

From: ComplaintsStage2
Sent: Thursday, January 7, 2021 11:35 AM
To: 'info@island-man.co.uk'
Subject: Whitby - I am not entering into a contract

Dear Mr Strangeway

I refer to your email dated 15 December 2020 to Mrs Dixon, Director, and would comment as follows:

I can confirm that the Road Traffic (Permitted Parking Area and Special Parking Area) (County of North Yorkshire) (Borough of Scarborough) Order 2007 (2007/1902) designated the whole of the Borough of Scarborough a Special Parking Area. The statutory instrument came into effect on 30 July 2007. This automatically became a Special Enforcement Area on the commencement of the Traffic Management Act 2004 (31 March 2008). Consequently the parking regime in Whitby and across the Borough is regulated in accordance with that legislation.

I can confirm that the Council is an enforcement authority pursuant to the Traffic Management Act 2004.

Under the legislation where you choose to park upon property maintained at public expense and designated as falling within a Special Enforcement Area, you accept the obligation to pay for that provision or use it in accordance with the requirements imposed by a Traffic Regulation Order. Should you fail to comply with the requirements of the legislation and any Traffic Regulation Order issued by the Council in relation thereto, the Council recover a penalty charge in relation to your misuse of that facility. Any notice displayed in vehicles as per your email does not exempt motorists from the regulations and any penalty charges issued.

Under the legislation where a Penalty Charge Notice is issued and not paid the Council may recover additional parking charges. You, of course, have a right of appeal, ultimately to the Parking Adjudicator if you believe that any PCN served is incorrectly issued.

Kind regards

Complaints Officer

Scarborough Borough Council

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Business Hours: 8.30 am to 5.00 pm, excluding bank holidays