

**CITY OF PLYMOUTH****THE CITY OF PLYMOUTH (OFF STREET PARKING PLACES) (WESTERN  
APPROACH CAR PARK) AMENDMENT ORDER NO. 1 1995**

1. The Council of the City of Plymouth (hereinafter referred to as "the Council") in exercise of its powers under Section 35, Part IV and Schedule 9 of the Road Traffic Regulation Act 1984 (hereinafter referred to as the 1984 Act) and all other enduring powers in that behalf and with the consent of Devon County Council in accordance with Section 39(3) of the 1984 Act and after consultation with the Chief Officer of Police in accordance with Part III of Schedule 9 of the 1984 Act and in accordance with the Local Authorities Traffic Orders (Procedure) (England and Wales) Regulations 1989,

HEREBY MAKES AN ORDER IN THE FOLLOWING TERMS :-

**COMMENCEMENT AND CITATION**

2. This Order shall come into operation on the 2<sup>nd</sup> day of MAY 1995 and shall be cited as "The City of Plymouth (Off Street Parking Places) (Western Approach Car Park) Amendment Order No. 1 1995".

### INTERPRETATION

3. The Interpretation Act of 1978 or any statutory re-enactment or amendment thereof shall apply to the interpretation of this Order as it applies to the interpretation of an Act of Parliament.
4. In this Order, except where the context otherwise requires, the expression "The Principal Order" means "The City of Plymouth (Off Street Parking Places) (Western Approach Car Park) Order 1994".

### AMENDMENT TO THE PRINCIPAL ORDER

- 5.0 The Principal Order shall be amended by the addition and substitution of the following :
  - 5.1 The Principal Order shall be read as though the charge of £5.00 referred to in Clause 7(iii) be deleted and substituted by the sum of £3.00.
  - 5.2 The Principal Order shall be read as though the charge of £5.00 being the lost ticket charge for each day of stay referred to in Schedule 1 be deleted and substituted by the sum of £3.00 lost ticket charge for each day of stay.
  - 5.3 The Principal Order shall be read as though Clause 7(i) and 7(ii) be deleted and substituted as set out below :

7. The driver shall at the entrance to the parking place obtain a ticket by one of the following procedures (as detailed in 7(i), 7(ii), 7(iii) herein) which shall, subject to all or any part of the procedures being made available by the Council at its ultimate discretion, be in operation at the time, being either :

7.(i) from a pay on exit apparatus or device (hereinafter referred to as "the pay on exit device") which shall indicate the date and time of arrival at the pay on exit device such apparatus or device having been specifically or generally approved for such a purpose in accordance with S.35(3) of the 1984 Act; or

7.(ii) from a pay on entrance apparatus or device (hereinafter referred to as "the pay on entrance device") which shall indicate the date and time of arrival at the pay on entrance device such apparatus or device having been specifically or generally approved for such a purpose in accordance with S.35(3) of the 1984 Act; or

7.(iii) from an official uniformed parking attendant (hereinafter referred to as "the parking attendant") who shall, upon payment of the correct charge for the proposed period of stay in accordance with the Scale

of Charges specified in Schedule 1 herein, issue a ticket which shall indicate the period of the proposed stay and which shall be issued in conjunction with a ticket from the pay on exit device as specified in 7(i) herein

7.1 On leaving the parking place the driver shall exit by one of the following procedures (as detailed in 7.1(i), 7.1(ii) and 7.1(iii) herein) which shall, subject to all or any part of the procedures being made available by the Council at its ultimate discretion, be in operation at the time, being either :

7.1 (i) presenting the ticket, if issued by the pay on exit device, to the parking attendant at the exit of the car park and to pay the said parking attendant the appropriate charge for the time the vehicle was left in the parking place or, alternatively, insert the ticket in the apparatus or device provided for that purpose which shall indicate the charge payable and upon insertion of the appropriate amount the apparatus controlling the exit of vehicles from the parking place will operate, or

7. 1(ii) presenting the ticket, if issued by the pay on entrance device, to the parking attendant at the exit of the car park or, alternatively, inserting the ticket in the

apparatus or device provided controlling the exit of vehicles from the parking place which will automatically raise the exit barrier PROVIDED ALWAYS THAT the ticket shall have been presented in such reasonable time after the driver has left the parking place and arrived at the exit barrier as may be determined by the Council, or

7.1(iii) in the event that the exit barrier shall still be operational at the time the driver shall arrive at the exit to the car park, the driver shall present the ticket issued by the pay on exit device together with the ticket issued by the parking attendant at the time of entry as detailed in 7(iii) herein, to the parking attendant at the exit to the car park and in the event that no further payment is deemed to be payable the apparatus controlling the exit of vehicles from the parking place will operate or, alternatively, should the exit barriers be already in a raised position the driver shall exit without interruption or further payment.

5.4 The Principal Order shall be read and construed as though Clauses 7(iii) and 7(iv) be amended to read 7(iv) and 7(v) respectively.

5.5 The Principal Order shall be read and construed as though in Schedule 1 the charge for the 0-1/2 hour period of stay be amended to read £0.20, but in all other respects and appart from the amendments above detailed the Principal Order shall not be altered or amended.

THE COMMON SEAL OF THE COUNCIL     )  
OF THE CITY OF PLYMOUTH was hereunto     )  
affixed in the presence of :-     )



Solicitor authorised by the Council

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