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BOROUGH OF NORTHAMPTON
ROAD TRAFFIC REGULATION ACT 1984
THE NORTHAMPTON BOROUGH COUNCIL (CAMPBELL SQUARE) (PARKING
PLACE) ORDER 1988

The Council of the Borough of Northampton (hereinafter referred to as "the Council") pursuant to arrangements made under Section 101 of the Local Government Act 1972 with the Northamptonshire County Council in exercise of the powers of the said County Council under Sections 45, 46, 49 and 53 of the Road Traffic Regulation Act 1984 (hereinafter referred to as "the Act") and of all other enabling powers and after consultation with the Chief Officer of Police in accordance with Part III of Schedule 9 to the Act hereby make the following Order:-

PART I
GENERAL

1. (1) This Order having been made on the twenty fourth day of June 1988 shall come into operation on the first day of July 1988 and may be cited as the Northampton Borough Council (Campbell Square) (Parking Place) Order 1988
- (2) The Parking Place Orders specified in Schedule 2 are hereby revoked.

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

"driver" in relation to a vehicle waiting in a parking place means the person who was driving the vehicle at the time it was left in the parking place and for the purposes of this Order and any legal proceedings taken thereunder if on the date a vehicle is left in a parking place a person is shown to have been the Registered Owner or Keeper thereof by notification in writing from the appropriate Registration Authority then he shall be deemed to have been the driver of the vehicle on that date unless the contrary is shown.

1. Highway prohib of U-Turn

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For this purpose, the registered keeper will be notified by the Council of this presumption by letter and the method whereby they can rebut the presumption will be explained to him;

"owner" has the same meaning as in Section 101(8) of the Act;

"parking place" means any area of land or purpose built car park specified by name in column 1 of Schedule of this Order provided by the Council for use as a parking place;

"parking bay" means a part of a parking place marked out for the leaving of a vehicle;

"parking attendant" means a person duly authorised by or on behalf of the Council to supervise any parking place;

"relevant position" means in relation to Article 21 of this Order

- (a) in the case of a vehicle fitted with a front windscreen, the badge is exhibited thereon with the obverse side facing forwards on the near side of and immediately behind the windscreen
- (b) in the case of a vehicle not fitted with a front windscreen the badge is exhibited in a conspicuous position on the vehicle

2. The Interpretation Act 1978 shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament

PART II

USE OF PARKING PLACES

3. The land specified by name in column 1 of Schedule to this Order may be used, subject to the following provisions of this Order, as a parking place for such classes of vehicles in such positions and on such days and during such hours and on payment of such charges as are specified in relation to that parking place in this Order and in the said Schedule.

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4. The Council may from time to time determine restricted areas within any parking place and charge such sums for exclusive use thereof for such times and under such conditions as may be agreed between the Council and any licensee

5. Where in this Order and the Schedule thereto a parking place is described as available for vehicles of a specified class or in a specified position, the driver of a vehicle shall not permit it to wait in that parking place:-

- (a) unless it is of the specified class; or
- (b) in a position other than that specified

6. (1) The driver of a vehicle shall not permit it to wait in a parking place outside the validity period of the ticket or in any case for longer than the maximum period permitted for waiting specified in the relevant Schedule to this Order in relation to that parking place

(2) Tickets other than season tickets shall be valid for the day of issue only

(3) Tickets purchased in the parking places specified in Schedule 1 may be used by the purchaser in that parking place and in addition in the long stay car parks contained in the Northampton Borough Council (Off-Street Parking Places) Order 1988 within the validity period of the ticket

(4) Tickets purchased in the parking places specified in Schedule 1 may be used by the purchaser in that parking place within the validity period of the ticket

(5) Season Tickets purchased for the parking place specified in Schedule 1 may be used by the purchaser in that parking place specified in that Schedule and in the long stay car parks contained in the Northampton Borough Council (Off Street Parking Places) Order 1988

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(6) Where within a parking place there is a sign or surface marking which indicates that a parking bay is available 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

7. (1) The driver of a vehicle using a parking place shall forthwith on leaving a vehicle in the parking place pay the appropriate charge in accordance with the Scale of Charges specified in the relevant Schedule of this Order applicable to such parking place provided that no charge shall be payable by the driver of a vehicle left in that parking space who displays a valid season ticket in respect of that vehicle in accordance with the provisions of paragraphs (3) and (6) of this Article

(2) The charge referred to in the last preceding paragraph shall be payable by the insertion of an appropriate coin or coins into the apparatus provided being apparatus generally approved by the Secretary of State for the Environment for such purpose

(3) The ticket issued on payment of the charge referred to in paragraph 1 of this Article or the season ticket issued in accordance with paragraph 6 of this Article shall be attached to the inside of the windscreen of the vehicle in respect of which it was issued, in a conspicuous position so that the particulars of such ticket are clearly visible to persons standing outside the vehicle

(4) The ticket issued on payment of the charge referred to in paragraph (1) of this Article shall not be transferable from one vehicle to another

(5) A standard excess charge of £15 will be payable in the event of contravention of Articles 5, 6(1), 6(6), 7(1), 7(3) or 19(c)(iii) of this Order in addition to which he shall be deemed to have contravened a provision of this Order. Such excess charge shall be paid to the Council either by cheque bankers draft, money order or postal order which shall be sent or delivered by post so as to reach the Borough Treasurer of the Council at 61 Derngate, Northampton not later than 5.00 p.m. (or 4.00 p.m. on Fridays) on the 14th day following the day on which the excess charge was

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8. In the case of a vehicle in respect of which an excess charge may have been incurred it shall be the duty of a parking attendant to attach to the vehicle in a conspicuous position a notice indicating the registration number of the vehicle or the number of the trade plate carried by the vehicle and a statement that the excess charge is required to be paid with details of the manner in which and the time within which the charge should be paid and when any such notice is attached to a vehicle no person not being the driver of the vehicle or a person duly authorised by the Council shall remove the notice from the vehicle unless authorised to do so by the driver

9. The driver of a motor vehicle using a parking place shall stop the engine as soon as the vehicle is in position in the parking place and shall not start the engine except when about to change the position of the vehicle in or to depart from the parking place

10. No person shall use a 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

11. Subject to the proviso hereto, when a vehicle is left in a parking place in contravention of any of the provisions of Article 5, Article 6(1), Article 7(1) or (3) or Article 12 of this Order, a person authorised in that behalf by the Council may remove the vehicle or arrange for it to be removed from that parking place:

Provided that when a vehicle is waiting in a parking place in contravention of the provisions of Article 5(b) of this Order, a person authorised in that behalf of the Council may alter or cause to be altered the position of the vehicle in order that its position shall comply with that provision

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12. The driver of a vehicle shall not permit that vehicle to wait in a parking place unless the vehicle is licensed in accordance with the provisions of Section 1 of the Vehicles (Excise) Act 1971 and unless there is in relation to the use of the vehicle by the driver such a policy of insurance as complies with the requirements of Part VI of the Road Traffic Act 1972

13. The driver of a motor vehicle 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 the parking place

14. No person shall, except with the permission of any person duly authorised by the Council, drive any vehicle in a parking place other than for the purpose of leaving that vehicle in the parking place in accordance with the provisions of this Order or for the purpose of departing from the parking place

15. No person shall, in a parking place wantonly shout or otherwise make any loud noise to the disturbance or annoyance of users of the parking place or residents of the premises in the neighbourhood

16. No person shall in a parking place use any threatening, abusive or insulting language, gesture or conduct 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

17. No person shall use any part of a parking place or any vehicle left in a parking place:-

- (a) for sleeping or camping purposes;
- (b) for eating or cooking purposes; or
- (c) 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

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18. No person shall use a parking place as a means of proceeding from one road to another road

19. 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, or
- (c) indicating a restricted area

no person shall drive or cause 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 that specified, as the case may be
- (iii) so that it enters such restricted area unless permitted

20. 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;

21. The following vehicles left in a parking place shall be exempt from any limitation on time and from the payment of any charge specified in Schedule to this Order:-

- (i) an invalid carriage as defined by Section 136(5) of the Act

Highway Ordinance of U-town

242

(ii) a vehicle issued to a disabled person by the Secretary of State for Social Services in lieu of an invalid carriage

(iii) a vehicle left by the driver thereof who is a person who on account of his severe physical disability has been given notice in writing by the Council that he is exempt from any such charge or limitation on time if the notice is displayed on the vehicle in a conspicuous position

(iv) a disabled persons vehicle which displays in the relevant position a disabled person's badge issued by any local authority in accordance with the provisions of the Disabled Persons (Badges for Motor Vehicles) Regulations 1982 or a badge having effect under those Regulations as if it were a disabled person's badge

22. Any person removing or altering the position of a vehicle by virtue of Article 11 of this Order may do so by towing or driving the vehicle or in such other manner as he may think necessary and may take such measures in relation to the vehicle as he may think necessary to enable him to remove it or alter its position as the case may be

23. When a person authorised by the Council removes or makes arrangements for the removal of a vehicle from a parking place by virtue of Article 11 of this Order, he shall make such arrangements as may be reasonably necessary for the safe custody of the vehicle

24. Should a vehicle parked in the parking place specified in Schedule in contravention of this Order be removed by an authorised person a recovery charge in addition to any unpaid parking charges will be payable before the vehicle is released

25. Any person who contravenes any of the provisions of this Order shall be liable on summary conviction to a fine

26. If at any time while a vehicle is left in a parking place no ticket or tickets are exhibited on that vehicle in accordance with the provisions of paragraph (3) of Article 7 hereof it shall be presumed that the appropriate charge has not been duly paid

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27. Sub-Sections (4) shall apply to any part hereof

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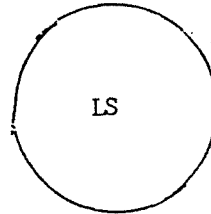
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27. Sub-Sections (4) (5) and (6) of Section 47 of the Act of 1984
shall apply to any parking place within the meaning of Article 1(2)
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H.J. Almond
Borough Solicitor

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SCHEDULE 1

NAME OF PARKING PLACE	POSITION IN WHICH VEHICLES MAY WAIT	CLASSES OF VEHICLE	DAYS OF OPERATION OF PARKING PLACE	HOURS OF OPERATION OF PARKING PLACE	MAXIMUM PERIOD FOR WHICH VEHICLES MAY WAIT	SCALE OF CHARGES	EXCESS CHARGES
Campbell Square (That area bounded by the Church of the Holy Sepulchre, Church Lane, and Campbell Street.)	Wholly within a parking bay	Motor cars within the provisions of Section 136(2)(a) of the Act Motor cycles as defined in Section 136(4) of the Act Motor vehicles constructed or adapted for use for the conveyance of goods or burden the unladen weight of which does not exceed 1525kg	All days	8.00 a.m. to 6.00 p.m.	24 hours	Monday to Saturday 70p. Two wheeled vehicles free Sundays free Season tickets available at a monthly charge of £12.25 for use on Monday to Friday inclusive and at £15.15 for use on Monday to Saturday inclusive	£15 (discounted to £10 if paid within 14 days from date of offence)

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