

# THE NOTTINGHAM PARK ESTATE LIMITED

NOTICE IS HEREBY GIVEN pursuant to section 14(2)(b) of the Nottingham Park Estate Act 1990 of the Board's intention to revoke The Nottingham Park Estate Regulations 1991 ("the Regulations") and replace with the following new regulations to be known as: The Nottingham Park Estate Regulations 2009. ("the 2009 Regulations")

## THE NOTTINGHAM PARK ESTATE REGULATIONS 2009

All estate roads in the Nottingham Park Estate are privately owned by The Nottingham Park Estate Limited ("the Company") and are not highways maintainable at public expense. Parking is reserved for residents and bona-fide visitors only. The Company has issued these Regulations pursuant to section 14(2)(b) of the Nottingham Park Estate Act 1990.

### **1. Interpretation**

- (1) These Regulations shall be known as The Nottingham Park Estate Regulations 2009 ("the 2009 Regulations")
- (2) Save where otherwise stated, the Regulations adopt the definitions set out in section 2 of the Nottingham Park Estate Act 1990.
- (3) In these Regulations unless the subject or context otherwise requires –

"Park Business(s)" means any business which is liable to pay the Nottingham Park Estate Limited Rentcharge.

"Park Household(s)" means a residential dwelling which is liable to pay the Nottingham Park Estate Limited Rentcharge

"Person(s)" means all natural persons and legal entities including but not limited to companies, partnerships and unincorporated associations.

"Resident(s)" means an individual natural person who resides at a Park Household

"Towed Vehicles" means any trailer, caravan, goods vehicle or other such towed vehicle.

"Vehicle(s)" means all motor vehicles including but not limited to cars, vans, lorries, motor-cycles and scooters but excluding all Towed Vehicles.

### **2. Application and enforcement**

These Regulations are applicable to all who use vehicles on the estate roads. Without prejudice to the foregoing the Regulations apply according to the circumstances of the case to:

- (i) The legal owner of a vehicle on an estate road;
- (ii) The person in charge of a vehicle at the time it is on an estate road;
- (iii) All Park Households and Residents and Authorised Visitors of Park Households;
- (iv) All Park Businesses and the proprietors, officers, employees and Authorised Visitors of Park Businesses;
- (v) The Park Household or Park Business to whom any Parking Permit is Issued;
- (vi) Any two or more of the above if they are different persons.

### **3. Prohibition of Parking**

- (1) Parking of any vehicle is prohibited at all times where the edge of the estate road is marked with Double Blue Lines. A list of estate roads to which this sub-paragraph applies is at Schedule 1 to these Regulations.
- (2) Where the edge of the estate road is marked with a Single Blue Line parking of any vehicle is prohibited at all times unless;
  - a. The vehicle is displaying:
    - (i) a valid Parking Permit issued in accordance with paragraph [4] below; and
    - (ii) is parked on the section of estate road immediately abutting the Park Household or Park Business to whom the Parking Permit has been issued.
  - b. The vehicle is parked by an Authorised Visitor in accordance with paragraph [5] below.  
A list of estate roads to which this sub-paragraph applies is at Schedule 2 to these Regulations.
- (3) No Towed Vehicle shall be permitted to park at any time on any estate road or pavement whatsoever without the express written consent of the Company except for the purpose of loading or unloading for a period not exceeding [15] minutes.

#### **4. Parking Permits**

- (1) Subject to sub-paragraphs [4(2)] to [4(7)] below, the Company may issue Parking Permits with respect to a particular Vehicle and section of estate road to Park Households and Park Businesses on such terms and subject to such conditions as the Company may consider reasonable having regard to the interests of the estate generally.
- (2) The Company reserves the right to limit the number of Parking Permits issued to any particular Park Household or Park Business to the number which it considers to be reasonable in all the circumstances.
- (3) The Company may only issue Parking Permits to vehicles falling within DVLA category B.
- (4) Parking Permits are issued to particular vehicles and are non-transferable to any other vehicle. Possession of a valid permit does not guarantee that a parking space will be available. Any change of vehicle registration must be notified to Nottingham Park Estate Limited Office.
- (5) Parking Permits are issued subject to availability and the discretion of the Company.
- (6) Parking Permits may be terminated by the Company upon the Company giving 14 days notice in writing where:
  - i. A Park Household or Park Business fails to pay the Nottingham Park Estate Limited Rentcharge within 90 days of a demand letter;
  - ii. Where the Company otherwise considers that it would be reasonable to do so having regard to interests of the estate generally.
- (7) Without prejudice to the Company's rights set out in these regulations or as a matter of general law all Parking Permits must be surrendered immediately upon a change in legal ownership or occupation of the Park Household or Park Business to which it is issued.

#### **5. Authorised Visitors**

- (1) For the purpose of these Regulations an Authorised Visitor is:
  - a. A person lawfully visiting a Park Household on an intermittent basis;
  - b. A tradesperson undertaking work to a Park Household or Park Business between the hours of [8am to 6pm]
  - c. A person lawfully visiting Park Businesses between the hours of [8am and 6pm] on an intermittent basis
- (2) An Authorised Visitor is permitted to park on estate roads marked with a single blue line provided that:
  - a. The vehicle is parked on the section of road immediately abutting the Park Household or Park Business that they are visiting; and
  - b. A written note is displayed stating the address of the Park Household or Park Business which it is visiting and the date and time of arrival.

#### **6. Fixed Penalty Notices (FPNs)**

- (1) Fixed penalty notices may be issued by licensed wardens contracted by the Company:
  - a. Where any Vehicle or Towed Vehicle is parked in contravention of paragraph [3] of these Regulations;
  - b. Where the licensed warden has reasonable grounds to believe that that the vehicle has not been parked by an Authorised Visitor.
- (2) Upon being issued with a fixed penalty notice the legal owner of the Vehicle or Towed Vehicle and the person in charge of the Vehicle or Towed Vehicle at the time that it was parked in contravention of paragraph 3 shall be jointly and severally liable for a fixed charge at the rate specified by the Company at the time the contravention takes place.

#### **7. Procedure for waiver of FPNs**

- (1) The Company retains a discretion to waive any fixed penalty notice or breach of these regulations provided it considers that it is reasonable in all circumstances to do so.

- (2) Fixed penalty notices issued under paragraph 6(b) may be waived at the discretion of the Nottingham Park Estate Limited Office upon receipt of the fixed penalty notice countersigned by the relevant Park Household or Park Business.
- (3) Without prejudice to the Company's general discretion in paragraph 7(1) above, the waiver under paragraph 7(2) may not be granted in respect of the same vehicle on more than two occasions within three consecutive calendar months.
- (4) No waiver under paragraph 7(1) or 7(2) above shall be valid or enforceable against the Company unless it is recorded in writing and signed by an officer or authorised employee of the Company.

#### **8. Wheel Clamping**

- (1) Any vehicle or Towed Vehicle which is recorded by the licensed wardens as having an outstanding fixed penalty charge for a period of more than [28] days which has not been waived by the Company will be liable to be clamped by the Company's licensed contractors.
- (2) Any persons whose vehicle has been clamped should contact the Company's licenced contractors as advised on the Notice of Clamping and on the notice board at the Estate Office, 7a Lenton Road, The Park, NG7 1DP.
- (3) The Company's licenced contractors shall be entitled to charge a release fee of [£100] or as from time to time revised by the Company.

#### **9. Removal of Vehicles from Estate Roads**

(1) The Company may authorise the removal and disposal of any vehicle which is:

- (a) Abandoned and / or untaxed;
- (b) Is recorded as having previously been subject to wheel clamping under paragraph [8] above and found to be parked in contravention of the Regulations on a subsequent occasion.

(2) For the purposes of this Regulation a vehicle will be deemed to be abandoned if it:

- (a) does not display a Parking Permit; and
- (b) is situated in the same place for a period of 28 days or more; and

- (3) The Company shall not remove a Vehicle or Towed Vehicle under paragraph 9(1) or 9(2) unless a notice stating that the Company shall have the power to remove and dispose of any abandoned vehicle containing these regulations has been affixed to the front and rear windscreen for a period of 14 days prior to the date that the Vehicle or Towed Vehicle is removed.
- (4) Any persons whose vehicle has been removed should contact the Company's licensed contractor as displayed on the notice board at the Estate Office, 7a Lenton Road, The Park, NG7 1DP
- (5) The Company's licenced contractors shall be entitled to charge a release fee of [£150] or as from time to time revised by the Company.
- (6) If a vehicle which has been removed has not been claimed within [6] months, the Company shall be at liberty to dispose of the same and the Company shall be under no liability to the owner or person parking the vehicle whether under statute or common law or otherwise.

#### **10. General use of Nottingham Park Estate Limited Roads and Footpaths**

- (a) Non-residents are prohibited from using estate roads as through routes
- (b) No estate-road shall be used for the purpose of driving tuition save by residents of Park Households;

- (c) No goods shall be placed upon any estate road or footpath except with the consent of the Company. The Company shall be entitled to remove and dispose of any goods placed on any estate roads or footpath in the absence of the Company's consent;
- (d) No skip or other storage container or contractor's facility shall be placed on any estate road without the written consent of the Company. The Company shall be entitled to charge a fee for any consent so given and may require the contractor to enter into a bonded license with the Company for the time-limited and controlled use of estate property the level of this fee shall not exceed that charged by Nottingham City Council for similar permissions];
- (e) No vehicle is permitted to park on or otherwise obstruct estate footpaths

## **11. Peveril Drive Passes**

- (1) Subject to sub-paragraphs 11(2) to 11(7) below, the Company may issue passes allowing access through the rising bollard at Peveril Drive ("Peveril Drive Passes") to Park Households and Park Businesses on such terms and subject to such conditions as the Company may consider reasonable having regard to the interests of the estate generally.
- (2) The Company reserves the right to limit the number of Peveril Drive Passes issued to any particular Park Household or Park Business to the number which it considers to be reasonable in all the circumstances.
- (3) The Company may only issue Peveril Drive Passes to Vehicles falling within DVLA category B.
- (4) Peveril Drive Passes are subject to availability and at the discretion of the Company.
- (5) Peveril Drive Passes may be terminated by the Company upon the Company giving 14 days notice in writing where:
  - i A Park Household or Park Business fails to pay the Nottingham Park Estate Limited Rentcharge within 90 days of a demand being sent:
  - ii Where the Company otherwise considers that it would be reasonable to do so having regard to the interests of the estate generally.
- (6) Without prejudice to the Company's rights set out in these Regulations or as a matter of general law all Peveril Drive Passes must be surrendered immediately upon a change of legal ownership or occupation of the Park Household or Park Business to which it was issued.

## **12. Traffic Control**

- (1) The following roads shall be subject to a one-way travel restriction:
  - i. Fishpond Drive to the west of Park Ravine (travel permitted in a westerly direction only.)
  - ii. Hope Drive (travel permitted in a south-westerly direction only).
  - iii. Lincoln Circus (travel permitted in a clockwise direction only).
  - iv. Newcastle Circus (travel permitted in a clockwise direction only).
  - v. Tennis Drive (travel permitted in southerly direction only).
  - vi. Tattershall Drive from the junction of Tunnel Road to Tennis Drive. (travel permitted in a northerly direction only).
- (2) The Company reserves the right to maintain and implement traffic calming measures including but not limited to speed bumps on any estate road..

## SCHEDULES

### Schedules of Road markings pursuant to The Nottingham Park Estate Regulations 2009

#### (The 2009 Regulations)

**(1) *Parking of any vehicle is prohibited at all times where the edge of the estate road is marked with Double Blue Lines, namely:***

- (a) Lenton Road, north side from Park Valley to Huntingdon Drive.
- (b) Lenton Road, south side from Ogle Drive to the Peveril Drive roundabout.
- (c) North Road, both sides from the North Gate to Western Terrace.
- (d) North Road, west side from 20 metres south of Pelham Crescent to Cavendish Crescent North.
- (e) Newcastle Drive, north side from opposite No. 1 Newcastle Drive to the junction with The Ropewalk.
- (f) Newcastle Drive, north side from the Junction with North Road to opposite no. 15.
- (g) Newcastle Drive, south side from the east end of the present lay-by to No.20 Park Terrace.
- (h) Peveril Drive, north-east side from Lenton Road to Ogle Drive and from No. 1 Castle Rock to the Park Gate.
- (i) Peveril Drive, both sides from Hope Drive to the Park Gate.
- (j) Ogle Drive, north-east side from Lenton Road to No. 2 Ogle Drive.
- (k) Western Terrace, north side, from North Road to the Octagon.
- (l) Hermitage Walk both sides from Cliff House for a distance of 35 metres.
- (m) Park Valley north east side from the junction with Sun Drive to Clare valley.
- (n) Park Valley south west side from no. 25 to Huntingdon Drive.
- (o) Tattershall Drive east side from the junction with Tunnel Road, south for a distance of 20 metres.
- (p) Tunnel Road south side from Works Yard west for a distance of 20 metres.
- (q) Pelham Crescent south east side from no. 17 to Pelham Cottages.
- (r) Within 5 metres of any road junction.

***As more particularly indicated by double blue lines.***

- (2) *Where the edge of the estate road is marked with a Single Blue Line parking of any vehicle is prohibited at all times unless;***
- a. The vehicle is displaying a valid Parking Permit issued in accordance with paragraph [4] and parking in the specified section of road immediately abutting the household or business to which the permit is issued; or***
  - b. The vehicle is parked by an Authorised Visitor in accordance with paragraph [5].***

***Save when clause 3.(1) does not apply, namely:***

- (a) All Estate roads, both sides.

***As more particularly indicated by a single blue line.***

#### **Exceptions:**

***Residents displaying a valid permit issued in accordance with paragraph [4] may park vehicles in the following locations, namely:***

- i) Ogle Drive south west side.
- ii) Park Valley north east side from the Park Steps to Sun Drive.

**END.**