THE DAVENTRY DISTRICT COUNCIL (OFF-STREET PARKING PLACES) ORDER 2013

DISTRICT OF DAVENTRY

ROAD TRAFFIC REGULATION ACT 1984

THE DAVENTRY DISTRICT COUNCIL (OFF-STREET PARKING PLACES) ORDER 2013

Made: 5th June 2013

Comes into operation: 6th June 2013

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The Council of the District of Daventry (hereinafter referred to as "the Council") in exercise of the powers conferred

- by Sections 32(1)(a), 35, 35A and 38(1) of the Road Traffic Regulation Act 1984 (hereinafter referred to as "the Act"),
- by Part IV of Schedule 9 to the Act, and
- by all other enabling legislation

and after consultation with the Chief Officer of Police and the Traffic Commissioner in accordance with Parts III and V of Schedule 9 to the Act and with the consent of Northamptonshire County Council in accordance with Section 39(3) of the Act hereby make the following order:

Commencement

1. This order shall come into operation on the 6th June 2013 and may be cited as the Daventry District Council (Off-Street Parking Places) Order 2013

Interpretations and Definitions

2. (1) The Interpretation Act 1978 shall apply for the interpretation of this order, and to any order repealed or amended by this order, as it applies for the interpretation of an Act of Parliament.

   (2) Reference in this order to any thing shall include reference to any part of that thing, unless the context requires otherwise.

   (3) Reference in this order to any permit, parking ticket, disabled person's badge or any other document of any form or type shall only apply to such a document where it is validly issued and used.

3. (1) This order shall apply to the parking places listed by name in the first column of the table in Part I of Schedule 1, subject to the limitations and restrictions (if any) specified in relation to that parking place in Part II of the Schedule. This order shall not apply to a parking place while it is closed in accordance with Article 13(3).

   (2) For the avoidance of doubt, the parking places to which this order applies are hereby provided by the Council under Section 32(1)(a) or 38(1)(a) of the Act or under a letting or other arrangement under Section 33(4) of the Act for use as a parking place (as the case may be).

4. (1) In this order, except where the context otherwise requires, the following expressions have the following meanings:

   "2004 Act" – the Traffic Management Act 2004

   "Article" – of this order.

   "Bus Station" means an area of a parking place appointed as a station for public service vehicles.

   "caravan" shall mean any structure which has been designed for, or adapted for, human habitation and which is capable of being moved from one place to another place by any means.

"charity" includes an industrial or provident society treated as a charity for tax purposes.

"civil enforcement" means enforcement of contraventions of this order under the provisions of the 2004 Act and any regulations or orders made under it.

"civil enforcement order" means any order under the 2004 Act designating the District of Daventry as a civil enforcement area for parking contraventions.

"clause" – of the Article in which the reference is.

"cycle stand" means a fixed stand, frame or other device provided by the Council to which pedal cycles or motorcycles are to be attached or rest against.

"Definition Plan" means the plan so entitled as attached to this order.

"designated address" – the address to which payment of Penalty Charges should be made, which shall be determined from time to time by the Council and may include more than one address.

"disabled person's badge" means a badge issued by a local authority in accordance with the provisions of regulations made under Section 21 of the Chronically Sick and Disabled Persons Act 1970 or a card issued by a member state of the European Union in compliance with 98/376/EC – Council Recommendation of 4 June 1998 on a parking card for people with disabilities.

"disabled person's vehicle" means:

a) a vehicle with a disabled person's badge displayed in the relevant position;
b) an invalid carriage as defined by Section 136(5) of the Act; or
c) a vehicle issued to a disabled person by the Secretary of State in lieu of an invalid carriage.

However, a vehicle is a disabled person's vehicle for the purposes of this order only if it is used by the person entitled and in accordance with any terms or regulations that govern the use of the vehicle or 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.

"enforcement regulations" means The Civil Enforcement of Parking Contraventions (England) General Regulations 2007 (SI 2007 No. 3483)

"enforcing authority" means any person whom the District Council has agreed may undertake parking enforcement on behalf of or instead of the District Council.

"month" means a calendar month.

"order" means this order, Schedules 1 to 6 inclusive to this order, the reference plans and the Definition Plan.

"owner" has the same meaning as in Section 101(8) of the Act and "owned" shall be construed accordingly.

"parking" means leaving a vehicle stationary whether the driver leaves the vehicle or not, but excluding such times as the vehicle is stationary in order to avoid a collision or by reason of circumstances beyond the driver's control.

"parking attendant" means a person duly authorised by or on behalf of the Council (including by an enforcing authority) to supervise any parking place.

"parking bay" means any part of a parking place defined by lining or any other appropriate means for the leaving of a vehicle.

"Penalty Charge Notice" means a notice to be placed on a vehicle, as described in Article 27, indicating liability to a Penalty Charge.

"permit" means any or all of the types of permit which may be issued under Article 7 and shall be understood depending on the context.

"property" means, in the case of a building divided into flats or similar, each of those divisions.

"public service vehicle" has the meaning given in the Public Passenger Vehicles Act 1981.

"reference plans" means Plans 1 to 13 inclusive as attached to this order.

"relevant position" means placed so as to be clearly legible from outside the vehicle and:

a) in the case of a vehicle fitted with a front windscreen, immediately behind the front windscreen.

b) in the case of a vehicle not fitted with a front windscreen, on and towards the front of the vehicle and in a conspicuous position.

"Schedule" means a numbered Schedule contained within this order.

"third party provider" – means a person who has provided a parking place under Section 33(4) of the Act.

"ticket machine" means a device, provided by the Council, situated in or near to the parking place which issues parking tickets for payment.

"VAT" means Value Added Tax and includes any replacement or additional tax or duty that may be imposed by law on the supply of goods or services.

"in writing" – includes transmission by facsimile and any other means resulting in a permanent record.

(2) In this order, except where the context otherwise requires, the following expressions have the same meanings as in Section 109 of the Act:

- "hiring agreement"
- "statement of liability"
- "vehicle-hire firm"

(3) In this order, the following expressions have the same meanings as in the 2004 Act:

- "Penalty Charge"
- "Penalty Charge Notice"
- "civil enforcement area"

5. (1) In any legal proceedings or other enforcement action taken under this order the following person shall be deemed to be the driver of the vehicle (and therefore responsible for any breach of or non-compliance with this Order):

a) If a person accepts liability and pays any Penalty Charge that may be due, that person.
b) If the registered keeper is a vehicle-hire firm and provides a statement that the vehicle concerned was at the relevant time hired under a hiring agreement together with:
   (i) a copy of the hiring agreement, and
   (ii) a copy of the statement of liability, signed by the hirer under that hiring agreement,
   the hirer named in the statement of liability.
c) If the registered keeper provides proof that the vehicle was used at the relevant time without their consent, the person who used the vehicle.
d) In all other cases, the registered keeper.

(2) In this Article, "registered keeper" means the person notified in writing by the appropriate registration authority as the registered keeper of the vehicle concerned at the relevant time; and the "relevant time" means the time and date at which the breach of or non-compliance with this Order took place.

(3) This Article is subject to the provisions of Regulation 5 of enforcement regulations where this has a contrary effect.

Charges and Fees

6. Charges and fees mentioned in this order shall have the values determined in accordance with Schedule 4, except for the Penalty Charge which shall have a value determined by the Council from those permitted in accordance with Part 3 of Schedule 9 of the 2004 Act. The current level of charges for parking, of the Penalty Charge and Out of Hours Exit Charge shall be indicated in the parking places to which they apply.

Permits and Season Tickets

7. (1) Permits may be issued by the Council or such persons as the Council may approve from time to time as described in clauses (2) to (8) inclusive, subject to the charges set out in Schedule 4 and to the provisions of Articles 9 and 11.

(2) Business Loading Permits: to a person or organisation on the grounds that;

a) They are conducting a business from a property near one of the parking places,
b) They need to load goods onto a vehicle for dispatch to customers or the vehicle is required to carry customers,

c) The goods cannot reasonably be carried or customers taken (as the case may be) to a vehicle parked at a location where a permit would not be required (and which would not cause danger or inconvenience to the public); and
d) They have no facility for parking the vehicle within their premises (including any land over which they have rights) and could not reasonably make space available for this purpose.

or on the grounds that:

a) They are conducting a business which requires visits to the town centre to deposit or collect items of such high value that there is a significant risk of theft of the items,
b) In order to minimise the risk of theft, it is reasonably necessary to park a vehicle in a parking place subject to a no-return period; and
c) The visits need to be made on such a frequent basis that a vehicle used to transport the items would fail to comply with the no-return period applying to the parking area in question (but otherwise the stays are short).

(3) Special Exemption Permits: to a person who serves as a reserve fire fighter (or serves the community in a comparable fashion) and the nature of their service makes ready access to a vehicle important. There shall be no charge for Special Exemption Permits.

(4) Residents' Exemption Permits: to a person on the following grounds and terms:

a) Their normal residence is a property within the dashed line on the Definition Plan.
b) For the property in which they are resident, the number of residents entitled to drive a motor vehicle and the number of motor vehicles owned by the residents both exceed the number of parking spaces which those residents have the right to use at or adjacent to the property.
c) Residents' Exemption Permits for properties constructed on or after 1st July 2007 shall be charged at the non-discounted rate.
d) Residents' Exemption Permits for properties constructed before 1st July 2007 shall be charged at the discounted rate for the first permit for the property and at the non-discounted rate for all further permits.

(5) Reserved Parking Permits: to persons desiring reserved parking.

(6) All-Area Permits: to parking attendants and staff and contractors engaged in working for the Council in the parking places.

(7) Temporary Permits: to a person carrying out construction or similar work in or near to the parking place whose vehicle cannot reasonably be parked at a location where a permit would not be required (and which would not cause danger or inconvenience to the public).

(8) Car Share Permits: to a person who is a member of a scheme approved by the Council for the purpose of encouraging the sharing of car trips.

8. Season tickets shall be those parking tickets defined as such in Schedule 4 and may be issued to persons, subject to the provisions of Articles 9 and 11, for the charges defined in that Schedule.

9. The following shall apply to all permits and season tickets, except that clauses 5 and 6 shall not apply to Temporary Permits:

(1) Permits and season tickets shall only be valid for the vehicle, person, parking place, price band and/or other details (as appropriate) given on the permit or season ticket.

(2) Issue shall be dependant on the Applicant agreeing to the terms of issue given in the relevant Part of Schedule 5 and such other reasonable terms as the Council may determine from time to time.

(3) In the event that the holder of a permit or season ticket wishes to change the vehicle to which the permit or season ticket applies, or to have a lost or damaged permit or season ticket replaced, he shall:

a) Notify the Council in writing of the change of details, or that the original permit or season ticket has been lost or damaged;
b) Surrender (where possible) the original permit or season ticket; and
c) Pay the Administration Charge as defined in Table 3 of Schedule 4.

The Council shall then issue a replacement permit or season ticket (as the case may be) which shall be valid until the time the original permit or season ticket would have expired.

(4) The Council may waive or reduce fees where the applicant is a charity or in the case of its staff and contractors.

(5) Permits and season tickets shall have a maximum term of twelve months and shall, in any event, expire on March 31st each year.

(6) In the event that a permit or season ticket is given up before it would otherwise have expired, a refund calculated as follows shall be made. The refund shall be equal to the fee paid for the permit or season ticket less the sum of the fee which would have been due for the period the permit or season ticket was actually held and the Administration Charge.

10. The Council may issue a skip permit to a person on the grounds that they need to dispose of a substantial quantity of waste and could not reasonably place a skip in a location where a permit would not be required (and which would not cause danger or inconvenience to the public). Issue of a skip permit shall be subject to the charges set out in Schedule 4, and clauses (1) to (4) inclusive of Article 9 shall apply to skip permits as they apply to permits.

11. An agreement between the Council and a third party provider may specify in relation to a parking place provided by the third party provider that the third party provider may issue passes for the use of that parking place on such terms, and for such charges, as it determines (notwithstanding Schedules 4 and 5). Such passes shall be deemed to be either reserved parking permits (if the parking place is a restricted area) or season tickets (in any other case) but Article 9 shall not apply to such passes.

12. No person shall interfere with a permit or parking ticket (including a season ticket) or skip permit, or alter, copy or replicate a permit or parking ticket (including a season ticket) or skip permit, without the written authority of the Council.

Authorisation and Use of Parking Places

Section I: Authorisation and Restriction

13. (1) A parking place may be used by such classes of vehicles, and for such durations and on such days and during such times as are specified in relation to that parking place in this order, subject to the following provisions of this order.

(2) Nothing in this order shall prevent the Council from closing a parking place for any period of time, provided that it indicates this by signs, markings, barriers or other appropriate means in that parking place or by closing gates or other barriers.

(3) Nothing in this order shall prevent the Council from closing a parking place so that it can be used otherwise than as a parking place (including for the carrying out of maintenance or improvement works) for any period of time, provided that it indicates this by signs, markings, barriers or other appropriate means in that parking place or by closing gates or other barriers.

14. The Council may, from time to time, designate a parking place as a Restricted Area for the exclusive use of holders of Reserved Parking Permits for that Restricted Area and/or season ticket holders for that price band. The restriction may apply at all times or during certain specified times and shall be indicated by signs or markings in the parking place.

15. The Council may, from time to time, designate a parking place as a Restricted Area for the exclusive use of holders of Car Share Permits for that Restricted Area. The restriction may apply at all times or during certain specified times and shall be indicated by signs or markings in the parking place. The Council shall specify the minimum number of Car Share Permits to be displayed by any vehicle parked in a Restricted Area during the times that the restrictions apply and this shall be indicated on the signs and markings.

Section II: Entry and Movement

16. (1) No vehicle shall attempt to enter or exit a parking place when any form of barrier is positioned so as to prevent that movement, or when a red light or other signal indicates that a vehicle should not enter or exit (as the case may be) the parking place.

(2) In the event it is desired that a vehicle should exit a parking place at a time when, in accordance with a sign to this effect, a barrier prevents this the Council shall be entitled to charge the Out of Hours Exit Charge. On receipt of payment of the fee the Council shall arrange for the barrier to allow exit. The Council may, but is not obliged to, accept a promise of payment of the Out of Hours Exit Charge at a later time and arrange for the barrier to allow exit.

17. Except with the permission of a person duly authorised by the Council no vehicle may:

(1) enter or attempt to enter a parking place if its maximum gross weight exceeds 7.5 tonnes, other than a vehicle entitled to park in a Bus Station in order to access that Bus Station.

(2) enter or attempt to enter a parking place while the parking place is closed in accordance with Article 13(2) or (3).

(3) drive in a parking place other than for the purpose of parking in the parking place in accordance with the provisions of this order or for the purpose of departing from the parking place, except:

a) by direction of a police officer in uniform or traffic warden;
b) an ambulance, doctor's vehicle, fire engine or police vehicle when necessary;
c) in exercise of an existing right of access over the parking place; or
d) riding a pedal cycle on a cycle route which passes through the parking place.

(4) drive on any footway, footpath, landscaped area or similar area in a parking place.

(5) drive at a speed exceeding ten miles per hour within a parking place.

(6) drive a vehicle for the purpose of driving practice.

18. The driver of a vehicle in a parking place shall:

(1) comply with the directions regarding movement given by a person duly authorised by the Council;

(2) subject to clause 1, comply with such signs as may be erected or surface markings as may be laid for the purpose of indicating:

a) the entrance to or exit from the parking place;
b) that a vehicle using the parking place shall proceed in a specified direction within the parking place;
c) the priority accorded to different vehicular routes, including an indication that it is necessary for a vehicle to stop at a junction before proceeding;
d) that pedestrians have priority; or
e) any other instruction or direction.

(3) drive with due care and attention and not drive in a manner likely to endanger any other person.

Section III: Control of Parking

19. (1) No vehicle shall, subject to the exemptions detailed in clause 3, be parked in a parking place for longer than the maximum period permitted in relation to that parking place in Schedule 2.

(2) No vehicle shall, subject to the exemptions detailed in clause 3, be parked in a parking place listed in Schedule 2 until a period of not less than four hours has elapsed since it was last parked in that parking place or any other parking place listed in the same Group in Schedule 2.

(3) The following vehicles are exempt from the maximum periods of stay and minimum return periods set out above:

a) a disabled person's vehicle;
b) a pedal cycle;

c) a motorcycle;
d) a vehicle displaying in the relevant position a permit appropriate to that parking place.

(4) Without prejudice to the specific provisions of the above clauses, no vehicle except one showing in the relevant position a Residents' Exemption Permit, Reserved Parking Permit, All-Areas Permit or Temporary Permit, or with the written consent of the Council, shall be parked in a parking place for a period exceeding 48 hours.

20. No vehicle shall, except with the permission of a person duly authorised by the Council:

(1) park on any footway, footpath, landscaped area or similar or so as to obstruct:

a) any access to or from the parking place (whether onto a highway or not);
b) access from one area of the parking place to another; or
c) any vehicle from leaving the place where it is parked.

(2) in any parking place where parking bays are delineated, park otherwise than completely in a parking bay. In the case of a pedal cycle or motorcycle, this condition shall be deemed to have been complied with if the cycle is placed at a cycle stand in the manner intended.

(4) where a parking bay is designated as available only for disabled persons' vehicles, park in that parking bay unless it is a disabled person's vehicle.

(5) where a parking bay is designated as available only for pedal cycles or motorcycles, park in that parking bay unless it is pedal cycle or motorcycle (as the case may be).

(6) where an area of the parking place is designated for loading, park in that area except for, and so long as it is necessary for, loading or unloading from the building which the loading bay is intended to serve.

(7) park in a Restricted Area under Article 14 unless it displays in the relevant position a season ticket or Reserved Parking Permit appropriate to that Restricted Area, or an All-Areas Permit.

(8) park in a Restricted Area under Article 15 unless there are displayed in the relevant position at least the number of car share permits required in connection with that Restricted Area under Article 15, being permits held by persons transported in the vehicle at the time it was parked.

(9) park in a parking bay which is designated to be for the use of charging electrically powered vehicles unless the vehicle is an electrically powered vehicle (in whole or part) and it is to be charged.

(10) run its engine when parked except when about to change position in or to depart from the parking place.

(11) be used for, or to assist with, any of the activities prohibited under Article 24 or 25.

21. Bus Stations shall be as defined in Schedule 3 and the reference plans. Within a Bus Station:

a) Except with the permission of a person duly authorised by the Council, no vehicle other than a public service vehicle or a vehicle displaying in the relevant position an All-Areas Permit may park.
b) The provisions of Section 35A(5) of the Act (prohibition on accepting passengers for hire etc.) shall not apply to public service vehicles.
c) No public service vehicle may park or otherwise use the area unless the operator of that vehicle has received from the Council consent in writing for it to do so.
d) Public service vehicles shall comply with any instructions issued by the Council in respect of which areas shall be used by vehicles operating particular routes, vehicles serving particular areas or functions or different types of vehicles. Such instructions may include provisions relating to durations of stay, times, dates and dates of use and other relevant requirements.

Section IV: Payment for Parking

22. Charges shall apply for parking according to the price band given for each parking place in Part I of Schedule I. The charges for each price band, and the times during which they are applicable, shall be as given in Schedule 4.

23. (1) No vehicle shall be parked in a parking place to which a charge applies during the times the charge applies unless it is an exempt vehicle or is showing the front face of a parking ticket in the relevant position. In this Article, a vehicle is exempt if it is a pedal cycle, motorcycle or disabled person's vehicle or is showing a season ticket appropriate to that price band or permit appropriate to that parking place in the relevant position.

(2) When a non-exempt vehicle is parked in a parking place to which a charge applies,

a) if it is parked during the times a charge applies, forthwith after parking, or
b) if it is parked at a time when a charge does not apply, before the time when a charge begins to apply.

the driver shall obtain a parking ticket by making payment and giving such information concerning his vehicle as may be required at a ticket machine, and display the front face of the parking ticket in the relevant position on the vehicle.

(3) Each parking ticket shall be valid for the period paid for, commencing at the date and time it was issued, and shall only be valid for one vehicle.

(4) The total duration of parking paid for per day in any price band for an individual vehicle shall not exceed the maximum length of time it is permitted to purchase a single parking ticket for that price band. Any parking ticket displayed in contravention of this provision shall be invalid and the vehicle shall be deemed to have contravened clause 1.

24. No person shall in a parking place, without the written consent of the Council:

(1) sell or offer for sale or for hire any article, service or skill or do anything in connection with such whether from a vehicle or otherwise.

(2) distribute or affix or cause to be distributed or affixed any leaflet or literature or any form of advertising material in a parking place or on any vehicle in a parking place.

(3) place a caravan or trailer, except where the trailer is connected to a vehicle and the combination of vehicle and trailer is fully within a parking space.

(4) erect or cause or permit to be erected any tent, booth, stand, scaffolding, building or other structure, or place or cause or permit to be placed any materials, waste or any other like object.

(5) light or cause or permit to be lit any fire.

(6) use any vehicle, trailer or caravan left in a parking place for camping, cooking or overnight sleeping.

(7) wash, valet or service any vehicle other than as reasonably necessary to enable that vehicle to depart from the parking place.

(8) carry out any action liable to cause nuisance disturbance or danger to any person legitimately using the parking place or present in the surrounding area or buildings, or to put any such person in fear, or to allow any person or animal for whom or for which they are responsible to do so.

(9) sound a horn or other similar instrument except when about to change the position of a vehicle in or to depart from the parking place and where it is necessary to alert another person to the risk of a collision.

(10) play or take part in any ball game or any other game.

(11) consume alcohol or drugs.

(12) leave any shopping trolley unattended (except in a place intended for the deposition of shopping trolleys) or in any event in such a position so as to cause annoyance, obstruction, nuisance or danger to other users of the Parking Place.

25. No person shall place or cause to be placed a skip in a parking place, unless the Council has issued a skip permit which applies during the time in question to that skip.

Penalties and Enforcement

26. (1) Penalty Charge Notices shall be served by Parking Attendants in accordance with the provisions of enforcement regulations

(2) In the case of a vehicle parked in contravention or possible contravention of either Article 19(1) or 19(2) it shall be sufficient for the nature of the offence to be indicated as "Time Regulation Offence" or similar wording to a like effect.

27. (1) Any person duly authorised by the Council or a police officer may move or cause to be moved, in the case of an emergency, any vehicle left in a parking place to any place that they consider appropriate.

(2) When a vehicle is left in a parking place in contravention of a provision of this order a person authorised in that behalf by the Council may:

a) remove the vehicle or arrange for it to be removed from that parking place; or
b) alter or cause to be altered the position of the vehicle in order that its position shall comply with the provision contravened.

(3) Any person removing or altering the position of a vehicle 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.

(4) When a person authorised by the Council or a Police Officer removes or makes arrangements for the removal of a vehicle from a parking place, he shall make such arrangements as may be reasonably necessary for the safe custody of the vehicle and except in the case of negligence shall not be liable for any damage or loss caused to the vehicle or its contents as a result of it being moved within a parking place or removed from a parking place.

(5) A person seeking the release of a vehicle from safe custody shall:

a) provide documentary or other satisfactory evidence of his right to take the vehicle; and
b) pay the Recovery Charge.

The vehicle shall then be released.

(6) In this Article and Article 28, "vehicle" includes a trailer or caravan or any other object.

28. (1) If a vehicle is removed from a parking place in accordance with Article 29(2)(a) above and appears to have been abandoned, the Council may sell or otherwise dispose of the vehicle after having made reasonable enquiries to ascertain the name and address of the owner and may recover any expenses and charges reasonably incurred from any person responsible.

(2) The Council shall be deemed to have made reasonable enquiries if it has taken the steps prior to disposal which would be required in accordance with Regulations made under the Act regarding a vehicle left on a road and appearing to be abandoned.

Amendments, Repeals and Transitional Provisions

29. The orders described in Part I of Schedule 6 shall be repealed to the extent specified in that Part of the Schedule.

30. Certain provisions of this order shall not come into effect, either in their entirety or in relation to certain parking places, until the date or condition stated in Part II of Schedule 6 comes to pass. Until a provision comes into effect the alternative provisions given in that Part of the Schedule shall have effect.

THE DAVENTRY DISTRICT COUNCIL
(OFF-STREET PARKING PLACES) ORDER 2013

Schedule 1 - Part I

Definition of Parking Places

The parking places referred to in the order are as set out in the first column of the table below and shown edged black on the reference plans.

Name of Parking Place	Price Band
Bowen Square	Band A
Brook Street	None
Chapel Lane	None
Chaucer Way	Band B
Country Park Overspill	Band N
Country Park Main	Band N
Eastern Way	Band B
Foundry Court	None
Foundry Place	None
Golding Close	Band B
High Street	None
Lodge Road Lower	Band B
Lodge Road Upper	Band A
New Street	Band A
New Street Bus Station	None
Newlands	Band A
Old Gas Works	Band B
Primrose Hill	Band A
St James	Band A
St John's Square	Band A
Tamar Square	None
Waterloo	Band A
Welton Road	Band B

Schedule 1 - Part II

Limitations and Restrictions

The following limitations shall apply to the application of this order to the parking places listed below:

Name of Parking Place	Limitation or Restriction
New Street	The order shall only apply during such periods as may be determined by the Council. The commencement date of any such period shall be published in a notice in a newspaper circulating in the area of the parking place prior to the date being reached.
Waterloo	The order shall only apply during such periods as may be determined by the Council. The commencement date of any such period shall be published in a notice in a newspaper circulating in the area of the parking place prior to the date being reached.

Schedule 2

Limitations on Periods of Stay

Parking duration is limited to the times shown below, between 08:00hrs and 18:00hrs, Monday to Saturday inclusive, in the parking places set out below and marked on the reference plans as detailed below (subject to the exemptions as defined in the order).

Group 1 Parking Places			
Name of Parking Place	**Area**	**Hatching on reference plans**	**Time Limit**
Bowen Square	Whole area	Close/wide hatched	1½ hours
Brook Street	Whole area	Single hatched	3 hours
High Street	Whole area	Cross-hatched	30 minutes
Lodge Road Upper	Section	Double-hatched	4 hours
Lodge Road Upper	Section	Cross-hatched	30 minutes
Lodge Road Upper	Whole area, except 30 minute and 4 hour sections	Single hatched	3 hours
Newlands	Whole area	Single hatched	3 hours
New Street	Whole area	Single hatched	3 hours
Old Gas Works	Whole area	Single hatched	3 hours
Primrose Hill	Whole area	Single hatched	3 hours
St John's Square	Whole area, except 30 minute sections	Single hatched	3 hours
St John's Square	Layby near Leisure Centre entrance	Cross-hatched	30 minutes
St John's Square	Area to the North of the Abbey Centre	Cross-hatched	30 minutes
Waterloo	Whole Area	Single hatched	3 hours

Limitations on Opening Hours

Opening hours are limited to the times shown below in the parking places set out below and marked on the reference plans as detailed below

Group 2 Parking Places			
Name of Parking Place	**Area**	**Hatching on reference plans**	**Opening Hours**
Welton Road	Whole area	Single-hatched	As described on pedestrian entrance notice boards

Schedule 3

Bus Stations

The parking places set out below and marked in a honeycomb pattern on the reference plans shall be designated as stations for public service vehicles and the provisions of Article 21 shall apply.

Name of Parking Place	Area to which Article 21 applies
New Street	Area adjacent to bus shelters at New Street

Schedule 4

Charges and Fees

In this Schedule, "Index Figure" means £1.00 on 1st April 2013, increased on April 1st each subsequent year in proportion to the published annual Retail Price Index (or in that event that the Retail Price Index ceases to be published, the official replacement measure of inflation) for the preceding September. In the event that VAT is judged to apply to any of the amounts defined below, the amount in question shall be deemed to include VAT at the applicable rate.

The charges and fees mentioned in the order shall have the following values:

Table 1: Charges levied as 'penalties'

These values shall be rounded to the nearest five pounds:

Name	Article	Value is Index Figure multiplied by...
Recovery Charge	29(5)	165.00
Out of Hours Exit Charge	33	30.00

Table 2: Parking tickets (Articles 22 and 23)

These values shall be rounded to the nearest ten pence (for tickets other than season tickets) or to the nearest whole pound (for season tickets).

Price Band	When charge applies (inclusive periods)	Charge applies to...	Duration of parking ticket	Charge is Index Figure multiplied by...
Band A	8:00am to 6:00pm, Monday to	All motor vehicles*	30 minutes	0

Price Band	When charge applies (inclusive periods)	Charge applies to...	Duration of parking ticket	Charge is Index Figure multiplied by...
	Saturday, except on Good Friday, Easter Sunday, Easter Monday, Christmas Day, Boxing Day and New Year's Day.		1 hour	0.70
			2 hours	1.30
			3 hours	2.00
Band B	8:00am to 6:00pm, Monday to Saturday, except on Good Friday, Easter Sunday, Easter Monday, Christmas Day, Boxing Day and New Year's Day.	All motor vehicles*	1 hour	0.70
			2 hours	1.30
			3 hours	2.00
			4 hours	2.50
			All day	3.50
			(S) Four weeks	75.00
			(S) Thirteen Weeks	250.00
Band N	8:00am to 8:00pm, all days except on Good Friday, Easter Sunday, Easter Monday, Christmas Day, Boxing Day and New Year's Day.	All motor vehicles*	All day	2.00
			(S) Four weeks	15.00
			(S)Thirteen weeks	30.00
			(S) Fifty-two weeks	60.00

* A motorcycle may park in a designated motorcycle bay free of charge but normal tariffs apply when using a standard parking bay.

In this table, parking tickets for the durations prefixed with (S) are season tickets as defined in Article 8

Table 3: Other fees and charges

These values shall be rounded to the nearest whole pound:

Name	Article	Value is Index Figure multiplied by.....
Business Loading Permit fee per month	7(2)	24.00
Special Exemption Permit fee	7(3)	0.00 (Free)
Residents' Exemption Permit fee per year (discounted rate)	7(4)	17.00
Residents' Exemption Permit fee per month (non-discounted rate)	7(4)	24.00
Reserved Parking Permit fee per month (per space)	7(5)	60.00
All-Areas Permit fee	7(6)	0.00 (Free)
Temporary Permit fee per month or any lessor period	7(7)	17.00
Car Share Permit fee	7(8)	0.00 (Free)
Administration Charge	9(3), 9(6)	17.00
Skip fee per month or any lesser period	10	24.00

Schedule 5 - Terms of Issue for Permits and Season Tickets

Schedule 5 – Part I

Terms of Issue for Business Loading Permits

The following terms shall apply to the issue of all Business Loading Permits:

1. The "Council" means Daventry District Council, and "you" means the person applying for the permit.
2. The Business Loading Permit ("permit") shall remain the property of the Council and may be withdrawn at any time for misuse or for persistent breaches of the order.
3. By signing this form, you declare that the requirements of the order for the issue of a permit apply to your business.
4. The permit applies only to the vehicle with the registration number shown on the permit (or, exceptionally, the vehicles with the registration numbers shown, but the permit shall only apply to one vehicle at any one time).
5. The permit applies only to the car park(s) shown on the permit and does not apply to parking spaces which are designated for loading only.
6. You hereby agree that the Council may inspect without notice your premises and the vehicle(s) for which the permit is issued in order to verify that the business is entitled to a permit and that these Terms are being complied with.
7. The permit is only effective when displayed behind the front windscreen (or otherwise towards the front of the vehicle if the vehicle does not have a windscreen) with its front face clearly legible from the outside of the vehicle.
8. No rights are hereby granted to any third party under the terms of the Contracts (Rights of Third Parties) Act 1999.

Schedule 5 - Part II

Terms of Issue for Special Exemption Permits

The following terms shall apply to the issue of all Special Exemption Permits:

1. The "Council" means Daventry District Council, and "you" means the person applying for the permit.
2. The Special Exemption Permit ("permit") shall remain the property of the Council and may be withdrawn at any time including for misuse or for persistent breaches of the order.
3. By signing this form, you declare that the requirements of the order for the issue of a permit apply to you.
4. The permit applies only to you, and only while you continue to carry out the community service detailed in the application. You hereby undertake to surrender the permit should you cease carrying out the community service.
5. The permit applies only to the car park(s) shown on the permit.
6. You hereby agree that the Council may consult with and obtain information from the organisation for which you carry out the community service in order to verify that you are and continue to be entitled to a permit.
7. The permit is only effective when displayed behind the front windscreen (or otherwise towards the front of the vehicle if the vehicle does not have a windscreen) with its front face clearly legible from the outside of the vehicle.
8. No rights are hereby granted to any third party under the terms of the Contracts (Rights of Third Parties) Act 1999.

Schedule 5 - Part III

Terms of Issue for Residents' Exemption Permits

The following terms shall apply to the issue of all Residents' Exemption Permits:

1. The "Council" means Daventry District Council, and "you" means the person applying for the permit.
2. The Residents' Exemption Permit ("permit") shall remain the property of the Council and may be withdrawn at any time for misuse or for persistent breaches of the order.
3. By signing this form, you declare that the requirements of the order for the issue of a permit apply to you.
4. The permit applies only to the vehicle with the registration number shown on the permit (or, exceptionally, the vehicles with the registration numbers shown, but the permit shall only apply to one vehicle at any one time).
5. The permit applies only to the car park(s) referred to on the permit.
6. You hereby agree that the Council may obtain information from the electoral register, Council Tax records and any other records in order to verify that you are and continue to be entitled to a permit.
7. The permit is only effective when displayed behind the front windscreen (or otherwise towards the front of the vehicle if the vehicle does not have a windscreen) with its front face clearly legible from the outside of the vehicle.
8. No rights are hereby granted to any third party under the terms of the Contracts (Rights of Third Parties) Act 1999.

Schedule 5 - Part IV

Terms of Issue for Reserved Parking Permits

The following terms shall apply to the issue of all Reserved Parking Permits:

1. The "Council" means Daventry District Council, and "you" means the person applying for the permit.
2. The Reserved Parking Permit ("permit") shall remain the property of the Council and may be withdrawn at any time for misuse or for persistent breaches of the order.
3. The permit applies only to the vehicle with the registration number shown on the permit (or, exceptionally, the vehicles with the registration numbers shown, but the permit shall only apply to one vehicle at any one time).
4. The permit applies only to the car park(s) and, if appropriate, parking bay(s) shown on the permit.
5. The permit is only effective when displayed behind the front windscreen (or otherwise towards the front of the vehicle if the vehicle does not have a windscreen) with its front face clearly legible from the outside of the vehicle.
6. You accept that the Council cannot guarantee the availability of a parking space, and no compensation will be payable if one cannot be found. However, the Council undertakes to make reasonable use of its enforcement resources to minimise the chances of this occurring.
7. No rights are hereby granted to any third party under the terms of the Contracts (Rights of Third Parties) Act 1999.

Schedule 5 - Part V

Terms of Issue for All-Area Permits

The following terms shall apply to the issue of all All-Area Permits:

1. The All-Areas Permit ("permit") shall remain the property of the Council and may be withdrawn at any time including for misuse or for persistent breaches of the order.
2. The permit applies only to the vehicle with the registration number shown on the permit.
3. The permit may only be used when the vehicle is being used in relation to work being carried out in the Council's parking places.
4. The permit applies subject to any restrictions shown on it.
5. The permit is only effective when displayed behind the front windscreen (or otherwise towards the front of the vehicle if the vehicle does not have a windscreen) with its front face clearly legible from the outside of the vehicle.
6. No rights are hereby granted to any third party under the terms of the Contracts (Rights of Third Parties) Act 1999.

Schedule 5 - Part VI

Terms of Issue for Temporary Permits

The following terms shall apply to the issue of all Temporary Permits:

1. The "Council" means Daventry District Council, and "you" means the person applying for the permit.
2. The Temporary Permit ("permit") shall remain the property of the Council and may be withdrawn at any time for misuse or for persistent breaches of the order.
3. By signing this form, you declare that the requirements of the order for the issue of a permit apply to you.
4. The permit applies only to the vehicle with the registration number shown on the permit (or, exceptionally, the vehicles with the registration numbers shown, but the permit shall only apply to one vehicle at any one time).
5. The permit applies only to the car park(s) shown on the permit and shall only be used while the reason for issuing the permit applies (for example, while building work is actually being carried out).
6. You hereby agree that the Council may inspect without notice your vehicle and works in order to verify that you are and continue to be entitled to a permit.
7. The permit is only effective when displayed behind the front windscreen (or otherwise towards the front of the vehicle if the vehicle does not have a windscreen) with its front face clearly legible from the outside of the vehicle.
8. No rights are hereby granted to any third party under the terms of the Contracts (Rights of Third Parties) Act 1999.

Schedule 5 - Part VII

Terms of Issue for Season Tickets

The following terms shall apply to the issue of all season tickets:

1. The "Council" means Daventry District Council, and "you" means the person applying for the season ticket.
2. The season ticket shall remain the property of the Council and may be withdrawn at any time for misuse or for persistent breaches of the order.
3. The season ticket applies only to the vehicle with the registration number shown on it (or, exceptionally, the vehicles with the registration numbers shown, but the season ticket shall only apply to one vehicle at any one time).
4. The season ticket applies only to the car park(s) in the price band stated on it.
5. You hereby accept that the Council cannot guarantee the availability of a parking space, and no compensation will be payable if one cannot be found. However, the Council undertakes to use its reasonable judgement in the number of season tickets issued to minimise the chances of this occurring.
6. The season ticket is only effective when displayed behind the front windscreen (or otherwise towards the front of the vehicle if the vehicle does not have a windscreen) with its front face clearly legible from the outside of the vehicle.
7. No rights are hereby granted to any third party under the terms of the Contracts (Rights of Third Parties) Act 1999.

Schedule 5 - Part VIII

Terms of Issue for Skip Permits

The following terms shall apply to the issue of all Skip Permits:

1. The "Council" means Daventry District Council, and "you" means the person applying for the permit.
2. The Skip Permit ("permit") shall remain the property of the Council and may be withdrawn at any time for misuse or for persistent breaches of the order.
3. By signing this form, you declare that the requirements of the order for the issue of a permit apply to your business. You are also confirming that the skip owner will indemnify the Council against any liability, loss, claim or proceeding whatsoever arising under Common or Statute Law in respect of the placing, removal or maintaining of the skip in a parking place. The sum covered shall be at least £5,000,000 for any one event.
4. The permit applies only to the car park(s) and location(s) shown on the permit and is valid for 4 calendar weeks from it's date of issue. After 4 calendar weeks the skip must either be removed or a new application made and further payment made.
5. You hereby agree that the Council may inspect without notice your premises and the skip for which the permit is issued in order to verify that the business is entitled to a permit and that these Terms are being complied with.
6. The skip must be placed entirely within a single parking space and must not be placed so as to impede surface water drainage nor to obstruct access to property, gullies, manholes, fire hydrants or any other apparatus of any utility. The skip must not be used for putrescible, hazardous or noxious substances.
7. You are responsible for ensuring that the area around the skip is kept in a clean and tidy condition, and for ensuring that the area where the skip was placed is left in a clean and tidy condition after the skip is removed. Any damage caused must be

immediately notified to the Council and any spillage shall be immediately removed. You are responsible for ensuring that the skip is clearly signed and illuminated at all times and for ensuring that it is left in a parking place only for so long as is necessary. The skip must be marked in compliance with The Builders Skips (Markings) Regulations 1984.

8. You are responsible for any damage to property of the Council or any other person (third party) resulting from any failure or negligence on your part. The Council may take steps to remedy any failure by you under these Terms of Issue and charge you the costs incurred in so doing.
9. The Council does not warrant that space for the skip will be available at all times.
10. The Council may if necessary revoke or suspend the permit at any time. You will not be entitled to any compensation in the event of such revocation or suspension.
11. No rights are hereby granted to any third party under the terms of the Contracts (Rights of Third Parties) Act 1999.

Schedule 5 - Part IX
Terms of Issue for Car Share Permits

The following terms shall apply to the issue of all Car Share Permits:

1. The "Council" means Daventry District Council, and "you" means the person applying for the permit.
2. The Car Share Permit ("permit") shall remain the property of the Council and may be withdrawn at any time for misuse or for persistent breaches of the order.
3. The permit only has effect in relation to a parking bay that is specifically signed and/or marked as a car share bay.
4. The permit is only effective when displayed with one or more other valid permits as indicated by signs or lines at the parking place and when the holder of the other permit(s) has travelled with you to the parking place. All permits must be displayed behind the front windscreen (or otherwise towards the front of the vehicle if the vehicle does not have a windscreen) with their front faces clearly legible from the outside of the vehicle.
5. You hereby agree that the Council may inspect without notice your vehicle the permit and the use of the permit in order to verify that these Terms are being complied with.
6. No rights are hereby granted to any third party under the terms of the Contracts (Rights of Third Parties) Act 1999.

Schedule 6 - Part I

Repeals

The following orders are repealed to the extent and subject to the limitations specified:

Order	Extent
The Daventry District Council (Off-Street Parking Places) Order 2007 as amended by the Daventry District Council (Off-Street Parking Places) (Variation of Charges) Notice 2009 and the Daventry District Council (Off-Street Parking Places) (Variation of Charges) Notice 2011.	Whole order

Schedule 6 - Part II

Transitional Provisions

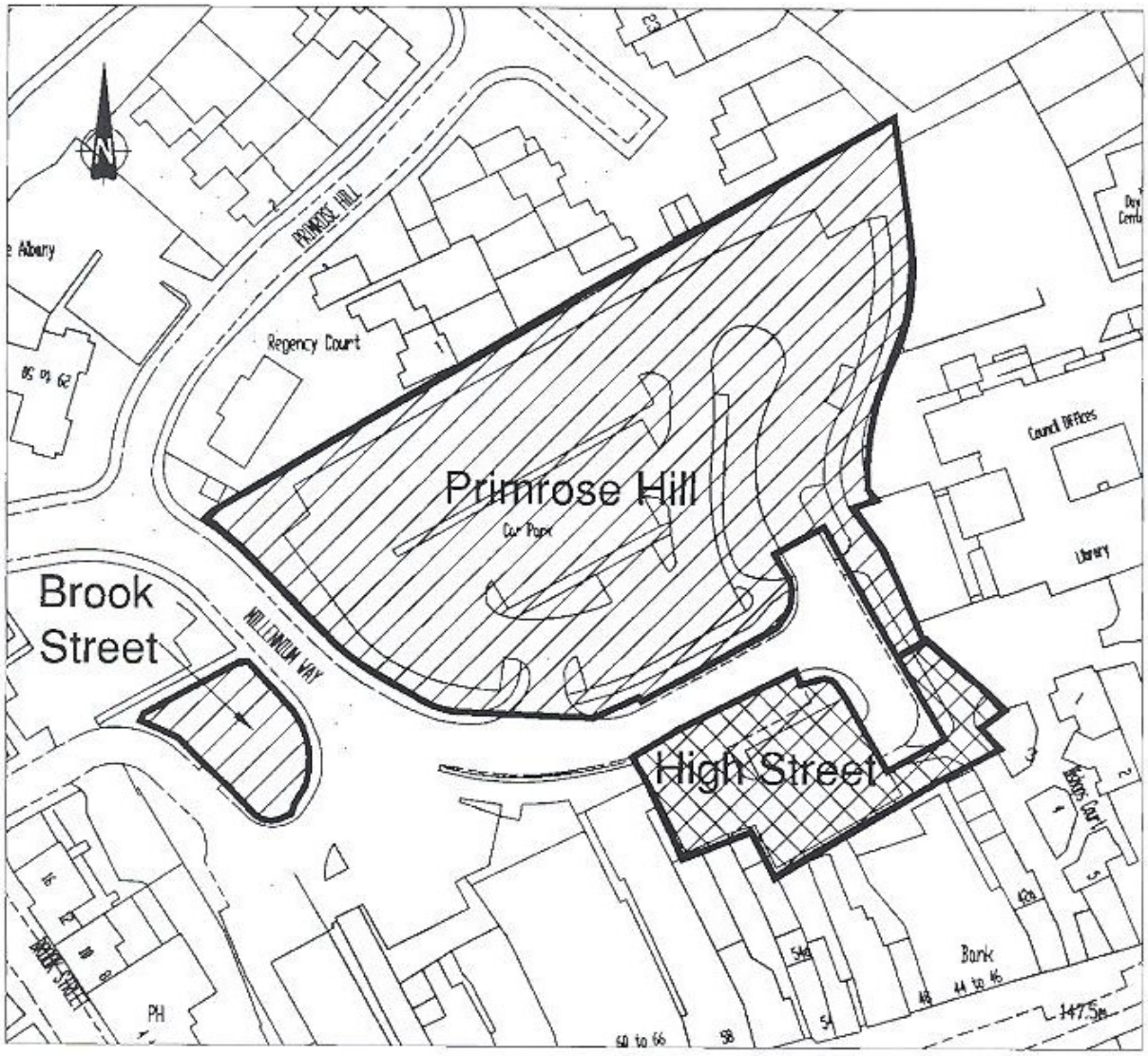
In the following table, the provision of this order given in the column headed "Provision" shall not come into effect until the date given in the column headed "Date or condition" has passed or condition been met. Until the date has passed or condition been met the terms of the "Alternative provision" column shall apply.

Provision	Date or condition	Alternative provision
The time limit relating to the Old Gas Works parking place given in Schedule 2	Seven days after a notice has been placed in the parking place indicating that this provision will be implemented.	None
All provisions in relation to the Waterloo parking place	Seven days after a notice has been placed in the parking place indicating that this provision will be implemented.	None
All provisions in relation to the New Street Parking Place	Seven days after a notice has been placed in the parking place indicating that this provision will be implemented.	None
All provisions in Schedule 1 and Schedule 4 relating to Price Band A and Price Band B	Until a notice giving a date for implementation has been published in a newspaper circulating in the area of the parking places and that date has been reached.	None

The COMMON SEAL of DAVENTRY DISTRICT COUNCIL was hereunto affixed in the presence of:

Ian Vincent

Chief Executive



Boundary of parking place

Parking limited to thirty minutes

Parking limited to one and a half hours

Parking limited to three hours

Bus station

DAVENTRY DISTRICT COUNCIL

Plan: Plan 1

Town/Parish: Daventry

Date: April 13

Scale: 1:1000

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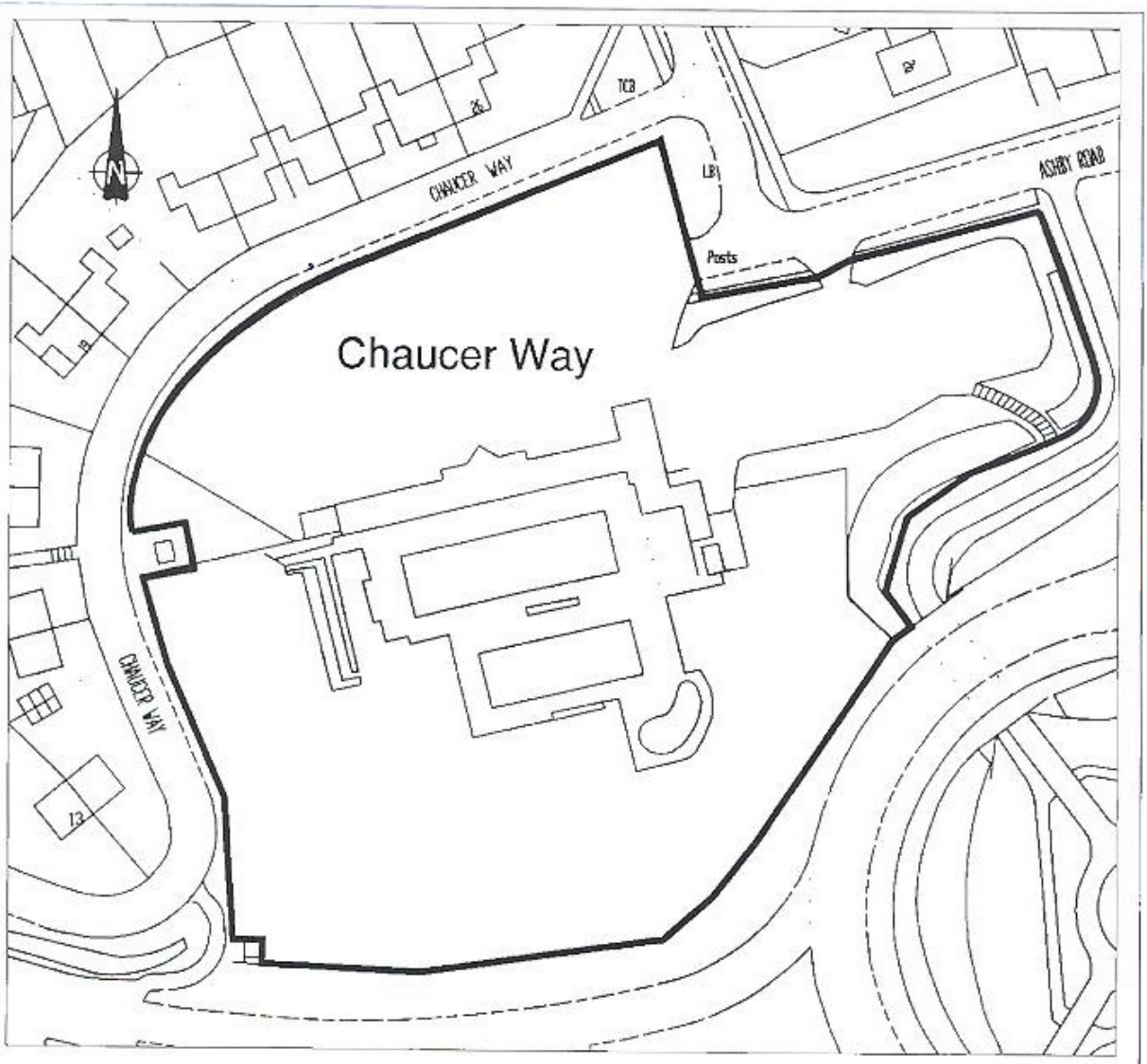

Boundary of parking place

Parking limited to thirty minutes

Parking limited to one and a half hours

Parking limited to three hours

Bus station

DAVENTRY DISTRICT COUNCIL

Plan Plan 2 Town/Parish Daventry

Date April 13 Scale 1:1000

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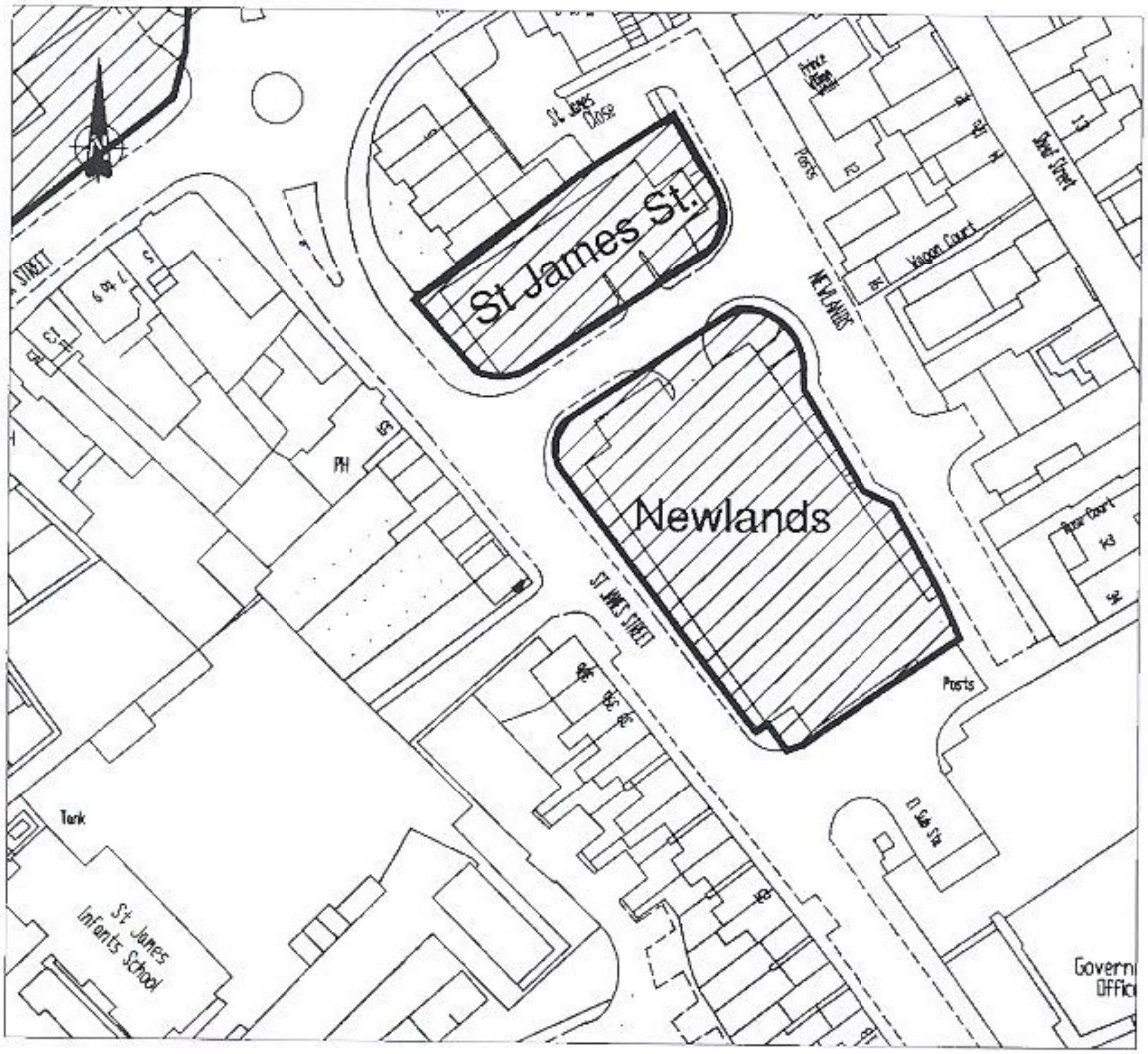

Boundary of parking place

Parking limited to thirty minutes

Parking limited to one and a half hours

Parking limited to three hours

Bus station

DAVENTRY DISTRICT COUNCIL

Plan 3 Town/Parish Daventry

Date April 13 Scale 1:1000

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Boundary of parking place

Parking limited to thirty minutes

Parking limited to one and a half hours

Parking limited to three hours

Bus station

DAVENTRY DISTRICT COUNCIL

Plan 4

Town/Parish Daventry

Date April 13

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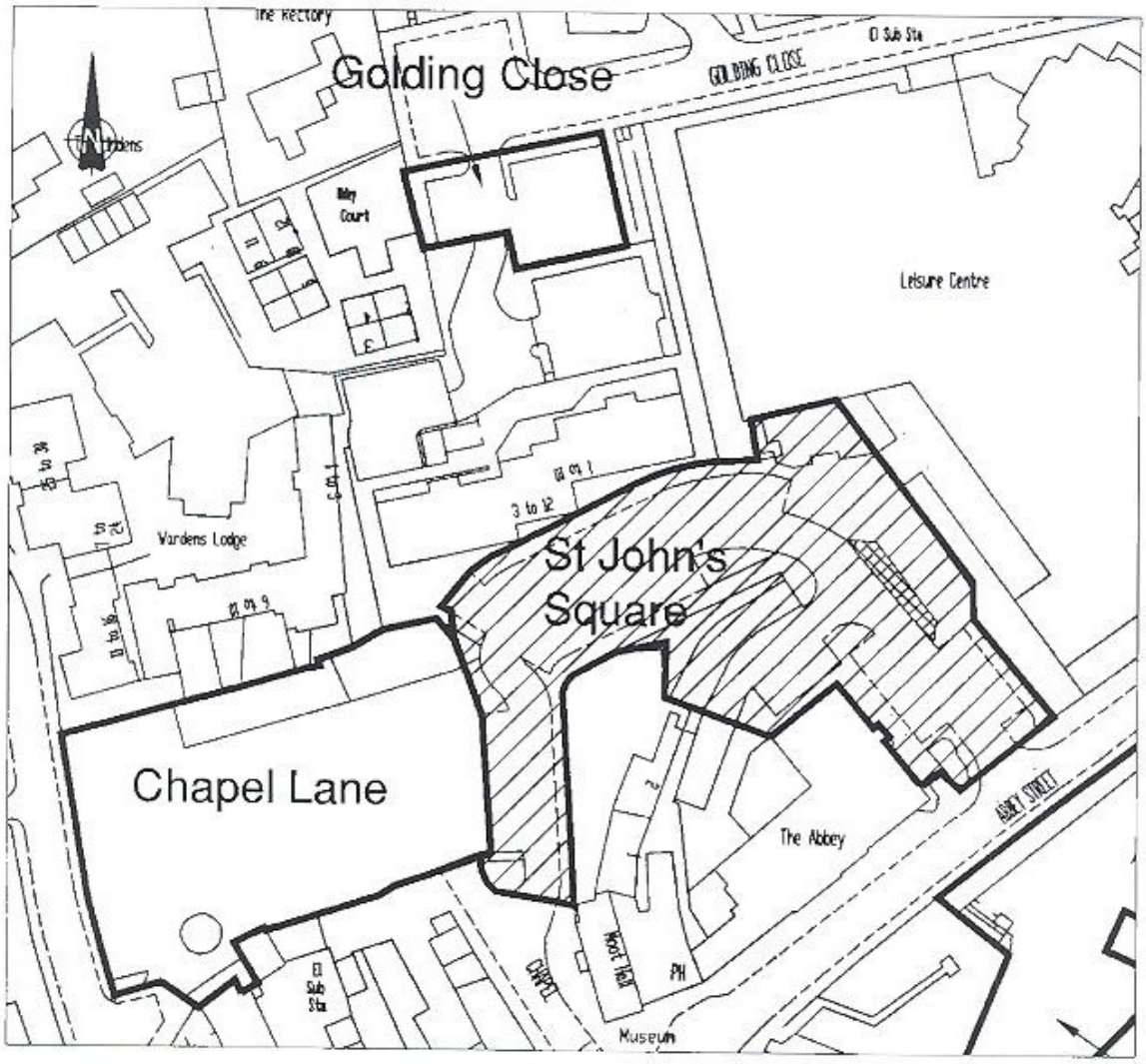

Boundary of parking place

Parking limited to thirty minutes

Parking limited to one and a half hours

Parking limited to three hours

Bus station

DAVENTRY DISTRICT COUNCIL

Plan: Plan 5

Town/Parish: Daventry

Date: April 13

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Boundary of parking place

Parking limited to thirty minutes

Parking limited to one and a half hours

Parking limited to three hours

Bus station

Parking limited to 4 hours

DAVENTRY DISTRICT COUNCIL

Plan: Plan 6 Town/Parish: Daventry

Date: April 13 Scale: 1:1000

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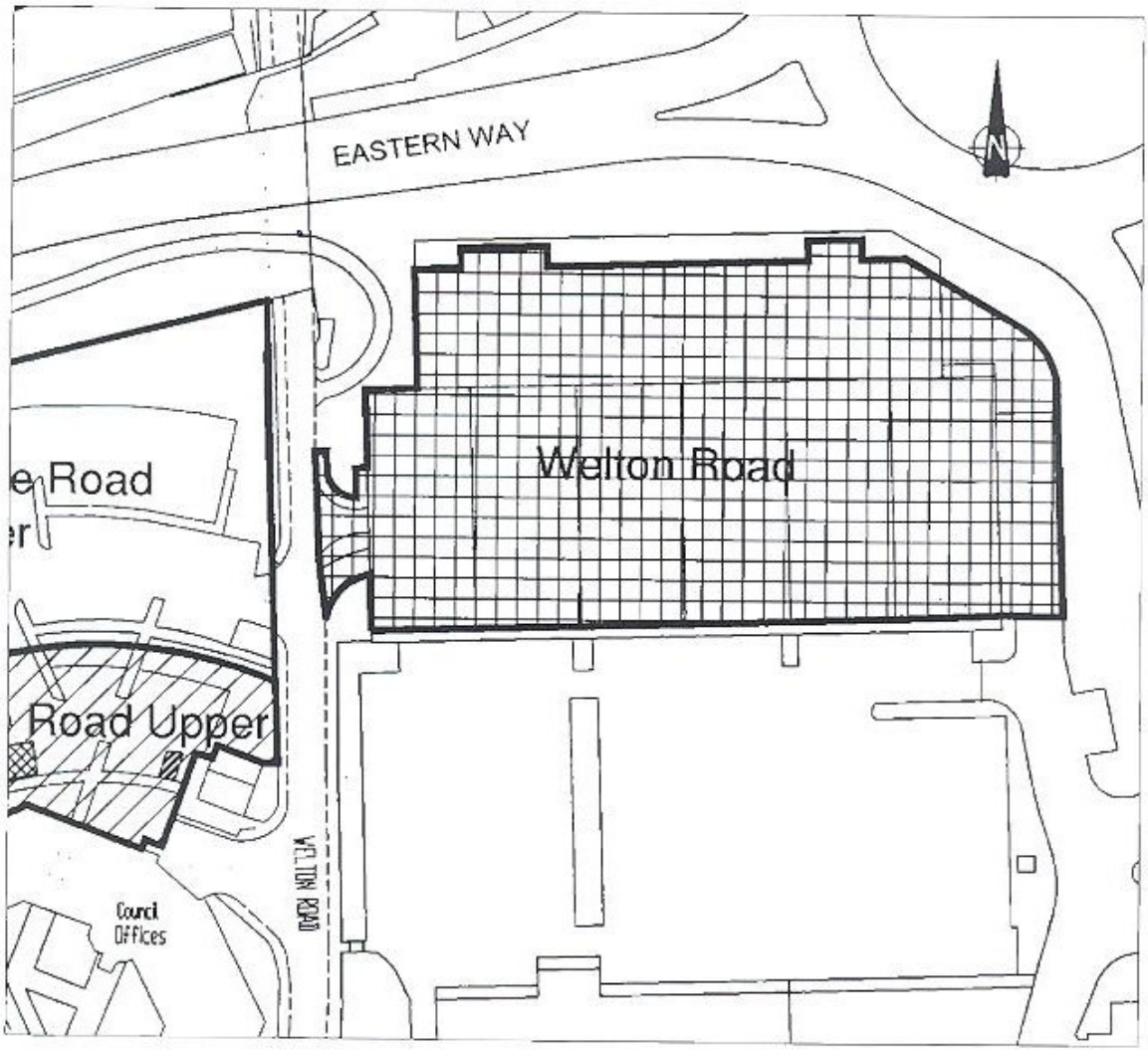

Boundary of parking place

Parking limited to thirty minutes

Parking limited to one and a half hours

Parking limited to three hours

Bus station

Subject to variable opening hours

DAVENTRY DISTRICT COUNCIL

Plan: Plan 7

Town/Parish: Daventry

Date: April 13

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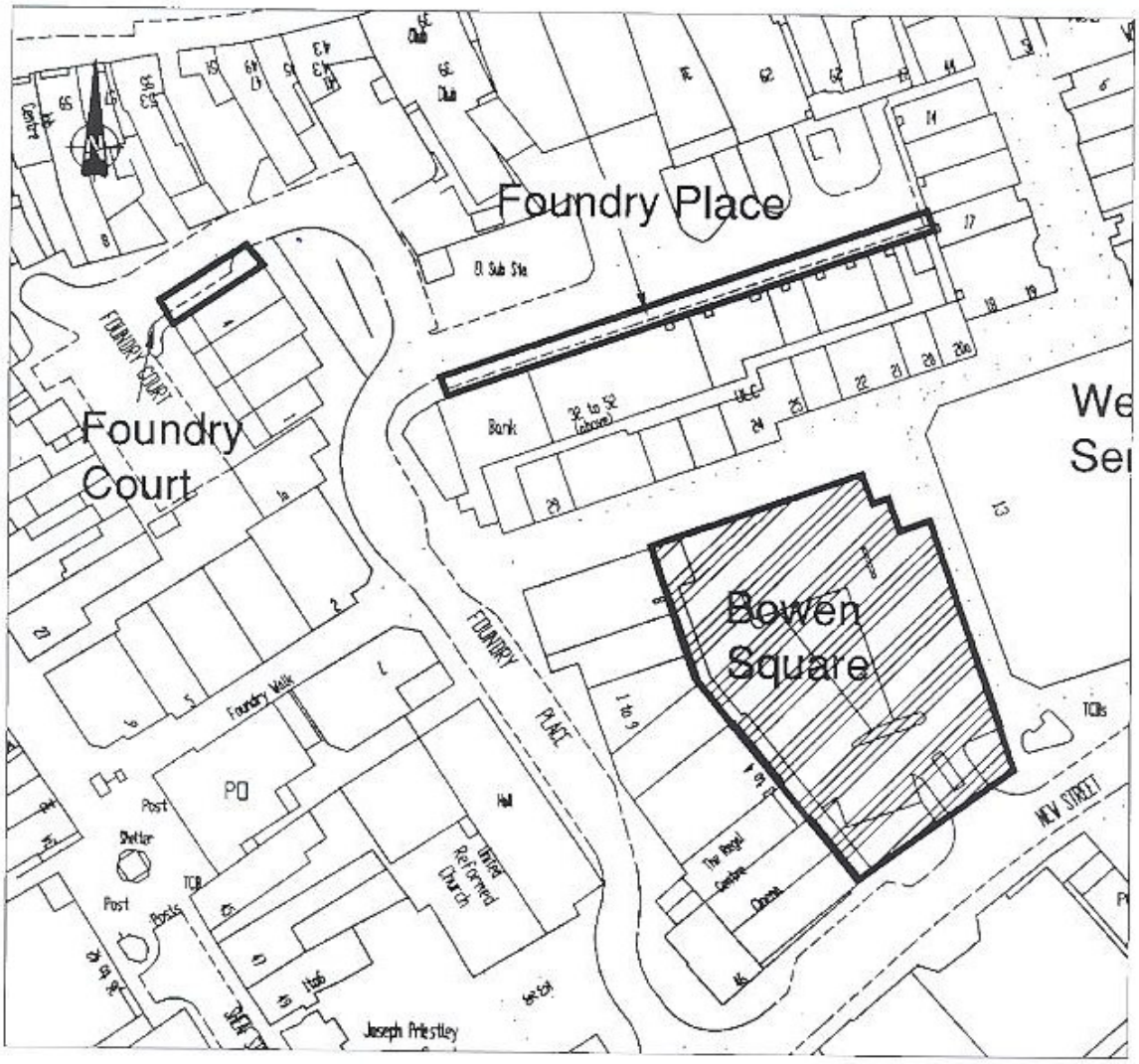

Boundary of parking place

Parking limited to thirty minutes

Parking limited to one and a half hours

Parking limited to three hours

Bus station

DAVENTRY DISTRICT COUNCIL

Plan: Plan 8

Town/Parish: Daventry

Date: April 13

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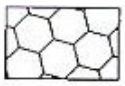
NOT USED.

Boundary of parking place

Parking limited to thirty minutes



Bus station

Parking limited to one and a half hours

Parking limited to three hours

DAVENTRY DISTRICT COUNCIL

Plan Plan 9 Town/Parish Daventry

Date April 13 Scale 1:1000

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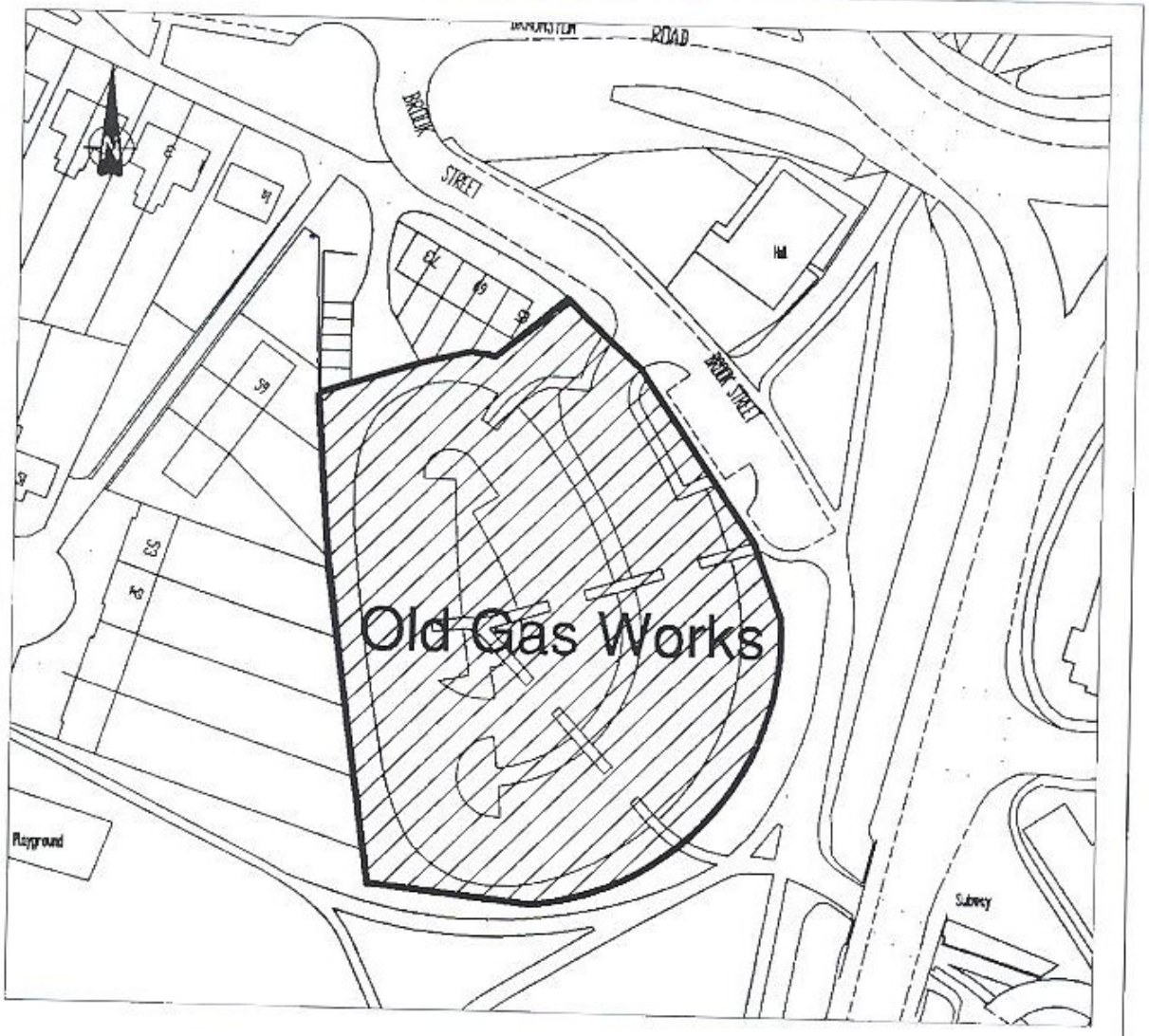

Boundary of parking place

Parking limited to thirty minutes

Parking limited to one and a half hours

Parking limited to three hours

Bus station

DAVENTRY DISTRICT COUNCIL

Plan: Plan 10 Town/Parish: Daventry

Date: April 13 Scale: 1:1000

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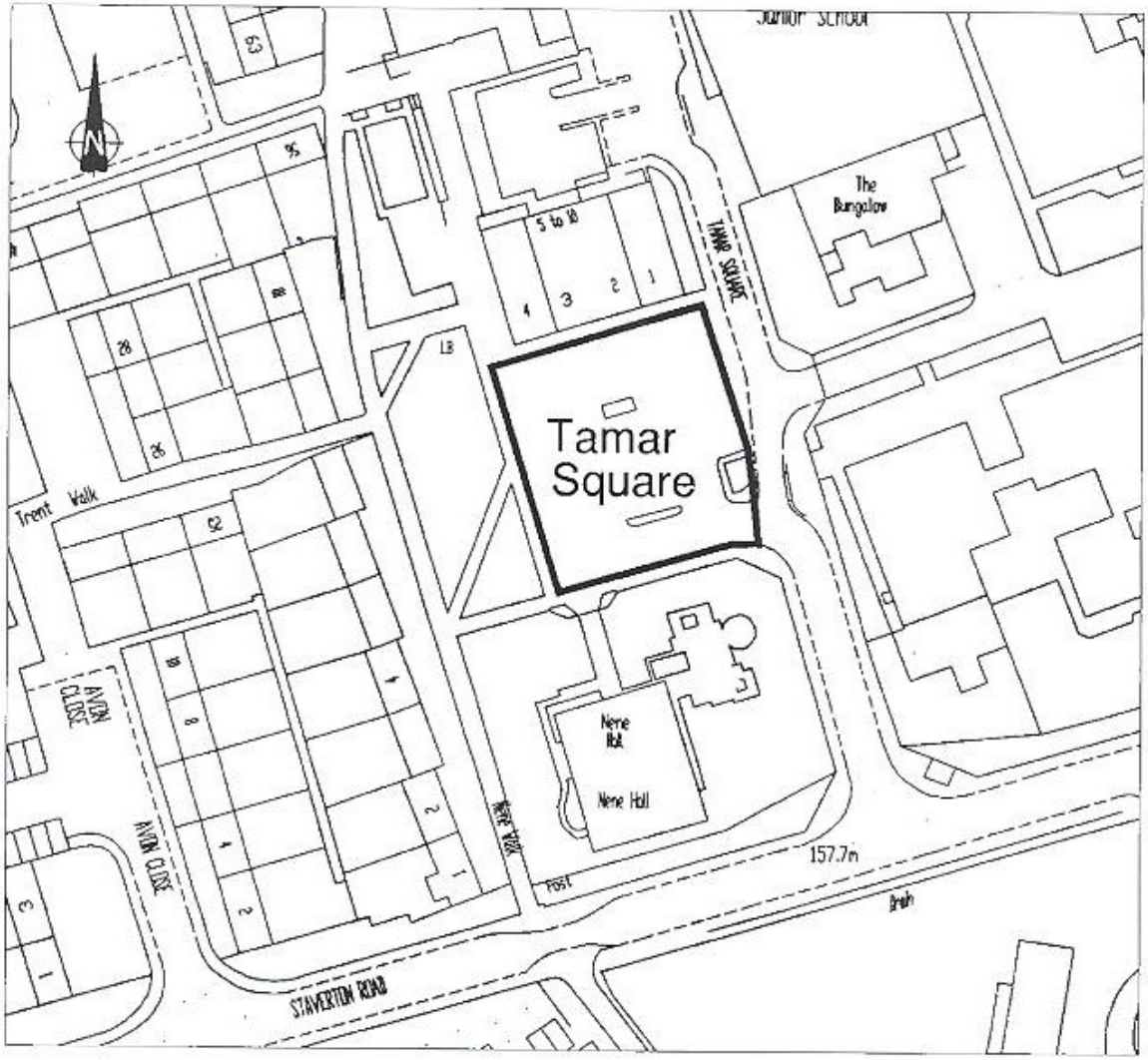

Boundary of parking place

Parking limited to thirty minutes

Parking limited to one and a half hours

Parking limited to three hours

Bus station

DAVENTRY DISTRICT COUNCIL

Plan 11 Town/Parish Daventry

Date April 13 Scale 1:1000

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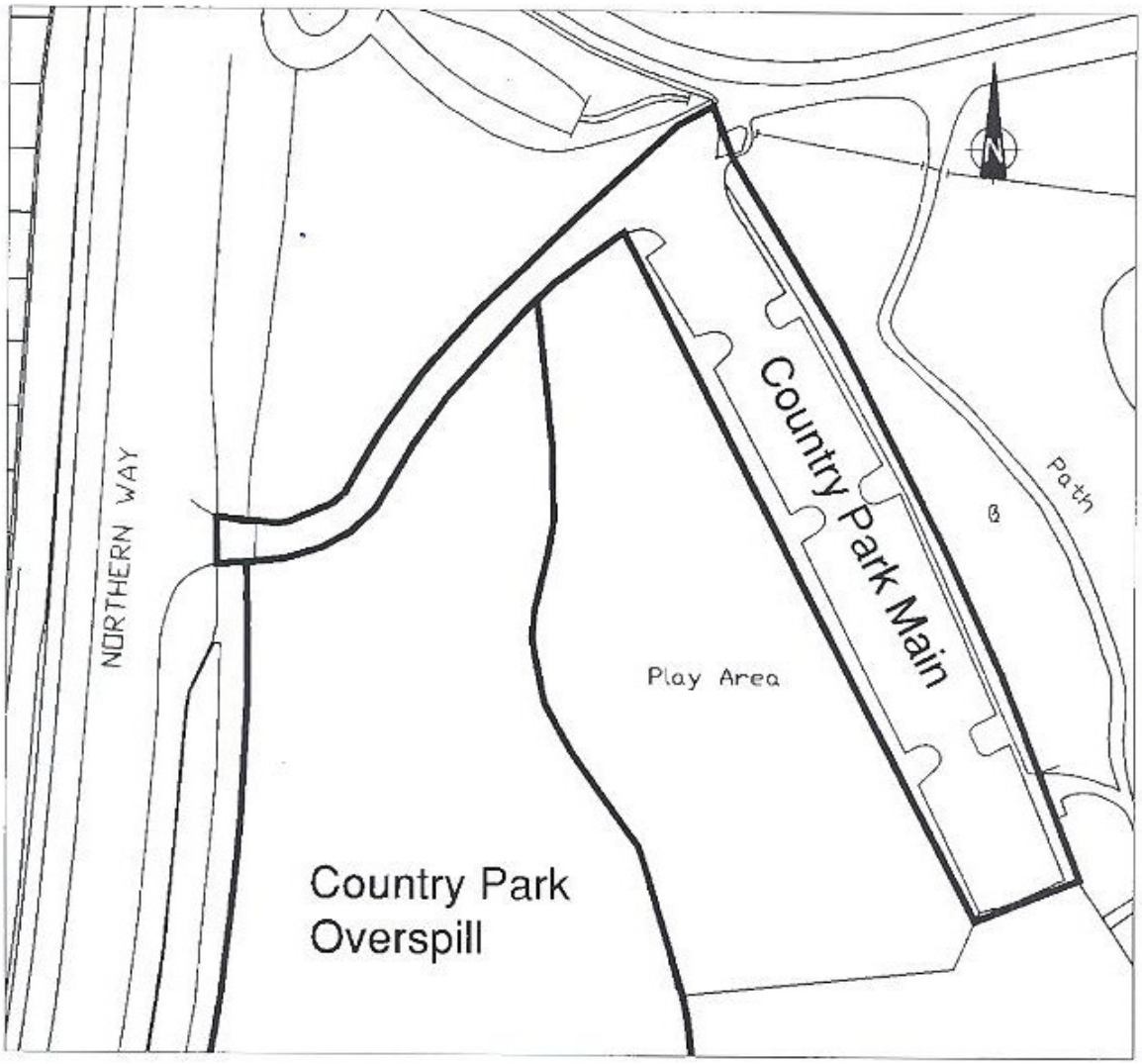

Boundary of parking place

Parking limited to thirty minutes

Parking limited to one and a half hours

Parking limited to three hours

Bus station

DAVENTRY DISTRICT COUNCIL

Plan 12 — Town/Parish: Daventry

Date: April 13 — Scale: 1:1000

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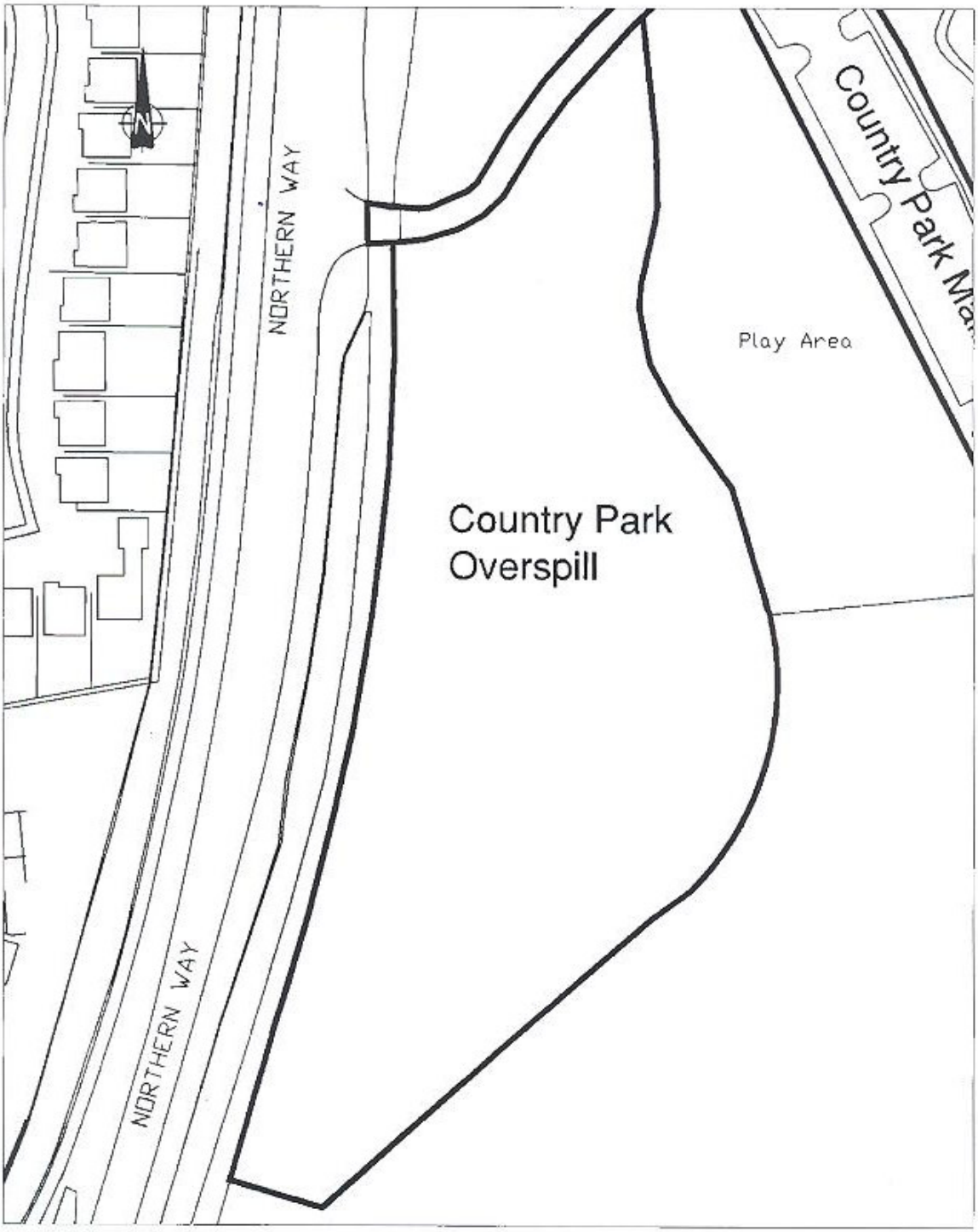

Boundary of parking place

DAVENTRY DISTRICT COUNCIL

Plan: Plan 13 Town/Parish: Daventry

Date: April 13 Scale: 1:1000

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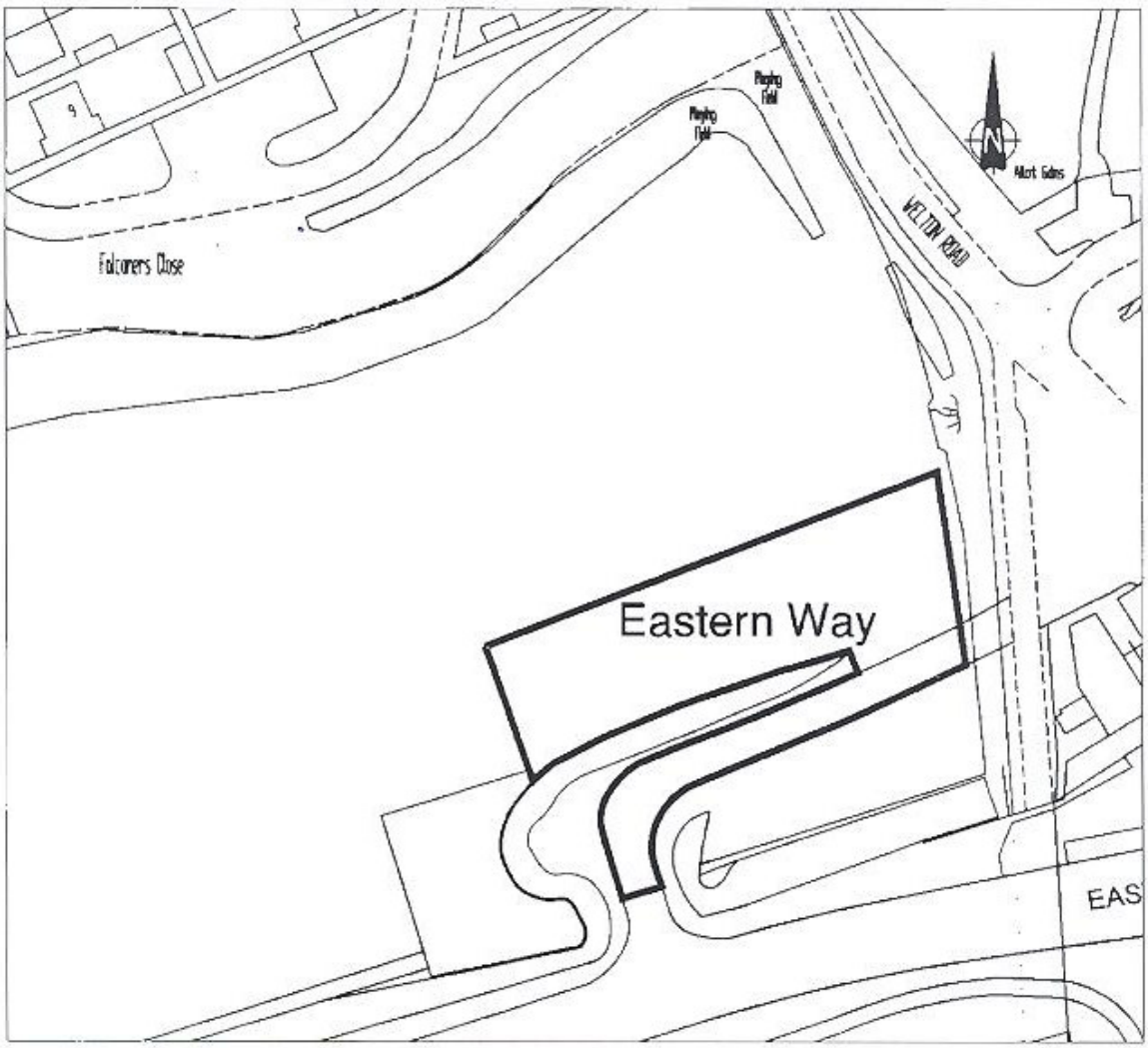

Boundary of parking place

Parking limited to thirty minutes

Parking limited to one and a half hours

Parking limited to three hours

Bus station

DAVENTRY DISTRICT COUNCIL

Plan Plan 14 Town/Parish Daventry

Date April 13 Scale 1:1000

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Boundary of parking place

Parking limited to thirty minutes

Parking limited to one and a half hours

Parking limited to three hours

Bus station

DAVENTRY DISTRICT COUNCIL

Plan 15 Town/Parish Daventry

Date April 13 Scale 1:1000

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