

EPSOM AND EWELL BOROUGH COUNCIL

EPSOM AND EWELL (PAY AND DISPLAY PARKING PLACES) ORDER 1987

The Council of the Borough of Epsom and Ewell (hereinafter referred to as "the Council") with the consent of Surrey County Council in exercise of the powers conferred upon them by Section 35 of the Road Traffic Regulation Act 1984 and pursuant to arrangements made with Surrey County Council under Section 101 of The Local Government Act 1972 in exercise of the powers conferred upon Surrey County Council by Section 45 of the Road Traffic Regulation Act 1984 and of all other powers them enabling in that behalf and after consultation with the Chief Officer of Police pursuant to paragraph 20(1) of Schedule 9 to the Road Traffic Regulation Act 1984 hereby make the following Order:-

PART I

GENERAL

1. This Order shall come into operation on the 27 day of *July* One thousand nine hundred and eighty-seven and may be cited as the "Epsom and Ewell (Pay and Display Parking Places) Order 1987"
2. (1) In this Order except where the context otherwise requires the following expressions have the meanings hereby respectively assigned to them:-
"authorised vehicle" means a vehicle of a class specified in Column 3 of the Schedules hereto

"day" means the period of twenty-four hours from 8am to 8am

"parking place", means any of the parking places named in Column 1 of Schedule I or Schedule II to this Order, and shown edged in red on the plans attached hereto;

"parking bay", means any part of a parking place marked out by means of white lines or otherwise, for the leaving of a vehicle other than a motor cycle or pedal cycle;

"parking area", means any part of a parking place marked out by means of white lines or otherwise, for the leaving of motor cycles or pedal cycles;

"parking attendant", means a person authorised by or on behalf of the Council to supervise any parking place;

"invalid carriage" and "motor cycle", have respectively the same meanings as in Section 136 of the Road Traffic Regulation Act 1984;

"motor car", means a mechanically propelled vehicle, not being a motor cycle or an invalid carriage or a commercial vehicle, the weight of which unladen does not exceed 30cwt, which is constructed itself to carry a load or passengers;

"charging hours", in relation to any parking place means the period specified as such in Column 5 of Schedule I and Schedule II to this Order;

"driver" in relation to an authorised vehicle waiting in a parking place means the person driving

the said vehicle at the time it was left in the parking place;

"owner" includes an owner within the meaning of section 142(1) of the Road Traffic Regulation Act 1984;

"ticket machine", means an apparatus of a type and design approved by the Secretary of State for the Environment for the purpose of this Order, being apparatus designed to issue parking tickets indicating the payment of a charge and the date and time at which the charge was paid.

(2) The Interpretation Act 1978 shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.

(3) ~~Any reference in this Order to any enactment shall be construed as a reference to that enactment as amended applied consolidated reenacted by or as having effect by nature of any subsequent enactment.~~

3. 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 Orders listed in Schedule III hereto are hereby repealed.

PART II

GENERAL USE OF PARKING PLACE

4. The area of land specified by name in column 1 of Schedule I to this Order is designated as a parking place and may be used subject to the following

provisions of this Order as a parking place for such classes of vehicles in such position and on such days and during such hours and on payment of such charges as are specified in relation to that area in the said schedule to this Order.

5. Subject to the following provisions of this Order each area of land specified by name in Column 1 of Schedule II to this Order may be used as a parking place by such vehicles in such positions and on such days and during such hours as are specified in relation to that parking place in the said Schedule

6. Nothing in this Order shall affect the rights of way or any other rights that may have been or may be granted by the Council over any of the land coloured pink on the plans annexed hereto

7. Notwithstanding the provisions of this Order the Council may by notice displayed at or near a parking place close such parking place or part thereof for any period and during such period no person shall cause or permit a vehicle to be left in the parking place.

8. (i) Where in Schedule I or Schedule II to this Order a parking place is described as available for vehicles of a specified class and in a specified position, the driver of a vehicle shall not permit it to wait in that parking place unless it is:-

(a) of the specified class; and

(b) in the specified position

(ii) The driver of a vehicle exceeding 6'3" in height shall not drive the vehicle into the parking place known as Hook Road Car Park (No. 4) except with the permission of a person duly authorised by the Council

9. The driver of a vehicle using a parking place shall stop the engine as soon as the vehicle is in position in that parking place and shall not start the engine except when about to change the position of the vehicle in or to depart from the parking place.
10. No person shall use a vehicle when it is in a parking place for or in connection with the sale of any article (including the vehicle itself) to ~~persons in or near the parking place or for or in~~ connection with the selling or offering for hire of his or any other persons skill, services or goods
11. The driver of a vehicle shall not permit that vehicle to wait in a parking place unless the vehicle is licensed in accordance with the provisions of Section 1 of the Vehicles (Excise) Act 1971 where the said provisions apply to the vehicle and unless there is in relation to the use of the vehicle by the driver such a policy of insurance as complies with the requirements of Part VI of the Road Traffic Act 1972 as they apply to the said vehicle.
12. The driver of a vehicle using a parking place shall not sound any horn or other similar instrument

except when about to change the position of the vehicle in or to depart from the parking place.

13. No person shall, except with the permission of any person duly authorised by the Council, drive any vehicle in the parking place other than for the purpose of leaving that vehicle in the parking place in accordance with the provisions of this Order or for the purpose of departing from the parking place.
14. 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.
15. 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.
16. No person shall use any part of a parking place or any vehicle left in a parking place:-
 - (a) for sleeping or camping purposes;
 - (b) for eating or cooking purposes;
 - (c) for the purpose of servicing, washing, cleaning, constructing, maintaining or repairing any vehicle or part thereof other than as is reasonably necessary to enable that vehicle to depart from the parking place; or
 - (d) for washing any part of his person.
17. No person shall use a parking place as a means of passage proceeding from one road to another road or from one part of a road to another part of that road.

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 vehicle using the parking place shall proceed in a specified direction within the parking place,

no person shall drive or cause or permit to be driven any vehicle:-

(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. In a parking place no person shall:-

(a) erect or cause or permit to be erected any tent, booth, stand, building or other structure without the written consent of the Council;

(b) light or cause or permit to be lit any fire, stove or cooker.

20. No person shall leave in a parking place any vehicle or wheeled article other than an authorised vehicle.

21. Subject to Article 25 hereof:-

(1) The driver of an authorised vehicle shall not permit it to wait in a parking place or any part of a parking place for longer than the maximum period permitted for waiting specified in Schedule I or Schedule II hereto

(2) In respect of Car Park No 1 High Street Car Park No. 10 Swimming Centre and the Market Place Car Park no person being the driver of a vehicle shall leave such vehicle in such parking place during the period of one hour following the expiry of an earlier period when such vehicle was left in such parking place.

22. If at any time in a parking bay or bays or area or areas there is displayed a notice that a particular bay or area is reserved for the leaving of disabled persons vehicles or motor cycles or motor cycles and pedal cycles, no person shall leave a vehicle in any such parking bay or such parking area other than for the purpose so specified.

23. For the purposes of this Order the term "disabled persons' vehicle" shall mean the following vehicles:-

(i) an invalid carriage;

(ii) a vehicle issued to a disabled person by a Government Department in lieu of an invalid carriage;

(iii) a vehicle left in a parking place by the driver thereof who is a person who on account of his severe physical disability has been given a notice in writing by the Council that he is exempt from any limitation on time and from the payment of any charge if the notice is displayed on the vehicle in a conspicuous position;

(iv) a disabled person's vehicle which displays in the relevant position a disabled person's badge issued by any local authority in accordance with the provisions of the Disabled Persons (Badges for Motor Vehicles) Regulations 1982 or a badge having effect under those Regulations as if it were a disabled person's badge

PART III

PAY AND DISPLAY SYSTEM

24. The initial charges for a vehicle left in a parking place during the charging hours shall, subject as hereinafter provided, be those specified against that parking place in Column 6 of Schedule I or Schedule II to this Order.

25. (1) The following vehicles shall be exempt from any limitation of time and from the payment of any charge specified in Schedule I to this Order:-

disabled persons vehicles

(2) The following vehicles shall be exempt from any limitation of time and from the payment of any charge specified in Schedule II to this Order:-

(a) disabled persons vehicles; and

(b) motor cycles and pedal cycles

26. (1) The initial charge specified in Article 24 shall be payable on leaving the vehicle in a parking place mentioned in the said Schedules by the insertion of the appropriate coin or coins in the ticket machine provided in such parking place.

(2) Upon payment of the initial charge for the vehicle the driver thereof shall exhibit on the vehicle the ticket issued by the ticket machine by affixing the ticket to the inside surface of the windscreen so that it is facing forwards and can be easily seen from the front of the vehicle and shall continue to display such ticket during the whole of the time that such vehicle remains in the parking place.

(3) The ticket referred to in paragraph (2) of this Article shall be so exhibited on the vehicle that the time and other particulars shown on the said ticket are clearly visible from outside the vehicle.

(4) Where a vehicle without a windscreen is left in a parking place, the ticket referred to in paragraph (2) of this Article shall be exhibited by the driver of that vehicle in accordance with paragraph (3) of this Article and shall continue to be so exhibited during the whole of the time that such vehicle remains in the parking place.

(5) Payment of the initial charge for the vehicle left in a parking place shall be indicated by the issue by a ticket machine of a numbered ticket indicating that the charge has been paid in respect of the initial period for which it was paid and the day and time of payment of the charge and by the exhibition of that ticket on the vehicle in the manner specified in paragraphs (2) and (3) and (4) of this Article.

PART IV

ENFORCEMENT PROVISIONS

27. (1) If a vehicle is left in a parking place:-

(a) during the charging hours longer than the initial period for which payment was made by the initial charge; or

(b) during the charging hours without a ticket being exhibited on that vehicle in accordance with Article 26 of this Order; or

(c) during the charging hours in contravention of Article 21 hereof or

(d) at any time in contravention of Article 8 hereof an additional amount (which additional amount is hereinafter referred to as "the excess charge") shall be payable

(2) The amount of the excess charge shall be £5 if payment is received within 14 days of the date of the contravention mentioned in Article 29 (1) or £20 if payment is not received by the Council within 14 days after the date of such contravention.

28. In the case of a vehicle in respect of which an excess charge may have been incurred, it shall be the duty of a parking attendant to attach to the vehicle in a conspicuous position 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 number of the trade plate carried on the vehicle;

(4)

(b) the time at which he first noticed that an excess charge was payable;

(c) a statement that an excess charge is required to be paid;

(d) the manner in which, and the time within which, the excess charge should be paid; and

(e) a statement that it is an offence under Section 35 or 47 of the Act of 1984 (as the case may be) for the driver of a vehicle who has left a vehicle in a parking place to fail duly to pay the excess charge.

29. The excess charge shall be paid to the Council either by cheque, banker's draft, money order or postal order which shall be delivered or sent by post or by cash in person to the Treasurer's Department of the Council at the Town Hall, The Parade, Epsom and the reference number of the excess charge notification shall be quoted by the payer.

30. (1) When a ticket has been exhibited on a vehicle in accordance with the provisions of Article 26 of this Order, no person, not being the driver of the vehicle, shall remove the ticket from the vehicle unless authorised to do so by the driver.

(2) Where a notice has been attached to a vehicle in accordance with the provisions of Article 28 of this Order, no person, not being the driver of the vehicle or a duly authorised representative of the Council shall remove the notice from the vehicle unless authorised to do so by the driver.

31. (1) Where any vehicle is standing in a parking place in contravention of any of the provisions contained in this Order, a parking attendant or other person authorised in that behalf by the Council may alter or cause to be altered the position of the vehicle and he may remove the vehicle from the parking place or cause it to be removed and, where it is so removed, shall provide for its safe custody.

(2) Any person removing or altering the position of a vehicle by virtue of the foregoing provisions of this Article 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 remove it or alter its position, as the case may be.

32. Any parking attendant or other person duly authorised by the Council or a Police Constable in uniform may move or cause to be moved in the case of emergency to any place he thinks fit, vehicles left in a parking place.

33. In relation to any parking place nothing in Articles 8, 10, 13, 16(b) or (d), 19, 20, 21, 24, 26 or 27 hereof shall apply to any person in possession of a certificate of exemption issued by the Council for the purposes of this Article provided that such person complies with any condition or qualification subject to which the said certificate has been

issued and displays the said certificate visibly to the public on the vehicle or structure to which it relates while it is in the parking place.

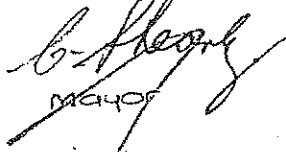
34. The Council may issue a certificate for the purposes of Article 32 of this Order to such persons and on such conditions or qualifications as they may in their absolute discretion think fit, subject in the case of the Market Place Car Park at all times to the consent of the County Engineer of the Surrey County Council.

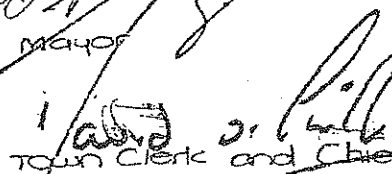
35. Articles 20, 24, 26 and 27(1)(a) and (b) shall not apply to a vehicle waiting in any of the parking places specified in Schedule II hereto where the vehicle is parked only for the purpose of loading and unloading provided that the vehicle is not left unattended at any time while it is so parked.

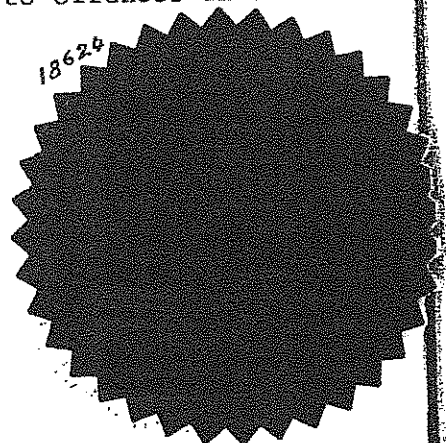
36. The provisions of sub-sections (4) and (5) of Section 47 of the Road Traffic Regulation Act 1984 shall apply to any proceedings for an offence under Section 35(4) of the said Act for contravention of or non compliance with the provisions of this order as the said sub-sections apply to offences under the said Section 47.

THE COMMON SEAL OF THE
COUNCIL OF THE BOROUGH OF
EPSOM AND EWELL WAS
HEREUNTO AFFIXED THIS
16th day of July 1987.

In The presence of :


Mayor


Town Clerk and Chief Executive



SCHEDULE I before referred to

1 Name of Parking Place	2 Position in which vehicle may wait	3 Class of vehicle	4 Days and Hours of operation of parking place	5 Charging Hours	6 Daily Charges and maximum period of stay
The Market Place, High Street, Epsom (Car Park No. 9) (from the western kerbline of the western side of the Clock Tower to the eastern kerbline at the traffic refuge sited to the east of the traffic roundabout at the junction of South Street, West Street and High Street - 885 square yards)	Wholly within a parking bay marked out by the Council	Motor Cars	Sunday to Friday	8.00am to 6.30pm Monday to Friday excluding public holidays	Up to 1 1/2 hour 20p Up to 2 hours 40p Maximum stay 2 hours Return prohibited within one hour
	Wholly within a parking bay marked out by the Council	Disabled persons vehicles	Sunday to Friday excluding public holidays	8.00am to 6.30pm Monday to Friday excluding public holidays	Nil

SCHEDULE II before referred to

1 Name of Parking Place	2 Position in which vehicle may wait	3 Class of vehicle	4 Days and Hours of operation of parking place	5 Charging Hours	6 Daily Charges and maximum period of stay
Car Park No. 1 High Street	Wholly within a parking bay marked out by the Council except those parking bays reserved for disabled drivers	Motor Cars	All days All hours	8.00am to 6.30pm Monday to Saturday excluding public holidays	Monday to Friday: 20p for up to half an hour 40p for up to 2 hours Saturday 30p for up to half an hour 50p for up to 2 hours Maximum stay 2 hours Return prohibited with one hour
	Wholly within a parking bay marked out by the Council	Disabled persons vehicles	All days All hours	8.00am to 6.30pm Monday to Saturday excluding public holidays	Nf1
	Wholly within the parking area marked out by the Council as being reserved for motor cycles and pedal cycles	Motor Cycles and pedal cycles	All days All hours	8.00am to 6.30pm Monday to Saturday excluding public holidays	Nf1
Car Park No. 3 Upper High Street Car Park No. 5 Depot Road	Wholly within a parking bay marked out by the Council except those parking bays reserved for disabled drivers	Motor Cars	All days All hours	8.00am to 6.30pm Monday to Saturday excluding public holidays	20p for up to 2 hours 30p for up to 4 hours 50p for up to 6 hours £1.00 for up to 10.5 hours
	Wholly within a parking bay marked out by the Council	Disabled persons vehicles	All days All hours	8.00am to 6.30pm Monday to Saturday excluding public holidays	Nf1

1 Name of Parking Place	2 Position in which vehicle may wait	3 Class of vehicle	4 Days and Hours of operation of parking place	5 Charging Hours	6 Charges
	Wholly within the parking area marked out by the Council as being reserved for motor cycles and pedal cycles	Motor cycles and pedal cycles	All days All hours	8.00am to 6.30pm Monday to Saturday excluding public holidays	NH1
Car Park No. 4 Hook Road	Wholly within a parking bay marked out by the Council on the ground level and levels 1a, 1b and 2a and 2b except those parking bays reserved for disabled drivers	Motor Cars not exceeding 6'3" overall height	All days All hours	8.00am to 6.30pm Monday to Saturday excluding public holidays	20p for up to 2 hours 30p for up to 5 hours Maximum stay 5 hours
	Wholly within a parking bay marked out by the Council on levels 3A, 3B, 4A, 4B, 5A, 5B except those parking bays reserved for disabled drivers	Motor Cars not exceeding 6'3" overall height	All days All hours	8.00am to 6.30pm Monday to Saturday excluding public holidays	20p for up to 2 hours 30p for up to 5 hours 60p for up to 10.5 hours \$2.00 for up to six days

1 Name of Parking place	2 Position in which vehicle may wait	3 Class of vehicle	4 Days and Hours of operation of parking place	5 Charging Hours	6 Daily Charges
	Wholly within a parking bay marked out by the Council	Disabled persons vehicles	All days All hours	8.00am to 6.30pm Monday to Saturday excluding public holidays	N11
	Wholly within the parking area marked out by the Council as being reserved for motor cycles and pedal cycles	Motor Cycles and pedal cycles	All days All hours	8.00am to 6.30pm Monday to Saturday excluding public holidays	N11
Car Park No. 7) Dorset House)	Wholly within a parking bay marked out by the Council except those parking bays reserved for disabled drivers	Motor Cars	All day All hours	7.30am to 9.30am Monday to Friday excluding public holidays	50p for up to 2 hours
Car Park No. 6) Grove Cottage) Car Park, Ewell)	Wholly within a marked parking bay	Disabled persons vehicles	All day All hours	7.30am to 9.30am Monday to Friday excluding public holidays	N11
	Wholly within the parking area marked out by the Council as being reserved for motorcycles and pedal cycles	Motor Cycles and pedal cycles	All days All hours	7.30am to 9.30am Monday to Friday excluding public holidays	N11

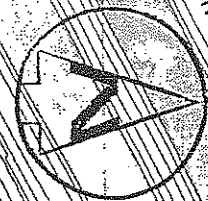
1 Name of Parking Place	2 Position in which vehicle may wait	3 Class of vehicle	4 Days and Hours of operation of parking place	5 Charging Hours	6 Daily Charges
Car Park No. 10 Swimming Centre	Wholly within a parking bay marked out by Council except those parking bays reserved for disabled drivers	Motor Cars	All days All hours	8.00am to 5pm Monday to Saturday excluding public holidays	20p for up to 2 hours 30p for up to 5 hours Maximum stay 5 hours return prohibited within one hour
	Wholly within a parking bay marked out by the Council	Disabled persons; vehicles	All days All hours	8.00am to 5pm Monday to Saturday excluding public holidays	Nil
	Wholly within the parking area marked out by the Council as being reserved for motor cycles and pedal cycles	Motor cycles and pedal cycles	All days All hours	8.00am to 5pm Monday to Saturday excluding public holidays	Nil

CAR PARK NO. 1, HIGH STREET

EPSON

JACH

Epsom Station



Garage

El Sub Sta

STATION WAY (Path)

98 96 94
92 90 88
86 84 82
80 78 76
74 72 70
68 66 64
62 60 58
56 54 52
50 48 46
44 42 40
38 36 34
32 30 28
26 24 22
20 18 16
14 12 10
8 6 4
2

47.5m +
Clock Tower

P Cs

BM 46.96m

HIGH STREET

45.7m +

WATERLOO ROAD

26 24 22 20 18 16 14 12 10 8 6 4 2

Garage

Car Park

P Cs

Shelter

44.5m +

BM 45.92m

Bank

Posts

Library

Works

Garage

Shelter

Shelter

Shelter

EPSON

Comrades Club

Town Hall

Council Office

THE PARADE

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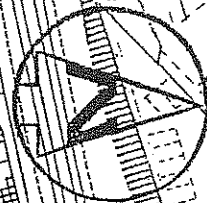
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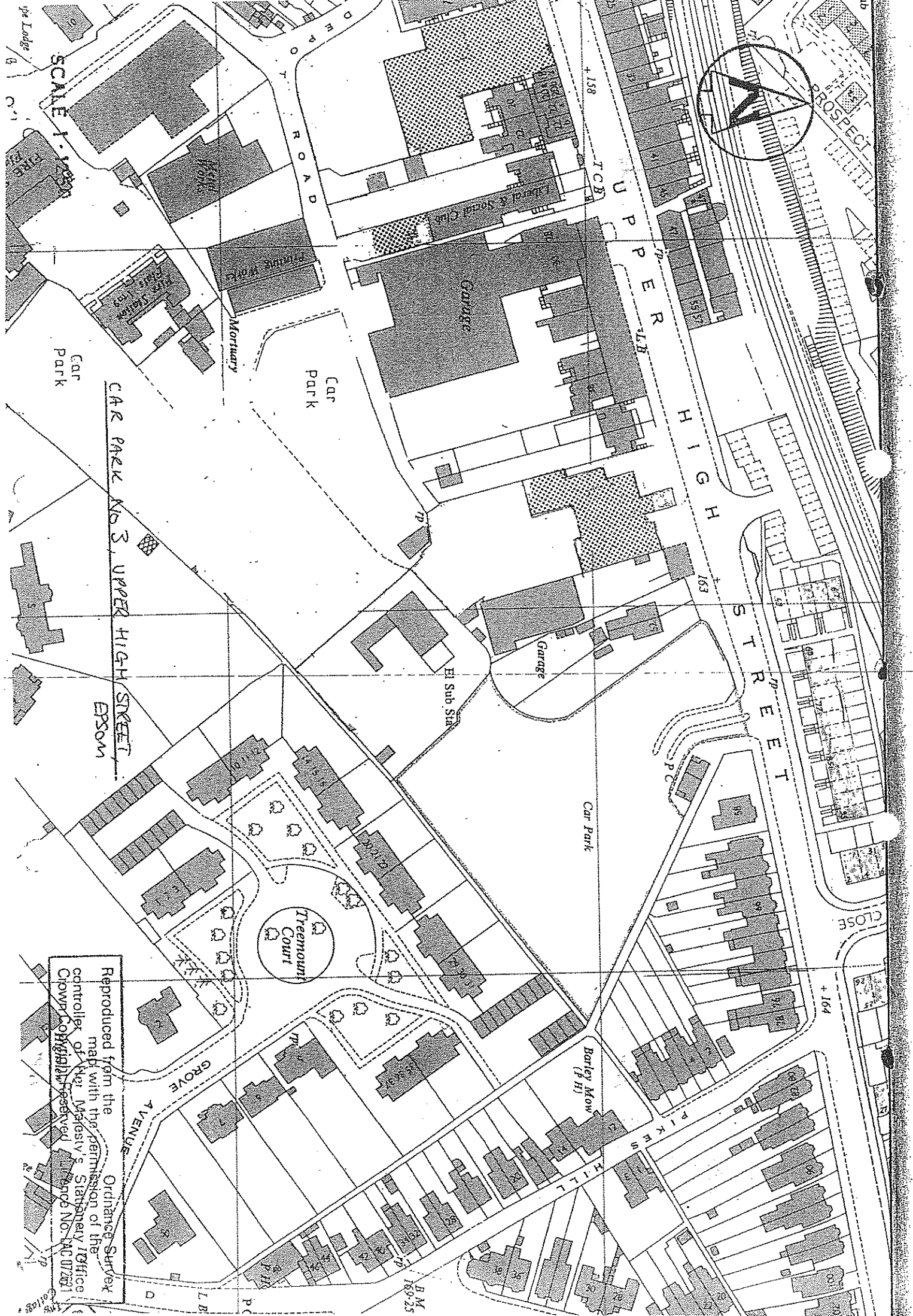
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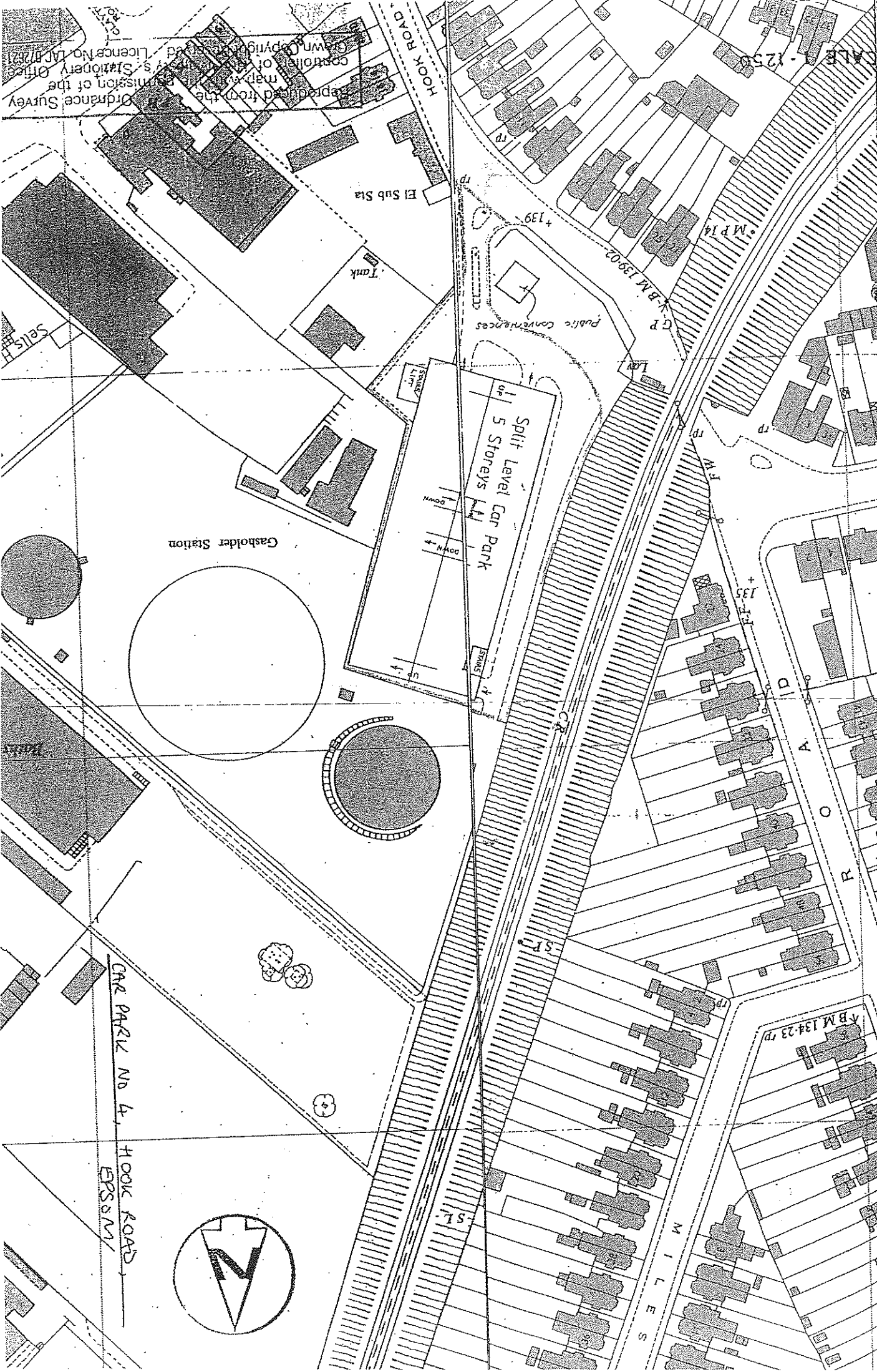
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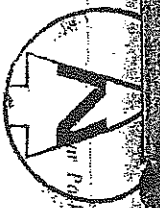
CAR PARK NO 3, UPPER HIGH STREET, EPSOM

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Ordnance Survey

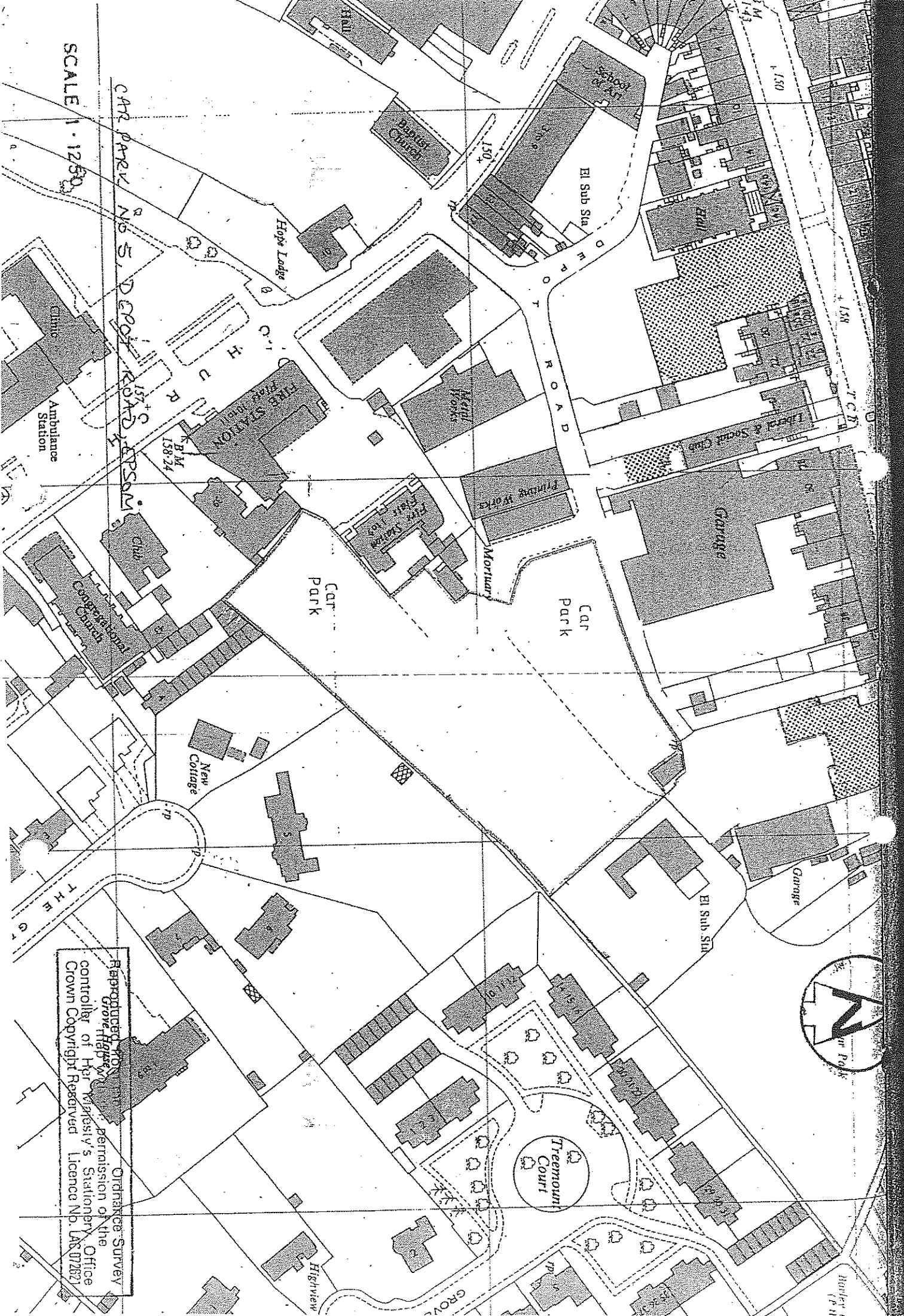


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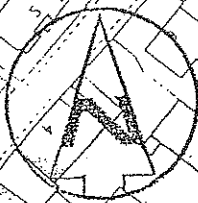


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CAR PARK NO 5 DEPT ROAD



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Church of
St Michael
(Spiritualist)

Car Park

Stanway
Chapel
(Christian Brethren)

CHEAM ROAD

CAR PARK

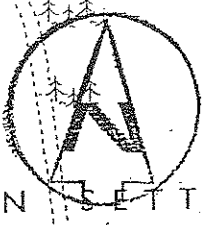
PORTWAY

PORTWAY

El Sub Sta

SCALE 1:1250

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Pic House



MAN SETTLEMENT

Glyn House

Church
(remains of)

War
Meml

Holman Court

Pond

VICARAGE (path)

Post

Ewell Castle School

Alciston

Ormonde

The Sunny
House

Tennis Court

Church of
St Michael
(Spiritualist)

Glyn Hall

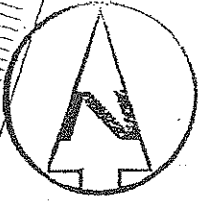
Car Park

Stanway Chapel
(Christian Brethren)

CHEAM ROAD

1250

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Pond

LETH ROAD

PC

VICTORIA PLACE

Water Works

El Sub Sta

Baths

Gasholder Station

Telephone Exchange

Bradford House

Sells House

Willesley
Arboretum
Lalham
154
Shelter
B.M. 154.73

CAR PARK NO. 10
SWIMMING POND

Tank

Sta

152

147

Sorting Office

SCALE 1:1250

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Hall

SCHEDULE III

The Epsom (Market Place) Parking Order 1978

The Epsom (Off-Street Parking Places) Order 1976

The Epsom (Market Place) Parking (First Amendment) Order 1979

The Epsom (Off-Street Parking Places) (First Amendment) Order 1979

The Epsom (Market Place) Parking (Second Amendment) Order 1980

The Epsom (Off-Street Parking Places) (Second Amendment) Order 1980

The Epsom (Off-Street Parking Places) (Extension of Depot Road Car Park) Order 1980

The Epsom (Market Place) Parking (Third Amendment) Order 1981

The Epsom (Off-Street Parking Places) (Third Amendment) Order 1981

The Epsom (Market Place) Parking (Fourth Amendment) Order 1982

The Epsom (Off-Street Parking Places) (Fourth Amendment) Order 1982

The Epsom (Market Place) Parking (Fifth Amendment) Order 1983

The Epsom (Off-Street Parking Places) (Fifth Amendment) Order 1983

The Epsom (Market Place) Parking (Sixth Amendment) Order 1984

The Epsom (Off-Street Parking Places) (Sixth Amendment) Order 1984

The Epsom (Off-Street Parking Places) (Extension of Car Park No. 1, High Street, Epsom) Order 1985

The Ewell (Off-Street Parking Places) (Grove Cottage and Dorset House Car Parks) Order 1985

The Epsom (Off-Street Parking Places) (Seventh Amendment) Order 1985

The Epsom (Market Place) Parking (Seventh Amendment) Order 1985

The Epsom (Off-Street Parking Places) (Eighth Amendment)
Order 1986

The Epsom (Market Place) Parking (Eighth Amendment) Order
1986

The Epsom (Off Street Parking Places) (Ninth Amendment)
Order 1986