

10 SEP 2009

**COTSWOLD DISTRICT COUNCIL (OFF-STREET PARKING PLACES)  
(CONSOLIDATION) ORDER 2007 VARIATION No.1 ORDER 2009**

The COTSWOLD DISTRICT COUNCIL in exercise of its powers under Sections 32, 35, 35C and 46A of the Road Traffic Regulation Act 1984 ("the Act") and all other enabling powers, with the consent of the Gloucestershire County Council in accordance with Section 39(3) of the Act and after consulting with the Chief Officer of Police in accordance with paragraph 20 of Schedule 9 to the Act, HEREBY MAKES THE FOLLOWING ORDER: -

**PART I**

**GENERAL**

**COMMENCEMENT AND CITATION**

1. This Variation Order shall come into operation on the 26<sup>th</sup> day of May 2009 and may be cited as the COTSWOLD DISTRICT COUNCIL (OFF-STREET PARKING PLACES) (CONSOLIDATION) ORDER 2007 VARIATION No.1 ORDER 2009

**INTERPRETATION**

2. In this Variation Order, except where the context otherwise requires, "The Principal Order" shall mean COTSWOLD DISTRICT COUNCIL (OFF-STREET PARKING PLACES) (CONSOLIDATION) ORDER 2007
3. Any reference in this Variation Order to any enactment shall be construed as reference to that enactment as amended by any subsequent enactment
4. The Interpretation Act 1978 or any replacing Act shall apply for the interpretation of this Order as it applies for the interpretation of any Act of Parliament

**PART II**

**AMENDMENT OF THE PRINCIPAL ORDER**

5. The provisions of the Principal Order shall have effect as though:
  - (1) The definition of the expression "Parking Attendant" in paragraph 2 of the Principal Order shall be deleted and replaced with the following definition:  
  
"Civil Enforcement Officer" means a person authorised by or on behalf of the Council to supervise the parking places and enforce the restrictions imposed by this Order"

(2) The definition of the expression "Penalty Charge" in paragraph 2 of the Principal Order shall be deleted and replaced with the following definition:

" "Penalty Charge" means the charge set by the Council which is payable in the event of any breach of this Order"

(3) The definition of the expression "Penalty Charge Notice" in paragraph 2 of the Principal Order shall be deleted and replaced with the following definition:

" "Penalty Charge Notice" means a notice issued or served by a Civil Enforcement Officer indicating that a Penalty Charge has been incurred"

(4) Paragraph 8 of the Principal Order shall be deleted and replaced with the following paragraph:

"Maximum Period of Stay

8.1 Subject to paragraph 8.2 below, where in the Schedule a parking place is described as available on specified days, during specified hours or for a maximum period of stay, no person shall permit a vehicle to wait in that parking place on any day, during such hours or for any period other or longer than those specified

8.2 The provisions in paragraph 8.1 above shall not apply to a vehicle parked in the Parking Place numbered 7 in the Schedule which displays in the relevant position a valid Disabled Person's Badge and Clock provided that the vehicle immediately before or after the act of parking has been used or is about to be used by the person(s) in respect of whom the badge is issued"

(5) In Paragraphs 40, 41, 42, 50(iii), 50(xvii), 54, 58, 59, 59(1) and 60(ii) of the Principal Order, the words "Parking Attendant" shall be deleted and replaced with the words "Civil Enforcement Officer"

(6) Paragraph 35 of the Principal Order shall be deleted and replaced with the following paragraph:

"35. A holder of an annual Season Ticket on surrendering the ticket shall be entitled to a refund based upon the number of complete weeks remaining unexpired from the first Monday following the date on which the Council receives the surrendered ticket. The refund will be one fifty-second of the annual rate for each unexpired week less a £10.00 administration fee"

(7) In Paragraph 58 of Principal Order the words "1991 Road Traffic Act" shall be deleted in both places where they appear and be replaced with the words "Traffic Management Act 2004"

(8) In relation to the Parking Places numbered 1, 8, 10, 11, and 12:-

in column 7 in the Schedule the words "Up to 1 hour - £1.00, Up to 2 hours - £1.60, Up to 3 hours - £2.00, Up to 10 hours - £5.00" shall be deleted and the words "Up to 1 hour - £1.20, Up to 2 hours - £2.10, Up to 3 hours £2.60, Up to 5 hours - £3.50, Up to 10 hours - £6.30" shall be inserted.

(9) In relation to the Parking Place numbered 2:-

in column 7 in the Schedule the words "Up to 10 hours - £2.00" shall be deleted and the words "Up to ½ hour - 50p, Up to 1 hour - £1.20, Up to 2 hours - £2.10, Up to 10 hours - £3.20" shall be inserted

(10) In relation to the Parking Places numbered 3, 4, and 7:-

in column 7 in the Schedule the words "Up to 1 hour - £1.00, Up to 2 hours - £1.60, Up to 3 hours - £2.00" shall be deleted and the words "Up to 1 hour - £1.20, Up to 2 hours - £2.10, Up to 3 hours - £2.60" shall be inserted

(11) In relation to the Parking place numbered 5:-

in column 7 in the Schedule the words "Up to 1 hour - £1.00, Up to 24 hours - £6.00, Between 6pm on a Friday and 8am on the following Monday - £7.00" shall be deleted and the words "Up to 1 hour - £2.10, Up to 24 hours - £6.20, Between 6pm on a Friday and 8am on the following Monday - £7.30" shall be inserted

(12) In relation to the Parking Place numbered 6:-

in column 7 in the Schedule the words "Up to 10 hours - £2.00" shall be deleted and the words "Up to 10 hours - £3.20" shall be inserted

(13) In relation to the Parking Place numbered 13:-

(a) in column 6 in the Schedule the words "3 hours" shall be deleted and the words "10 hours" shall be inserted;

(b) in column 7 in the Schedule the words "Up to ½ hour - 50p, Up to 1 hour - £1.00, Up to 2 hours - £1.60, Up to 3 hours - £2.00" shall be deleted and the words "Up to 1 hour - £1.20, Up to 2 hours - £2.10, Up to 3 hours - £2.60, Up to 5 hours - £3.50, Up to 10 hours £6.30" shall be inserted; and

(c) the words "A Season Ticket may be purchased" shall be added at the end of column 7 in the Schedule.

(14) In relation to the Parking Place numbered 14:-

(a) in column 5 in the Schedule the words "other than a Sunday" shall be deleted

(b) in column 7 in the Schedule the words "Up to 1 hour - £1.00, Up to 2 hours - £1.60, Up to 3 hours - £2.00, Up to 10 hours - £5.00" shall be deleted and the words "Up to 1 hour - £1.20, Up to 2 hours - £2.10, Up to 3 hours - £2.60, Up to 5 hours - £3.50, Up to 10 hours £6.30" shall be inserted

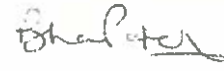
(15) In relation to the Parking place numbered 16:-

In column 7 in the Schedule the words "Up to 1 hour - 50p, Up to 2 hours - £1.00, Up to 3 hours - £1.50" shall be deleted and the words "Up to 1 hour - 60p, Up to 2 hours - £1.30, Up to 3 hours £1.90" shall be inserted

(16) In relation to the Parking Place numbered 17:-

in column 7 in the Schedule the words "All day - £2.00 (Up to 10 hours)" shall be deleted and the words "Up to 1 hour - 60p, Up to 10 hours - £3.20" shall be inserted

THE COMMON SEAL of COTSWOLD )  
DISTRICT COUNCIL was hereunto affixed )  
this 20<sup>th</sup> day of May 2009 )  
in the presence of :- )

  
Solicitor to the Council

