

BOROUGH OF EASTLEIGH

THE BOROUGH OF EASTLEIGH (INTRODUCTION OF DECRIMINALISED PARKING) MINOR ORDER 2004

The Council of the Borough of Eastleigh (hereinafter referred to as "the Council") pursuant to arrangements made under Section 101 of the Local Government Act 1972 with the Hampshire County Council in exercise of the powers of the said County Council under Sections 1 and 2 of the Road Traffic Regulation Act 1984 ("the Act") and 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:-

PART 1- GENERAL

Commencement and Citation

1. This Order shall come into operation on 1st October 2004 and may be cited as the "Borough of Eastleigh (Introduction of Decriminalised Parking) Minor Order 2004".
2. The Orders set out in Schedule A of this Order are hereby amended as follows:
 - i. In Article 15 remove the words "or a Traffic Warden".
3. The Order set out in Schedule B of this Order are hereby amended as follows:
 - i. In Article 35 remove the words "or a Traffic Warden".
4. The Orders set out in Schedule A and B of this Order are hereby amended as follows:
 - i. In Article 2(1) (Interpretation) after the paragraph "owner" add the words: "parking attendant" shall have the same meaning as in section 63A of the Act;
 - ii. In Article 2(1) (Interpretation) remove the words: "Traffic Warden" means a Traffic Warden employed by a police authority in pursuance of Section 95 of the Act;
 - iii. Throughout the Orders where reference is made to 'Traffic Warden' this shall be replaced with 'parking attendant'.
5. The Orders set out in Schedule C of this Order are hereby amended as follows:
 - i. In Article 2 (Interpretation) after the words "parking attendant" delete the words: means a person authorised by or on behalf of the Council to supervise and control vehicles in any parking place; and put in their place the words: shall have the same meaning as in section 63A of the Road Traffic Regulation Act 1984;

6. The Order set out in Schedule D of this Order are hereby amended as follows:

- i. In Article 2 (Interpretation) the paragraph "car park patrol officer" shall be deleted and replaced with the words: "parking attendant" shall have the same meaning as in section 63A of the Road Traffic Regulation Act 1984;

7. The Order set out in Schedule E of this Order are hereby amended as follows:

- i. In Article 2 (Interpretation) the paragraph "car park patrol officer" shall be deleted and replaced with the words: "parking attendant" shall have the same meaning as in section 63A of the Road Traffic Regulation Act 1984;

8. The Orders set out in Schedule F of this Order are hereby amended as follows:

- i. In Article 2 (Interpretation) after the words "parking attendant" delete the words: means a person authorised by or on behalf of the Council to supervise and control vehicles in any parking place; and put in their place the words: shall have the same meaning as in section 63A of the Road Traffic Regulation Act 1984;

9. The Order set out in Schedule G of this Order are hereby amended as follows:

- i. In Article 2(1) (Interpretation) after the paragraph "driver" insert the words: "parking attendant" shall have the same meaning as in section 63A of the Act;
- ii. Throughout the Order where reference is made to a 'person authorised by or on behalf of the Council' this shall be replaced with 'parking attendant'.

10. The Orders set out in Schedules C, D, E and F are hereby amended as follows:

- i. In all Orders delete all the words under the headings 'Excess Charge' and 'Manner of Payment of Excess Charge' and replace with the words:

Penalty Charge

(1) If a vehicle is left in a parking place during the charging hours for a period longer than that for which the payment was made a penalty charge shall be payable.

(2) In the case of a vehicle in respect of which a penalty charge has been incurred it shall be the duty of the parking attendant to attach to the vehicle

in a conspicuous position a notice which shall include the following particulars:

- (a) the registration mark of the vehicle or, where the vehicle is being used under a trade licence, the number of the trade plate carried by the vehicle,
- (b) the make and colour of the vehicle,
- (c) the date and time at which the parking attendant first observed that the contravention was made and a description of that contravention,
- (d) the location of the vehicle,
- (e) a statement that the penalty charge is required to be paid and the penalty charge notice number,
- (f) the manner in which and the time within which the penalty charge should be made, and
- (g) the attendant's number and signature.

Manner of Payment of Penalty Charge

The penalty charge shall be paid in the manner specified on the penalty charge notice.

SCHEDULE A

1. The Borough of Eastleigh (Arnold Road Area) (Residents Parking Places and Prohibition and Restriction of Waiting) (Disabled Persons Parking Places) (Fourth Zone) (Controlled Zone) Order 2004
2. The Borough of Eastleigh (Dutton Lane and Barton Road Area) (Residents Parking Places and Prohibition and Restriction of Waiting) (Fifth Zone) (Controlled Zone) Order 2004
3. The Borough of Eastleigh (Campbell Road Area) (Residents Parking Places and Prohibition and Restriction Of Waiting) (Disabled Persons Parking Places) (Sixth Zone) (Controlled Zone) Order 2004
4. The Borough of Eastleigh (Derby Road Area) (Residents Parking Places and Prohibition and Restriction Of Waiting) (Disabled Persons Parking Places) (Third Zone) (Controlled Zone) Order 2004
5. The Borough of Eastleigh (Factory Road Area) (Residents Parking Places and Prohibition and Restriction of Waiting) (Disabled Persons Parking Places) (Second Zone) (Controlled Zone) Order 2004
6. The Borough of Eastleigh (Newtown Road Area) (Residents Parking Places and Prohibition and Restriction of Waiting) (Disabled Persons Parking Places) (First Zone) (Controlled Zone) Order 2004
7. The Borough of Eastleigh (Bishopstoke, Fair Oak and Horton Heath) (Prohibition and Restriction of Waiting) (Disabled Persons Parking Places) Order 2004
8. The Borough of Eastleigh (Bursledon, Hamble and Hound) (Prohibition and Restriction of Waiting) (Disabled Persons Parking Places) Order 2004
9. The Borough of Eastleigh (Chandlers Ford and Hiltingbury) (Prohibition and Restriction Of Waiting) (Disabled Persons Parking Places) Order 2004
10. The Borough of Eastleigh (Hedge End, West End and Botley) (Prohibition and Restriction of Waiting) (Disabled Persons Parking Places) Order 2004
11. The Borough of Eastleigh (Kipling Road and Locksley Road and Surrounding Roads) (Prohibition and Restriction of Waiting) (Disabled Persons Parking Places) Order 2004

SCHEDULE B

1. The Borough of Eastleigh (Eastleigh Town Centre) (Prohibition and Restriction of Waiting) (Disabled Persons Parking Places) Order 2004

SCHEDULE C

1. The Borough of Eastleigh (Southampton Road Multi-Storey Car Park) Order 1980
2. The Borough of Eastleigh (Eastleigh Town Centre) (Off-Street Car Parks) Order 1985
3. The Borough of Eastleigh (Eastleigh Town Centre) (Wells Place) (Off-Street Car Park) Order 1987

SCHEDULE D

1. The Borough of Eastleigh (Car Park at the rear of Dolphin Public House, Botley) (Off-Street Car Park) Order 1990

SCHEDULE E

1. The Borough of Eastleigh (Swan Centre, Eastleigh) (Roof Top Car Park) Order 1989

SCHEDULE F

1. The Borough of Eastleigh (Car Park at Leigh Road Hardstanding) (Off Street Car Park) Order 1998
2. The Borough of Eastleigh (Itchen Valley Country Park) (Parking Places) Order 1999
3. The Borough of Eastleigh (Twyford Road, Eastleigh) (Off Street Car Park) Order 2000
4. The Borough of Eastleigh (Bishopstoke Road Playing Field) (Off Street Car Park) (Amendment) Order 2002

SCHEDULE G

1. The Borough of Eastleigh (Mortimer Road Car Park, Botley) Order 1984

Dated this 7th day of September 2004

THE COMMON SEAL of EASTLEIGH)
BOROUGH COUNCIL was hereunto)
affixed in the presence of:-)



Head of Legal & Democratic Services

DATED 7th September 2004

BOROUGH OF EASTLEIGH

THE BOROUGH OF EASTLEIGH
(INTRODUCTION OF
DECRIMINALISED PARKING)
MINOR ORDER 2004

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