

THE PORTSMOUTH CITY COUNCIL (RESIDENTS' PARKING ZONES) (AMENDMENTS TO PERMIT ELIGIBILITY) (NO.18) ORDER 2020

The Portsmouth City Council (hereinafter referred to as "the Council"), in exercise of its powers under sections 45, 46, 51, 52 and 53 of the Road Traffic Regulation Act 1984 ('the Act'), as amended, the Traffic Management Act 2004 ("the 2004 Act"), the Civil Enforcement of Parking Contraventions (England) General Regulations 2007 ("the 2007 Regulations"), and of all other enabling powers, and in accordance with Parts III and IV of Schedule 9 to the 1984 Act, hereby makes the following Order:

1. This Order may be cited as The Portsmouth City Council (Residents' Parking Zones) (Amendments to Permit Eligibility) (No.18) Order 2020 and shall come into operation on 7 April 2020.
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 Orders specified in Schedule 1 to this Order are hereby varied as specified in that Schedule.
4. A failure by any person to comply with any requirement of this Order shall be a contravention of this Order and a penalty charge shall be payable by the owner.
5. 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 regulations made or having effect as if made under the Act, or by or under any other enactment.

SCHEDULE 1

(See Article 2)

AMENDMENTS TO EXISTING ORDER

1. The Portsmouth City Council (Residents Parking Places) (Consolidation) (No.1) Order 2020

(a) Amend the definition of "Resident" within Part I, Article 5 to read:

"Resident" means a person whose main place of residence is;

- (i) at a postal address that is in any road or part of a road or zone specified in Schedules 1 - 44 and 46 to this Order, and;
- (ii) not a Student Hall of Residence.

(b) Amend the definitions within Part I, Article 5 to include "Student Hall of Residence":

"Student Hall of Residence" means accommodation with 10 or more rooms that is used during term time predominantly by persons who are undertaking a course of further or higher education in the city of Portsmouth. The accommodation will normally have communal facilities.

(c) Amend Part II, Article 5 to include after (f), and renumbering subsequent articles accordingly:

(g) Further to Article (f) above, and provided the Council is satisfied that all the relevant criteria are met, Residents living in different Parking Zones and who share a vehicle, may apply for two Resident Permits for the same vehicle, to be valid in the respective two Parking Zones. Residents will be charged according to the number of permits they have, at a fee specified by the Council in Column 3 of Schedule 45 of this Order corresponding to the type of Permit listed in Column 2 of Schedule 45 for the Parking Place listed in Column 1 of Schedule 45.

STATEMENT OF REASONS FOR THE ORDER

- For preserving or improving the amenities of the area through which the road runs;
- For any of the purposes specified in s.87(1)(a-c) of the Environment Act 1995 (air quality);
- As per the Cabinet Member's decision taken on 6 September 2019, to amend the current traffic regulation order relating to residents' parking zones to:
 - (a) Define and exclude Student Halls of Residence, due to a change in the way postal addresses are allocated. Postal addresses are no longer allocated per building, but to each room within student halls of residence to enable contents insurance cover. Under current policy, a maximum of 2 Resident permits are issued per residential postal address. This creates the potential for the residents' parking zones to be over-subscribed, as each student room within student halls of residence is effectively eligible to apply for 2 Resident permits, provided a vehicle is also registered to the same address;
 - (b) Enable Residents living in different Parking Zones, and who share a vehicle, to apply for Resident permits for the same vehicle, valid in the two respective Parking Zones.

Given under the Common Seal of the Portsmouth City Council this 26th day of March 2020.

THE COMMON SEAL of **THE PORTSMOUTH CITY COUNCIL** was hereunto affixed in pursuance of a resolution of the Council passed at a meeting duly convened and held:)



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Authorised Signatory



