

TEWKESBURY BOROUGH COUNCIL

THE TEWKESBURY BOROUGH COUNCIL (OFF-STREET

PARKING PLACES) ORDER 2009

The Council of the Borough of Tewkesbury (hereinafter called "the Council") in exercise of its powers under Sections 32, 33, 35, and 124 of the Road Traffic Regulation Act 1984 (hereinafter called "the Act of 1984") and Part IV of the Schedule 9 to the Act of 1984 and the Traffic Management Act 2004 (hereinafter called "the 2004 Act") and of all other enabling powers and with the consent of Gloucestershire County Council given under Section 39(3) of the Act of 1984 and after consultation with the Chief Officer of Police in accordance with Part III of Schedule 9 of the Act of 1984 hereby makes the following Order

PART 1

GENERAL

Article
No.

1. **Commencement and Citation**

This Order shall come into operation on the 30th day of March 2009 and may be cited as "The Tewkesbury Borough Council (Off-Street Parking Places) Order 2009".

2. **Revocations**

Without prejudice to the validity of anything done or to any liability incurred in respect of any act or omission before the coming into force of this Order the Tewkesbury Borough Council (Off-Street Parking Places) Order 2008 is hereby revoked.

3. **Interpretation**

(1) Any reference in this Order to a numbered Article is a reference to the Article bearing that number in this Order and any reference in this Order to "the Schedule" is a reference to the Schedule to this Order.

(2) In this Order except where the context otherwise requires the following expressions have the meanings hereby respectively assigned to them:-

"charge certificate" means the statement that the penalty charge has been increased by 50 per cent in accordance with Regulation 21 of The Civil Enforcement of Parking Contraventions (England) General Regulations 2007;

"charging days" means those days which are specified in relation to each parking place in the Schedule;

"charging hours" means any period specified in the Schedule in respect of which a charge is specified in Article 13;

“civil enforcement officer” means any officer of the Council who is authorised to supervise and control vehicles in the parking places and enforce the provisions of this Order pursuant to Section 76 of the 2004 Act;

“Council” means Tewkesbury Borough Council;

“disabled person’s badge” has the same meaning as in the Disabled Persons’ (Badges for Motor Vehicles) (England) Regulations 2000 and any amendments or re-enactment thereof;

“disabled person’s vehicle” means any:-

- (i) invalid carriage;
- (ii) vehicle issued to a disabled person by the Department of Health in lieu of an invalid carriage;
- (iii) vehicle which bears in the relevant position a disabled persons’ badge;

“driver”, in relation to a vehicle waiting in a parking place, means the person driving the vehicle at the time it was left in the parking place;

“Immobilisation Notice” means a notice served in accordance with Article 20(2) of this Order;

“owner”, in relation to a vehicle, means the person by whom such vehicle is kept and used and it shall be presumed that the owner is the person in whose name the vehicle was at that time registered under the Vehicle Excise and Registration Act 1994;

“parking attendant” means a person authorised by or on behalf of the Council to patrol and issue Penalty Charge Notices in any parking place;

“parking bay” means any area of a parking place which is provided for the leaving of a vehicle and indicated by markings on the surface of the parking place;

“parking charge” means the amount payable in accordance with Article 13(1), (2) and (3) of this Order;

“parking permit issued by the Council” means a parking permit and/or season ticket issued by the Council (in such form as the Council shall from time to time prescribe);

“parking place” means any area of land specified by name in Column 1 of the Schedule and provided by the Council under Section 32(1) or Section 33 of the Act of 1984 for use as a parking place;

“passenger vehicle” means a vehicle constructed or adapted solely for the carriage of passengers and their effects;

“penalty charge” means a charge set by the Secretary of State under the provisions of Section 77 of the 2004 Act and The Civil Enforcement of Parking Contraventions (Guidelines on Levels of Charges) (England) Order 2007;

“Penalty Charge Notice” means a notice issued by or served by a civil enforcement officer or posted by the Council pursuant to the provisions of Section 78 of the 2004 Act and The Civil Enforcement of Parking Contraventions (England) General Regulations 2007;

“Reduced Sum” means a charge set by the Secretary of State under the provisions of Section 77 and Schedule 9 of the 2004 Act and the Civil Enforcement of Parking Contraventions (Guidelines on Levels of Charges) (England) Order 2007;

“season ticket” means a permit issued by the Council to a person whereby a vehicle owned kept driven or controlled by that person may be left in parking places specified in the Schedule upon payment of an annual fee;

“vehicle” means any vehicle as defined in the classes of vehicles permitted to wait in the parking places as set out in the Schedule whether or not it is in a fit state for use on the public highway and includes any chassis or body with or without wheels, appearing to have formed part of such a vehicle and any load carried by and anything attached to such a vehicle.

- (3) For the purposes of this Order, a vehicle shall be regarded as displaying a disabled persons badge in the relevant position if the badge is exhibited in the manner prescribed in ‘The Blue Badge Scheme’ advisory leaflet “Parking concessions for disabled and blind people” published by the Department for Transport or in the Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000.
- (4) For the purpose of this Order a vehicle towing a caravan or a trailer shall be deemed to be a goods vehicle in excess of 1525 kg unladen weight.
- (5) For the purposes of this Order any mechanically propelled passenger carrying vehicle constructed or adapted with seats for nine or more persons (inclusive of the driver) shall be deemed to be a goods vehicle in excess of 1525 kg unladen weight.
- (6) References in this Order to a ticket issuing machine shall be construed as references to the apparatus or device used as a means to issue tickets at a parking place and as a means to collect the charges payable in respect of a vehicle in the parking place and generally approved for the purpose by the Secretary of State.
- (7) References in this Order to a ticket or tickets shall be construed as references to a ticket or tickets purchased from a ticket issuing machine located within the parking place by the insertion therein of the appropriate currency.

- (8) Any reference in this Order to any enactment shall be construed as a reference to that enactment as amended by any subsequent enactment.
- (9) The Interpretation Act 1978 shall apply for the interpretation of this Order.

PART 2

AUTHORISATION AND USE OF PARKING PLACES

Article No.

4. Use of Parking Places

- (1) Each of the areas specified in Column (1) of the Schedule is authorised to be used, subject to the following provisions of this Order, as a parking place for such vehicles or classes of vehicles as referred to in the said Schedule and on such days and during such hours as are specified in relation to that parking place in the said Schedule and on payment of the appropriate parking charge.
- (2) Consent to use the parking places specified in Column (1) of the Schedule is withdrawn if the terms and conditions of the Order or of the conditions shown on the charges and conditions of use boards sited in the parking places are not complied with.
- (3) Where in the Schedule a parking place is described as available for vehicles of a specified class or on specified days or during specified hours the driver shall not permit it to wait in that parking place:-
 - (a) unless it is of a specified class.
 - (b) on days or during hours other than those specified.
 - (c) in any position except wholly within a marked parking bay delineated by surface applied line markings, embedded contrasting-colour paving elements, barrier posts or other indication of parking bay. All road wheels of the vehicle must be contained within one individual marked bay.
 - (d) in such a position as to obstruct access to the parking place or obstruct the access roads within the parking place.
- (4) Where, within a parking place, there is a sign or surface marking which indicates that a parking bay is provided only for a disabled person's vehicle, the driver of a vehicle shall not permit it to wait in that parking bay unless it is a disabled person's vehicle.

5. Closing and Setting Aside Parking Places

- (1) Nothing in this Order shall prevent the Council, by notice displayed at a parking place:-
 - (a) from closing the parking place or any part thereof for any period.
 - (b) from setting aside for special use or for use only by specially authorised vehicles of any part or parts of the parking place on all days or on certain days or during certain parts of certain days.
- (2) The driver of a vehicle shall not, except with and subject to the terms of any permission in writing from the Council in the particular case, cause or permit it:-
 - (a) to wait in the parking place or any part thereof at any time when the parking place or that part (as the case may be) has been closed under Article 5(1)(a) of this Order.
 - (b) to wait in any part of the parking place at a time when that part has been set aside for special use or for use by a specially authorised vehicle in accordance with Article 5(1)(b) of this Order, unless the vehicle is so authorised.

6. Licensing and Insurance

- (1) The driver of a vehicle shall not drive in or permit it to wait in a parking place unless it exhibits a current vehicle licence disc issued under Section 12 of the Vehicles (Excise) Act 1971 and any amendment or re-enactment thereof, or exhibits in the prescribed manner trade plates and a current trade licence issued under Section 16 of the Vehicles (Excise) Act 1971 and any amendment or re-enactment thereof.
- (2) The driver of a vehicle shall not drive in or permit it to wait in a parking place unless there is in relation to the use of the vehicle by the driver such a current policy of insurance as complies with the requirements of Part VI of the Road Traffic Act 1988 and any amendment or re-enactment thereof.

7. Use of vehicle in parking places

- (1) The driver of a motor vehicle using a parking place shall stop the engine and apply the handbrake as soon as the vehicle is in position in the parking place and shall not release the handbrake or start the engine except when about to change the position of the vehicle in or to depart from the parking place.
- (2) The driver of a vehicle using a parking place shall not drive the vehicle recklessly or at a speed or in a manner which is dangerous to other users of that parking place or without due care and attention or without reasonable consideration for other users of that parking place.

(3) No person shall sell or attempt to sell or use any vehicle while it is in a parking place in connection with the sale of any article to persons in or near the parking place or in connection with the selling or offering for hire of his skill or services or provision of facilities without the prior written consent of the Council.

(4) Where in a parking place signs are erected or surface markings are laid for the purpose of:-

- (a) indicating the entrance to or exit from the parking place, or
- (b) indicating that a vehicle using the parking place shall proceed in a specified direction within the parking place,

no person shall drive or permit to be driven any vehicle

- (i) so that it enters the parking place otherwise than by an entrance, or leaves the parking place otherwise than by an exit, so indicated, or
- (ii) in a direction other than so specified as the case may be.
- (iii) at an excess speed.

(5) No person shall, except with the permission of a person authorised by the Council in that behalf, drive or permit to be driven any vehicle in the parking place for any purpose other than the purpose of leaving that vehicle in the parking place or for the purpose of departing from the parking place in accordance with the provisions of this Order.

(6) No person shall use a parking place as a means of passage by a vehicle proceeding from one road to another.

(7) No person shall, except with the prior consent of the Council, permit to be driven any vehicle in a parking place for the purpose of Learner Driver training except for the purpose of leaving that vehicle in the parking place or for the purpose of departing from the parking place in accordance with the provisions of this Order.

(8) The driver of a vehicle using a parking place shall not sound a horn or other similar instrument:-

- (a) In the case of a motor vehicle which is stationary, at any time, other than at times of danger due to another moving vehicle in or near the parking place, or
- (b) In the case of a vehicle which is in motion, between 11.00 p.m. and 7.00 a.m. the following morning.

(9) No person shall use any part of a parking place or any vehicle or appurtenance left in a parking place:-

- (a) for sleeping or camping or cooking or washing purposes; or

- (b) without the prior written consent of the Council for the purpose of servicing or washing any vehicle or part thereof other than is reasonably necessary to enable that vehicle to depart from the parking place.

8. Advertising and Promotional Material

- (1) Except with the written consent of the Council, no person shall use a parking place for the purpose of displaying or distributing advertising promotional or campaigning material;
- (2) Part (1) of this Article shall apply:-
 - (i) to any person who engages in the distribution of advertising promotional or campaigning material in a parking place;
 - (ii) to any person who engages any other person to distribute advertising promotional or campaigning material in a parking place;
 - (iii) to any person whose goods, trade, business or other concerns receive publicity by the display of such advertising promotional or campaigning material;

provided that a person shall not be in breach of this Order under part (1) of this Article by reason only that his goods, trade, business or other concerns are given publicity by the advertising material if he proves that it was displayed without his knowledge or consent.

9. Other Uses of a Parking Place

- (1) In a parking place no person shall:-
 - (a) erect or cause or permit to be erected any tent, booth, stand, building or other structure without the written consent of the Council;
 - (b) light or cause or permit to be lit any fire, stove or cooker; or
 - (c) place or cause to be placed any advertising promotional or campaigning information on any vehicle
 - (d) transfer or cause to be transferred any type of fuel from one vehicle to another vehicle
- (2) No person shall in a parking place without the written consent of the Council (which may be given on such terms and conditions as it thinks fit):-
 - (a) sell or offer for sale anything whatsoever;
 - (b) make any collection of money or articles for charitable or other purposes;

- (c) advertise or publish by any means any event, display, entertainment, sale, business, shop, organisation or other thing.

10. Noise, Disturbance and Anti-social Activity

- (1) No person shall in a parking place wantonly shout or otherwise make any loud noise (including the use of any in-vehicle or portable sound systems or amplifying equipment) to the disturbance or annoyance of users of the parking place or residents or occupiers of premises in the neighbourhood.
- (2) No person shall in a parking place:-
 - (a) obstruct the parking attendants in the exercise of their duties, threaten or otherwise intimidate them;
 - (b) use any threatening, abusive or insulting language, gesture or conduct which is offensive and/or with intent to put any person in fear or so as to occasion a breach of the peace or whereby a breach of the peace is likely to be occasioned;
 - (c) without the consent of any person duly authorised by the Council, leave or cause to be left unattended in any parking place other than in a designated trolley park any shopping or supermarket trolley;
 - (d) deposit any litter or engage in any activity which can reasonably be expected to result in the deposit of litter;
 - (e) wilfully, carelessly or negligently deface, damage or destroy any part of the parking place, any tree or shrub growing therein or any wall, fence or barriers enclosing any parking place or any fitting or equipment in or on the parking place;
 - (f) urinate or defecate in a parking place or any part thereof otherwise than in a public convenience specifically provided and set apart for such purpose;
 - (g) cause or permit any dog or other animal belonging to him or his charge to:-
 - (i) enter or remain in the parking place unless such dog or animal is on a lead and under proper control and effectively restrained from causing annoyance to any person and from worrying and disturbing any other animal;
 - (ii) foul the parking place;
 - (h) except with the written consent of the Council
 - (i) park or drive or ride any vehicle of any description which is not expressly authorised in accordance with the provisions of this Order;

- (ii) tether, drive or ride any animal;
- (iii) play any game or sport or undertake any recreational activity.

11. Supervision of Parking Places

The Council does not undertake to supervise the parking places specified in Column 1 of the Schedule and vehicles are parked entirely at the owner's and/or driver's risk and the Council will not accept any liability for any loss or damage howsoever caused either to the vehicle or its contents or injury to persons unless caused by negligence of the Council, its servants or its agents.

12. Maximum Waiting Period

Except in any case where the Council has issued a parking permit permitting waiting in a specified Parking Place specified in Column 1 of the Schedule for a period longer than that specified in Column 6 of the Schedule and the vehicle displays that parking permit in accordance with this Order, a driver of a vehicle shall not permit that vehicle to wait in that parking place for longer than the period specified in Column 6 of the Schedule.

PART 3

CHARGES FOR THE USE OF PARKING PLACES

Article
No.

13. (1) The appropriate parking charge is payable for vehicles waiting in the parking places specified in the Schedule during the charging hours specified in the Schedule, unless the vehicle displays a valid Season Ticket or Permit or the driver has been exempted by the Council from payment of the charge.
- (2) The appropriate parking charge means the charge or charges specified in relation to that parking place in the Schedule and in relation to the days specified in that Schedule.
- (3) The charge referred to in Paragraph (2) of this Article shall be payable immediately after a vehicle is parked in a parking bay and before the driver leaves the parking place by the insertion of appropriate currency into the ticket issuing machine.
- (4) The ticket issued on payment of the charge referred to in Paragraph (2) of this Article shall be displayed face up:-
- (a) in the case of a vehicle fitted with a front windscreen, in a conspicuous position inside the front windscreen or windshield of the vehicle in respect for which it was issued;
 - (b) in any other case, in a conspicuous position at the front of the driving compartment of the vehicle for which it was issued;
- such that the parking purchase information (day of issue, expiry time and fee paid) is clearly visible from outside of the vehicle through the front windscreen or from the front of the vehicle and shall be displayed for the whole time that the vehicle is left in the parking place and shall not be removed until the vehicle is removed from the parking place.
- (5) Any ticket issued on payment of the charge referred to in Paragraph (2) of this Article shall be valid for the day of issue only except where the ticket indicates that the parking purchase extends into the following day's charging period.
- (6) Any ticket issued on payment of the charge referred to in Paragraph (2) of this Article shall be valid only for the vehicle and parking place for which it is initially purchased and is not transferable between vehicles or parking places.
- (7) When a ticket or tickets has or have been displayed on a vehicle in accordance with Paragraph (4) of this Article, no person other than the driver of the vehicle shall remove the ticket or tickets from the vehicle unless authorised by the driver so to do.

- (8) The purchase of a ticket or tickets shall entitle the driver to leave the vehicle in the parking place for so long as is indicated by the ticket or tickets so purchased, providing that the vehicle shall not wait in the parking place for a period of time greater than the maximum period of permitted waiting for that parking place.
- (9) The expiry of the period for which the charge specified for that parking place in the Schedule has been paid shall be when the time printed on the ticket displayed in or on the vehicle has passed.
- (10) If at any time while a vehicle is left in a parking place no ticket is displayed on that vehicle in accordance with Paragraph (4) of this Article, it shall be deemed that the charge has not been paid.
- (11) If at any time when a vehicle is left during the charging hours in a parking place on the nearest ticket issuing machine in that parking place there is a notice placed by any person duly authorised by the Council indicating that the said ticket machine is out of order then a ticket shall be obtained from another ticket issuing machine (where provided).
- (12) Where no ticket can be obtained and displayed in accordance with this Article vehicles may be left in a parking place as specified in the Schedule.

Exemptions from Daily Charges

- (13) No daily charge shall be payable in respect of:
 - (i) a vehicle which displays in the relevant position a valid Disabled Person's Badge 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;
 - (ii) a motor cycle which is left in a parking bay specified for such vehicles (if any);
 - (iii) a vehicle left displaying in a relevant position a season ticket valid for that parking place;
 - (iv) a vehicle left displaying in a relevant position a parking permit issued by the Council valid for that time and for that parking place.
- (14) If at the time when a vehicle is left in a parking place shown during the charging hours there is no ticket issuing machine at the parking place, or all the ticket issuing machines at the parking place carry notices placed upon them by a person duly authorised by the Council indicating that they are out of order, the driver of that vehicle shall be exempt from purchasing a ticket.

(15) Season tickets and permits

- (i) The owner of a vehicle may on application to the Council purchase a season ticket for use in a specified/designated parking place in respect of that vehicle for a charge as specified in the Schedule and that season ticket shall be valid in such parking places as are specified thereon during the period for which it is issued under terms and conditions determined by the Council.
- (ii) Any season ticket and/or parking permit issued in accordance with Paragraphs (15)(i) of this Article shall be displayed in a conspicuous position in the front windscreen or windshield or at the front of the driving compartment of the vehicle in respect of which it is issued such that the season ticket or permit serial number and car registration number (if printed thereon) are clearly visible from outside of the vehicle and shall not be removed until the vehicle is removed from the parking place. It shall be displayed for the whole time that the vehicle is left in the parking place.

CONTRAVENTION AND PENALTY CHARGES

Article
No.

14. (1) If a vehicle is left in a parking place in contravention of or non-compliance with this Order a penalty charge shall be payable by the owner for each day of the said contravention or non-compliance.
- (2) The penalty charge or Reduced Sum shall be the following amounts:-
- (a) The penalty charge – Band 2 as set out in Section 1 of The Civil Enforcement of Parking Contraventions (Guidelines on Levels of Charges) (England) Order 2007 subject to payment being received by the Council as provided in Article 15 within 28 days beginning with the date of issue of the Penalty Charge Notice;
 - (b) The Reduced Sum – a 50 per cent reduction of the penalty charge subject to payment being received by the Council as provided in Article 15 within 14 days beginning with the date of issue of the Penalty Charge Notice;
 - (c) On the issue of a charge certificate in accordance with the provisions of Regulation 21 of The Civil Enforcement of Parking Contraventions (England) General Regulations 2007 the penalty charge shall be increased by 50 per cent.
- (3) Service of a Penalty Charge Notice or charge certificate by post is deemed effective on the second working day after the day of posting.
- (4) Where a penalty charge has been incurred a civil enforcement officer may attach to the vehicle in a conspicuous position or hand to the

driver a Penalty Charge Notice which shall comply with the requirements of Regulations 8 and 9 and the Schedule to the Civil Enforcement of Parking Contraventions (England) General Regulations 2007.

- (5) Where a penalty charge has been incurred, a Penalty Charge Notice may be issued by post by the Council if the owner of the vehicle drives the vehicle away before the civil enforcement officer has issued a Penalty Charge Notice or the civil enforcement officer has been prevented from issuing a Penalty Charge Notice, such a Penalty Charge Notice shall comply with the requirements of Regulation 10 and the Schedule to The Civil Enforcement of Parking Contraventions (England) General Regulations 2007.
- (6) A Penalty Charge Notice fixed to a vehicle in accordance with the preceding Article shall not be removed or interfered with except by or under the authority of:
- (i) the owner, or person in charge, of the vehicle;
 - (ii) the Council.

PAYMENT OF PENALTY CHARGES

Article
No.

15. The owner of a vehicle in respect of which the penalty charge has been incurred shall pay the penalty charge to the Council.
- The manner of payment shall be:-
- (a) by Credit or Debit Card via the Website www.tewkesbury.gov.uk
 - (b) by telephone by Credit or Debit Card to 01684 295010
 - (c) by debit or credit card payment in person at the Council Offices, Gloucester Road, Tewkesbury, Glos during office hours (times vary).
 - (d) by cheque payable to Tewkesbury Borough Council or by Postal Order delivered or sent by post to Parking Services, Council Offices, Gloucester Road, Tewkesbury, Glos GL20 5TT
16. Where a challenge against the issue of a Penalty Charge Notice is made in writing and is received by the Council within 14 days of the issue of that Notice and where the Notice is upheld, the payment of the Reduced Sum will be accepted where that payment is received by the Council within 14 days following the day of notification in writing by the Council that the Notice is upheld and payment is due.
17. Payment shall be received by not later than 4.00 p.m. on the 28th day following the day on which such Penalty Charge was incurred or the 14th day following the day on which the Penalty Charge was incurred if the Reduced Sum is to be paid and provided that if the said 28th or 14th day falls upon a

day on which the Council Offices are closed to the public, the period within which payment of the said penalty charge shall be made to the Council shall be extended until 4.00 p.m. on the next full day on which the Council Offices are open

18. Indications as Evidence

The particulars given in the Penalty Charge Notice attached to a vehicle in accordance with this Article shall be treated as evidence in any proceedings relating to failure to pay such penalty charge.

MISCELLANEOUS PROVISIONS

Article
No.

19. Power to Immobilise Vehicle

- (1) When a vehicle is left in a parking place in contravention of the provisions contained in Articles 4, 5, 6 and 7 of this Order a person authorised in that behalf by the Council may:-
 - (a) fix an immobilisation device to the vehicle while it remains in the position in which it is found, or
 - (b) remove or make arrangements for the removal of the vehicle from the parking place to another place and fix an immobilisation device to it in that other place.
- (2) On any occasion when an immobilisation device is fixed to a vehicle in accordance with Article 19(1) of this Order, the person fixing the device shall also affix to the vehicle an Immobilisation Notice:-
 - (a) indicating that such a device has been fixed to the vehicle and warning that no attempt should be made to drive it or otherwise put it in motion until it has been released from that device.
 - (b) specifying the steps to be taken in order to secure its release, and
 - (c) giving such other information as may be prescribed.
- (3) A vehicle to which an immobilisation device has been fixed in accordance with Article 19(1) of this Order may only be released from that device by or under the direction of a person authorised in that behalf by the Council.
- (4) Subject to Article 19(2) above, a vehicle to which an immobilisation device has been fixed in accordance with Article 19(1) of this Order shall be released from that device on payment in any manner specified in that notice affixed to the vehicle under Article 19(2) of

such charge in respect of the release as the Council may determine.

- (5) When an immobilisation device has been fixed to a vehicle in accordance with Article 19(1) of this Order, no person, not being a person duly authorised by the Council, or under the direction of a person duly authorised by the Council, shall remove or attempt to remove the device from the vehicle.
- (6) Where an Immobilisation Notice has been attached to a vehicle under Article 19(2) of this Order, no person, not being the driver of the vehicle, or a duly authorised representative of the Council, shall remove the notice from the vehicle unless authorised by the driver so to do.

20. Power to Move or Remove Vehicles

- (1) If a vehicle is left in a parking place in a position other than in accordance with the provisions of Articles 4 and 5, a person authorised by the Council in that behalf may alter or cause to be altered the position of the vehicle so that its position is in accordance with the said provisions.
- (2) If a vehicle is left in a parking place in contravention of any of the foregoing provisions of the Order, a person authorised by the Council in that behalf may remove the vehicle from that parking place or arrange for such removal.
- (3) For the purpose of meeting the requirements of any emergency, a person authorised in that behalf by the Council or a uniformed police officer may alter or cause to be altered the position of a vehicle in a parking place or remove or arrange for the removal of the vehicle from the parking place.
- (4) Any person altering or causing the alteration of the position of a vehicle by virtue of Paragraph (1) of this Article, or removing or causing the removal of a vehicle by virtue of Paragraphs (2) or (3) of this Article, may do so by towing or driving the vehicle in such other manner as he may think reasonably necessary to enable the position of the vehicle to be altered or the vehicle to be removed.
- (5) Any person removing or arranging for the removal of a vehicle by virtue of Paragraph (2) or (3) of this Article shall make such arrangements as they consider to be reasonably necessary for the safety of the vehicle in the place to which it is removed and the Council shall not be liable for any loss or damage caused to the vehicle or its contents as a result of its being moved within a parking place or removed from a parking place under the provisions of this Order, excepting that resulting from the negligence of the Council or its contractors

The Common Seal of the Borough)
Council of Tewkesbury was hereunto)
affixed the day of)
in the presence of:-)

Borough Solicitor

THE SCHEDULE

	1 PARKING PLACE	2 POSITION IN WHICH VEHICLE MAY WAIT	3 CLASSES OF VEHICLE	4 DAYS OF OPERATION	5 HOURS OF OPERATION	6 MAXIMUM PERIOD VEHICLES MAY WAIT	7 HOURS OF CHARGING	8 SCALE OF CHARGES	
								for the period from 30.03.09 to 31.03.10	on and after the 01.04.10
1.	Church Road, Bishops Cleeve	Wholly within a Parking Bay	A; B; C; D; F and G	Every Day	All Hours	24 hours	NONE	NONE	NONE
2.	Chapel Hay, Church Road, Churchdown	Wholly within a Parking Bay	A; B; C; D; F and G	Every Day	All Hours	12 Hours	NONE	NONE	NONE
3.	Gloucester Road, Tewkesbury (Long Stay)	Wholly within a Parking Bay	(i) A; B; C; D; H and I (ii) F and G (iii) E (iv) J	Every Day	All Hours	24 Hours	8.00 a.m. – 5.30 p.m. Every Day	Up to 4 hrs £2.00 Over 4 hrs £4.00 Annual Permit £253.00 6 Month Permit £136.50 3 Month Permit £83.25 Weekend Permit £164.00 Weekend 6 Month Permit £92.00 Weekend 3 Month Permit £61.00 NONE £5.00 Up to 4 hrs £3.00 Over 4 hrs £6.00	Up to 4 hrs £2.00 Over 4 hrs £4.00 Annual Permit £253.00 6 Month Permit £136.50 3 Month Permit £83.25 Weekend Permit £164.00 Weekend 6 Month Permit £92.00 Weekend 3 Month Permit £61.00 NONE £5.00 Up to 4 hrs £3.00 Over 4 hrs £6.00

1 PARKING PLACE	2 POSITION IN WHICH VEHICLE MAY WAIT	3 CLASSES OF VEHICLE	4 DAYS OF OPERATION	5 HOURS OF OPERATION	6 MAXIMUM PERIOD VEHICLES MAY WAIT	7 HOURS OF CHARGING	8 SCALE OF CHARGES	
							for the period from 30.03.09 to 31.03.10	on and after the 01.04.10
4.	Oldbury, Tewkesbury (Short Stay)	(i) A; B; C and D	Every Day	All Hours	24 Hours	8.00 a.m. – 5.30 p.m. Monday – Saturday 12.30 pm – 5.30 pm Sunday	Up to 1 hr £1.00 Up to 2 hrs £2.00 2-3 hrs £3.50 3-4 hrs £5.00 Over 4 hrs £8.00 Annual Permit £380.00 6 Month Permit £200.00 3 Month Permit £115.00 NONE	Up to 1 hr £1.00 Up to 2 hrs £2.00 2-3 hrs £3.50 3-4 hrs £5.00 Over 4 hrs £8.00 Annual Permit £507.00 6 Month Permit £263.50 3 Month Permit £146.75 NONE
5.	Rails Meadow, Howells Road, Tewkesbury (Short/Long Stay)	(i) A; B; C and D (ii) F and G	Every Day Every Day	All Hours All Hours	24 Hours 24 Hours	8.00 a.m. – 5.30 p.m. Every Day	Up to 1 hr £1.00 Up to 2 hrs £1.50 2-4 hrs £2.00 Over 4 hrs £4.00 Annual Permit £253.00 6 Month Permit £136.50 3 Month Permit £83.25 Weekend Permit £164.00 Weekend 6 Month Permit £92.00 Weekend 3 Month Permit £61.00 NONE	Up to 1 hr £1.00 Up to 4 hrs £2.00 Over 4 hrs £4.00 Annual Permit £253.00 6 Month Permit £136.50 3 Month Permit £83.25 Weekend Permit £164.00 Weekend 6 Month Permit £92.00 Weekend 3 Month Permit £61.00 NONE

1 PARKING PLACE	2 POSITION IN WHICH VEHICLE MAY WAIT	3 CLASSES OF VEHICLE	4 DAYS OF OPERATION	5 HOURS OF OPERATION	6 MAXIMUM PERIOD VEHICLES MAY WAIT	7 HOURS OF CHARGING	8 SCALE OF CHARGES	
							for the period from 30.03.09 to 31.03.10	on and after the 01.04.10
7. St. Mary's Lane, Tewkesbury (Short Stay)	Wholly within a Parking Bay	(i) A; B; C and D	Every Day	All Hours	24 Hours	8.00 a.m. – 5.30 p.m. Every Day	Up to 1 hr £1.00 Up to 2 hrs £2.00 2-3 hrs £3.00 3-4 hrs £5.00 Over 4 hrs £8.00 Annual Permit £380.00 6 Month Permit £200.00 3 Month Permit £115.00 NONE	Up to 1 hr £1.00 Up to 2 hrs £2.00 2-3 hrs £3.50 3-4 hrs £5.00 Over 4 hrs £8.00 Annual Permit £507.00 6 Month Permit £263.50 3 Month Permit £146.75 NONE
8. Station Road, Tewkesbury (adjacent to Morrisons)	Wholly within a Parking Bay	(ii) F and G A; B; C; D; F and G	Every Day	All Hours	24 Hours	8.00 am – 5.30 pm Every Day	£1.00 Annual Permit £253.00 6 Month Permit £136.50 3 Month Annual Permit £83.25 Weekend Permit £164.00 Weekend 6 Month Permit £92.00 Weekend 3 Month Permit £61.00 Business Permit £63.00	£1.00 Annual Permit £253.00 6 Month Permit £136.50 3 Month Annual Permit £83.25 Weekend Permit £164.00 Weekend 6 Month Permit £92.00 Weekend 3 Month Permit £61.00 Business Permit £63.00
	continued/...							

1 PARKING PLACE	2 POSITION IN WHICH VEHICLE MAY WAIT	3 CLASSES OF VEHICLE	4 DAYS OF OPERATION	5 HOURS OF OPERATION	6 MAXIMUM PERIOD VEHICLES MAY WAIT	7 HOURS OF CHARGING	8 SCALE OF CHARGES	
							for the period from 30.03.09 to 31.03.10	on and after the 01.04.10
.../continued Station Road, Tewkesbury (adjacent to Morrisons)							6 Month Business Permit £41.50 3 Month Business Permit £35.75	6 Month Business Permit £41.50 3 Month Business Permit £35.75
9. The Vineyards, Tewkesbury (Long Stay)	Wholly within a Parking Bay	(i) A; B; C; D and H	Every Day	All Hours	24 Hours	8.00 a.m. – 5.30 p.m. Every Day	Up to 4 hrs £2.00 Over 4 hrs £4.00 Annual Permit £253.00 6 Month Permit £136.50 3 Month Permit £83.25 Weekend Permit £164.00 Weekend 6 Month Permit £92.00 Weekend 3 Month Permit £61.00 NONE	Up to 4 hrs £2.00 Over 4 hrs £4.00 Annual Permit £253.00 6 Month Permit £136.50 3 Month Permit £83.25 Weekend Permit £164.00 Weekend 6 Month Permit £92.00 Weekend 3 Month Permit £61.00 NONE
		(ii) F and G	Every Day	All Hours	24 Hours	NONE	NONE	NONE

1 PARKING PLACE	2 POSITION IN WHICH VEHICLE MAY WAIT	3 CLASSES OF VEHICLE	4 DAYS OF OPERATION	5 HOURS OF OPERATION	6 MAXIMUM PERIOD VEHICLES MAY WAIT	7 HOURS OF CHARGING	8 SCALE OF CHARGES	
							for the period from 30.03.09 to 31.03.10	on and after the 01.04.10
10. Back Lane, Winchcombe	Wholly within a Parking Bay	A; B; C; D; F; J and G	Every Day	All Hours	24 Hours	8.00 am – 5.30 pm Monday-Saturday 12.30 pm – 5.30 pm Sunday	£1.00	£1.00
							Annual Permit £253.00	Annual Permit £253.00
							6 Month Permit £136.50	6 Month Permit £136.50
							3 Month Permit £83.25	3 Month Permit £83.25
							Weekend Permit £164.00	Weekend Permit £164.00
							Weekend 6 Month Permit £92.00	Weekend 6 Month Permit £92.00
							Weekend 3 Month Permit £61.00	Weekend 3 Month Permit £61.00
							Business Permit £63.00	Business Permit £63.00
							6 Month Business Permit £41.50	6 Month Business Permit £41.50
							3 Month Business Permit £35.75	3 Month Business Permit £35.75

1 PARKING PLACE	2 POSITION IN WHICH VEHICLE MAY WAIT	4 DAYS OF OPERATION	5 HOURS OF OPERATION	6 MAXIMUM PERIOD VEHICLES MAY WAIT	7 HOURS OF CHARGING	8 SCALE OF CHARGES	
						for the period from 30.03.09 to 31.03.10	on and after the 01.04.10
11.	Bull Lane, Winchcombe (Short Stay)	Every Day	All Hours	24 Hours	8.00 a.m. – 5.30 p.m. Every Day	Up to 1 hr £1.00 Up to 2 hrs £2.00 2-3 hrs £3.00 3-4 hrs £5.00 Over 4 hrs £6.00	Up to 1 hr £1.00 Up to 2 hrs £2.00 2-3 hrs £3.50 3-4 hrs £5.00 Over 4 hrs £8.00
						Annual Permit £380.00 6 Month Permit £200.00 3 Month Permit £115.00 NONE	Annual Permit £507.00 6 Month Permit £263.50 3 Month Permit £146.75 NONE
12.	Bishops Walk Tewkesbury (adjacent to Tescos) (Short Stay)	Every Day	All Hours	24 Hours	8.00 a.m. – 5.30 p.m. Every Day	Up to 1 hr £1.00 Up to 2 hrs £1.50 2-3 hrs £3.00 3-4 hrs £5.00 Over 4 hrs £6.00	Up to 1 hr £1.00 Up to 2 hrs £2.00 2-3 hrs £3.50 3-4 hrs £5.00 Over 4 hrs £8.00
						Annual Permit £380.00 6 Month Permit £200.00 3 Month Permit £115.00 NONE	Annual Permit £507.00 6 Month Permit £263.50 3 Month Permit £146.75 NONE
13.	Pipers Grove, Snowshill	Every Day	All Hours	24 Hours	NONE	NONE	NONE
						NONE	NONE
14.	Halfords Car Park Oldbury Road Tewkesbury	Every Day	All Hours	1 Hour	8.00 a.m. – 5.30 p.m. Monday - Saturday	NONE	NONE
						NONE	NONE

KEY TO VEHICLE CLASSES

A.	Motor Vehicles (other than with trailers or trailer caravans) as defined in S.136(1) of the Act AND not exceeding 30 cwt. unladen weight AND not constructed or adapted for the carriage of goods.	F.	Motor Cycles as defined in S.136(4) of the Act.
B.	Motor Vehicles (other than with trailers or trailer caravans) as defined in S.136(1) of the Act AND not exceeding 35 cwt. unladen weight.	G.	Invalid Carriages as defined in S.136(5) of the Act.
C.	Motor cars as defined in S136(2)(a) of the Act.	H.	Trailer as defined in S.136(1) of the Act AND not exceeding 1 ton laden weight.
D.	Motor cars as defined in S136(2)(b) of the Act.	I.	Trailer Caravans.
E.	Heavy Motor Cars as defined in S.136(3) of the Act.	J.	Motor Coaches