
SLOUGH BOROUGH COUNCIL

(OFF- STREET PARKING PLACES)

(SPECIAL PARKING AREA) ORDER 2005

The Slough Borough Council (hereinafter referred to as "the Council" in exercise of the powers conferred by Sections 32, 35(1) and 124 of the Road Traffic Regulation Act 1984 ("Act of 1984"), as amended and of all other powers thereunto enabling and after consultation with the Chief Officer of Police in accordance with Part III of Schedule 9 to the Act of 1984, hereby make the following Order:

PART I
CITATION AND INTERPRETATION

1. This Order shall come into operation on the 15th September 2005 and may be cited as "Slough Borough Council (Special Parking Area) (Off Street Parking Places) Order, 2005".

2. (a) In this Order, except where the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them:

"Authorised Agent" means the parking services contractor appointed by and acting on behalf of the Council for the purposes of the supervision and enforcement of this Order;

"Commercial Vehicle" means any vehicle, other than a private motor car, of more than 30-cwt. unladen weight or any vehicle drawn by a motor vehicle;

"Disabled Person's Badge", "Disabled Persons Vehicle" and "Parking Disc" have the same meanings as in the Local Authorities Traffic Orders (Exemption for Disabled Persons) (England) Regulations 2000;

"Driver" in relation to a motor vehicle or motorcycle waiting in a parking place, means the person driving the motor vehicle or motorcycle at the time it was left in the parking place;

"Mechanical Device" means a device approved by the Secretary of State for the Environment, used as a means to indicate the time at which a motor vehicle arrived at a parking place and the fees paid or payable, and as a means to collect fees;

"Motorcycle" means a mechanically propelled vehicle, not being an invalid carriage, with less than four wheels and the weight of which unladen does not exceed 8 cwt.;

"Motor Vehicle" means a mechanically propelled vehicle intended or adapted for use on roads, unladen weight of which does not exceed 1525kgs, and not being a motorcycle;

"Owner" in relation to a motor vehicle or motorcycle means the person by whom such motor vehicle or motorcycle is kept and used;

"Parking Attendant" means a person authorised by or on behalf of the Council to supervise any parking area;

"Parking Place" means any area of land or any building or part of a building specified by name in a Schedule, provided by the Council under Section 32(1) of the Act of 1984, for use as a parking place;

"Parking Space" means any area of a parking place specifically marked out to show the position in which a motor vehicle shall be parked;

"Parking Ticket" shall mean a season ticket, obtained in accordance with Article 3, or a ticket obtained from a mechanical device, in the car parks named in the Schedules in accordance with Article 23;

"Penalty Charge" and "Reduced Penalty Charge" means a charge set by the Council under the provisions of section 66 of the Act of 1991 and with the approval of the Secretary of State for Transport which is to be paid to the Council within 28 days beginning with the date of the notice, or 14 days in the case of a reduced penalty charge, following the issue of a penalty charge notice;

"Penalty Charge Notice" means a notice issued or served by a parking attendant pursuant to the provisions of section 66 of the Act of 1991;

"Reserved Bay" means a parking space marked as being reserved for disabled motorists, motor cyclists, or other specifically identified users;

- (b) Except where otherwise stated, any reference in this Order to a numbered Article or Schedule is a reference to the Article or Schedule bearing that number in this Order;
- (c) Save where the contrary is indicated, any reference in the Order to:
 - (i) This Order or another Order shall be construed as such a reference to this Order, as the case may be, such other Order, as the same may have been or may from time to time be amended, varied or supplemented;
 - (ii) A Statute or Regulation shall be construed as reference to such Statute or Regulations as the same may have been, or may from time to time be amended or re-enacted.

PART II USE OF PARKING PLACES

- 3. (a) Each of the parking places specified in Column 1 of the First Schedule may be used, subject to the following provisions of this Order, as a parking place for such classes of motor vehicles, during such times and on payment of such fees as are specified in the said Schedules in relation to that parking place, provided that, no fee shall be payable by the driver of a motor vehicle or motorcycle left in a parking place, who produces a valid season ticket in respect of that motor vehicle or motorcycle.
 - (b) The Council reserves the right to reduce individual fees shown in Column 4 of the First or Third Schedules on a temporary basis only after reference to the appropriate Council Committee.
 - (c) The owner of a motor vehicle or motorcycle may, on application to the Council, purchase a season ticket in respect of that motor vehicle or motorcycle for use in the Car Parks listed in Schedule 2, for a duration and fee shown in the columns of that schedule as applying to each Car Park and that season ticket shall be valid in such parking place as is specified thereon for the period for which it is issued.
 - (d) The number of season tickets which may be issued in respect of the Car Parks listed in Schedule 2 to this Order shall be at the discretion of the Council.
 - (e) Subject to the provisions of this Order, the Council may, by agreement, allocate any number of spaces for use by any individual or organisation at such a fee and on such conditions as shall be specified therein.
 - (f) Subject to the provisions of this Order, the Council may allocate any number of spaces at any parking place (a) for use by disabled person's vehicles only, or (b) for use by motorcycles only.
4. Where in this Order parking spaces are marked as being reserved, that is, marked as being for disabled motorists or as "reserved bays" or for motorcycles only, no person shall cause or permit any vehicle to enter such spaces unless they are entitled to do so.
5. Notwithstanding the provisions contained in this Order, all fees and charges shall be waived in respect of:
- (a) Motorcycles - provided that such vehicles are parked in a parking space which has been allocated for motorcycles in accordance with the provisions of Article 3(f);

- (b) Disabled persons' vehicles - whether parked in a parking space which has been allocated in accordance with the provisions of Article 3(f) or in any other parking space, situated within a parking place, provided that the vehicle is displaying a Disabled Person's Badge.
6. (a) Where in this Order a parking place is described as available for motor vehicles or motorcycles of a specified class or in a specified position, the driver of a motor vehicle or motorcycle shall not permit it to wait in that parking place:-
- (i) Unless it is of a specified class, or
- (ii) In a position other than the specified position.
- (b) Where in this Order a parking space or spaces have been allocated for use by any individual or organisation pursuant to Article 3(f) no driver shall cause or permit any motor vehicle or motorcycle to enter or wait in such parking space unless authorised to do so by the Council or the individual or organisation to whom the parking space or spaces have been allocated.
7. Where in a parking place parking spaces have been marked out to show the position in which motor vehicles or motorcycles shall park, no driver shall cause or permit a motor vehicle or motorcycle to park other than in a parking space.
8. No driver shall cause or permit a motor vehicle or motorcycle to wait in any parking place in an area likely to cause an obstruction or a danger to other drivers.
9. The driver of a motor vehicle or motorcycle -
- (a) using a parking place shall stop the engine as soon as the motor vehicle or motorcycle is in position in the parking place and shall not start the engine except when about to change the position of the motor vehicle or motorcycle in or to depart from the parking place;
- (b) on entering a parking place, shall ensure that the motor vehicle or motorcycle is parked in an orderly fashion and in a position whereby no other motor vehicle or motorcycle is obstructed from changing its position or from leaving the parking place and that the entrances and exits are not in any way obstructed;
- (c) using a parking place shall comply with any requirements given by a duly authorised attendant with regard to the position in which the motor vehicle or motorcycle is parked.
10. No person shall use any part of a parking place or any motor vehicle or motorcycle left in a parking place.
- (a) For sleeping or camping purposes;
- (b) For eating or cooking purposes;
- (c) For the purpose of servicing or washing any motor vehicle or motorcycle or part thereof, other than is reasonably necessary to enable that motor vehicle or motorcycle to depart from the parking place.
11. No person shall cause or permit to wait in a parking place any motor vehicle or motorcycle carrying or used for carrying bones or offal which is inedible or unfit for human consumption.
12. A person leaving a live animal in a motor vehicle or motorcycle in a parking place to which this Order applies, shall take reasonable steps to ensure that an adequate supply of fresh air is available for such animal whilst in the motor vehicle or motorcycle and that the animal cannot escape from or molest persons passing near to the motor vehicle or motorcycle.

13. (a) No person shall, while a motor vehicle or motorcycle is in a parking place, use the motor vehicle or motorcycle in connection with the sale of any article in or near the parking place, or in connection with the selling or offering for hire of his skill or services or of the motor vehicle or motorcycle, or clean, maintain or repair the motor vehicle or motorcycle other than such as maybe necessary to enable the motor vehicle or motorcycle to leave the parking place.
- (b) Where any person who has been authorised in writing by the Council to clean motor vehicles or motorcycles in any Car Park listed in the Schedules to this Order that person or any of his or her employees shall not contravene Articles 10(c) or 13(a) hereof in exercising any right to offer to clean or to clean motor vehicles or motorcycles in the car park in respect of which that person has been authorised to clean motor vehicles or motorcycles.
- (c) The Council may on any day including a Sunday suspend this off-street parking places order in respect of all or any of the parking places or any part or parts of one or more of them.
- (d) Except where a maximum period of parking is indicated in column 4, no person shall cause or permit any vehicle to wait for a period exceeding 24 hours in a car park shown in the First Schedule.
14. The driver of a motor vehicle or motorcycle using a parking place shall not sound any horn or other similar instrument, except when about to change the position of the motor vehicle or motorcycle in or to depart from the parking place.
15. No person shall, except with the permission of any person duly authorised by the Council, drive any motor vehicle or motorcycle in a parking place other than for the purpose of leaving that motor vehicle or motorcycle in the parking place in accordance with the provisions of this Order or for the purpose of departing from the parking place.
16. 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 premises in the neighbourhood.
17. 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.
18. 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 motor vehicle or motorcycle using the parking place shall proceed in specified direction within the parking place;
- no person shall drive or cause or permit to be driven any motor vehicle or motorcycle:
- (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.
19. No person shall cause or permit to wait in a parking place any motor vehicle or motorcycle leaking oil, petrol or other fuel.
20. When a motor vehicle or motorcycle is waiting in a parking place in contravention of the provisions of Article 6(b), a person authorised in that behalf by the Council may alter or cause to be altered the position of the motor vehicle or motorcycle in order that its position shall comply with that provision.

21. Any person altering the position of a motor vehicle or motorcycle by virtue of the last preceding Article may do so by towing or driving the motor vehicle or motorcycle, or in such other manner as he may think necessary and may take such measures in relation to the motor vehicle or motorcycle as he may think necessary to enable him to alter its position.
22. Motor vehicles or motorcycles using parking places shall enter or leave by such access as may be indicated by any duly authorised attendant or, in the absence of such indication, as may be indicated by notice displayed on or near the parking place.
23. Save as provided in Articles 3 and 5, the driver of a motor vehicle or motorcycle shall, immediately upon the entry of the motor vehicle or motorcycle into a parking place, be responsible for paying the fees due in accordance with the scale of fees set out in Column 4 of the First Schedule into a mechanical device and for obtaining therefrom a parking ticket or tickets indicating the amount paid and/or the time of arrival at the parking place.
24. Where a fee is specified for a period, the whole of the fee shall be due and payable for the use of the parking place for any part of that period.
25. (i) The parking ticket shall be securely attached to the motor vehicle or motorcycle in a conspicuous position (in the case of a motor vehicle, on the inside of the front windscreen) at all times while the motor vehicle or motorcycle is parked in a parking place referred to in the First Schedule.
- (ii) The parking ticket, while attached to the motor vehicle or motorcycle, shall be so placed that the details shown on the front of the said ticket are clearly visible to persons standing outside the motor vehicle.
26. No person shall:
- (1) After obtaining a parking ticket, alter the indications given by that parking ticket whilst the motor vehicle or motorcycle to which the ticket relates remains in a parking place.
- (2) Knowingly exhibit on any motor vehicle or motorcycle any parking ticket which has been altered, defaced, mutilated or added to or upon which the figures or particulars have become illegible.
27. No parking ticket obtained by the driver of a motor vehicle or motorcycle in accordance with the Articles of this Order, shall be transferred to the driver of another motor vehicle or motorcycle, whilst the parking ticket is still valid, with the exception of any circumstances which may be specified on the parking ticket.
28. Nothing in this Order shall prevent any person, duly authorised by the Council, from closing to the general public for such period as shall be determined by the Council, any parking place or part of a parking place, specified in the Schedule.
29. Where a parking ticket has been exhibited in accordance with Article 25 or a penalty charge notice has been attached to a motor vehicle or motorcycle in accordance with the provisions of Article 31, no person other than the driver of the motor vehicle or motorcycle or duly authorised representative of the Council shall remove the Notice from the motor vehicle or motorcycle unless authorised to do so by the driver.
30. It shall be assumed, unless the contrary is shown, that any apparatus provided for the purpose of a parking place is of a type and design approved by the Secretary of State.

PART III
CONTRAVENTION OF ORDER

31. (1) If a vehicle is left in or is using a parking place referred to in the Schedules during the operational hours in contravention of this Order, an additional amount of Sixty Pounds (£60.00) (which additional amount is hereinafter referred as the "penalty charge" shall be payable.
- (2) In the case of a vehicle in respect of which a penalty charge has been incurred, a parking attendant may attach to the vehicle in a conspicuous position, or at his discretion, hand to a person whom he has reason to believe has incurred the penalty charge under this Order a notice which shall include the following particulars:-
- (a) the registration mark of the vehicle or, where the vehicle is being used under a trade licence, the general registration mark assigned to the holder of that licence and which mark is shown on the trade plates carried by that vehicle;
 - (b) the time by which he had reason to believe that a penalty charge has been incurred;
 - (c) a statement that a penalty charge is required to be paid;
 - (d) the manner in which, and the time within which the penalty charge should be paid.
- (3) Where a penalty charge notice has been attached to a vehicle in accordance with the provisions of Article 31(2), no person, not being the owner or person in charge of a vehicle or a parking attendant, shall remove the notice from a vehicle unless authorised to do so by the said persons, provided that nothing herein shall apply to a parking attendant or a person removing a vehicle in pursuance to Article 35.
- (4) The penalty charge shall be payable to the Council either by:
- (a) Cheque Bankers Draft, Money Order or Postal Order which shall be delivered, or sent by post so as to reach the Parking Manager, Wellington House, P.O. Box 580, Slough SL1 1FB not later than 4.30pm on the fourteenth day following the day on which the penalty charge was incurred;
 - (b) in cash, in person as indicated on the reverse of the Penalty Charge Notice:
- provided that, if the fourteenth day falls upon a day on which the Council Offices are closed, the period within which payment of the said charge shall be made to the Council shall be extended until 4.30pm on the next full day on which the said Offices are open.
32. The penalty charge shall be payable to the Council in the manner prescribed in paragraph (4) of the foregoing Article within 28 days following the day on which the penalty charge was incurred and further provided that the penalty charge shall be reduced to Thirty Pounds (£30.00) if payment is received within 14 days of the day the penalty charge was incurred.
33. (1) Notwithstanding the provisions of Article 31, where a parking attendant is of the opinion that the provisions of this Order have been contravened in respect of a vehicle left in a parking place, he may remove or cause to be removed the vehicle from the parking place and, where it is so removed, shall provide safe custody of the vehicle; and
- (2) the Council may retain custody of the vehicle so removed from the parking place until such time as-
- (a) the expenses incurred by the Council in removing and storing that vehicle; and
 - (b) the outstanding charges in respect of that vehicle have been paid in full;
- provided that any such vehicle shall only be released from custody of the Council on production of written authority of the registered keeper of that vehicle.

34. Nothing in this Order shall apply in relation to:-

- (1) a vehicle being used in the service of the Council for the collection of refuse, reconstruction of the parking place, or the placement, maintenance or removal of any traffic sign or equipment within a parking place; or
- (2) a vehicle being used for laying, erection or repair of any main, pipe or apparatus within a parking place for the supply of gas, water, electricity or of any telecommunication system; or
- (3) a vehicle being used for ambulance, fire brigade or police purposes in an emergency.
- (4) a vehicle in the service of, or employed by the Post Office and is being used for the purpose of delivering or collecting postal packets as defined by Section 87 of the Post Office Act 1953.
- (5) a vehicle used by a local authority or public utility undertaking acting in pursuance of statutory powers in relation to the highway comprised in the Parking Place, or in relation to apparatus in, on, over or under that highway.

35. No person shall, except with the permission of any person duly authorised by the Council, cause or permit any vehicle the height of which exceeds 6'6" to enter or proceed in any Parking Place listed in the Schedules to this Order.

PART IV REVOCATIONS

36. Without prejudice to the validity of anything done or to any liability incurred in respect of any act or omission before the coming into operation of this Order, the Borough of Slough (Off Street Parking Places) Order 2002 and the Borough of Slough Off-Street Parking (Prudential Yard) Amendment Order 2004 shall be revoked.

THE COMMON SEAL of the SLOUGH

BOROUGH COUNCIL was hereunto

affixed this

in the presence of:-

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Authorised Signatory

Sanayle

Director of Law & Corporate Governance.

FIRST SCHEDULE

Name of parking place	Class of permitted vehicles	Days of operation	Hours of operation and Scale of charges
Brunel multi-storey	All classes up to 1525kg unladen weight	All days	<p>Mondays to Saturdays 7.30a.m. - 6.00p.m.</p> <p>Up to 1 hourNo charge Up to 2 hours.....No charge 2 – 3 hours£2.00 3 – 4 hours.....£3.00 5 hours and over.....£6.00</p> <p>6.00pm - 8.00pm.....£1.00</p> <p>Sundays and Bank Holidays.....£1.00</p>
Buckingham Gardens	All classes up to 1525kg unladen weight	All days	<p>Mondays to Sundays (all year) 7.30a.m. - 9.00p.m.</p> <p>Up to 1 hour£1.40 1 – 2£2.60 2 – 3 hours£3.40 3 – 4 hours.....£4.60 5 hours and over.....£8.00</p> <p>9.00pm – 7.30am£6.00</p>
Burlington (surface level)	All classes up to 1525kg unladen weight	Saturday and Sunday only	<p>7.30am – 6.00pm.</p> <p>Up to 1 hour£0.50 1 – 2£1.00 2 – 3 hours£2.00 3 – 4 hours.....£3.00 5 hours and over.....£6.00</p> <p>6.00pm – 07.30am£1.00</p> <p>Sundays and Bank Holidays.....£1.00</p>
The Grove (surface level)	All classes up to 1525kg unladen weight	All days	<p>Mondays to Saturdays 7.30a.m. - 6.00p.m.</p> <p>Up to 1 hour£1.40 1 – 2 hours.....£2.60 2 – 3 hours£3.40 3 – 4 hours.....£4.60 5 hours and over.....£8.00</p> <p>6.00pm - 7.30am.....£1.00</p> <p>Sundays and Bank Holidays.....£1.00</p>

Name of parking place	Class of permitted vehicles	Days of operation	Hours of operation and Scale of charges
Harrow Market	All classes up to 1525kg unladen weight	All days	<p>Mondays to Saturdays 7.30a.m. - 6.00p.m.</p> <p>Up to 30 mins.....No charge Up to 1 hour.....£0.50 1 – 2 hours£1.00 2 – 3 hours.....£1.50</p> <p>Sundays and Bank Holidays....No charge</p>
Hatfield multi-storey	All classes up to 1525kg unladen weight	All days	<p>Mondays to Saturdays 7.30a.m. - 6.00p.m.</p> <p>Up to 1 hourNo charge 1 – 2£1.00 2 – 3 hours£2.00 3 – 4 hours.....£3.00 5 hours and over.....£6.00</p> <p>6.00pm – 07.30am£1.00</p> <p>Sundays and Bank Holidays.....£1.00</p>
Herschel multi-storey	All classes up to 1525kg unladen weight	All days	<p>Mondays to Sundays (all year) 8.00am – 6.00pm.</p> <p>Up to 1 hour£0.60 1 – 2£1.50 2 – 3 hours£2.50 3 – 4 hours.....£3.00 5 hours and over.....£6.00</p> <p>6.00pm – 08.00am£8.00</p>
Market Yard	All classes up to 1525kg unladen weight	Saturday and Sunday only	<p>7.30a.m. - 6.00p.m.</p> <p>Up to 2 hoursNo charge 2 – 3 hours£2.00 3 – 4 hours.....£3.00 5 hours and over.....£6.00</p> <p>6.00pm - 7.30am.....£1.00</p> <p>Sundays and Bank Holidays.....£1.00</p>

SECOND SCHEDULE

SEASON TICKETS - VALID MONDAY TO FRIDAY 7.00AM – 6.00PM

1 Period	2 FEES							
	Brunel multi-storey	Buckingham Gardens	Burlington surface level	The Grove surface level	Harrow Market	Hatfield Multi-storey	Herschel multi-storey	Market Yard
1 month	£125.00	£150.00	£125.00	£150.00	N/A	£125.00	£125.00	N/A
6 months	£550.00	£600.00	£550.00	£600.00	N/A	£600.00	£600.00	N/A
12 months	£1000.00	£1200.00	£1000.00	£1200.00	N/A	£1200.00	£1200.00	N/A

SEASON TICKETS - VALID 24 HOURS ON ALL DAYS

1 Period	2 FEES							
	Brunel multi-storey	Buckingham Gardens	Burlington surface level	The Grove surface level	Harrow Market	Hatfield Multi-storey	Herschel multi-storey	Market Yard
1 month	£200.00	£250.00	£200.00	£250.00	N/A	£200.00	£200.00	N/A
6 months	£700.00	£800.00	£700.00	£800.00	N/A	£700.00	£700.00	N/A
12 months	£1250.00	£1500.00	£1250.00	£1500.00	N/A	£1250.00	£1250.00	N/A

SEASON TICKETS - VALID 24 HOURS ON ALL DAYS

PRUDENTIAL YARD	PERMIT HOLDERS ONLY 7am to 10pm	Parking space up to 4350mm long	£1250.00
		Parking space over 4350mm long	£1500.00