

THE BOROUGH OF SLOUGH
OFF-STREET PARKING PLACES (SPECIAL PARKING AREA)
(CONSOLIDATION) ORDER 2010

The Council of the Borough of Slough 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, and in accordance with The Road Traffic (Permitted Parking Area and Special Parking Area) (Borough of Slough) Order 2003 made by the Secretary of State hereby make the following Order.

CITATION AND COMMENCEMENT

This Order shall be cited as "The Borough of Slough Off-Street Parking Places (Special Parking Area) (Consolidation) Order 2010 and shall have effect from 23 August 2010.

PART I

CITATION AND INTERPRETATION

1. This Order shall come into operation on the 23 August 2010 and may be cited as "The Borough of Slough Off-Street Parking Places (Special Parking Area) (Consolidation) Order 2010".
2. In this Order, except where the context otherwise requires, the following expressions have the meaning 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;

"Civil Enforcement Officer" has the same meaning as that given in section 76 of the Traffic Management Act 2004

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

"Disabled Person's Badge", "Disabled Person's 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 public 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, the unladen weight of which does not exceed 1525kgs, and not being a motorcycle;

"Owner" means the person by whom the vehicle is kept, which in the case of a vehicle registered under the Vehicle Excise and Registration Act 1994, is presumed (unless the contrary is proved) to be the person in whose name the vehicle is registered

"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) and 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 accompanying Schedules in accordance with Article 23 of this Order;

"Penalty Charge" has the same meaning as that given in section 92 of the Traffic Management Act 2004

"Penalty Charge Notice" means a notice showing the information required by the Schedule of The Civil Enforcement of Parking Contraventions (England) General Regulations 2007.

"Pre-paid permit" means a permit issued under the provisions of Article 4 of this Order

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

"The 2004 Act" means the Traffic Management Act 2004

- (b) Except where otherwise stated, any reference in the Order to a numbered Article of 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 Schedule 1 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 Schedule 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 motor cycle.

- (b) The Council reserves the right to reduce individual fees shown in Column 4 of Schedules 1 and 3 on a temporary basis only after reference to the appropriate Council Committee.

SEASON TICKETS AND PRE-PAID PERMITS

4. (a) The owner of a motor vehicle or motorcycle may, on application to the Council, purchase a season ticket respect of that motor vehicle or motorcycle for use in the car parks listed in Schedule 2, for a duration and fee show in the columns of that schedule as applying to each car park. That season ticket shall be valid in such parking place as is specified thereon for the period for which it is issued and is non refundable.
- (b) The season ticket, shall be attached or displayed in the motor vehicle or motorcycle, on the front windscreen or dashboard, and so placed that the details shown on the front of the said season ticket are clearly visible to the persons standing outside the motor vehicle or motorcycle at all times while the motor vehicle or motorcycle is parked in a parking place for which the said season ticket has been issued.
- (c) 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
- (d) 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.
- (e) The Council may issue or arrange for the issue by its authorised agent, of a pre-paid permit on application by the owner of a motor vehicle or motorcycle to allow that motor vehicle or motor cycle to park in a car park listed in Schedule 1 or 2 of this Order, without displaying a valid parking ticket or season ticket for any duration of stay between the minimum permitted charging period and up to a maximum of one month..
- (f) The pre-paid permit will be issued after payment of the appropriate fee for the required duration of stay as listed in column 4 of Schedule 1 of this Order and should be attached or displayed in the motor vehicle or motorcycle, in the front windscreen or dashboard, at all times while the motor vehicle or motorcycle is parked in a car park for which the pre-paid permit has been issued.
- (g) A pre-paid permit shall only be valid in the car park and for the vehicle for which it was issued and is not transferable between vehicles and non-refundable.

DISABLED PERSONS' PARKING PLACES. PARKING PLACES FOR SOLO MOTORCYCLES AND SEASON TICKET HOLDER PARKING PLACES

5. Subject to the provisions of this Order, the Council may allocate any number of spaces at any parking place for the use of:-
- (a) disabled person's vehicles only;
- (b) motorcycles only; or.
- (c) any specifically identified individual or organisation to whom a season ticket has been issued by the Council in accordance with the provision of Article 4.

6. Where in this Order parking spaces are marked as being reserved, that is, marked as being for disabled motorists, for motorcyclists only or as "reserved bays" for season ticket holders, no person shall cause or permit any vehicle to enter such spaces unless they are entitled to do so.
7. Notwithstanding the provisions contained in this Order, all fees and charges shall be waived in the respect of:-
 - (a) Disabled persons' vehicles – whether parked in a parking space which has been allocated in accordance with the provisions of Article 5(a) or in any other parking space, situated within a parking place, provided that the vehicle is displaying a valid Disabled Person's Badge.
 - (b) Motorcycles – provided that such vehicles are parked in a parking space which has been allocated for motorcycles in accordance with the provision of Article 5(b); and
 - (c) Any motor vehicle or motorcycle provided that such vehicles are parked in a parking space which has been allocated for that individual or organisation in accordance with the provision of Article 5(c).
8. (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 5(c) 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

PARKING INSTRUCTIONS

9. 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.
10. 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
11. 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 parking 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 person duly authorised by the Council with regard to the position in which the motor vehicle or motorcycle is parked.

12. No person shall use any part of a parking place of any motor vehicle or motorcycle left in a parking place:
- (a) As a domicile;
 - (b) For overnight sleeping or camping purposes;
 - (c) For eating or cooking purposes;
 - (d) For lighting fires or placing of gas cylinders;
 - (e) For tethering animals or for the abandonment of a vehicle;
 - (f) For playing music, advertising, carrying on a trade, depositing litter or other artefacts, flyposting, creating graffiti, fouling or allowing an animal to foul;
 - (g) For skateboarding, rollerblading, ball games and sports activities; or
 - (h) 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.
13. 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
14. (a) A person leaving a live animal in a motor vehicle or motorcycle in a parking place to which this Order applies, shall take responsible 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 the motor vehicle or motorcycle.
- (b) No person shall, while a motor vehicle or motorcycle is in as 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 this 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.
- (c) 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 11(c) or 14(a) hereof in exercising the 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
- (d) The Council may on any day including Sunday suspend this off-street parking places Order in respect of all or any of the parking places or any part of one or more of them.
15. 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 Schedule 1, unless a per-paid permit issued in accordance with Article 4 has been issued and displayed.
16. 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

17. 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.
18. 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.
19. 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 of whereby a breach of the peace is likely to be occasioned.
20. 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;
 - (c) 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.
21. No person shall cause or permit to wait in a parking place any motor vehicle or motorcycle leaking oil, petrol or other fuel.
22. When a motor vehicle or motorcycle is waiting in a parking place in contravention of the provisions of Article 8(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.
23. 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 his position.
24. Motor vehicles or motorcycles using parking places shall enter or leave by such access as may be indicated by any person duly authorised by the Council or, in the absence of such indication, as may be indicated by notice displayed on or near the parking place.
25. Save as provided in Articles 4 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 fee's due in accordance with the scale of fees set out in Column 4 of Schedule 1 into a mechanical device and for obtaining therefrom, a parking ticket or tickets indicating the amount paid/or the time of arrival at the parking place
26. 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.
27. (a) A parking ticket is valid when it is displayed in a motor vehicle or motorcycle and is so placed that the details shown on the front of the said ticket are legible from the front or nearside of that vehicle by a person standing outside the said motor vehicle or motorcycle.

- (b) The parking ticket shall be securely attached in the motor vehicle or motorcycle in a conspicuous position (in the case of a motor vehicle, on the front dashboard) at all times while the motor vehicle or motorcycle is parked in a parking place referred to in Schedule 1.
 - (c) Where a parking ticket is displayed in accordance with paragraphs (a) and (b) above it is valid until the time of expiry indicated thereon.
28. No person shall:
- (a) 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.
 - (b) 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
29. 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.
30. Nothing in the 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 Schedules.
31. Where a parking ticket has been exhibited in accordance with Article 27 or a penalty charge notice has been attached to motor vehicle or motorcycle in accordance with the provisions of Article 33, 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
32. 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

33. (a) 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, a penalty charge shall be payable.
- (b) A penalty charge notice giving the prescribed information and the amount of the penalty charge payable may be either fixed to the vehicle or given to the person appearing to be in charge of the vehicle or sent by post in accordance with the 2004 Act.
- (c) Where a penalty charge notice has been attached to a vehicle in accordance with the provisions of Article 33(b), no person, other than the owner or person in charge of the vehicle or the Civil Enforcement Officer, shall remove the notice from a vehicle unless authorised to do so by those persons, provided that nothing herein shall apply to a Civil Enforcement Officer or a person removing a vehicle in pursuance to Article 35.

34. The penalty charge shall be payable to the Council by such method deemed appropriate by the Council in accordance with the instructions on the penalty charge notice.
35. (a) Notwithstanding the provision of Article 33, where the Civil Enforcement Officer 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
- (b) The Council may retain custody of the vehicle so removed from the parking place until such time as-
- (i) The expenses incurred by the Council in removing and storing that vehicle; and
- (ii) 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 the written authority of the registered keeper of that vehicle.
36. Nothing in this Order shall apply in relation to:-
- (a) 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
- (b) 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
- (c) a vehicle being used for ambulance, fire brigade or police purposes in an emergency.
- (d) 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
- (e) 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.
37. 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.

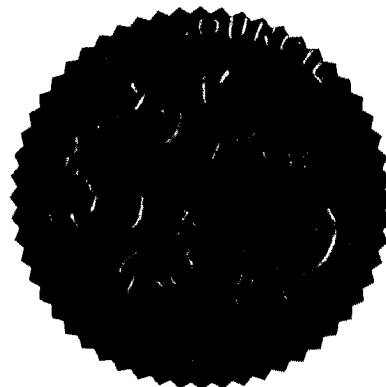
PART IV

REVOCATION

Without prejudice to the validity of anything done or to any liability incurred in respect of any act or omission before the coming into effect of this Order, the following Orders are revoked:

Slough Borough Council (Off Street Parking Places) (Special Parking Area) Order 2005
Slough Borough Council (Off Street Parking Places) (Special Parking Area) Order 2005
(Amendment No. 1) 2008

The COMMON SEAL of the SLOUGH
BOROUGH COUNCIL was hereunto
affixed this
in the presence of



Authorised Signatory

Maria Memoli
Acting Borough Secretary
and Solicitor

13 August 2010

SCHEDULE 1

<u>Name of Parking Place</u>	<u>Class of Permitted Vehicles</u>	<u>Days of Operation</u>	<u>Hours of Operation and Scale of Charges</u>
Buckingham Avenue	All classes up to 1525kg un-laden weight	All Days	Up to 1 hour - £0.20 Up to 2 hours - £0.30 Up to 3 hours - £0.40 Up to 4 hours - £0.50 5 hours and over - £0.50
Buckingham Gardens	All classes up to 1525kg un-laden weight	All Days	7:30am – 9:00pm Up to 1 hour - £2.00 Up to 2 hours - £3.00 Up to 3 hours - £4.00 Up to 4 hours - £6.00 5 hours and over - £8.00 Overnight 9:00pm – 7:30am - £8.00
Burlington (surface level)	All classes up to 1525kg un-laden weight	Saturday and Sunday Only	7:30am – 6:00pm Up to 1 hour - £0.50 Up to 2 hours - £1.00 Up to 3 hours - £2.20 Up to 4 hours - £3.20 5 hours and over - £6.50 Overnight 6:00pm – 7:30am - £1.00 Sundays and Public Holidays - £1.00
The Grove	All classes up to 1525kg un-laden weight	All Days	Monday to Saturday 7:30am – 6:00pm Up to 1 hour - £2.00 Up to 2 hours - £3.00 Up to 3 hours - £4.00 Up to 4 hours - £6.00 5 hours and over - £8.00 Overnight 6:00pm – 7:30am - £2.00 Sundays and Public Holidays - £1.00

<u>Name of Parking Place</u>	<u>Class of Permitted Vehicles</u>	<u>Days of Operation</u>	<u>Hours of Operation and Scale of Charges</u>
Harrow Market	All classes up to 1525kg un-laden weight	All Days	<p>Monday to Saturday 7:30am – 6:00pm</p> <p>Up to 30 minutes – No Charge Up to 1 hour - £0.50 Up to 2 hours - £1.00 Up to 3 hours - £1.70 Up to 4 hours - £2.00</p> <p>Overnight 6:00pm – 7:30am – No Charge</p> <p>Sundays and Public Holidays – No Charge</p>
Hatfield MSCP	All classes up to 1525kg un-laden weight	All Days	<p>Monday to Saturday 7:30am – 6:00pm</p> <p>Up to 1 hour - £0.50 Up to 2 hours - £1.00 Up to 3 hours - £2.10 Up to 4 hours - £3.20 5 hours and over - £6.50</p> <p>Overnight 6:00pm – 7:30am - £1.00</p> <p>Sundays and Bank Holidays - £1.00</p>
Herschel Street MSCP	All classes up to 1525kg un-laden weight	All Days	<p>All Days 6:00pm – 8:00am - £8.00</p> <p>Saturday and Sunday 8:00a.m – 6:00p.m</p> <p>Up to 1 hour - £0.60 Up to 2 hours - £1.50 Up to 3 hours - £2.70 Up to 4 hours - £3.20 5 hours and over - £6.50</p>
Malton Avenue North	All classes up to 1525kg un-laden weight	All Days	<p>Up to 1 hour - £0.20 Up to 2 hours - £0.30 Up to 3 hours - £0.40 Up to 4 hours - £0.50 5 hours and over - £0.50</p>

<u>Name of Parking Place</u>	<u>Class of Permitted Vehicles</u>	<u>Days of Operation</u>	<u>Hours of Operation and Scale of Charges</u>
Malton Avenue South	All classes up to 1525kg un-laden weight	All Days	Up to 1 hour - £0.20 Up to 2 hours - £0.30 Up to 3 hours - £0.40 Up to 4 hours - £0.50 5 hours and over - £0.50

SCHEDULE 2

SEASON TICKETS – VALID MONDAY TO FRIDAY 7:00AM – 6:00PM

Period	Charges				
	Buckingham Gardens	Burlington	The Grove	Hatfield MSCP	Herschel MSCP
1 Month	£170	£140	£170	£140	£150
6 Months	£700	£600	£700	£650	£700
12 Months	£1,400	£1,100	£1,400	£1,300	£1,400

SEASON TICKETS – VALID 24 HOURS ON ALL DAYS

Period	Charges				
	Buckingham Gardens	Burlington	The Grove	Hatfield MSCP	Herschel MSCP
1 Month	£250	£220	£250	£220	£220
6 Months	£800	£750	£800	£750	£750
12 Months	£1,500	£1,350	£1,500	£1,350	£1,500

SEASON TICKETS – VALID 24 HOURS ON ALL DAYS

PRUDENTIAL YARD	PERMIT HOLDERS ONLY 7AM – 10PM	Parking space up to 4350mm long	£1,300
		Parking space over 4350mm long	£1,550

SCHEDULE 3

<u>Name of Parking Place</u>	<u>Class of Permitted Vehicles</u>	<u>Days of Operation</u>	<u>Hours of Operation and Scale of Charges</u>
Buckingham Avenue	All classes up to 1525kg unladen weight	All days	No charge
Malton Avenue North	All classes up to 1525kg unladen weight	All days	No charge
Malton Avenue South	All classes up to 1525kg unladen weight	All days	No charge
Parlaunt Road	All classes up to 1525kg unladen weight	All days	No charge
High Street, Langley	All classes up to 1525kg unladen weight	All days	No charge
Vicarage Way	All classes up to 1525kg unladen weight	All days	No charge
Elmshott Lane	All classes up to 1525kg unladen weight	All days	Monday to Saturday 7.30am – 6.00pm Maximum stay – 2 hours 6.00pm – 7.30am No time limit Sundays and Bank Holidays No time limit

