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ST. BIRMINGHAM

THE BIRMINGHAM CITY COUNCIL
(PARKING PLACES AND CONTROLLED PARKING ZONE)
(BIRMINGHAM) (CONSOLIDATION)
(VARIATION) (NO. 5) ORDER 1996

BIRMINGHAM CITY COUNCIL
(PARKING PLACES AND CONTROLLED PARKING ZONE)
(BIRMINGHAM) (CONSOLIDATION)
(VARIATION) (NO. 5) ORDER 1996

The Birmingham City Council ("the Council") in exercise of its powers under Sections 1, 2, 4, 32, 35, 45, 46, 49, 53 of the Road Traffic Regulation Act 1984 ("the Act") and of Part IV of Schedule 9 to the Act and of all other enabling powers, and after consultation with the Chief Officer of Police in accordance with Part III of Schedule 9 to the Act, hereby makes the following Order.

1. The Order shall come into operation on the 30th day of March one thousand nine hundred and ninety-six and may be cited as Birmingham City Council (Parking Places and Controlled Parking Zone) (Birmingham) (Consolidation) (Variation) (No. 5) Order 1996.
2. (i) Except where otherwise stated, any reference in this Order to a numbered Article or Schedule is a reference to the Article or Schedule bearing that number in this Order.
(ii) The Interpretation Act 1978 shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.
3. The Birmingham City Council (Parking Places and Controlled Parking Zone) (Birmingham) (Consolidation) Order 1995 as amended shall continue in full force and effect subject to the variations specified in the Schedule to this Order.

SCHEDULE

Variations of The Birmingham City Council (Parking Places and Controlled Parking Zone) (Birmingham) (Consolidation) Order 1995

In Article 8 sub-article "(1)(a)" and "(1)(b)" shall be deleted and the following sub-articles shall be substituted:

- (1) (a) one pound (£1.00) for an initial period of not more than 30 minutes; or
- (b) one pound and twenty pence (£1.20) for an initial period of not more than one hour; or
- (c) two pounds and twenty pence (£2.20) for an initial period of not more than two hours."

In Article 8 sub-article "(2)(a)" shall be deleted and the following sub-articles shall be substituted:

- (2) (a) thirty pence (30p) for an initial period of not more than one hour."

In Article 8, sub-article "8(3)" shall be numbered "8(3)(i)" and the following sub-article shall be inserted into the Order:

"8(3)(ii) Where a driver in seeking to pay an initial charge inserts into a ticket machine a coin or coins which exceeds the charge for a specified number of hours, a ticket will be issued only for the number of hours, for which the whole of the charge has been paid."

Article 13(1) of the Order shall be deleted and the following Article shall be substituted:

"13(1)(a) If a vehicle is left in a parking space during the permitted hours for longer than the initial period for which payment was made by the initial charge, the initial charge together with an additional amount of Twenty Five Pounds (£25.00) shall be payable.

13(1)(b) In the case where the provisions of Article 19(1) apply, an additional amount of Fifty Pounds (£50.00) shall be payable.

13(1)(c) The additional amounts referred to in Articles 13(1)(a) and 13(1)(b) are hereinafter referred to as the "excess charge".

In Article 15(2)(c) of the Order, the words "Thirty Five Pounds (£35.00)" shall be deleted and the words "Twenty Five Pounds (£25.00) or as the case may be Fifty Pounds (£50.00)" shall be substituted.

Article 17 sub-article "(1)(a)", "(1)(b)" and "(2)" shall be deleted and the following sub-articles shall be substituted:

- "17. (1) (a) where it is an amount of One Pound (£1.00), by the issue by the parking meter relating to the parking space in which the vehicle is left of a ticket indicating that the charge has been paid in respect of thirty minutes and the day and time of payment of the charge, and by the display of that ticket on the vehicle in accordance with the provisions of Article 8(4) of this Order; and
- (b) where it is an amount of One Pound and twenty pence (£1.20), by the issue by the parking meter relating to the parking space in which the vehicle is left of a ticket indicating that the charge has been paid in respect of one hour and the day and time of payment of the charge, and by the display of that ticket on the vehicle in accordance with the provisions of Article 8(4) of this Order; and
- (c) where it is an amount of Two Pounds and twenty pence (£2.20), by the issue by the parking meter relating to the parking space in which the vehicle is left of a ticket indicating that the charge has been paid in respect of two hours and the day and time of payment of the charge, and by the display of that ticket on the vehicle in accordance with the provisions of Article 8(4) of this Order.
- (2) The expiry of the initial period for which the initial charge has been paid shall be indicated when there is exhibited on the vehicle a ticket issued by the parking meter relating to the parking space in which the vehicle is left showing the day and time of payment of the charge and the time shown by the clock on the said parking meter is more than thirty minutes, or as the case may be, one hour or, two hours later than the time shown on a ticket issued in respect of a payment of One Pound (£1.00) or more than one hour later or as the case may be two hours later than the time shown on a ticket issued in respect of a payment of One Pound and twenty pence (£1.20) or more than two hours later than the time shown on a ticket issued in respect of a payment of Two Pounds and twenty pence (£2.20)".

In Article 18 sub-article "(1)(a)" and "(2)" shall be deleted and the following sub-articles shall be substituted:

- "18. (1) (a) where it is an amount of thirty pence (30p), by the issue by the parking meter relating to the parking space in which the vehicle is left of a ticket indicating that the charge has been paid in respect of one hour and the day and time of payment of the charge, and by the display of that ticket on the vehicle in accordance with the provisions of Article 8(4) of this Order; and
- (2) The expiry of the initial period for which the initial charge has been paid shall be indicated when there is exhibited on the vehicle a ticket issued by the parking meter relating to the parking space in which the vehicle is left showing the day and time of payment of the charge and the time shown by the clock on the said parking meter is more than one hour or, as the case may be, two or four hours later than the time shown on a ticket issued in respect of a payment of thirty pence (30p) or more than two hours or as the case may be, four hours later than the time shown on a ticket in respect of a payment of fifty pence (50p), or more than four hours later than the time shown on a ticket issued in respect of a payment of One Pound (£1.00)."

In Article 19 sub-article "(1)" shall be deleted and the following sub-article substituted:

- "19. (1) Without prejudice to the provisions of paragraph (1) of Article 32 of this Order, if at any time while a vehicle is left during the permitted hours in a parking space in a parking place described in Schedule 1 Parts I and II to this Order, a disabled person's badge, season or parking ticket is NOT displayed on the vehicle in accordance with Articles 2, 8 and 11, it shall be presumed unless the contrary is proved that the initial charge specified in paragraphs (1) and (2) of Article 8 has been duly paid in respect of that vehicle and that the initial period for which payment was made has expired."

GIVEN under the COMMON SEAL of BIRMINGHAM CITY COUNCIL the
27th day of March one thousand nine hundred and ninety-six

THE COMMON SEAL of BIRMINGHAM CITY COUNCIL
was hereunto affixed in the presence of:

Janette B. ...

Solicitor



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