

**THE CITY OF SOUTHAMPTON**  
**(OFF-STREET PARKING PLACES)**  
**TRAFFIC REGULATION ORDER 2009**

Southampton City Council (hereinafter called "the Council") in exercise of its powers under Sections 32, 33 and 35(1) and (3) of the Road Traffic Regulation Act, 1984, ("the Act") and Part IV of Schedule 9 to the Act and of all other enabling powers and after consultation with the Chief Office of Police in accordance with Part III of Schedule 9 to the Act hereby makes the following Order:

**1 CITATION**

This Order shall come into operation on 01 April 2009 and may be cited as The City of Southampton (Off-Street Parking Places) Traffic Regulation Order 2009.

**2 INTERPRETATION**

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

"Bank Holiday" means Easter Monday, the last Monday in May, the last Monday in August, 26 December, if it is not a Sunday, and 27 December, when 25 or 26 December is a Sunday.

"Bulk Discount Agreement" means an agreement for the sale of quantities of season tickets at a preferential rate in accordance with the provisions of Article 24.

"Car Club" means a community car club or similar organisation (including any person or organisation acting on behalf of such club or organisation) approved in writing by the Council for the purposes of this order; and

"Car Club Vehicle" means a vehicle of a type approved by the Council and provided by a car club or by the Council for the use of persons who have paid any relevant membership or other car club fee and by means of a real-time or advance booking system may have use of the vehicle for a specified period

"Charging Days" means those days other than Christmas Day and Easter Sunday which are specified in Schedules 9.01 to 9.12 for each parking place respectively.

"Charging Period" means the daytime charging hours or overnight charging hours on a specific day and "Daytime Charging Period" and "Overnight Charging Period" shall be construed accordingly.

"Civil Enforcement Officer" means a person authorised by or on behalf of the Council in accordance with the provisions of Part 6 of the Traffic Management Act 2004 to enforce the restrictions imposed by this Order.

"Daytime Charging Hours" means the period between 12 noon and 18.00 hours, on those charging days which are Sundays, Bank or Public Holidays, and the period between 08.00 hours and 18.00 hours on all other charging days, except in the car park known as Mayflower Park, where the period will be from sunrise to sunset on every charging day.

"Daytime Season Ticket" means a ticket purchased from the Council, subject to certain conditions laid down by the Head of Highways and Parking Service valid for the period specified on the ticket for use during daytime charging hours in the parking place or places specified on the ticket.

"Disabled Persons' Badge" means a badge issued by any Local Authority in accordance with the provisions of the Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000 or a badge having effect under those regulations as if it were a disabled person's badge.

"Essential Visitors' Parking Permit" means a permit issued by the Council under the terms of the City of Southampton (First Controlled Zone) Traffic Regulation Order 2007, for the purpose of allowing essential visitors to park.

"Goods Vehicle" means a vehicle, which is constructed or adapted for use for the carriage of goods or burden of any description.

"Motor Cycle" refers to a solo motor cycle only and excludes any motor cycle which has a side-car or trailer, or which has more than two wheels.

"Named Days" means days named at the time of the initial purchase of the season ticket in question and written thereon at that time.

"Overnight Charging Hours" means the period between 18.00 hours and 24.00 hours on any day of the year.

"Overnight Season Ticket" means a ticket purchased from the Council, subject to certain conditions laid down by the Head of Highways and Parking Services, valid for the period specified on the ticket for use during overnight charging hours in the parking place or places specified on the ticket.

"Owner" means the person by whom the vehicle is kept. In determining who was the owner of a vehicle at any time it shall be presumed that the owner was the person in whose name the vehicle was at that time registered under the Vehicle Excise and Registration Act 1994.

"Parking Bay" means any area of a parking place, which is provided for the leaving of a vehicle and indicated by markings on the surface of the parking place.

"Parking Place" means an area of land specified by name in Schedules 9.01 to 9.12 and provided by the Council pursuant to Section 32(1) of the Act for the purpose of vehicle parking and not closed (in part or in whole) by a Notice erected thereon by authority of the Council.

"Passenger Vehicle" means a vehicle constructed or adapted solely for the carriage of passengers and their effects.

"Pay Station" means an apparatus of a type and design approved by the Secretary of State for Transport for the purpose inter alia of this Order, being apparatus designed to receive payment in respect of Pay on Foot Parking.

"Penalty Charge" means the charge set by the Council under the provisions of Part 6 of the Traffic Management Act 2004, which is to be paid to the Council following the issue of a Penalty Charge Notice and within 28 days of the issue of that Notice.

"Public Holiday" means Christmas Day, Good Friday and any other day designated by the Government as a public holiday.

"Shopmobility Scheme" means the scheme authorised by the Council to operate from the parking place shown in Schedule 9.11 for the purpose of enabling people with impaired mobility to gain access to shops and other premises.

"Ticket Machine" means an apparatus of a type and design, approved by the Secretary of State for Transport, for the purpose, inter alia, of this Order, being apparatus designed to

indicate the time by a clock, and to issue parking tickets which show that a payment has been made of an amount, or for a period specified thereon, and which specify the date and either the time of such payment, or the time at which the vehicle must leave the parking place.

**2(B)** Except where the context requires otherwise, any reference in this Order to an Article or Schedule shall be construed as a reference to that Article or Schedule in this Order.

**3** Sub-sections (4) and (5) of Section 47 of the Road Traffic Regulation Act 1984 shall apply to the parking places as if they were parking places provided on a highway.

#### **4 USE OF PARKING PLACES**

- (i) Each parking place in Schedules 9.01 to 9.12 may be used in accordance herewith for the parking of all vehicles except:
  - (a) vehicles exceeding 3.5 tonnes gross vehicle weight and vehicles adapted to carry more than 8 passengers exclusive of the driver;
  - (b) vehicles drawing trailers in Grosvenor Square, Eastgate Street, Marlands, Salisbury Street and West Park Road multi-storey car parks;
  - (c) vehicles, any part of which exceeds 2.05 metres in height in Grosvenor Square, Eastgate Street, Marlands, Salisbury Street multi-storey car parks or 1.88 metres in height in West Park Road car park; and
  - (d) vehicles of any description in Bargate Street car park, unless they are parked for the purpose of using the Shopmobility Scheme and display in a prominent position, so that it is facing forwards and can be entirely and easily seen from in front of the vehicle, a valid permit in writing issued by the operators of the Shopmobility Scheme, authorising the vehicle to be parked and clearly indicating the period of validity of the permit.
- (ii) No person shall cause or permit a vehicle to park in a space marked for Disabled Persons unless the vehicle displays a Disabled Person's Badge in the manner prescribed by Regulation 12 of the Disabled Person's (Badges for Motor Vehicles) (England) Regulations 2000.
- (iii) No person shall cause or permit a vehicle to park in a space marked for Car Club vehicles unless the vehicle is a Car Club vehicle for which written permission has been given by the Council for that vehicle to use that space; and
- (iv) A maximum of six parking bays shall be reserved for car club vehicles in any one car park at any time.

#### **5 POSITION OF VEHICLES**

- (i) Motor cycles and pedal cycles permitted in the parking places shown in Schedules 9.01 to 9.12 and specified in Article 4, shall be positioned in bays marked "motor cycles" on the parking place, except in certain car parks which require a special manner of parking, as specified in Schedules 9.01 to 9.12.
- (ii) All other vehicles permitted to wait in the parking places, as shown Schedules 9.01 to 9.12 and specified in Article 4, shall be positioned in any other bays marked on the parking place, except in certain car parks which require a special manner of parking, as specified in Schedules 9.01 to 9.12.
- (iii) Every vehicle left in a parking place shall stand wholly within the limits of a parking bay where these are marked on the parking place.

## **6 MANNER OF PARKING OF TRAILERS**

- (i) Save as provided in paragraph (ii) below, the driver of a vehicle drawing a trailer shall not permit the vehicle or the trailer to wait in a parking place unless they have been disconnected, and for the purposes of this Order the vehicle and the trailer shall be deemed to be separate vehicles and the driver of the leading vehicle shall be deemed to be the driver of both of the vehicles.
- (ii) Nothing in paragraph (i) above shall apply so as to prevent a vehicle connected to a trailer from waiting in a parking bay at which the Council has placed a sign or marking to indicate that such vehicles may wait and for the purposes of this Order a vehicle and trailer left in such a bay shall be deemed to be a single vehicle.

## **7 USE OF CARAVANS IN PARKING PLACES**

No person shall use a vehicle or a trailer, while it is in a parking place as a dwelling or for any domestic or sanitary purpose.

## **8 USE OF VEHICLES IN PARKING PLACES**

No person shall use a vehicle or a trailer, while it is in a parking place, in connection with the sale of any article to persons in or near the parking place, or in connection with the selling or offering for hire of his skill or services, unless duly authorised by the Council in writing so to do.

## **9 REPAIR OF VEHICLES IN PARKING PLACES**

No person shall, while a vehicle is in a parking place, permit the carrying out of any work of maintenance or repair thereto except such as may be necessary to enable the vehicle to be moved from the parking place.

## **10 MAXIMUM PERIOD OF WAITING**

The maximum periods of waiting in the parking places and limitations on returning to them shall apply as specified in Schedule 9.00.

## **11 REMOVAL OF A VEHICLE FROM PARKING PLACES**

Where a person duly authorised by the Council is of the opinion that any of the provisions contained in this Order have been contravened, or not complied with in respect of a vehicle left in a parking place, he may, under the provisions of the Removal and Disposal of Vehicles Regulations 1986, remove the vehicle or cause it to be removed from the parking place, and, where it is so removed, shall provide for the safe custody of the vehicle.

## **12 MOVEMENT OF VEHICLES IN A PARKING PLACE IN EMERGENCIES**

- (i) A Police Constable in uniform or any other person duly authorised by the Council may, in case of emergency, move or cause to be moved, vehicles left in a parking place to any place he thinks fit.
- (ii) Where a vehicle is left in a parking place in a position other than that specified in Article 5 and Schedules 9.01 to 9.12, a Police Constable in uniform or any other person duly authorised by the Council may move the vehicle or cause it to be moved to a position which complies with that specified in Article 5 and Schedules 9.01 to 9.12.

## **13 MANNER OF MOVING VEHICLES**

Any person moving or removing a vehicle in accordance with Articles 11 or 12 may do so by towing or driving the vehicle, or in such other manner as he may think necessary, and



may take such measures in relation to the vehicle as he may think necessary to enable him to move or remove it as aforesaid.

#### **14 SAFE CUSTODY OF VEHICLES**

When a person authorised by the Council removes a vehicle or causes it to be removed from a parking place in accordance with Article 11 of this Order, he shall make such arrangements as may be reasonably necessary for the safe custody of the vehicle.

#### **15 DIRECTION IN WHICH VEHICLES MUST BE DRIVEN**

No person shall drive or cause or permit to be driven any vehicle on any length of road or aisle in any parking place contrary to the directions given by the appropriate carriageway markings or signs.

#### **16 ENTRY AND EXIT**

The driver of a vehicle shall not cause it to enter a parking place at a point marked "No Entry" or to leave a parking place at a point marked "No Exit".

#### **17 "PAY AND DISPLAY" PARKING TICKETS**

- (i) The driver of a vehicle left in accordance with the provisions of this Order during any daytime charging period or part thereof in any parking place shown in Schedules 9.01, 9.02, 9.05, 9.06, 9.07, 9.08, 9.09, 9.10 and 9.12 shall purchase a valid parking ticket at the price indicated in Schedule 9.00 for the relevant tariff and length of stay and exhibit the parking ticket on the vehicle in accordance with the provisions of Article 18(ii).
- (ii) The driver of a vehicle left in accordance with the provisions of this Order during any overnight charging period or part thereof in the parking place described in Schedule 9.02 and known as West Park Road Multi-Storey Car Park shall purchase a valid parking ticket at the price of £1.00 for a period of up to 1 hour, £2.00 for a period of up to 2 hours and £3.00 for a period of more than two hours and exhibit the parking ticket on the vehicle in accordance with the provisions of Article 18(ii).
- (iii) Notwithstanding the provisions of paragraph (ii) above, if a vehicle enters the parking place known as West Park Road Multi-Storey Car Park during any daytime charging period and remains there with a single valid parking ticket displayed upon it until part of the immediately following overnight charging period has elapsed, the payment for the overnight charging hours shall be calculated as if those hours were daytime charging hours but shall not exceed the charge specified in paragraph (ii) above.

#### **18 A parking ticket used in a parking place shown in Schedules 9.01, 9.02, 9.05, 9.06, 9.07, 9.08, 9.09, 9.10 and 9.12 shall only be a valid parking ticket if:**

- (i) it has been purchased from a ticket machine situated in the parking place where the vehicle is left or in another parking place that has the same car park code;
- (ii) it is exhibited on the vehicle:
  - (a) in the case of a vehicle fitted with a transparent windscreen, by exhibiting the ticket behind the windscreen at the near side of the vehicle so that the front of the ticket is clearly and entirely visible from outside the vehicle; or
  - (b) in the case of a vehicle not fitted with a transparent windscreen, by exhibiting the ticket in a conspicuous position at the front or near side of the vehicle so that the front of the ticket is clearly and entirely visible from outside the vehicle; AND

- (iii) it has been so purchased and displayed in accordance with the following provisions:-
- (a) in the parking places specified in 9.01, 9.02, 9.05, 9.06, 9.07, 9.08, 9.09, 9.10 and 9.12, one ticket per vehicle shall be valid either from the time of purchase or if purchased at a time when parking charges are not applicable from the beginning of the next following daytime charging period to the expiry time specified on the ticket so however that no such ticket shall be valid after the vehicle has exceeded in any one daytime charging period the maximum period of waiting (if any) specified in Article 10;
  - (b) a group of general purpose coded tickets and, where applicable, tickets in respect of overnight charging hours shall be valid during successive charging periods at the rate of one ticket per charging period if they are all purchased on the same day and the first such ticket is a valid parking ticket for the remainder of the charging period during which it is purchased (or, if purchased outside charging hours, for the whole of the next following period of charging hours) and each of the other such tickets indicates prima facie validity for a charging period provided that all of the tickets are displayed continuously and simultaneously and provided that the vehicle remains stationary; and
  - (c) in the parking place specified in Schedule 9.06, one ticket per vehicle shall be valid at any time on the day of purchase for the period of 2 hours commencing either at the time and date specified on that ticket or, if purchased outside daytime charging hours, at the commencement of the next following period of daytime charging hours.

## **19 RESTRICTION ON REMOVAL OF PARKING TICKETS**

When a parking ticket has been exhibited on a vehicle, in accordance with the provisions of Article 18(iii), no person shall remove the parking ticket from the vehicle until the vehicle is removed from the parking place.

## **20 PAY ON FOOT PARKING**

- (i) The parking places specified in Schedules 9.03 and 9.04 shall be controlled by entry and exit barriers. The driver of a vehicle shall gain entry to such parking places by taking a ticket at the entry barrier. This ticket shall be submitted to a pay station at the end of the parking period and validated by making a payment in accordance with paragraphs (ii), (iii), and (iv) below. The validated ticket shall then be used to operate the exit barrier.
- (ii) Subject to the provisions of paragraph (iv) below, the parking tariffs shown in Schedule 9.00 shall apply in respect of each daytime charging period or part thereof during which a vehicle is left in any of the parking places specified in Schedules 9.03 and 9.04.
- (iii) Subject to the provisions of paragraph (iv) below, a charge of £1.00 for a period of up to 1 hour, £2.00 for a period of up to 2 hours and £3.00 for a period of more than two hours shall apply in respect of each overnight charging period or part thereof during which a vehicle is left in any of the parking places specified in Schedules 9.03 and 9.04.
- (iv) Notwithstanding the provisions of paragraphs (ii) and (iii) above, if a vehicle enters any of the parking places specified in Schedules 9.03 and 9.04 during any daytime charging period and remains there until part of the immediately following overnight charging period has elapsed, the payment for the overnight charging hours shall be calculated as if those hours were daytime charging hours but shall not exceed the charge specified in paragraph (iii) above.

- (v) In the event that the driver of a vehicle is unable to produce a ticket through loss or any other cause whatsoever he may obtain a validated ticket by making a payment at a pay station as follows:-
  - (a) at the full daily rate specified in Schedule 9.00 for each daytime charging period or part thereof during which the vehicle has been left in the parking place and
  - (b) at a rate of £3.00 for each overnight charging period or part thereof during which the vehicle has been left in the parking place.

## **21 PEDAL CYCLES AND MOTOR CYCLES**

The driver of a motor cycle or a pedal cycle which is left in accordance with the provisions of this Order in a parking place in the position specified for such vehicles as specified in Article 5 and Schedules 9.01 to 9.10 and 9.12, shall be exempt from purchasing a parking ticket.

## **22 DISABLED PERSONS' AND ESSENTIAL VISITORS' VEHICLES**

- (i) The driver of a vehicle left in accordance with the provisions of this Order in a parking place, shown in Schedules 9.01, 9.02, 9.05, 9.06, 9.07, 9.08, 9.09, 9.10 and 9.12 shall be exempt from purchasing a parking ticket if the vehicle is:
  - (a) a vehicle which displays a Disabled Person's Badge in the manner prescribed by Regulation 12 of the Disabled Person's (Badges for Motor Vehicles) (England) Regulations 2000; OR
  - (b) a vehicle which displays a valid Essential Visitors' Parking Permit issued and used in accordance with the provisions of the City of Southampton (First Controlled Zone) Traffic Regulation Order 2008.
- (ii) The restrictions imposed by Article 10 of this Order shall not apply to vehicles displaying a Disabled Person's Badge as described in paragraph (i)(a) of this Article.

## **23 ABSENCE OF TICKET MACHINE**

If at the time when a vehicle is left in a parking place shown in Schedules 9.01, 9.02, 9.05, 9.06, 9.07, 9.08, 9.09, 9.10 and 9.12 there is no ticket machine at the parking place, or all the ticket machines at that parking place carry notices placed upon them by a person duly authorised by the Council indicating that they are out of order, the driver of that vehicle shall be exempt from purchasing a parking ticket.

## **24 SEASON TICKETS AND BULK DISCOUNT AGREEMENTS**

- (i) Daytime season tickets shall be available for the parking places specified in Schedules 9.02 and 9.03 but each ticket shall be valid only for the parking place or places specified upon it.
- (ii) The driver of a vehicle left during daytime charging hours in accordance with the provisions of this Order in a general purpose coded parking place as specified in Schedule 9.02 shall be exempt from purchasing a parking ticket if there is displayed in the manner prescribed for parking tickets in Article 18(ii) a valid daytime season ticket purchased from the Council.
- (iii) The driver of a vehicle left during daytime charging hours in accordance with the provision of this Order in a parking place specified in Schedule 9.03 shall be exempt from making a payment at a pay station for any period in respect of which a valid daytime season ticket has been used to gain access through the entry and exit barriers.

- (iv) The price of a daytime season ticket shall be:
- (a) In the case of a ticket valid for five named days per week:
- 12 months: £2080.00  
6 months: £1040.00  
3 months: £520.00  
1 month: £170.00
- (b) In the case of a ticket valid for seven days per week:
- 12 months: £2700.00  
6 months: £1350.00  
3 months: £675.00  
1 month: £230.00
- (v) Overnight season tickets shall be available for the parking place specified in Schedule 9.02 and known as West Park Road Multi-Storey Car Park and for the parking places specified in Schedules 9.03 and 9.04 but each ticket shall be valid only for the parking place or places specified upon it.
- (vi) The driver of a vehicle left during overnight charging hours in accordance with the provisions of this Order in West Park Road Multi-Storey Car Park shall be exempt from purchasing a parking ticket if there is displayed in the manner prescribed for parking tickets in Article 18(ii) a valid overnight season ticket purchased from the Council.
- (vii) The driver of a vehicle left in accordance with the provision of this Order in a parking place specified in Schedules 9.03 and 9.04 shall be exempt from making a payment at a pay station for any overnight charging period in respect of which a valid overnight season ticket has been used to gain access through the entry and exit barriers.
- (viii) If a driver using a valid overnight season ticket leaves a vehicle in any of the parking places specified in Schedules 9.03 and 9.04 and does not remove that vehicle from the parking place until part of the next daytime charging period has elapsed, the charge applicable for those daytime charging hours shall be deducted from the remaining value of the season ticket and the period of validity of the ticket shall be adjusted accordingly.
- (ix) Subject to the provisions of paragraph (viii) above, the price of an overnight season ticket shall be £250 for 12 months.
- (x) If a season ticket is lost or destroyed, the permit holder may apply to the Council for the issue of a duplicate ticket and the Council, upon being satisfied as to such loss or destruction, shall issue a duplicate ticket so marked and upon such issue the first ticket shall become invalid.
- (xi) The charge for a duplicate season ticket issued under the provisions of paragraph (x) above shall be £13.00.
- (xii) The Council may from time to time make bulk discount agreements in respect of periods exceeding 12 months for the sale of quantities of season tickets at a preferential rate taking into account criteria including, but not limited to, the following:-
- (a) the number of tickets bought;  
(b) the duration of the agreement; and  
(c) the benefits to the Council and the city in terms of inward investment.
- (xiii) Any season ticket purchased under a bulk discount agreement shall be valid between the hours of 8 a.m. and 6 p.m. on any day of the week except Saturdays,



Sundays and bank and public holidays and shall have a period of validity of 12 months, or any other period which the Council shall from time to time determine.

- (xiv) The price of a season ticket purchased under a bulk discount agreement shall be based upon the price of a 12 month season ticket shown in paragraph (iv)(a) of this Article and the following discounts shall apply:-

<b>Duration of Agreement</b>	<b>More than 1 year</b>		<b>10 or more years</b>		<b>20 or more years</b>	
Number of Tickets*	50-199	200-450	50-199	200-450	50-199	200-450
Discount	Nil	5.125%	5.125%	10.25%	10.25%	20.5%

\*Valid for 12 months (or any shorter period at the beginning or end of the term of a bulk discount agreement).

- (xv) Any season ticket purchased under a bulk discount agreement shall only be valid while that agreement continues in force and the ticket is being used in accordance with the terms thereof.
- (xvi) Any season ticket holder may surrender the ticket to the Council at any time and, upon the surrender of the ticket, the Council shall refund a due proportion of the price of the permit in respect of each complete unexpired calendar month for which the permit would have been valid.

## **24A RESERVED PARKING BAYS**

- (i) The Council shall from time to time and at its entire discretion reserve up to 450 parking bays within Eastgate Street Multi-Storey Car Park for use by holders of season tickets issued under the terms of a bulk discount agreement.
- (ii) The parking bays referred to in paragraph (i) above shall be reserved from 08.00 hours to 18.00 hours on any day other than a Saturday, Sunday or bank or public holiday but shall be available for use by the public in accordance with the provisions of this Order at all other times.
- (iii) No person other than a season ticket holder acting in accordance with the terms of a bulk discount agreement shall cause or permit any vehicle to enter or remain in a parking bay during any period when it is reserved.
- (iv) The Council shall from time to time place within Eastgate Street Multi-Storey Car Park such signs, markings or barriers as it shall consider appropriate to indicate reserved parking bays or to restrict vehicular access to them and any vehicle left within a reserved parking bay shall display in the manner prescribed by Article 18 (ii) such form of identification as the Council shall from time to time require.
- (v) No season ticket which is valid in respect of reserved parking bays shall be valid in respect of any other parking bays.

## **25 COUNCIL STAFF PARKING**

The driver of a vehicle left in the parking place known as West Park Road (Multi-Storey) Car Park in accordance with the provisions of this Order and the requirements of the Council's Staff Parking Scheme shall be exempt from purchasing a parking ticket.

## **26 PERMIT PARKING AT THE QUAYS AND CROSSHOUSE HARD**

- (i) The driver of a vehicle left in accordance with the provisions of this Order in the Quays (North), Quays (South), Harbour Parade or Crosshouse Hard Car Parks shall be exempt from purchasing a parking ticket and from any maximum length of stay specified in this Order if the vehicle displays, in the manner prescribed for

parking tickets in Article 18(ii), a valid parking permit which has been issued by the Council.

- (ii) The period of validity of any permit issued under the provisions of this Article shall be marked clearly upon the permit together with an indication that the permit has been issued by the Council.
- (iii) Where a permit has been displayed on a vehicle in accordance with the provisions Article 18(ii) no person other than the driver of that vehicle shall remove the permit from the vehicle unless authorised to do so by the driver of that vehicle.
- (iv) The issuing of permits in respect of the Quays (North), Quays (South) and Harbour Parade Car Parks and their period of validity shall be at the discretion of the Manager of the Quays Swimming and Diving Complex.
- (v) The Council may at its entire discretion issue a maximum of one permit in respect of the Crosshouse Hard Car Park to any person who is the owner of a vehicle and, in the Council's opinion, needs to leave that vehicle in the car park regularly during the charging hours for the purpose of using the public hard. The period of validity of such a permit shall be 12 months and the charge for a permit shall be £13. The Council may also at its entire discretion limit the number of permits to be issued to any group of users of the public hard.
- (vi) The Council may, by notice in writing, served on the permit holder by sending to the permit holder at the address shown by that person on the application for the permit or at any other address believed to be that person's place of abode or place of business, withdraw a permit in respect of the Crosshouse Road Car Park if it appears to the Council that the circumstances described in paragraph (v) above no longer apply.
- (vii) The Council may at any time require an applicant for a permit issued under the provisions of this Article or a holder of such a permit to produce to an officer of the Council such evidence in respect of an application for a permit made to them as they may reasonably require to verify any particulars or information given to them or in respect of any permit issued by them as they may reasonably require to verify that the permit is valid.

## **26A SUSPENSION OF PARKING PLACES**

- (i) Any person duly authorised by the Council may suspend the use of a parking place or any part thereof for any such period or periods as the Council shall consider appropriate for any of the following purposes:-
  - (a) undertaking maintenance or improvement works within that car park or upon property adjacent to it;
  - (b) ensuring public safety;
  - (c) facilitating redevelopment and special events; or
  - (d) any other purpose which the Council shall from time to time determine at its entire discretion.
- (ii) Any person suspending the use of a parking place or any part thereof in accordance with paragraph (i) of this Article shall thereupon place or cause to be placed in or adjacent to that parking place such traffic sign, barrier or other device as that person shall consider appropriate for the purpose of giving effect to that suspension.
- (iii) Save as provided in paragraph (iv) of this Article, no person shall cause or permit a vehicle to be left in any part of a parking place during such period as there is in or adjacent to that part of the parking place any traffic sign, barrier or other device placed in pursuance of paragraph (ii) of this Article.

- (iv) Any suspension of the use a parking place or any part thereof in accordance with the provisions of this Article may exempt any such class or classes of vehicles as the Council shall from time to time determine at its entire discretion.
- (v) The Council shall impose such charges as it shall consider appropriate for the purpose of recovering loss of income in respect of any parking places of which the use has been suspended under the provisions of this Article, but may waive such charges at its entire discretion in respect of registered charities or non-profit-making organisations.
- (vi) Nothing in this Order shall restrict the powers of the Council to enter into agreements for the letting of such parking places or parts thereof as the Council shall consider appropriate.
- (vii) The manager of the Quays Swimming and Diving Complex shall be authorised to close (in whole or in part) by a Notice thereon, the Quays (North) and Quays (South) car parks and Harbour Parade car park, when, in his opinion it is appropriate to do so because of special circumstances in the operation of the said Complex.

## **27 SHOPMOBILITY PARKING**

- (i) The driver of a vehicle left in accordance with the provisions of this Order in a parking place shown in Schedule 9.11 shall be exempt from purchasing a parking ticket.
- (ii) Where a permit has been displayed on a vehicle in accordance with the provisions of Article 4(i)(d) no person other than the driver of that vehicle shall remove the permit from the vehicle unless authorised to do so by the driver of that vehicle.

## **28 CONTRAVENTIONS**

If a vehicle is left in a parking place referred to in Schedules 9.01 to 9.12 without complying with the requirements of this Order, a contravention shall have occurred and a penalty charge shall be payable.

## **29 NOTICE OF PENALTY CHARGE**

Where a person duly authorised by the Council has reason to believe that a contravention has occurred he shall serve a Penalty Charge Notice in respect of the vehicle concerned in accordance with the provisions of Part 6 of the Traffic Management Act 2004.

## **30 RESTRICTION ON REMOVAL OF NOTICES**

A penalty charge Notice fixed to a vehicle in accordance with Article 29 shall not be removed or interfered with except by or under the authority of:

- (i) the owner, or person in charge of, of the vehicle; or
- (ii) some other person duly authorised by the Council.

## **31 PAYMENT OF PENALTY CHARGE**

- (i) The owner of a vehicle in respect of which the penalty charge has been incurred shall pay the penalty charge to the Council EITHER by cheque or postal order which shall be delivered or sent by post so as to reach the Exchequer Services Division of the Council within 28 days of the issue of the penalty charge OR in cash in person at the said Division not later than as aforesaid OR by credit card or debit card.
- (ii) If the penalty charge is paid before the end of the period of 14 days beginning with the date of the Notice, the amount of the penalty charge will be reduced by the specified proportion.

- (iii) If the owner fails to pay the penalty charge by the end of the 28 day period, a Notice to Owner may be served; and if the charge is then not paid within a further 28 days it may be increased by 50%.

## **32 DISPOSAL OF VEHICLES ABANDONED IN PARKING PLACES**

- (i) The Council may sell or otherwise dispose of a vehicle which has been, or could at any time be, removed from a parking place pursuant to Article 11, if the vehicle appears to have been abandoned, provided that this power of disposal shall not be exercisable unless the Council has taken such of the following steps as are applicable to the vehicle in question, and there has elapsed a period of six weeks beginning with the taking of the first of those steps.
- (ii) Where the vehicle carries a registration mark the Council shall ascertain from the appropriate body the name and address of the person who is the Registered Keeper of the vehicle pursuant to the Vehicles (Excise) Act 1971, unless the Council is satisfied that the true owner of the vehicle has identified himself to it.
- (iii) The Council shall, where it is by virtue of paragraphs (ii), (iv) and (v) of this Article, aware of the name and address of a person who it appears may be the owner of the vehicle, send a Notice to that person at that address stating that it is the intention of the Council to sell or otherwise dispose of the vehicle (which shall be sufficiently described in the Notice) on or after a specified date (which shall not be less than two weeks from the date of the Notice and in any event not earlier than six weeks from the date of the first step taken by the Council under this Part of this Order) unless it is in the meantime removed by or on behalf of that person from such place as is specified by the Council in the said Notice or from such place as may be subsequently notified in writing by the Council to that person.
- (iv) If any person to whom a Notice is sent in accordance with paragraph (iii) of this Article informs the Council of the name and address of some other person who he alleges may be the owner of the vehicle, a Notice stating the particulars mentioned in the last preceding Article shall be sent to that other person and to any further person who the Council may in consequence of the sending of the Notice to the said other person be led to believe may be the owner of the vehicle.
- (v) Where a vehicle does not carry a registration mark the first step to be taken by the Council shall be to apply in writing to the Chief Officer of Police in whose area the parking place is situated enquiring whom that officer considers is the owner of the vehicle and the address of that person.
- (vi) The Council shall then make such further enquiries as to ownership as it thinks fit.
- (vii) Upon the sale of a vehicle by the Council, the Council shall apply the proceeds of sale in or towards the satisfaction of any costs incurred by it in connection with the disposal thereof and of any charge or payment to which it is entitled.
- (viii) In the event that any such costs incurred by the Council in connection with the disposal of the vehicle are not satisfied by virtue of the last preceding Article, the Council may recoup those costs from the person who was the owner of the vehicle immediately before it was removed from the parking place, provided that that person was sent by the Council a Notice under paragraph (iii) of this Article.
- (ix) Any sums received by the Council on a sale of a vehicle shall, after deducting any sum applied thereabouts by virtue of paragraph (vii) of this Article, be payable within a period of one year from receipt hereof to any person to whom, but for such sale, the vehicle would have belonged and insofar as any such sums are not claimed within the said period they shall be paid into the General Rate Fund of the Council.
- (x) Where under the foregoing provisions of this Order a Notice is required to be or may be sent to a person the Notice shall be sent by recorded delivery post.



### **33 REVOCATIONS**

- (i) All those Orders (relating to off-street parking places) specified in Schedule 1.01 to this Order are hereby revoked.

THE COMMON SEAL of  
SOUTHAMPTON CITY COUNCIL  
was hereunto affixed this 25<sup>th</sup> day  
of March 2009

in the presence of:

Authorised Signatory

## **Summary of Schedules**

- 1.01 Orders to be Revoked in their Entirety
- 9.00 Daytime Parking Tariffs and Time Limits
- 9.01 Short Stay Pay and Display Car Parks
- 9.02 General Purpose Pay and Display Car Parks
- 9.03 General Purpose Pay on Foot Car Parks
- 9.04 Marlands Tariff Pay on Foot Multi-Storey Car Parks
- 9.05 Crosshouse Hard Car Park
- 9.06 Mayflower Park Car Park
- 9.07 The Quays North Pay and Display Car Park
- 9.09 Perimeter Pay and Display Car Parks
- 9.10 Bevois Valley Pay and Display Car Park
- 9.11 Shopmobility Car Park
- 9.12 Kingsland Car Parks

### **SCHEDULE 1.01**

#### **Orders to be Revoked in their Entirety**

The City of Southampton (Off-Street Parking Places) (No 2) Consolidation Order 2008

SCHEDULE 9.00											
Daytime Parking Tariffs and Time Limits											
Length of Stay	Short Stay		Kingsland Code	Mayflower Code	General Purpose		Marlands Code	The Quays North Code	Crosshouse Code	Perimeter Code	Bevois Valley Code
	Inner Area Code	Outer Area Code			Inner Area Code	Outer Area Code					
Up to ½ hr	£0.70	£0.60	£0.80	£0.70	£1.20	£1.10	£1.10	£1.20	£1.20	£1.20	£0.50
Up to 1 hr	£1.40	£1.30			£2.40	£2.20	£2.00	£2.40	£1.20	£1.20	£1.00
Up to 2 hrs	£2.80	£2.50	£1.50		£3.30	£3.20	£3.00	£3.30	£2.40	£2.00	£1.60
Up to 3 hrs		£3.30	£2.30		£4.20	£4.00	£3.90	£4.20			£2.00
Up to 4 hrs					£5.00	£4.80	£5.30		£4.00		
Up to 5 hrs					£6.80	£6.40	£8.40			£3.00	
Up to 6 hrs					£7.30	£7.00	£10.50				
Up to 7 hrs					£8.00	£7.50	£14.00		£5.80		
Over 7 hrs											
Maximum Stay and Limitation on Return	2 hours No Return on Same Day	3 hours No Return on Same Day	3 hours No Return on Same Day	None if ticket renewed	None	None	None	4 hours No Return on Same Day	None	None	4 hours No Return on Same Day

<b>SCHEDULE 9.01 PART A: Short Stay Inner Area Code - Pay and Display Parking</b>		
<b>Situation of Parking Place</b>	<b>Special Manner of Standing of Vehicles in Parking Place</b>	<b>Charging Days</b>
ALBION PLACE Land bounded on the north by Albion Place and on the east by Castle Way		Every day of the week
CASTLE WAY Land bounded on the east by Castle Way and on the south by Albion Place		Every day of the week
CIVIC CENTRE FORECOURT Whole Area	Pedal cycles in facilities provided; motor cycles in bays marked "Motor Cycles". All other vehicles in any bay marked in the parking place which does not bear any marking or barrier indicating it is reserved	Every day of the week
COMMERCIAL ROAD Land bounded on the south by Wyndham Court and on the north by Commercial Road, being situated 168.5 metres west of the western kerbline of Havelock Road and 13 metres east of the eastern kerbline of Wyndham Place		Every day of the week
GUILDHALL ENVIRONS The whole area in alleyways under and adjacent to the Civic Centre bounded on the east by the Guildhall Forecourt car park and on the west by the Police Station and Courtyard		Saturdays, Sundays and Bank and Public Holidays only
GUILDHALL FORECOURT Land bounded on the east by West Marlands Road, on the north by the footway adjacent to the Library, on the south by the footway adjacent to the Municipal Offices and on the west by the line of the footway adjacent to the Guildhall extending to the footways adjacent to the Library and Municipal Offices		Every day of the week
QUEEN'S TERRACE Land bounded on the north by Queen's Terrace and on the east by Terminus Terrace		Every day of the week
WYNDHAM PLACE Land bounded on the west by Wyndham Place and on the north by Commercial Road		Every day of the week
<b>SCHEDULE 9.01 PART B: Short Stay Outer Area Code - Pay and Display Parking</b>		
<b>Situation of Parking Place</b>	<b>Special Manner of Standing of Vehicles in Parking Place</b>	<b>Charging Days</b>
WILTON AVENUE Land bounded on the east by Bedford Place, on the south by Amoy Street and on north by Wilton Avenue		Every day of the week



<b>SCHEDULE 9.02 PART A: General Purpose Inner Area Code – Pay and Display Parking</b>		
<b>Situation of Parking Place</b>	<b>Special Manner of Standing of Vehicles in Parking Place</b>	<b>Charging Days</b>
<b>AMOY STREET</b> Land bounded on the north by the boundaries of properties in Wilton Avenue, on the south by the boundaries of properties in Canton Street and on the east by the western boundary of Nos 12 and 14 Amoy Street	In an orderly manner adjacent to and at an angle of 90 degrees to the control fences provided or to the northern, western or southern boundary	Every day of the week
<b>COLLEGE STREET</b> Land bounded on the north by College Street and on the west by Threefield Lane		Every day of the week
<b>COMPTON WALK</b> The land bounded on the north by Compton Walk, on the west by St Andrews Road, on the east by the rear of Nos 54-57 St Mary's Road and boundary of No 24 1/2 Compton Walk on the south east by the extended boundary line of Nos 53 and 54 St Mary's Road		Every day of the week
<b>GLOUCESTER SQUARE</b> Land at Gloucester Square bounded on the north by Friary House and on the south by Gloucester Passage		Every day of the week
<b>GROSVENOR SQUARE NORTH</b> Land in the centre of Grosvenor Square		Every day of the week
<b>HANDFORD PLACE</b> North side at its western end		Every day of the week
<b>KINGS PARK ROAD</b> Land bounded on the north by the boundary of No 4 Kings Park Road and on the south by the boundaries of the properties in Brunswick Place		Every day of the week
<b>LIME STREET</b> The roof of the East Street development		Every day of the week
<b>SOUTHBROOK ROAD</b> Land on both sides of Southbrook Road bounded on the west by Central Station Bridge		Every day of the week
<b>THE QUAYS (SOUTH)</b> Land bounded on the north by the Quays (North) car park on the east by the Quays swimming and Diving Complex on the south by the Grand Harbour Hotel and on the west by the Harbour Parade car park and the Grand Harbour Hotel car park		Every day of the week
<b>WEST PARK ROAD (MULTI-STOREY)</b> That part of the multi-storey car park constructed to the south east of West Park Road, which has its entrance off West Park Road		Every day of the week

<b>SCHEDULE 9.02 PART B: General Purpose Outer Area Code – Pay and Display Parking</b>		
<b>Situation of Parking Place</b>	<b>Special Manner of Standing of Vehicles in Parking Place</b>	<b>Charging Days</b>
<b>HARBOUR PARADE</b> Land bounded on the north by Harbour Parade on the east by the Quays (North) and Quays (South) car parks and on the south-west by the Grand Harbour Hotel car park		Every day of the week
<b>NORTHAM ROAD</b> The land bounded on the south by Northam Road, on the north by Six Dials and on the west by the Public House at 53 Northam Road		Every day of the week
<b>SIX DIALS</b> The land bounded on the south by Six Dials and on the north by the Brintons Road Housing Development		Every day of the week
<b>TRINITY ROAD</b> The land bounded on the south west by St Andrews Road on the north east by St Mary's Road and on the north west by the south eastern boundaries of No 108 St Andrews Road and No 23 St Mary's Road		Every day of the week

<b>SCHEDULE 9.03: General Purpose Inner Area Code - Pay on Foot Parking</b>		
<b>Situation of Parking Place</b>	<b>Special Manner of Standing of Vehicles in Parking Place</b>	<b>Charging Days</b>
<b>BEDFORD PLACE (MULTI-STOREY)</b> The multi-storey car park constructed between Salisbury Street, Vernon Walk and Lower Banister Street Service Road		Every day of the week
<b>EASTGATE STREET (MULTI-STOREY)</b> The multi-storey car park constructed between Eastgate Street and the Back of the Walls		Every day of the week
<b>GROSVENOR SQUARE (MULTI-STOREY)</b> The multi-storey car park constructed to the south of Grosvenor Square North car park		Every day of the week

<b>SCHEDULE 9.04: Marlands Code - Pay on Foot Parking</b>		
<b>Situation of Parking Place</b>	<b>Special Manner of Standing of Vehicles in Parking Place</b>	<b>Charging Days</b>
<b>MARLANDS (MULTI-STOREY)</b> The multi-storey car park bounded on the east by Western Esplanade and on the south by Pirelli Street		Every day of the week

<b>SCHEDULE 9.05: Crosshouse Code - Pay and Display Parking</b>		
<b>Situation of Parking Place</b>	<b>Special Manner of Standing of Vehicles in Parking Place</b>	<b>Charging Days</b>
<b>CROSSHOUSE HARD</b> The land bounded on the north-west side by Crosshouse Road, the Scout Hut premises and the Town Depot, on the north-east side by the mean low water mark of the River Itchen, on the south-east side by the south-eastern boundary of the public slipway, on the east side by the mean high water mark of the River Itchen and on the south side by the Cross House Centre and the premises of the Itchen Imperial Rowing Club	No vehicles to wait except in marked bays  Only vehicles drawing trailers to wait in bays marked for such vehicles	Every day of the week

<b>SCHEDULE 9.06: Mayflower Code - Pay and Display Parking</b>		
<b>Situation of Parking Place</b>	<b>Special Manner of Standing of Vehicles in Parking Place</b>	<b>Charging Days</b>
<b>MAYFLOWER PARK</b> Land bounded on the north-east by Herbert Walker Avenue and on the south-east by the Royal Pier		Every day of the week

<b>SCHEDULE 9.07: The Quays (North) Code - Pay and Display Parking</b>		
<b>Situation of Parking Place</b>	<b>Special Manner of Standing of Vehicles in Parking Place</b>	<b>Charging Days</b>
<b>THE QUAYS (NORTH)</b> Land bounded on the north by the former Pirelli site on the east by Western Esplanade on the south by the Quays Swimming and Diving Complex and the Quays (South) car park and on the west by the Harbour Parade car park		Every day of the week

<b>SCHEDULE 9.09: Perimeter Code - Pay and Display Parking</b>		
<b>Situation of Parking Place</b>	<b>Special Manner of Standing of Vehicles in Parking Place</b>	<b>Charging Days</b>
<b>BOND STREET</b> Land bounded on the south and south west by the rear of the footway on the north east side of Bond Street on the west and north west side by the rear of the footway on the east and south east side of Millbank Street, on the east by the boundary with the adjacent industrial site and on the north by the boundary with the Salvation Army Hall		Every day of the week

<b>SCHEDULE 9.10: Bevois Valley Code - Pay and Display Parking</b>		
<b>Situation of Parking Place</b>	<b>Special Manner of Standing of Vehicles in Parking Place</b>	<b>Charging Days</b>
<b>BEVOIS VALLEY ROAD</b> Land bounded on the east and north sides by Bevois Valley Road and on the south side by land adjacent to the north side of Ancasta Road		Every day of the week

<b>SCHEDULE 9.11: Shopmobility Parking</b>		
<b>Situation of Parking Place</b>	<b>Special Manner of Standing of Vehicles in Parking Place</b>	<b>Charging Days</b>
<b>BARGATE STREET</b> Land bounded on the north by Town Wall and on the west by Castle Way		None

<b>SCHEDULE 9.12: Kingsland Code - Pay and Display Parking</b>		
<b>Situation of Parking Place</b>	<b>Special Manner of Standing of Vehicles in Parking Place</b>	<b>Charging Days</b>
<b>ASCUPART STREET</b> Land bounded on the east by Nos. 2 to 48 Ascupart Street and adjoining property, on the south by the northern boundary of the footpath between Jonas Nichols Square and Albion Towers on the west by Nos. 120 to 128 St Mary Street and on the north by the southern boundary of Ascupart Street		Every day of the week
<b>JAMES STREET (NORTH)</b> Land bounded on the east and south by James Street Evangelical Church and adjoining property, on the west by the eastern boundary of the service road at the rear of Nos. 129 to 135 St Mary Street and on the north by the southern boundary of the footpath between Jonas Nichols Square and Albion Towers		Every day of the week



**THE CITY OF SOUTHAMPTON  
(OFF-STREET PARKING PLACES)  
TRAFFIC REGULATION ORDER 2009**

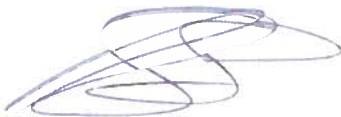


### 33 REVOCATIONS

- (i) All those Orders (relating to off-street parking places) specified in Schedule 1.01 to this Order are hereby revoked.

THE COMMON SEAL of  
SOUTHAMPTON CITY COUNCIL  
was hereunto affixed this 25<sup>th</sup> day  
of March 2009

in the presence of:



Authorised Signatory



96180

