

Medway Council

TRAFFIC REGULATION ORDER

2004 No.2

The Medway Council (Off-Street Parking Places)
Order 2004

Made 26 January 2004

Coming into force 28 January 2004

ARRANGEMENT OF ARTICLES

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Medway Council, after consulting the Chief of Police, in exercise of the powers conferred by sections 32 and 35 of the Road Traffic Regulation Act 1984(a), as amended by the Local Government Act 1985(b), and the Road Traffic Act 1991(c) and of all other powers thereunto enabling, hereby make the following Order:-

Citation and Commencement

1. This Order shall come into force on 28 January 2004 and may be cited as the Medway (Off-Street Parking Places) Order 2004.

Interpretation

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

“article” means an article to this Order;

“authorised agent” means the parking services contractor appointed by and acting on behalf of the Council for the purpose of the supervision and enforcement of this Order;

“Council” means Medway Council;

“commuters season ticket” means a season ticket issued under the provisions of Article 4;

“commuters season ticket holder” means a person to whom a season ticket has been issued under the provisions of Article 4;

“disabled person’s badge” and “disabled person’s vehicle” has the same meaning as in the Local Authorities’ Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000(d) as amended;

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

“enactment” means any enactment, whether public general or local, and includes any order, byelaw, rule, regulation, scheme or other instrument having effect by virtue of an enactment;

“maximum waiting period” means the period specified in column 4 of Schedule 46;

“owner”, in relation to a vehicle, means the person by whom such vehicle is kept and used;

“parking attendant” means a person authorised by or on behalf of the Council to supervise and enforce the provisions of this Order;

"disabled person's vehicle" has the meaning given by section 142 of the Act.

"footway" has the meaning given by section 329 of the Highways Act 1980.

"goods vehicle" has the meaning given by section 92 of the Transport Act 1968.

"heavy goods vehicle" has the meaning given by section 20(1) of the Road Traffic Act 1988.

"owner" in relation to a vehicle means the person who is liable to receive a notice to owner respecting any contravention of this Order.

"parking attendant" means a person appointed by or on behalf of the Council to enforce the restrictions imposed by this general scheme of traffic control relating to stationary vehicles.

"parking disc" has the meaning given by Regulation 4(3)(ii) of the Local Authorities' Traffic Orders (Exemption for Disabled Persons)(England and Wales) Regulations 1986.

"penalty charge" means a charge set by the Council under the 1991 Act following approval by the Secretary of State which is due to be paid to the Council following the issue of a penalty charge notice and within 28 days of the issue of that notice.

"penalty charge notice" means a notice which complies with the requirements of Section 66(3) of the 1991 Act and which is fixed to a vehicle of given to a person appearing to be in charge of a vehicle by or under the authority of a parking attendant.

"reduced penalty charge" means a charge set by the Council under the 1991 Act and following approval by the Secretary of State which is due to be paid to the Council following the issue of a penalty charge notice and within 14 days of the issue of that notice.

"undertaker" has the meaning given by section 48(4) of the New Roads and Street Works Act 1991.

Permission to Wait

- 4 (1) Any person may cause or permit to wait in a parking place specified in the First Schedule hereto a vehicle of such classes as are specified in the second column of that Schedule during the days and hours specified in column 3 of that Schedule on payment of a charge as specified in column 5 of that Schedule for a period not exceeding the maximum waiting period specified in column 4 of that Schedule.

- (2) Where a parking place is mentioned in column 1 of Schedule 2 hereto the holder of a shoppers season ticket or a commuter ticket as the case

may provide the season ticket (of whatever type) is displayed in a vehicle of a class which is specified in column 2 of Schedule 1 hereto so that the front of the ticket is legible from outside the vehicle cause or permit a vehicle to wait for a period not exceeding the maximum waiting period specified in column 4 of Schedule 1 hereto until and including the date of expiry shown on the ticket.

- (3) Where a parking space within any of the parking places described in the First Schedule hereto is marked with sign number 661 in the Traffic Signs Regulations and General directions 1994 no person shall cause or permit a vehicle to wait in that parking space at any time other than a disabled person's vehicle .

Prohibitions

- 5 (1) No person shall cause or permit a vehicle to wait in any of the parking places specified in Schedule 1 hereto unless:
- (a) the vehicle waits wholly within the marked area of a parking space or without causing an obstruction where no such parking spaces are marked in that parking place and
 - (b) where a class of vehicle is specified in column 2 of Schedule 1 hereto in relation to a parking place the vehicle falls within any such class.
 - (c) the vehicle waits with the permission of or on the direction of a parking attendant or a police constable in uniform.
 - (d) the vehicle is being used by or with the written consent of the Council.
 - (e) the person in charge of the vehicle is required by law to stop in order to avoid an accident or is prevented from proceeding by circumstances beyond his control.
 - (f) the vehicle is being used for police, fire brigade, ambulance or other emergency service.
- (2) No person shall cause or permit a vehicle which is a trailer or a caravan to wait in any of the parking places in the First Schedule hereto at any time irrespective of the provisions of paragraph (1) above.

Enforcement

- 6 (1) Where a vehicle contravenes any provision of this Order a Penalty Charge Notice giving the information required by the 1991 Act and stating the prescribed amount payable as a penalty charge and the amount of the reduced penalty charge payable may be fixed to the vehicle or given to a

“parking bay” means a space in a parking place marked on the surface of a parking place by lines, studs or other indications, which is provided for the leaving of a vehicle;

“parking place” means the area of land provided by the Council for use as a parking place shown hatched on the plans comprised in Schedules 1 to 45 (inclusive) of this Order;

“penalty charge notice” means a notice issued or served by a parking attendant or an authorised agent pursuant to the provisions of Article 11;

“permitted hours” in relation to a parking place, means the period specified in column 3 of Schedule 46 of this Order ;

“relevant position” means in the case of a vehicle fitted with a front windscreen, with the observe side facing forward on the near-side of and immediately behind the windscreen, or in any other case in a conspicuous position on the front or near-side of a vehicle;

“Schedule” means a Schedule to this Order;

“shoppers season ticket” means a season ticket issued under the provisions of Article 5;

“shoppers season ticket holder” means a person to whom a season ticket has been issued under the provisions of Article 5;

“ticket” means a ticket issued by a ticket machine;

“ticket machine” means an apparatus of a type and design approved by the Secretary of State for Transport as a means of collecting charges payable under this Order, being designed to receive the fee in accordance with Article 8 of this Order and thereupon to issue a ticket marked with the date/time/time of departure/time of issue and the period of parking or fee paid;

“trade licence” has the same meaning as in section 11 of the Vehicle Excise and Registration Act 1994(a);

“trade plates” has the same meaning as in Part V of the Road Vehicles (Registration and Licensing) Regulations 1971(b);

“vehicle” includes trailer.

- (2) Any reference in this Order to any enactment shall be construed as a reference to that enactment as amended, applied, consolidated, re-enacted by or as having effect by virtue of any subsequent enactment..

- (3) The Interpretation Act 1978(c) shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.
- (4) The restrictions, prohibitions and requirements imposed by this Order are in addition to and not in derogation of any restriction, prohibition or requirement imposed by any other enactment and any exception or exemption from the provisions of this Order is without prejudice to the provisions of any other enactment.

Vehicles for which parking bays are designated

3. Each parking bay may be used, subject to the provisions of this Order, for the leaving during the permitted hours of such vehicles of the following class, that is to say a passenger vehicle, a goods carrying vehicle which does not exceed 2.28 metres in height (or as specified in column 2 of Schedule 46 to this Order), a motor cycle (with or without a side car) or an invalid carriage as display a valid ticket from a ticket machine.

Commuters Season Ticket

4.
 - (1) Any person may apply to the Council for a Commuters Season Ticket in respect of a vehicle specified in Article 3 to this Order.
 - (2) The Council may issue a Commuters Season Ticket on receipt of the relevant fee shown in column 3 of Schedule 47 to this Order hereto applying to the designated parking place in column 1 of that Schedule.
 - (3) Any person may cause or permit a vehicle which displays a valid Commuters Season Ticket to wait in the designated parking place to which that ticket applies during the hours specified in column 5 of Schedule 46 to this Order.
 - (4) At all times during which a vehicle is left in a designated parking place referred to in Schedule 47 during the permitted hours, the driver shall cause to be displayed on the front or nearside of the vehicle a valid Commuters Season Ticket issued in respect of that vehicle so that all the particulars on that Commuters Season Ticket are readily available from the front or nearside of that vehicle.
 - (5) Where the holder of a Commuters Season Ticket wishes to surrender the season ticket, the surrender value shall be calculated in a manner specified on the application form for the issue of the Commuters Season Ticket.

Shoppers Season Ticket

5.
 - (1) Any person may apply to the Council for a Shoppers Season Ticket in respect of a vehicle specified in Article 3 of this Order.

- (2) The Council may issue a Shoppers Season Ticket on receipt of the relevant fee shown in column 3 of Schedule 48 to this Order hereto applying to the designated parking place in column 1 of that Schedule.
- (3) Any person may cause or permit a vehicle which displays a valid Shoppers Season Ticket to wait in the designated parking place to which that ticket applies during the hours specified in column 5 of Schedule 46 to this Order.
- (4) At all times during which a vehicle is left in a designated parking place referred to in Schedule 48 during the permitted hours, the driver shall cause to be displayed on the front or nearside of the vehicle a valid Shoppers Season Ticket issued in respect of that vehicle so that all the particulars on that Shoppers Season Ticket are readily available from the front or nearside of that vehicle.
- (5) Where the holder of a Shoppers Season Ticket wishes to surrender the season ticket, the surrender value shall be calculated in a manner specified on the application form for the issue of the Shoppers Season Ticket.

Manner of standing in a parking place

6. The driver of a vehicle left in a parking place in accordance with the provisions of this Order shall cause it to stand so that every part of the vehicle is within the markings of a parking bay.

Restriction on the use of a parking place

7. (1) Where within a parking place there is a sign or surface markings indicating that a parking bay is for the use of a disabled person's vehicle, the driver of a vehicle shall not permit it to wait in that bay unless the vehicle is a disabled person's vehicle displaying a disabled person's badge in the manner prescribed by the Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000(a).
- (2) Where signs are erected or surface markings are laid for the purpose of indicating:-
 - (a) the entrance to or the exit from a parking place; or
 - (b) that a vehicle should proceed in a specified direction in a parking place,

no person shall drive or cause or permit a vehicle to be driven other than in accordance with those provisions excepting that any driver of a vehicle in the parking place shall comply with any instructions given orally by a parking attendant, an authorised agent or a person duly authorised by the Council.

(3) Where a notice is displayed indicating that a parking place is fully occupied or is closed, no driver shall take or attempt to take a vehicle into that parking place nor cause any obstruction by waiting in any part of that parking place.

(4) The driver of a vehicle:

(a) shall not permit it to wait in a parking place for longer than the maximum period of time permitted for waiting specified in column 4 of Schedule 46 to this Order in relation to that parking place and no vehicle having left a parking place after waiting therein shall return to that same parking place within two hours of leaving;

(b) using a parking place shall stop the engine as soon as the vehicle is in position in the parking place and shall not restart the engine except when about to change the position of the vehicle in or to depart from that parking place;

(c) using a parking place shall not sound any horn or other similar instrument except when about to change the position of the vehicle in or to depart from that parking place.

(5) No person:

(a) shall permit the use of a vehicle whilst 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 any skill or services;

(b) except a parking attendant, an authorised agent or a duly authorised employee or authorised agent of the Council shall, with the prior consent in writing of the Council, place upon or affix to a vehicle in a parking place any notice, leaflet or other material of whatsoever nature;

(c) shall, except with the permission of a parking attendant, an authorised agent or any person duly authorised by the Council, drive a vehicle in a parking place other than for the purposes of leaving that vehicle in that parking place or for the purpose of leaving that parking place;

(d) shall wantonly shout or otherwise make any loud noise in a parking place to the disturbance or annoyance of users of a parking place or residents of premises in the neighbourhood;

(e) shall use any part of a parking place or vehicle left within that parking place for sleeping, camping, eating, cooking or for the servicing or washing of a vehicle or part thereof other than is reasonably necessary to enable that vehicle to depart from that parking place;

(f) shall erect or cause to be erected any tent, booth, stand, building or other structure in a parking place without the written consent of the Council;

(g) shall light or cause or permit any fire to be lit in a parking place.

Payment of Parking Charge

8. Where a vehicle is left in a parking place during the charging hours the driver thereof shall pay the charges specified in column 5 of Schedule 46 of this Order.

Suspension of use of a parking place

9. Notwithstanding the provisions of this Order, the Council may by Notice displayed on or near a parking place, close that parking place or part thereof for any period and may use the parking place for some other purpose and no driver of a vehicle shall use that parking place or any part thereof when it is so closed without the consent of the Council.

Movement of a vehicle by a parking attendant or an authorised agent

10. Where a vehicle is standing in a parking place in contravention of the provisions of Articles 6 and 7(1) a parking attendant or an authorised agent may alter or cause to be altered the position of a vehicle in order that its position shall comply with those provisions.

Issue of a penalty charge notice

11. (1) If a vehicle is left in or is using a parking place referred to in Schedules 1 to 45 (inclusive) during the permitted hours in contravention of this Order, an additional charge (which additional amount is hereinafter referred to as the "penalty charge") shall be payable.
- (2) In the case of a vehicle in respect of which a penalty charge has been incurred, a parking attendant or an authorised agent may attached to the vehicle in a conspicuous position or, at his discretion, hand to a person whom he has reason to believe has incurred the penalty charge under this Order 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 general registration mark assigned to the holder of that licence and which mark is shown on the trade plates carried by that vehicle;
 - (b) the time by which he had reason to believe that a penalty charge has been incurred;
 - (c) a statement that a penalty charge is required to be paid;
 - (d) the manner in which, and the time within which, the penalty charge should be paid.
- (3) Where a penalty charge notice has been attached to a vehicle in accordance with the provisions of paragraph (2) of this Article, no person, not being the owner or person in charge of a vehicle, a parking attendant or an authorised agent, shall remove the notice from a vehicle unless authorised to do so by the said persons:

Provided that nothing herein shall apply to a parking attendant, an authorised agent or a person removing a vehicle in pursuance to Article 13.

Payment of a penalty charge

12. The penalty charge shall be payable to the Council in the manner prescribed by paragraph (2) of the foregoing Article within 28 days following the day on which the penalty charge was incurred and further provided that the penalty charge shall be reduced by fifty percent if payment is received within 14 days of the day the penalty charge was incurred.

Removal and safe keeping of a vehicle

13. (1) Notwithstanding the provisions of Article 14 where a parking attendant or an authorised agent is of the opinion that the provisions of this Order have been contravened in respect of a vehicle left in a parking place, he may remove or cause to be removed the vehicle from the parking place and, where it is so removed, shall provide safe custody of the vehicle; and
- (2) the Council may retain custody of the vehicle so removed from the parking place until such time as –
- (a) the expenses incurred by the Council in removing and storing that vehicle; and
- (b) the outstanding charges in respect of that vehicle have been paid in full;
- provided that any such vehicle shall only be released from custody of the Council on production of the written authority of the registered keeper of that vehicle.

Vehicles exempt from the provisions of this Order

14. Nothing in this Order shall apply in relation to:-

- (1) a vehicle being used in the service of the Council for the collection of refuse, reconstruction of the parking place, or the placement, maintenance or removal of any traffic sign or equipment within a parking place; or
- (2) a vehicle being used for laying, erection or repair of any main, pipe or apparatus within a parking place for the supply of gas, water, electricity or of any telecommunication system; or
- (3) a vehicle being used for ambulance, fire brigade or police purposes in an emergency.

Preliminary

Medway Council in exercise of the powers under sections 32, 33, 34, 35, 35C, 37, 38 and 61 of the Road Traffic Regulation Act 1984 and all other enabling powers having regard to Section 122 of that Act and having consulted the Chief Officer of Police in accordance with Part III of Schedule 9 of that Act and in accordance with the Road Traffic (Permitted Parking Area and Special Parking Area)(Borough of Medway) Order 1999 made by the Secretary of State makes the following Order:-

In accordance with the provisions of section 37 of the Road Traffic Regulation Act 1984 this Order forms part of a general scheme of traffic control whose boundary is the boundary of the Medway Council area.

Citation and Commencement

- 1 This Order may be cited as the Medway Council (Off-Street Parking Places Order) 2002 and shall have effect from 23rd September 2002.

Revocation

- 2 Without prejudice to the validity of anything done or to any liability incurred in respect of any act or omission before the coming into effect of this Order any prohibitions and restrictions of waiting as respects vehicles in off-street parking places effective in the Medway area prior to this Order coming into effect relating to any of the parking places described herein are revoked to the extent that this order takes effect.

Definitions

- 3 In this Order:

“the Act” means the Road Traffic Regulation Act 1984 and references to section numbers are to sections of that Act unless the context admits otherwise.

“The 1991 Act” means the Road Traffic Act 1991.

“carriageway” means a way constituting or comprised in a highway being a way (other than a cycle track) over which the public have a right of way for the passage of vehicles but excludes any lay-by.

“the Council” means Medway Council.

“designated parking place” means a parking place designated under an Order forming part of this general scheme of parking control.

“disabled person’s badge” has the meaning given by section 142 of the Act.

“disabled person’s vehicle” has the meaning given by section 142 of the Act.

“footway” has the meaning given by section 329 of the Highways Act 1980.

“goods vehicle” has the meaning given by section 92 of the Transport Act 1968.

“heavy goods vehicle” has the meaning given by section 20(1) of the Road Traffic Act 1988.

“owner” in relation to a vehicle means the person who is liable to receive a notice to owner respecting any contravention of this Order.

“parking attendant” means a person appointed by or on behalf of the Council to enforce the restrictions imposed by this general scheme of traffic control relating to stationary vehicles.

“parking disc” has the meaning given by Regulation 4(3)(ii) of the Local Authorities’ Traffic Orders (Exemption for Disabled Persons)(England and Wales) Regulations 1986.

“penalty charge” means a charge set by the Council under the 1991 Act following approval by the Secretary of State which is due to be paid to the Council following the issue of a penalty charge notice and within 28 days of the issue of that notice.

“penalty charge notice” means a notice which complies with the requirements of Section 66(3) of the 1991 Act and which is fixed to a vehicle of given to a person appearing to be in charge of a vehicle by or under the authority of a parking attendant.

“reduced penalty charge” means a charge set by the Council under the 1991 Act and following approval by the Secretary of State which is due to be paid to the Council following the issue of a penalty charge notice and within 14 days of the issue of that notice.

“undertaker” has the meaning given by section 48(4) of the New Roads and Street Works Act 1991.

Permission to Wait

- 4 (1) Any person may cause or permit to wait in a parking place specified in the First Schedule hereto a vehicle of such classes as are specified in the second column of that Schedule during the days and hours specified in column 3 of that Schedule on payment of a charge as specified in column 5 of that Schedule for a period not exceeding the maximum waiting period specified in column 4 of that Schedule.

- (2) Where a parking place is mentioned in column 1 of Schedule 2 hereto the holder of a shoppers season ticket or a commuter ticket as the case

may provide the season ticket (of whatever type) is displayed in a vehicle of a class which is specified in column 2 of Schedule 1 hereto so that the front of the ticket is legible from outside the vehicle cause or permit a vehicle to wait for a period not exceeding the maximum waiting period specified in column 4 of Schedule 1 hereto until and including the date of expiry shown on the ticket.

- (3) Where a parking space within any of the parking places described in the First Schedule hereto is marked with sign number 661 in the Traffic Signs Regulations and General directions 1994 no person shall cause or permit a vehicle to wait in that parking space at any time other than a disabled person's vehicle .

Prohibitions

- 5 (1) No person shall cause or permit a vehicle to wait in any of the parking places specified in Schedule 1 hereto unless:
- (a) the vehicle waits wholly within the marked area of a parking space or without causing an obstruction where no such parking spaces are marked in that parking place and
 - (b) where a class of vehicle is specified in column 2 of Schedule 1 hereto in relation to a parking place the vehicle falls within any such class.
 - (c) the vehicle waits with the permission of or on the direction of a parking attendant or a police constable in uniform.
 - (d) the vehicle is being used by or with the written consent of the Council.
 - (e) the person in charge of the vehicle is required by law to stop in order to avoid an accident or is prevented from proceeding by circumstances beyond his control.
 - (f) the vehicle is being used for police, fire brigade, ambulance or other emergency service.
- (2) No person shall cause or permit a vehicle which is a trailer or a caravan to wait in any of the parking places in the First Schedule hereto at any time irrespective of the provisions of paragraph (1) above.

Enforcement

- 6 (1) Where a vehicle contravenes any provision of this Order a Penalty Charge Notice giving the information required by the 1991 Act and stating the prescribed amount payable as a penalty charge and the amount of the reduced penalty charge payable may be fixed to the vehicle or given to a

person appearing to be in charge of the vehicle by a parking attendant in accordance with the 1991 Act.

(2) A penalty charge shall be paid to the Council by such means of payment as may be approved by the Council and which shall be delivered or sent by post to the address or addresses shown on the penalty charge notice and in accordance with the instructions on that notice to arrive not later than 4pm on:-

- a) the 14th day after the date shown on the penalty charge notice as being the date of issue of the notice in which case a reduced penalty charge as indicated on the notice shall be payable or;
- b) the 28th day after the date shown on the penalty charge notice as being the date of issue of the notice.

(3) Provided that if the aforesaid 14th or 28th day fall upon a day on which the offices at the address or addresses given are not open for the receipt of payment then the day by which the penalty charge or reduced penalty charge shall be payable shall be deemed to be extended until 4pm on the next following day upon which the said offices are open for the receipt of such payments.

7 (1) Where a vehicle is left in contravention of the provisions of this Order and a Penalty Charge Notice has been affixed to the vehicle or given to a person appearing to be in charge of the vehicle a parking attendant or a person acting on the direction of a parking attendant may affix an immobilisation device to that vehicle and a notice which complies with the provisions of the Act.

(2) Where an immobilisation device has been affixed to a vehicle that immobilisation device shall only be removed on payment of the amount of the Penalty charge or Reduced Penalty Charge as the case may be together with such release fee as may be prescribed.

(4) No immobilisation device shall be affixed to a vehicle which lawfully displays a disabled person's badge.

8 (1) Where a vehicle is left in contravention of the provisions of this Order and a Penalty Charge Notice has been affixed to that vehicle a parking attendant or a person acting on the direction of a parking attendant may remove that vehicle in accordance with the provisions of the Road Traffic Regulation Act 1984.

(2) Where a vehicle has been removed in accordance with paragraph (1) above that vehicle shall only be released on payment of any Penalty Charge or Reduced Penalty Charge as the case may be which is due to be paid in respect of that vehicle together with any charge for the removal and storage of that vehicle as may be prescribed.

Payment of Parking charge

9 (1) Save as provided in where a vehicle is left in a parking place during the hours specified in column 3 of Schedule 1 hereto where apparatus is in use in a parking place a parking device shall be purchased from the4 aforesaid apparatus by the insertion of coins or by such other means as the Council may from time to time provide such value as is described in column 5 of the First Schedule against the relevant entry in respect of parking places.

(2) A parking device shall be displayed in a vehicle so that the front of the device is legible from the nearside or front of the vehicle.

(3) Save as provided in Article 5 where a person causes or permits a vehicle to enter a parking place at any time where entry barriers are provided which issue parking devices that person shall retain the said parking device about his person and as the case may be inserting the parking device in the receiving machine at an exit from the parking place and shall pay the relevant amount or shall insert the parking device in a validating apparatus and shall pay the relevant amount before the validated parking device is returned to him.

(4) For the purposes of paragraph (3) above the relevant amount means the charge applicable to the period of waiting of a vehicle in a parking place during the times specified in columns 3 and 5 of Schedule 1 where relevant.

Season Tickets

10 (1) Any person may apply to the council for a Shoppers Season ticket or a Commuters Season Ticket in respect of a vehicle of a class which is not otherwise prohibited from using the relevant car park to which the season ticket applies.

(2) The Council may issue a Shoppers Season Ticket or a Commuters Season Ticket on receipt of the relevant fee shown in column 3 of Schedule 2 hereto as applying to a car park in column 1 of that Schedule.

(3) Any person may cause or permit a vehicle which displays a valid Commuters Season Ticket or a Shoppers Season Ticket to wait in the car park to which that ticket applies during the hours specified in column 5 of Schedule 1 hereto in respect of that car park.

(4) A Shoppers Season Ticket or a Commuters Season Ticket shall be displayed:-

(a) in a vehicle which has a front windscreen fitted immediately behind the windscreen with its front facing forward so that the relevant details are legible from outside the vehicle or

(b) on a vehicle which has no front windscreen fitted in a conspicuous place on the vehicle so that the front of the ticket is visible from outside the vehicle.

(5) Where the holder wishes to surrender a Season ticket of whatever kind the surrender value shall be calculated in the manner set out on the application form for the issue of a season ticket.

Miscellaneous

11 (1) Where no charge is specified in column 5 of Schedule 1 hereto and no maximum waiting period is specified in column 4 of that Schedule a period of 48 hours shall be deemed to appear in the relevant place in column 4 of that Schedule.

(2) Where a period of time is specified in column 5 of Schedule 1 hereto any person may cause or permit a vehicle not otherwise prohibited from waiting to wait in that parking place outside that period of time.

(3) Where a sign is displayed indicating that a parking place is closed no person shall cause or permit a vehicle to wait in that parking place.

(4) Where a sign is displayed which indicates that a parking place is full no person shall cause or permit a vehicle to wait otherwise than accordance with paragraph (1) (a) of Article 5 above.

(5) No person shall use any vehicle including a disabled person's vehicle in any of the parking places described in Schedule 1 hereto in connection with the selling or offering for hire of goods or services at any time unless that person has obtained the written consent of the council before doing so.

(6) Save where barriers are employed at the entrance to or the exit from a parking place a disabled person's vehicle may be left without charge in a parking space within any of the parking places described in the First Schedule hereto which is marked with sign number 661 in the Traffic Signs Regulations and General Directions 1994.

(7) Any person who is the registered keeper of a vehicle may apply to the Council for the issue to him of a permit to use the Globe Lane Car Park at a nil charge and any such permit shall be subject to the remaining provisions of this Order.

(8) Any person who is a registered keeper of a vehicle and is ordinarily resident at Nos. 44 to 110 even and Nos. 85 to 135 odd Rainham Road may apply to the Council for a key giving access to the Jezreels Car Park and may cause or permit the vehicle to wait in a dedicated parking bay on payment of an annual fee of £70 the said key shall be and remain the property of Medway Council and shall be surrendered

on demand either upon expiry of the period of one year or on receipt of written notice requiring its surrender giving reasons.

- (9) No person causing any vehicle to wait in the James Street, Rhode Street, Sir John Hawkins, The Paddock, Globe Lane, Town Hall and Church Street Car Parks specified in Schedule 1 may purchase more than one ticket in any period of 24 hours.

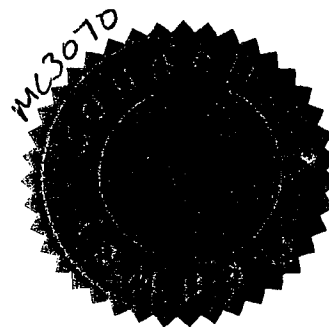
Miscellaneous

- 12 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 Medway Council (Off-Street Parking Places) Order 2000 is hereby revoked.

**The COMMON SEAL of
MEDWAY COUNCIL
Was affixed hereto**

**This 11th day of September 2002
In the presence of**

Ann Crad
AUTHORIZED SIGNATURE



SCHEDULE 46

SPECIFIC DETAILS RELATING TO THE USE OF A DESIGNATED PARKING PLACE

CHATHAM

1	2	3	4	5
Name of parking place	Class of permitted vehicles (see Article 3)	Permitted hours	Maximum waiting period	Scale of charges
Brook Pentagon MSCP	A Maximum height of 1.98 metres (6 feet 6 inches)	24 Hours, 7 days a week	24 hours	Monday to Sunday 0 – 1 hour.....60p 1 – 2 hours80p 2 – 4 hours110p All Day£5.00 Sunday and bank holidays per visit50p
Market Hall MSCP	A maximum height of 1.98 metres (6 feet 6 inches)	24 Hours, 7 days a week	24 hours	Monday to Sunday 0 – 1 hour.....50p 1 – 2 hours70p 2 – 4 hours90p 4 – 6 hours£1.10 6 – 8 hours....£1.90 8 + hours.....£2.70
Church Street Globe Lane James Street Rhode Street Sir John Hawkins The Paddock		24 Hours, 7 days a week	24 hours	7 am to 7 pm Monday to Sunday 0 – 1 hour.60p 1 – 2 hours80p 2 – 4 hours£1.10 4 – 5 hours...£1.20 All Day.....£5.00

SCHEDULE 46 (continued)

CHATHAM (continued)

Old Road Queen Street Riverside Slicketts Hill Town Hall Union Place Union Street Upper Mount Whiffens Avenue		24 Hours, 7 days a week	24 hours	7 am to 7 pm Monday to Sunday 0 – 1 hour.....60p 1 – 2 hours.....80p 2 – 4 hours.....£1.10 4 – 6 hours...£1.40 6 – 8 hours....£2.30 8+.....£2.70
Nelson Terrace		24 Hours, 7 days a week	20 hours	Single tariff.....10p

ROCHESTER

1 Name of parking place	2 Class of permitted vehicles	3 Hours and days of operation	4 Maximum waiting period	5 Scale of charges
Boley Hill		24 Hours, 7 days a week	5 hours	7 am to 7 pm Monday to Saturday 0 – 1 hour.....40p 1 – 2 hours.....70p 2 – 4 hours.....£1.00 5 hours...£1.10
Almon Place Blue Boar Lane Cathedral Garage		24 Hours, 7 days a week	5 hours	7 am to 10 pm Monday to Saturday 0 – 1 hour.....40p 1 – 2 hours.....70p 2 – 4 hours.....£1.00 5 hours.....£1.10
Corporation Street		24 Hours, 7 days a week	24 hours	7 am to 10 pm Monday to Thursday 0 – 1 hour.....40p 1 – 2 hours.....70p 2 – 4 hours.....£1.00 4 – 6 hours...£1.30 6 – 8 hours...£2.20 8+.....£2.60

ROCHESTER (continued)

Berkeley House High Street 1 High Street 2 King Street The Common Union Street		24 Hours, 7 days a week	24 hours	7 am to 7 pm Monday to Saturday 0 – 1 hour.....30p 1 – 2 hours.....60p 2 – 4 hours.....90p 4 – 6 hours...£1.20 6 – 8 hours...£2.10 All Day.....£2.50
Eason's Yard		24 Hours, 7 days a week	24 hours	7 am to 7 pm Monday to Saturday 0 – 1 hour.....40p 1 – 2 hours.....70p 2 – 4 hours.....£1.00 4 – 6 hours...£1.30 6 – 8 hours.....£2.20 8+.....£2.60

SCHEDULE 46 (continued)**STROOD**

1	2	3	4	5
Name of parking place	Class of permitted vehicles	Hours and days of operation	Maximum waiting period	Scale of charges
Commercial Road (North) Strood Waterfront Temple Street		24 Hours, 7 days a week	24 hours	Monday to Saturday 0 – ½ hour.....20p ½ - 1 hour.....40p 1 – 2 hours.....70p 2 – 4 hours.....£1.00 4 – 6 hours...£1.30 6 – 8 hours...£2.20 8+.....£2.60
Grove Road		24 Hours, 7 days a week	24 hours	Monday to Saturday 0 – 1 hour.....40p 1 – 2 hours.....70p 2 – 4 hours.....£1.00 4 – 6 hours...£1.30 6+.....£1.80
Civic Centre		Saturdays, Sundays and Bank Holidays only		Monday to Saturday 0 – ½ hour.....20p ½ - 1 hour.....30p 1 – 2 hours.....60p 2 – 4 hours.....90p 4 – 6 hours...£1.20 6 – 8 hours...£2.10 All Day.....£2.50

SCHEDULE 46 (continued)

GILLINGHAM/RAINHAM

1	2	3	4	5
Name of parking place	Class of permitted vehicles	Hours and days of operation	Maximum waiting period	Scale of charges
Balmoral Gardens Britton Street		24 Hours, 7 days a week	4 hours	7 am to 7 pm Monday to Saturday 0 – 1 hour.....40p 1 – 2 hours.....70p 2 – 4 hours.....£1.00
Britton Farm		Closed overnight	4 hours	7 am to 7 pm Monday to Saturday 0 – 1 hour.....40p 1 – 2 hours.....70p 2 – 4 hours.....£1.00
Cricketers (Rainham) Longley Road		24 Hours, 7 days a week	4 hours	7 am to 7 pm Monday to Saturday 0 – ½ hour.....20p ½ - 1 hour.....40p 1 – 2 hours.....60p 2 – 4 hours.....80p
Jeffrey Street Littlewoods		24 Hours, 7 days a week	2 hours	7 am to 7 pm Monday to Saturday 0 – 1 hour.....40p 1 – 2 hours.....70p
Birling Avenue		24 Hours, 7 days a week	24 hours	Monday to Saturday 7 am to 7pm 0 – ½ hour.....20p ½ - 1 hour.....40p 1 – 2 hours.....70p 2 – 4 hours.....£1.00 4 – 6 hours...£1.30 6 – 8 hours...£2.20 8+.....£2.60

SCHEDULE 46 (continued)

GILLINGHAM/RAINHAM (continued)

Croneens	+ HGV	24 Hours, 7 days a week	48 hours	<p>7 am to 7 pm Monday to Saturday</p> <p>Cars</p> <p>0 – 1 hour.....40p</p> <p>1 – 2 hours.....70p</p> <p>2 – 4 hours.....£1.00</p> <p>4 – 6 hours...£1.30</p> <p>8+.....£1.80</p> <p>2 Days.....£3.60</p> <p>Coaches, HGV and Trailers</p> <p>1 Day.....£3.70</p> <p>2 Days.....£7.20</p>
Station Road		24 Hours, 7 days a week	48 hours	<p>Monday to Saturday</p> <p>0 – 1 hour.....40p</p> <p>1 – 2 hours.....70p</p> <p>2 – 4 hours.....£1.00</p> <p>4 – 6 hours.....£1.30</p> <p>6 – 8 hours.....£2.20</p> <p>8+.....£2.60</p> <p>2 Days.....£5.20</p>