

**PARKING APPEAL SERVICE**

**GWENDOLINE ZAMMITT**

**-and-**

**THE LONDON BOROUGH OF GREENWICH**

**DECISION**

## THE FACTS

1. On the 5<sup>th</sup> April 1966 Mrs. Zammit's motor car registration H488YGU was seen parked in Charlton Church Lane Greenwich. A Penalty Charge Notice (PCN) number GR12087792 was issued to the vehicle at 10.30am

2. The date in question was Good Friday. Good Friday is a public holiday. It is not a bank holiday. The term bank holiday is defined as a day which is, or which is appointed to be, a bank holiday under the Banking and Financial Dealings Act 1971. These are therefore holidays created by Parliamentary statute and specifically do not include Sundays, Christmas Day or Good Friday. These latter days are classified as public holidays other than bank holidays. Good Friday is therefore not a statutory bank holiday but is instead a common law public holiday.

3. The relevant Order is the Greenwich (Waiting and Loading Restriction) Order 1994 section 5 (1) which provides that the relevant stretch of road is subject to parking restrictions between 8am and 6.30pm on Monday to Saturday inclusive.

4. The Order contains no provision by virtue of which any day is excluded from the prescribed hours because it is either a bank holiday or a non statutory public holiday. Only Sundays are excluded.

5. In my opinion the argument put forward on this review by the Council that where no exemption is expressed in the Order then no exemption can be inferred to apply to Good Friday is a compelling one. I am of the opinion that the Order does apply on Good Friday. The only days on which the prescribed hours do not apply are Sundays. They appear on the face of the order to apply on all other days including bank holidays and other public holidays.

TIMOTHY THORNE

23 July 1997