

**THE SEDGEMOOR DISTRICT COUNCIL (OFF-STREET PARKING PLACES)
ORDER 2013 (AMENDMENT No. 1) ORDER 2014**

The Sedgemoor District Council (hereinafter referred to as "the Council") in accordance with Regulation 21(1)(b) of The Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996 and pursuant to arrangements made under Section 19 of the Local Government Act of 2000 and the Local Government (Arrangements for Discharge of Functions) (England) Regulations 2000 with Somerset County Council ("the County Council") in exercise of the powers conferred by Sections 32, 33 & 35 and Part IV of Schedule 9 to the Road Traffic Regulation Act 1984 ("the 1984 Act") (as amended by the Road Traffic Regulation (Parking) Act 1986) and Section 39(3) of the 1984 Act and the provisions of Part 6 of The Traffic Management Act 2004 ("the 2004 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 1984 Act, hereby make the following Order.

1. This Order shall come into operation on 19 May 2014 and may be cited as the "The Sedgemoor District Council (Off-Street Parking Places) Order 2013 (Amendment No. 1) Order 2014" hereinafter referred to as "this Order".
2. The provisions of The Sedgemoor District Council (Off-Street Parking Places) Order 2013 shall be amended by inserting into Article 5 (the interpretation section) of that Order the following definitions;
"credit card" means a written authorisation issued by a bank or other financial institution allowing the holder to obtain credit within a specified limit in order to make direct payment for goods and services.
"debit card" means a written authorisation issued by a bank or other financial institution allowing the holder to make direct payment for goods or services from an account held with a bank or other financial institution.
3. The provisions of The Sedgemoor District Council (Off-Street Parking Places) Order 2013 shall be amended as follows;
By adding to Article 12 of that Order the following;
 - 12 (a) The charge referred to in Article 12 shall be payable by the insertion of an appropriate coin, coins or banknotes together making up the amount of the charge into the pay and display ticket machine relative to the pay and display parking place in which the vehicle has been left or other approved method of payment.
 - (b) The alternative acceptable payment shall be made by credit card or debit card by way of mobile telephone communication to the Council in accordance with the scale of charges specified by the Council and subject to variation at the Council's discretion giving notice in accordance with section 46A of the Act of 1984 and the payment shall be payable at that time".
 - (c) Where payment is made to the Council by debit card or credit card by way of mobile telephone the payee shall disclose the:
 - (i) call number of the mobile telephone;

- (ii) identification number and any such other details as may be requested by or on behalf of the Council relating to the credit or debit card against which the parking charge is being paid;
 - (iii) location number of the parking place in respect of which payment is being made;
 - (iv) registration number of the motor vehicle being parked.
- (d) The expiry of the period for which the charge has been paid shall be when the time shown on the clock of the issuing pay and display ticket machine is later than the time exhibited on the pay and display ticket displayed on the vehicle.
- (e) Where the parking fee has been paid to the council by debit card or credit card by way of mobile telephone the parking period shall commence on receipt by the Council of the details specified in Article 40 and expire at the end of the period for which payment has been made.

By adding to Article 17 of that Order the following;

- 17 (c) Where the Council is unable to confirm that a debit or credit card payment by way of mobile telephone has been made in accordance with Article 12 it shall be deemed that no parking charge has been paid.

- 4. The restrictions imposed by this Order shall be in addition to and not in derogation from any restriction or requirement imposed by any other regulations made or having effect as if made under the Act of 1984 or by or under any other enactment.
- 5. The Interpretation Act 1978 shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.

The Common Seal of)
 Sedgemoor District Council)
 was hereunto affixed on the 27/3/14)
 in the presence of:-)

[Handwritten Signature]

Authorised Signatory

