**CITY OF NEWCASTLE UPON TYNE**

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

**(CASHLESS PARKING VARIATION) ORDER 2023**

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 –
2. The deletion of the second paragraph of Article 10(2) commencing **“PROVIDED THAT**…” and the addition, by way of replacement, of the following –

“**PROVIDED THAT** if payment of the charge specified in paragraph (1) of this Article is made using the payment method specified in paragraph 1(e) of Article 11 of this Order (payment made by means of Credit Card or Debit Card), there shall be a minimum charge equivalent to five minutes’ charged parking in the Parking Place calculated by reference to the figure specified in Column 8 of Schedules 1 and 2 to this Order as relating to that Parking Place

1. The deletion of Article 11(1)(a)
2. The deletion of Article 11(1)(b)
3. The deletion, in the first line of Article 11(1)(c) of the word “also”
4. The addition, in Article 11(1)(d) after the existing words “is provided”, of the wording “and where signage in the Parking Place indicates that payment is to be made by Credit Card or Debit Card by means of a ‘check-in, check-out’ system”
5. The addition of a new Article 11(1)(e) as follows -

“(e) Where a Ticket Machine which enables payment to be made by Credit Card or Debit Card is provided and where there is no signage in the Parking Place to indicate that a ‘check-in, check-out’ system is available, take the following action:

1. Immediately after entering the Parking Place, enter the Registration Mark of the vehicle for which the charge is to be paid into a Ticket Machine;
2. Select the option to indicate whether the vehicle for which the charge is to be paid will display a valid Disabled Person’s Badge;
3. Enter the period of time required for the parking session and take the necessary steps to confirm the length of the parking session;
4. Present a Credit Card or Debit Card to the Ticket Machine by any means indicated on that Ticket Machine (such as inserting the Credit Card or Debit Card into the Ticket Machine, or tapping the Credit Card or Debit Card onto the appropriate part of the Ticket Machine to enable a contactless payment);
5. Ensure the Ticket Machine dispenses confirmation that a live parking session has been commenced upon acceptance of the Credit Card or Debit Card; and
6. Remove the vehicle from the Parking Place before the period for which the charge has been paid pursuant to sub-paragraphs (e)(i) to (v) above (as indicated on the display of the Ticket Machine and on the printed receipt given by the Ticket Machine) is shown, by indication of the time shown on the Ticket Machine, to have elapsed.”
7. The deletion of the wording “paragraphs (1)(a) to (d)” from Article 11(2) on both occasions on which it is used and the addition, by way of replacement, of the wording “paragraphs 1(c) to (e)” in both cases,
8. The deletion of Article 11(4)(a)
9. The deletion of Article 11(4)(b)
10. The addition, in Article 11(4)(d) after the existing words “Debit Card”, of the wording “and where signage in the Parking Place indicates that payment is to be made by Credit Card or Debit Card by means of a ‘check-in, check-out’ system”
11. The addition, at the end of Article 11(4)(d) of “; or”
12. The addition of a new Article 11(4)(e) as follows –

“(e) Where there is a Ticket Machine which enables payment to be made by Credit Card or Debit Card and where there is no signage in the Parking Place to indicate that a ‘check-in, check-out’ system is available, the steps set out in sub-paragraphs (1)(e)(i) to (v) of this Article have been completed so as to cause the vehicle to be registered as present in the Parking Place for the purposes of payment of the charge on a Hand-held Device.”

1. The deletion of Article 11(5)
2. The deletion of Article 11(6)
3. The deletion of Article 11(7)(a)
4. The addition, at the end of Article 11(7)(c), of “; and”
5. The addition of a new Article 11(7)(d) as follows –

“(d) Verification via a Hand-held Device indicates that the vehicle has not been registered for payment of the parking charge by Credit Card or Debit Card by means of the completion of the steps outlined at paragraphs (1)(e)(i) to 1(e)(iv) of this Article.”

1. The deletion of Article 13(1)
2. The deletion of the words “on a Ticket displayed in the Specified Position or” from Article 13(2)
3. The addition, in the third line of Article 13(3) immediately after the words “Debit Card”, of the additional wording “by means of a ‘check-in, check-out’ system”
4. The addition of a new Article 13(4) as follows –

“(4) During the Charge Period, in any Parking Place where one or more Ticket Machines are provided which enable payment of the parking charge to be made by Credit Card or Debit Card and where there is no signage in the Parking Place to indicate that a ‘check-in, check-out’ system is available, and payment of the parking charge is made by Credit Card or Debit Card using the procedure set in Article 11(1)(e) of this Order, any vehicle on which is displayed a Disabled Person’s Badge shall be entitled to a reduction of the parking charge equivalent to the cost of one hour’s charged parking in that Parking Place, such reduction to be applied automatically on completion of the step set out in Article 11(1)(e)(iv) of this Order

**PROVIDED THAT** the reduction in the parking charge shall not apply if the Disabled Person’s Badge has expired or if the Disabled Person’s Badge is not displayed in such a way as to conform with the conditions of its use as provided for in the Badges Regulations.”

1. The addition of a new Article 14(4) as follows –

“(4) Where a vehicle waits or is left during the Charge Period for the Parking Place listed at item 2 in Schedule 2 to this Order (Eldon Garden) in a Parking Bay designated for use by Shopmobility Scheme users only in the circumstances provided for at Article 7(4)(c) of this Order and payment of the parking charge is made by Credit Card or Debit Card using the procedure set in Article 11(1)(e) of this Order, the vehicle shall be entitled to a reduction of the parking charge equivalent to the cost of one hour’s charged parking in that Parking Place, such reduction to be applied automatically on completion of the step set out in Article 11(1)(e)(iv) of this Order.”

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 xxxxxxxxxxxxxx 20xx, and may be cited as the City of Newcastle upon Tyne (Off Street Parking Places) Order 2021 (Cashless Parking Variation) Order 2023.

Given under the Common Seal of the City of Newcastle upon Tyne this xxxx day of xxxxxxxxxxxxx 20xx.

THE COMMON SEAL of THE )

COUNCIL OF THE CITY OF )

NEWCASTLE UPON TYNE )

was hereunto affixed in the )

presence of:- )

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