

**ROAD TRAFFIC REGULATION ACT 1984**

**OXFORDSHIRE COUNTY COUNCIL (BLACKBIRD LEYS WEST, MINCHERY FARM, FRY'S HILL AND BRAKE HILL, OXFORD) (CONTROLLED PARKING ZONES) (VARIATION) ORDER 2007**

The Oxfordshire County Council ("the Council") in exercise of their powers under Sections 45 and 46 of and Part IV of Schedule 9 to the Road Traffic Regulation Act 1984 ("the Act") and all other enabling powers and after consultation with the Chief Officer of Police in accordance with Part III of schedule 9 to the Act, make the following Order: -

1. This Order shall come into operation on 30 May 2007 and may be cited as the Oxfordshire County Council (Blackbird Leys West, Minchery Farm, Fry's Hill and Brake Hill, Oxford) (Controlled Parking Zone) (Variation) Order 2007
2. In this Order, except where the context otherwise requires, the following expressions have the following meanings -
  - (1) Any reference in this Order to any enactment (meaning any act and any subordinate legislation as defined in the Interpretation Act 1978) shall be construed as a reference to that enactment as amended or replaced by any subsequent enactment
  - (2) Words importing the masculine gender shall also include the feminine gender and words in the singular include the plural and vice versa
3. Each of the Oxfordshire County Council (Blackbird Leys West) (Oxford) (Controlled Parking Zone) Order 2005, the Oxfordshire County Council (Minchery Farm) (Oxford) (Controlled Parking Zone) Order 2005, the Oxfordshire County Council (Fry's Hill) (Oxford) (Controlled Parking Zone) Order 2005 and the Oxfordshire County Council (Brakes Hill) (Oxford) (Controlled Parking Zone) Order 2005 is amended in the manner and to the extent specified in the Schedule to this Order

**GIVEN UNDER** the Common Seal of the Oxfordshire County Council this  
*2007* day of April 2007

**SCHEDULE**

**INDEX LINKING**

1. In Article 3 the following definition is inserted:  
"index linked" means adjusted as provided in Schedule 4 to this Order.
2. Schedule 4 s inserted as follows:

## **"SCHEDULE 4**

### **Index Linking**

1. Index linking will be undertaken by adjusting the relevant charge according to the fluctuation of the Retail Prices Index: monthly numbers of retail prices produced by the Office for National Statistics occurring between April 2007 and the most recently published figure at the month of March in the year in which the adjustment is undertaken, and rounding up or down to the nearest whole pound.
2. The relevant charge will be adjusted from 1 April of the year in which the indexation adjustment is undertaken.
3. The relevant charge will be subject to indexation adjustment no more than once every 3 years and the first adjustment will take place from 2010.

### **Residents Parking Permits**

1. In Article 3
  - (1) the definition of "Dwelling" is replaced by the following  
*"Dwelling" means any house flat or self contained accommodation but does not include any college hotel hostel or guest house and for the avoidance of doubt any house or flat divided into or let out as bed sitting rooms or rooms constitutes a single Dwelling.*
  - (2) the definition of "Registered Keeper" is replace by the following:  
*"Registered Keeper" means*
    - (a) the person whose name appears in the vehicle registration document of the vehicle and in whose name the vehicle is registered at the Driver and Vehicle Licensing Agency, or
    - (b) a person who has established to the satisfaction of the Council that he has the permanent use of a specified vehicle and that the person whose name appears in the vehicle registration document of the vehicle and in whose name the vehicle is registered at the Driver and Vehicle Licensing Agency is his employer;
    - (c) a person who has established to the satisfaction of the Council that he has an arrangement with a vehicle leasing business for the lease for a minimum period of 12 months of a specified vehicle and that the person whose name appears in the vehicle registration document of the vehicle and in whose name the vehicle is registered at the Driver and Vehicle Licensing Agency is that vehicle leasing business;
    - (d) a person who has established to the satisfaction of the Council that he has the permanent use of a specified vehicle, that his employer for whom he works full-time has an arrangement with a vehicle leasing business for the lease of that vehicle and that the person whose name appears in the vehicle registration document of the vehicle and in whose name the vehicle is registered at the Driver and Vehicle Licensing Agency is that vehicle leasing business, provided always that where such circumstances apply

if the person works part-time only then at the absolute discretion of the Council such person may be treated as a Registered Keeper for the purposes of this Order."

- (3) the following definitions are inserted:  
"Resident (Short-term)" means a person who is temporarily resident for work purposes at a Dwelling, the postal address of which is within the list of addresses in Part A of Schedule 3 to this Order and who has established this to the satisfaction of the Council and for the avoidance of doubt a Resident (Short-term) does not include a person who is resident for study purposes. A Resident (Short-term) is a Resident for the purposes of Part III and Part IV of this Order.

"Temporary Parking Permit" means a permit issued by the Council to a Resident under the provisions of Article 11 A of this Order to park subject to the provisions of this Order, the vehicle in respect of which the permit has been issued, in the Residents' Permit Holders' Parking Places.

2. Article 10 (3) is inserted as follows:  
" (3) The charge for each Residents' Parking Permit valid at anytime from and including 16 July 2007 shall be £10 per annum index linked and where a Residents' Parking Permit is issued for a period of 11 months or less the charge will be 1/12<sup>th</sup> of the annual charge multiplied by the number of months (rounded up to the nearest whole number) for which the permit is valid."
3. (1) In Article 11 (1) the words "shown by the Driver Vehicle Licensing Agency as being" are deleted.  
(2) The following is inserted at the end of Article 11 (1):  
"and shall be accompanied by a remittance for the appropriate charge specified in Article 10 (3) of this Order."
4. In line 2 of Article 11 (2) the following is inserted after the word "Article":  
"and a remittance for the appropriate charge specified in Article 10 (3) of this Order."
5. Article 12 (6) is inserted as follows:  
"(6) where a Residents' Parking Permit is surrendered to the Council for any of the reasons specified in Part (4) of this Article other than Part (4) (d) (issue of duplicate) and this takes place more than one month before its expiration date the Council will make a refund to the Residents' Parking Permit Holder equal to 1/12<sup>th</sup> of the annual charge paid multiplied by the number of months (rounded down to the nearest whole number) until its expiration."
6. Article 11 A is inserted as follows:  
"11A (1) A Residents' Parking Permit Holder may surrender a Residents' Parking Permit temporarily and receive in return a Temporary Parking Permit is temporarily surrendered.  
(2) There will be no charge for a Temporary Parking Permit.

- (3) This facility will be available where the Council is satisfied that the vehicle for which the Residents' Parking Permit has been issued is off road and that the Resident to whom the Residents' Parking Permit was issued has the use during this period of another vehicle of a class specified in Article 7.
- (4) A Temporary Parking Permit will cease to be valid on the same day as the Residents' Parking Permit ceases to be valid.
- (5) All reference in Articles 11 (2), 12 (except 12 (4) (b)), 13, 14, 15 and 16 to a Residents' Parking Permit shall be construed as referring to a Residents' Parking Permit or as applicable a Temporary Parking Permit.
- (6) There is inserted after "Residents' Parking Permit" in the definition of "Relevant Position" in Article 3 and in Articles 7 and 8 the following "Temporary Parking Permit" or as applicable "or Temporary Parking Permit".

7. The following is inserted at the end of Article 13 (3)  
"save that no charge will be payable for a duplicate permit."

#### **Visitors' Parking Permits**

1. The following is inserted in line 1 Article 22(5) after "no Resident": "(Short-term) will be entitled to more than 25 days worth of Visitors' Parking Permits and no other Resident"
2. The following is inserted at the end of Article 23 (1)  
"provided that the Council may revise Visitors' Parking Permits so that each Visitors' Permit will be valid for a period of up to 24 hours from the validation time provided that it is validated by the Resident, or by a person authorised by him, by writing in ink on the face of the Visitors' Permit (or by such other means as the Council may direct) the time of day the vehicle is left in the Residents' Permit Parking Place using the 24 hour clock (being the validation time) and the date on which it is left (being the validation date) and that no other writing or marks appear on the permit."

#### **Charging for Discretionary Permits for Contractors**

- 1 Article 6(2) (b) (ii) is deleted
- 2 In line 2 of Article 5 (1) the following is inserted after the words "a Parking Attendant" :  
", the Council"
- 3 Article 17 (6) is inserted as follows:  
" (6) If this is permitted by a parking attendant, the Council or a police officer in uniform, and where the Council, in the exercise of such discretion, agrees to authorise the use of any Residents' Permit Holders' Parking Space by a vehicle in connection with works at premises in the area stated in Schedule 1 to this Order, from and including 16 June 2007 the charge for such authorisation will be £15 index linked."

THE COMMON SEAL of THE  
OXFORDSHIRE COUNTY COUNCIL  
was hereunto affixed in the  
presence of:-



*Miriam Graham*  
County Solicitor/Designated Officer

1239/06