information has been entered into the Virtual Permit System.
11. Any vehicle on which a valid Ruby Season Ticket is displayed in the Specified Position shall be authorised to wait or be left in any Parking Bay in the Parking Place for which the Ruby Season Ticket has been issued where signs have been erected to indicate that that Parking Bay is designated on all days and at all times for Ruby Season Ticket holders only, and shall be excepted from any requirement to pay a charge in accordance with Article 10 of this Order.
12. Any vehicle which is registered in the Virtual Permit System as being a vehicle which has the benefit of a valid Ruby Season Ticket shall be authorised to wait or be left in any Parking Bay in the Parking Place for which the Ruby Season Ticket has been issued where signs have been erected to indicate that that Parking Bay is designated on all days and at all times for Ruby Season Ticket holders only, and shall be excepted from any requirement to pay a charge in accordance with Article 10 of this Order
13. Whilst specified Parking Bays will be set aside solely for the use of Ruby Season Ticket holders only on all days and at all times in any Parking Place for which a Ruby Season Ticket has been issued in accordance with the provisions of this Article, the issue of a Ruby Season Ticket will not be a guarantee that a specified Parking Bay will be available or that the Parking Place generally will be available for use of the holder of a Ruby Season Ticket at all or any times. However, the Council will use its best endeavours to ensure that sufficient Parking Bays are available at all times for the use of Ruby Season Ticket holders, and in the event that a Parking Bay designated for Ruby Season Ticket holders only is not available in any particular Parking Place, any vehicle on which a valid Ruby Season Ticket is displayed in the Specified Position, or any vehicle which is registered in the Virtual Permit System as being a vehicle which has the benefit of a valid Ruby Season Ticket shall be authorised to wait or be left in any other Parking Bay in the same Parking Place without payment of any charge imposed by Article 10 of this Order, except for a Parking Bay which has been expressly designated as being for any other specific use by means of signs erected in that Parking Bay or markings laid in that Parking Bay.
14. In the case of the Parking Place listed at item 8 of Schedule 2 to this Order (Stadium), the use of that Parking Place may be suspended on any Match Day in accordance with Article 16(1)(f) of this Order, and may be suspended in accordance with the remaining sub-paragraphs of Article 16(1) of this Order on other days which are not Match Days but where the use of the Parking Place is required to facilitate an event taking place at St James Park.

On any day where the use of that Parking Place has been suspended pursuant to Article 16 of this Order coincides with any day on which Ruby Season Ticket would otherwise be valid for use in that Parking Place, the exceptions in paragraphs (6) to (8) inclusive of this Article shall not apply to any vehicle in respect of that Parking Place. However, any vehicle on which a Ruby Season Ticket valid for Stadium Car Park is displayed in the Specified Position, or any vehicle which is registered in the Virtual Permit System as being a vehicle which has the benefit of a valid Ruby Season Ticket for Stadium Car Park shall be authorised to wait or be left in any other Parking Bay in any other Parking Place designated by this Order without payment of any charge imposed by Article 10 of this Order in respect of that other Parking Place, except for any Parking Bay or Parking Place which has been expressly designated as being for any other specific use by means of signs erected in that Parking Bay or markings laid in that Parking Bay or Parking Place

1. The fee payable to the Council in order to procure the issue of a Ruby Season Ticket for a particular Parking Place shall be the 4-weekly, 13-weekly or yearly figure as the case may be as specified in Column 14 of Schedules 1 or 2 to this Order in respect of that Parking Place.”
2. the deletion of the wording of the existing Articles 56(1) and 56(2) of the 2021 Order and their replacement with the following wording:
3. A Gold Season Ticket, Emerald Season Ticket, Diamond Season Ticket or Ruby Season Ticket may be surrendered to the Council by the person to whom it has been issued by returning the Gold, Emerald, Diamond or Ruby Season Ticket to the Council if it was issued in writing, or by notifying the Council by means of the Virtual Permit System;
4. In the event that a Gold Season Ticket, Emerald Season Ticket, Diamond Season Ticket or Ruby Season Ticket surrendered to the Council pursuant to paragraph (1) of this Article is, on the date when it is received by the Council, still valid, the Council shall refund to the person from whom it received the surrendered Gold, Emerald, Diamond or Ruby Season Ticket a sum equivalent to the financial value of the number of full weeks for which the Season Ticket remained valid, less an administration charge of £25;
5. the deletion of the wording of the existing Article 59(2)(a) of the 2021 Order and its replacement with the following wording:
6. the Council is reasonably satisfied, in respect of a Gold Season Ticket, Emerald Season Ticket, Diamond Season Ticket or Ruby Season Ticket that payment of the charge, or any part thereof, in respect of that Gold, Emerald, Diamond or Ruby Season Ticket has not been made
7. i. the addition of a new Column 14 into Schedule 1 to the Order as set out in Schedule 1 to this Order, and the addition into that new Column 14 of the amounts referenced in Schedule 1 to this Order for the Parking Places specified in that Schedule
8. the addition of a new Column 14 into Schedule 2 to the Order as set out in Schedule 2 to this Order, and the addition into that new Column 14 of the amounts referenced in Schedule 2 to this Order for the Parking Places specified in that Schedule

(h) the deletion of the 26-weekly figures from Columns 11, 12 and 13 of Schedules 1 and 2 to the Order for all those parking places where a figure is specified

1. the deletion of the wording in Column 12 of Schedule 1 to the Order in relation to Parking Place No. 52 (Spillers Car Park)

(j) the deletion of the wording in Columns 11, 12 and 13 of Schedule 2 to the Order in relation to Parking Place No. 3 (Eldon Square Multi Storey Car Park).

1. The 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, or by or under any other enactment.
2. This Order shall come into operation on xxxxxxxxx 202x, and may be cited as the City of Newcastle upon Tyne (Off Street Parking Places) Order 2021 (Off-Street Car Parks Variation) Order 202x.

Given under the Common Seal of the City of Newcastle upon Tyne this xxxx day of xxxxxxxxxxxxx 202x.

THE COMMON SEAL of THE )

COUNCIL OF THE CITY OF )

NEWCASTLE UPON TYNE )

was hereunto affixed in the )

presence of:- )

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## SCHEDULE 1

# (Additions into Schedule 1 of the 2021 Order – Off Street Car Parks (Surface Level)

|  | **Column 1** | **Column 2** | **Column 3** | **Column 4** | **Column 5** | **Column 6** | **Column 7** | **Column 8** | **Column 9** | **Column 10** | **Column 11** | **Column 12** | **Column 13** | **Column 14** |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
|  | **Name of Parking Place** | **Class(es) of Vehicles** | **Maximum Weight (kg) / Height (m) / Length (m)** | **Opening Hours** | **Maximum Period for which vehicles may wait** | **No-return Period** | **Charge Period** | **Scale of Charges** | **Maximum Charge** | **Location Number** | **Gold Season Ticket Charge**  **(4-weekly / 13-weekly / yearly)** | **Emerald Season Ticket Charge**  **(4-weekly / 13-weekly / yearly)** | **Diamond Season Ticket Charge**  **(4-weekly / 13-weekly / yearly)** | **Ruby Season Ticket Charge**  **(4-weekly / 13-weekly / yearly)** |
| 3. | Argyle Street |  |  |  |  |  |  |  |  |  |  |  |  | £252  £819  £3,276 |
| 8. | Claremont Road |  |  |  |  |  |  |  |  |  |  |  |  | £302  £983  £3,931 |
| 10. | Close / Swing Bridge |  |  |  |  |  |  |  |  |  |  |  |  | £252  £819  £3,276 |
| 16. | Ellison Place |  |  |  |  |  |  |  |  |  |  |  |  | £302  £983  £3,931 |
| 30. | Melbourne Court West |  |  |  |  |  |  |  |  |  |  |  |  | £202  £655  £2,621 |
| 33. | Morden Street |  |  |  |  |  |  |  |  |  |  |  |  | £302  £983  £3,931 |
| 35. | Osborne Terrace |  |  |  |  |  |  |  |  |  |  |  |  | £202  £655  £2,621 |
| 41. | Saville Place |  |  |  |  |  |  |  |  |  |  |  |  | £302  £983  £3,931 |
| 44. | St Georges |  |  |  |  |  |  |  |  |  |  |  |  | £252  £819  £3,276 |

## SCHEDULE 2

# (Additions into Schedule 2 of the 2021 Order – Multi-Storey Car Parks

|  | **Column 1** | **Column 2** | **Column 3** | **Column 4** | **Column 5** | **Column 6** | **Column 7** | **Column 8** | **Column 9** | **Column 10** | **Column 11** | **Column 12** | **Column 13** | **Column 14** |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
|  | **Name of Parking Place** | **Class(es) of Vehicles** | **Maximum Weight (kg) / Height (m) / Length (m)** | **Opening Hours** | **Maximum Period for which vehicles may wait** | **No-return Period** | **Charge Period** | **Scale of Charges** | **Maximum Charge** | **Location Number** | **Gold Season Ticket Charge**  **(4-weekly / 13-weekly / yearly)** | **Emerald Season Ticket Charge**  **(4-weekly / 13-weekly / yearly)** | **Diamond Season Ticket Charge**  **(4-weekly / 13-weekly / yearly)** | **Ruby Season Ticket Charge**  **(4-weekly / 13-weekly / yearly)** |
| 1. | Dean Street |  |  |  |  |  |  |  |  |  |  |  |  | £302  £983  £3,931 |
| 2. | Eldon Garden |  |  |  |  |  |  |  |  |  |  |  |  | £302  £983  £3,931 |
| 4. | Grainger Town |  |  |  |  |  |  |  |  |  |  |  |  | £252  £819  £3,276 |
| 5. | Manors |  |  |  |  |  |  |  |  |  |  |  |  | £252  £819  £3,276 |
| 6. | Oxford |  |  |  |  |  |  |  |  |  |  |  |  | £302  £983  £3,931 |
| 7. | Quayside |  |  |  |  |  |  |  |  |  |  |  |  | £252  £819  £3,276 |
| 8. | Stadium |  |  |  |  |  |  |  |  |  |  |  |  | £252  £819  £3,276 |