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THE BOROUGH OF EASTLEIGH (EASTLEIGH TOWN CENTRE)

(OFF-STREET AND MULTI-STOREY CAR PARKS)

(AMENDMENT) ORDER 1989

The Eastleigh Borough Council (hereinafter referred to as "the Council") in exercise of their powers under section 35(1) and (3) 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 with the consent of the Hampshire County Council in accordance with section 39(3) of the Act and after consultation with the Chief Officer of Police in accordance with Part III of Schedule 9 to the Act hereby make the following Order:-

1. COMMENCEMENT AND CITATION

This Order shall come into operation on the first day of April 1989 and may be cited as The Borough of Eastleigh (Eastleigh Town Centre) (Off-Street and Multi-Storey Car Parks) (Amendment) Order 1989.

2. AMOUNT OF CHARGE AT PARKING PLACE

The Borough of Eastleigh (Eastleigh Town Centre) (Off Street Car Parks) Order 1985 (as amended) (hereinafter referred to as "the Principal Order") The Borough of Eastleigh (Eastleigh Town Centre) (Off Street Car Park) Order 1987 (as amended) hereinafter referred to as "the Second Order") and The Borough of Eastleigh (Southampton Road Multi-Storey Car Park) Order 1980 (as amended) (hereinafter referred to as "the Third Order") are hereby amended to enable the groups of charges listed in column 6 of the Schedule to each Order to be further amended as follows:-

To include new charging period and charge "40p for up to and including 3 hours"

New Charge "60p for up to and including 4 hours" be substituted for the charge of 50p for up to and including 4 hours".

New Charge "80p for over 4 hours" be substituted for the charge of "60p for over 4 hours".

3. EXCESS CHARGE

The Principal Order the Second Order and the Third Order as amended are hereby further amended to the extent that Article 12 in each order shall be substituted with the following:-

"12. EXCESS CHARGE

- (1) Where in relation to a vehicle left in a parking place specified in Column I of the Schedule a driver
- (a) has not purchased and displayed a parking ticket or tickets in accordance with Article 10; or
  - (b) has purchased or displayed a parking ticket or tickets for less than the charge or aggregate charge payable in accordance with Column 6 of this Order; or
  - (c) has left the vehicle for more than the permitted time in that parking place; or
  - (d) contravened any provision of this Order

An Excess Charge of £20.00 shall be incurred by the driver of that vehicle

- (2) In the case of a vehicle in respect of which an excess charge has been incurred it shall be the duty of a 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 time at which it was noticed that the excess charge had been incurred;
  - (c) a statement that an excess charge of £20.00 is required to be paid;
  - (d) the manner in which and the time within which the excess charge should be paid; and
  - (e) a statement that it is an offence under section 35(4) of the Act for the driver of a vehicle who has left the vehicle in a parking place to fail to pay the excess charge"

4. MANNER OF PAYMENT OF EXCESS CHARGE

The Principal Order the Second Order and the Third Order as amended are hereby further amended to the extent that Article 13 in each order shall be substituted with the following:-

"13. MANNER OF PAYMENT OF EXCESS CHARGE

The driver of a vehicle in respect of which an excess charge has been incurred shall pay the excess charge to the Council either by cheque or postal order which shall be delivered or sent by post so as to reach the Director of Support

Services Department of the Council not later than 10.00 a.m. on the Tenth day following the day on which the excess charge was incurred or in cash in person at the said Department not later than aforesaid

PROVIDED THAT if the Tenth day falls upon a day on which the said Department is closed the period within which payment of the excess charge shall be made to the Council shall be extended until 10.00 a.m. on the next full day that the Department is open

PROVIDED THAT if payment is made not later than 10.00 a.m. on the fifth day following the day on which the excess charge was incurred the sum of £15.00 shall be received in full settlement of the excess charge

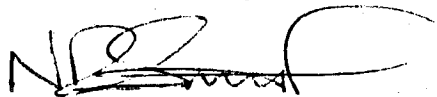
PROVIDED THAT if the fifth day falls upon a day on which the said Department is closed the period shall be extended to 10.00 a.m. on the next full day that the Department is open."

DATED this 21<sup>st</sup> day of March, 1989

THE COMMON SEAL of EASTLEIGH)

BOROUGH COUNCIL was hereunto)

affixed in the presence of:-)



Borough Solicitor

