

Beer Parish Council  
Meadows Car Parking area (off Street Parking) Terms & Conditions  
1<sup>st</sup> April 2012

DEFINITIONS

1. In this document, the following expressions have the meanings respectively assigned to them.
2. ‘Beer Parish Council’ (hereinafter called “the council”) is the legal owner of the Meadows car parking area, since receiving it from East Devon County Council in June 2011.
3. ‘Meadows car parking area’ means: The parking spaces which extend the length of The Meadows, directly opposite the properties in The Meadows.
4. ‘Owner’ means: in relation to a vehicle, the person who is recorded as the registered keeper by the Driver and Vehicle Licensing Agency.
5. ‘Driver’ means: in relation to a vehicle, the person who is normally responsible for driving and or parking the vehicle or the last person to drive and park the vehicle in The Meadows car parking area.
6. ‘Parking space’ means: an area specifically indicated by markings on the ground or boundaries to show the position in which the vehicle shall be parked.
7. ‘Motor Vehicle’ means: A mechanically propelled, three or four wheeled Vehicle used, principally for transporting one to eight passengers.

CONDITIONS OF USE

8. No person shall cause or permit any other type of Vehicle to park in a parking space unless it is;  
  
A Motor vehicle (private/light goods) with authority from the Parish Council to park in the parking area. Parking spaces are numbered 1 – 11 and A, B, C and are allocated to individuals who have paid an annual fee for parking in their allocated space.
9. Permits are issued for the period of 1 October – 30 September in any year. Refunds are only given in exceptional circumstances at the discretion of the Council. Exceptional circumstances constitute a) death or serious illness of permit holder b) permit holder no longer able to drive or c) closure of parking facility.
10. Permits are issued on an annual basis and on-going eligibility will be reviewed annually. Permits are registered to the permit holder and not the property and the permit holder shall be the **primary user of the space.**

11. No person shall cause or permit a parking space to be let or rented out to someone else.
12. Beer Parish Council aims to maximise the use of the parking bays for the residents of Beer by ensuring that the parking bays are *well used* by permit holders. Annual renewal is at the discretion of the Council.
13. Beer Parish Council operates a waiting list for the Meadows car parking area. If a parking space becomes available the following criteria will always apply:
  - 1<sup>st</sup> priority to applicants on the Beer electoral roll
  - 2<sup>nd</sup> priority to applicants who own or lease property in Beer or pay a property tax in Beer
  - 3<sup>rd</sup> priority to applicants who are employed in Beer
  - 4<sup>th</sup> Others
14. A permit holder may be eligible for a second bay only if there is no one else on the waiting list (who meets criteria 1-3 of the eligibility criteria as listed under section 13). If someone else joins the waiting list during the year (who meets criteria 1-3 of the eligibility criteria as listed under section 13), the permit holder would be required to give up the second bay at the point of annual renewal.
15. Permits are transferable between similar vehicles and must be displayed at all times.
16. Damaged and or lost parking permits shall be replaced by the council upon application by the permit holder. An administration fee may be imposed.
17. Notwithstanding, any permit must be surrendered to the council upon demand.
18. The council reserves the right to request the East Devon District Council to remove any vehicle from the car parking area at the sole risk of the driver and/or the owner and the council shall be entitled to recover from the driver and/or owner any costs of such removal as may be made for the safe keeping of the vehicle.
19. The council accepts no liability for any loss or damage to any vehicles or property within any vehicles other than proven negligence by the council.
20. No person shall cause or permit any Motor Vehicle to park in a parking space unless it is displaying a current parking permit, legally issued by the council.
21. No person shall cause or allow to be caused the sale or attempted sale of any article/s, including vehicles, to any person in or near the car parking area.
22. No person shall cause or allow to be caused the hire of services to any person in or near the car parking area.
23. Nothing in these conditions shall prevent the council by notice, sign, barrier or other suitable means from closing any part of the car parking area for any period deemed reasonable by the council.

24. Maximum Stay. Other than vehicles authorised to park in the car parking area, no other vehicles of any type whatsoever shall park in the car parking area.
25. All persons driving a vehicle into a parking space, shall stop the engine as soon as the vehicle is safely in the parking space. Under no circumstances shall any person allow a vehicle to park with the engine running except whilst about to change position and or depart from the parking space.
26. No person parking any vehicle shall park in such a manner or position as shall cause an obstruction to any others users of the car parking area.
27. All persons that are driving any vehicle in the car parking area, must have a current driving licence that has been issued by the United Kingdom Driver and Vehicle Licensing Agency.
28. All persons using the car parking area shall abide by the terms and conditions of this document. Contravention of the terms and conditions may lead to enforcement and fines and withdrawal of authority to park in the parking area.
29. No person shall use a parking space or any part of the parking space for any of the following.
  - a. For sleeping or camping purposes
  - b. For cooking purposes
  - c. For vehicle servicing and or repairing other than to enable the vehicle to be driven from the parking space onto the main highway.
  - d. For changing, emptying and or refilling any vehicle fuel tank or oil reservoir.
  - e. For any other purpose than parking the permitted vehicle.
  - f. For parking any vehicle that contains flammable and or explosive substances, other than the fuel in the vehicles tank.
  - g. For parking any vehicle that does not have a current policy of insurance as complies with current Road Traffic regulations.
30. The permit holder shall be responsible for any collection and disposal of litter in the parking bay and for ensuring the parking bay is kept free from weeds.
31. The Parish Council may change the conditions of use if the changes are considered to be in the best interests of the community.