

**THE COUNCIL OF THE CITY AND
COUNTY OF SWANSEA COUNCIL**

CYNGOR DINAS A SIR ABERTAWE

**(OFF-STREET PARKING PLACES)
(PAY & DISPLAY)**

CONSOLIDATION ORDER 2008

Ref. CMB/DVT-137

**THE COUNCIL OF THE CITY
AND COUNTY OF SWANSEA
CYNGOR DINAS A SIR ABERTAWE**

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The Swansea City Council in exercise of its powers under Sections 32, 35 and Part IV of Schedule 9 of the Road Traffic Regulation Act 1984 ("the 1984 Act"), Regulation 21 and Part IV of Schedule 4 of the Local Authorities' Traffic Orders etc. Regulations 1996 and the Traffic Management Act 2004 and of all other enabling powers and after consultation with the Chief Officer of Police in accordance with Part III of Schedule 9 of the Act of 1984 hereby make the following Order:-

PART I

General

1. (1) This Order shall come into operation in respect of the parking places referred to in the Schedule hereto on the first day of January 2009 and may be cited as the Council of the City and County of Swansea (Off-Street Parking Places) (Pay and Display) Consolidation Order 2008
2. (1) In this Order except where the context otherwise requires the following expressions shall have the meanings hereby assigned to them:-

"Charging Hours" in relation to each parking place means the period shown in Column 2 of Schedule 1 to this Order

"Disabled Persons Vehicle" has the same meaning as in the Local Authorities Traffic Orders (Exemptions for Disabled Persons) (England and Wales) Regulations 1971 (as amended)

"Driver" in relation to a vehicle waiting in a parking place means the person driving the vehicle at the time it was left in the parking place and subject also to the provisions of Article 20 of this Order

"CEO" means a Civil Enforcement Officer who is a person authorised by or on behalf of the Council to supervise any parking place

"Parking Place" means any area of land specified by name in Column 1 of Schedule 1 and Schedule 2 to this Order provided by the Council in pursuance of Section 32(1) of the Act of 1984 for use as a Parking Place

"Parking Ticket Machine" means any apparatus approved by the Secretary of State for Wales in accordance with Section 35(3) of the Act of 1984 for the purposes of this Order being apparatus designed to issue a ticket indicating whether the initial charge referred to in Article 6 of the Order has been paid and the time at which it was paid

"Vehicle" for the purposes of this Order means any vehicle whether or not it is in a fit state for use on roads and includes any chassis or body with or without wheels appearing to form part of such a vehicle and any load carried by and anything attached to such a vehicle

"Season Ticket" means a ticket issued direct by the Council each ticket for a specified duration or period for use at a specified car park during hours as specified

"relevant position" in respect of:-

- (a) a disabled person's badge and parking disc has the same meaning as in the Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (Wales) Regulations 2000; and
 - (b) a parking ticket means exhibited on the windscreen, dashboard or fascia of the vehicle or, where the vehicle does not have a windscreen, dashboard or fascia, in a conspicuous position on the vehicle so that the whole of the information on the front of the parking ticket is clearly legible from outside the vehicle;
- (2) The Interpretation Act 1978 shall apply to the interpretation of this Order as it applies for the interpretation of an Act of Parliament and as if for the purposes of Section 21 of that Act this Order were an Act of Parliament and the Orders revoked by this Order were Acts of Parliament thereby repealed.

PART II

Use of Parking Places

3. (1) The areas of land specified by name in Column 1 of Schedule 1 and Schedule 2 to this Order may be used subject to the following provisions of this Order as a parking place for such classes of vehicles in such manner and on such days and during such hours as specified in relation to that area in the Notices displayed on such parking place
- (2) Insofar as a vehicle is left in a parking place during the charging hours the driver thereof shall pay a charge in accordance with the following provisions of this Part of this Order
4. (1) Wherein the Schedules to this Order or on any Notice displayed at the parking place such parking place is described as available for vehicles of a specified class or in a specified position or during

specified hours the driver of a vehicle shall not permit it to wait in that parking place:-

- (a) unless it is of the specified class or
- (b) in a position other than specified or
- (c) during hours other than those specified in relation to the vehicle

(2) Where within any parking place parking bays are marked on the ground vehicles shall only be parked within such bays and in any other case drivers of vehicles must ensure that they are parking in an orderly manner and so as not to cause any obstruction to any other user of the parking place

5. (1) The driver of a vehicle shall not permit it to wait in a parking place for longer than the maximum period permitted for waiting specified in Column 2 of Schedule 1 to this Order in relation to that parking place

(2) When a vehicle has left a parking place after waiting therein the driver thereof shall not within one hour after leaving be permitted to wait again in that parking place

6. (1) The driver of a vehicle using a parking place shall on leaving the vehicle in that parking place pay the appropriate charge in accordance with the Scale of Charges specified in Schedule 3 to this Order

(2) The charge referred to in the last preceding paragraph shall be payable by the insertion of an appropriate coin or coins into the parking ticket machine provided

(3) The ticket or tickets issued on payment of the charge referred to in Paragraph (2) of this Article or a Season Ticket as therein defined shall be attached to the vehicle in respect of which it was issued in the relevant position

7. The driver of a motor vehicle using a parking place shall stop the engine as soon as a vehicle is in position in the 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
8. No person shall whilst a vehicle is in a parking place:-
 - (a) Except with the permission in writing of the Council use the vehicle 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 or those of others
 - (b) Carry out any work of maintenance or repair or the washing down of the vehicle except when such maintenance or repair is necessary to enable the vehicle to be moved from that parking place
 - (c) Use the vehicle or permit it to be used for residential or camping purposes
9. (1) If a vehicle is left in a parking place during the charging hours for longer than the initial period for which payment was made or if no valid ticket is attached to the vehicle in accordance with Article 6(3) of this Order or if a vehicle whether displaying a valid ticket or not is left in a parking place contrary to Article 4 of this Order then a CEO on being satisfied that there has been a contravention will issue a Penalty Charge Notice (PCN) pursuant to the Traffic Management Act 2004 in the form annexed to this Order in Schedule 4
10. (1) When a ticket or tickets has or have been attached to a vehicle in accordance with Article 6(3) of this Order no person not being a driver of the vehicle shall remove the ticket or tickets from the vehicle unless authorised by the driver so to do

(2) Where a Notice has been attached to the vehicle under Article 9 of this Order no person not being the driver of the vehicle shall remove the Notice from the vehicle unless authorised by the driver so to do

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 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 the Road Traffic Acts
12. The driver of a motor vehicle using a parking place shall not sound a horn or other similar instrument except when about to change the position of the vehicle in or to depart from the parking place
13. (1) Where a CEO is of the opinion that any of the provisions contained in Articles 4, 5 or 6 of this Order have been contravened or not complied with in respect of a vehicle left in a parking place 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) Where a vehicle is removed in accordance with the provisions of this Article the Council may recover the reasonable cost of such removal and storage from the driver or other person claiming the vehicle
14. Any person duly authorised by the Council or a Police Constable in uniform may move or cause to be moved in case of emergency to any place he thinks fit vehicles left in a parking place
15. Any person removing or altering the position of a vehicle by virtue of Articles 13 or 14 of this Order may do so by towing or driving a vehicle or in such manner as he may think necessary to enable him to remove it as aforesaid

16. The driver of a vehicle whilst it is in a parking place shall comply with any instructions given to him by the CEO as to the manner of waiting of the vehicle and shall remove the vehicle from the parking place on being required by the CEO to do so
17. Nothing in this Order shall prevent the Council by Notice displayed at any parking place:-
 - (a) From closing the parking place or any part thereof for any period whilst any works are being executed therein or whilst the parking place or part thereof is required for the use for some special purpose or
 - (b) From setting aside for use only by specially authorised vehicles any part or parts of the parking place on all days or on certain days or during certain parts of certain days
18. Any concessionary charge relevant to the following classes of vehicle will only apply to designated parking places, otherwise normal charges will apply in all car parks:-
 - (i) An invalid carriage
 - (ii) Vehicle left by the driver thereof being a vehicle on which is displayed a disabled persons badge

PART III

Revocations

19. All the traffic regulation orders or parts of traffic regulation orders relating to Off Street Parking Places in the whole of the City and County of Swansea (except the length of the M4 Motorway and its slip roads within the city and county and the A483 Fabian Way from its

boundary with the County Borough of Neath Port Talbot) made prior to this Order are hereby revoked.

Dated this eighteenth day of December 2008

SCHEDULES

SCHEDULE 1

Column 1	Column 2
Bracelet Bay Car Park	Foreshore
Brangwyn Car Park	Free
Brighton Road Car Park	Free
Brynhafryd Square Car Park	Free
Caebricks Road Land, Cwmbwrla	Free
Caswell Bay Car Park	Foreshore
Caswell Hill Car Park	Foreshore
Clarence Terrace Car Park	Long Stay
Clyne Car Park	Foreshore
Dairy Car Park	Suburban
East Burrows Road Car Park	Long Stay
Eversley Road Car Park	Suburban
Fairfield Car Park	Free
Ferrara Quay Car Park	Free
Foreshore Car Park	Foreshore
High Street multi story car park	Pay on exit
Horton Car Park	Foreshore
Knab Rock car park	Foreshore
Langland Bay Car Park	Foreshore
Lime St car park	Free
Madoc St car park	Season ticket holders only
Mariner St car park	Long Stay
Northampton Lane car park	Short Stay
Oxford St car park	Short Stay
Oystermouth Road car park	Short Stay
Park St East car park	Short Stay
Park St West car park	Disabled Persons
Pau Square multi storey	Free

Paxton St car park	Long Stay
Pell St car park	Short Stay
Picton Lane car park	Season ticket holders only
Pocketts Wharf car park	Long Stay
Port Eynon car park	Foreshore
Quadrant multi storey car park	Pay on exit
Quarry car park	Suburban
Salubrious Place car park	Season ticket holders only
Sea Gate multi storey car park	Free
Sketty Lane car park	Suburban
Southend car park	Foreshore
St Davids multi storey car park	Pay on exit
St Teilo St car park Pontarddulais	Free
Strand car park	Long Stay
Sway Road car park	Free
Trawler Road	Free
Treharne Road car park	Free
Village Lane Boat Park Mumbles	Free
Water St car park Pontarddulais	Free
Woodland Ave Pontlliw	Free
Worcester Place car park	Short Stay
YMCA car park	Short Stay
SCHEDULE 2	
Landore	Park & Ride
Fabian Way	Park & Ride
Carmarthen Road	Park & Ride

SCHEDULE 3

CAR PARKING CHARGES PART I

DAILY CHARGES

City Centre Car Parks

Surface up to 1 hour

100p

(Long Stay)	up to 2 hours	200p
	up to 3 hours	300p
	up to 4 hours	400p
	all day	500p

Coaches	(where permitted)	
	up to 2 hours	250p
	all day	550p

Surface	up to 1 hour	100p
(Short Stay)	up to 2 hours	200p
	up to 3 hours	300p
	up to 4 hours	400p

Multi Storey Car Parks

Quadrant	up to 1 hour	120p
	up to 2 hours	240p
	up to 3 hours	360p
	up to 4 hours	480p
	periods over 4 hours	160p per hr

St David's	up to 1 hour	100p
	up to 2 hours	200p
	up to 3 hours	300p
	up to 4 hours	400p
	periods over 4 hours	110p per hr

High Street	up to 4 hours	250p
	All day	500p

Suburban Car Parks

Mumbles - The Dairy, The Quarry and Oystermouth Foreshore

Sketty Lane

The Bush

	up to 1 hour	40p
	up to 2 hours	80p
	All Day	250p

Foreshore and Beach Car parks - Seasonal charging

**Clyne Country Park, Southend, Bracelet Bay, Caswell Bay, Caswell Hill,
Langland Bay, Port Eynon and Horton**

up to 1 hour	100p
up to 2 hours	200p
all day	330p
Coaches	550p
Up to 2 hours	250p

Park Street West and Disabled persons' parking

up to 2 hours	50p
up to 4 hours	100p
all day	200p

SEASON TICKETS

Paxton Street, Pocketts Wharf, East Burrows Road, Strand, High Street,
Maddock Street, Salubrious Place.

1 month	£60.00
3 months	£180.00
6 months	£360.00
12 months	£600.00

PART II

PARK AND RIDE

All day	200p
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SCHEDULE 4

PENALTY CHARGE NOTICE

(1) FRONT PAGE

Penalty Charge Notice [PCN]

Traffic Management Act 2004

PCN Number:

Served on:

by Civil Enforcement Officer:

**who had reason to believe that the following contravention had occurred
and that a penalty charge is now payable**

Date of Contravention: Time:
At Location:

Vehicle Registration Number:
Make: Colour:

Excise Licence Number: Expiry

Observed from: to:

Pay & Display ticket No.: Expiry time:

A penalty charge of is now payable and must be paid not later than the last day of the period of 28 days beginning with the date on which the PCN was served.

The penalty charge will be reduced by a discount of 50% to if it is paid not later than the last day of the period of 14 days beginning with the date on which this PCN was served.

See reverse for: How to Pay.

How to Challenge this PCN

What happens if no payment is made.

Detach Here.....

Payment Slip

Notice Number:

Vehicle Registration:

Served on Time:

At Location:

Contravention

Contravention Code:

The Penalty Charge is £ ; or £ if paid not later than the last day of the period of 14 days beginning with the date on which this PCN was served.

Please detach this slip, complete the details on the reverse and return it with your payment, to the address shown overleaf.

Do not pay the enforcement officer.

(2) BACK PAGE

INSTRUCTIONS FOR PAYMENT

Payment of this Penalty Charge Notice must be received within 28 days of the date of issue.

If payment is RECEIVED within 14 days of the date of issue, the reduced charge shown overleaf will be acceptable as settlement.

1) BY POST

Payment may be made by crossed cheque or postal order made payable to CITY AND COUNTY OF SWANSEA.

Please write the Notice Number and your address on the reverse of the cheque/ postal order.

Please do not send cash, bank notes or blank postal orders. Send your payment, together with the completed payment slip to:

City & County of Swansea, Civic Centre, Oystermouth Road, Swansea, SA1 3SN.

2) BY TELEPHONE

Automated telephone payments service - this service is available 24 hours per day, 7 days a week. Using this service you will avoid having to wait to be connected to a member of staff, especially in busier times. The **local rate** telephone number is 0845 120 4324, and you should have your PCN number to hand, along with your chosen method of payment, which may be a debit or a credit card.

Please note that we **do not accept** payments via American Express.

If you want further information about this Penalty Charge Notice you should write to:

City & County of Swansea, Civic Centre, Oystermouth Road, Swansea. SA1 3SN.

Fao. Parking Section

3) IN PERSON

Payment may be made at the following Council Office:

Civic Centre, Oystermouth Road, Swansea: Monday to Thursday 8.30am – 5.30pm, Fridays 8.30am – 5.00pm and Saturday 10.00am – 3.00pm (excl Statutory Holidays).

TO CHALLENGE

If you believe that the penalty should not be paid and wish to challenge the PCN:

Write to: City & County of Swansea, Civic Centre, Oystermouth Road, Swansea. SA1 3SN. Fao. Parking Section

Please quote the PCN number, the vehicle registration number and your address in all correspondence.

Details of the Council's policy and approach to challenges can be found on www.swansea.gov.uk or seen at the Civic Centre office – all cases will be considered on their individual circumstances. If you challenge a PCN within 14 days and the challenge is rejected the Council will usually re-offer the 14 day discount period.

If the Penalty Charge is not paid or challenged

If the PCN is not paid on or before the 28 day period as specified on the front of the notice or successfully challenged, the Council may serve a Notice to Owner on the owner of the vehicle requiring payment of the penalty charge. The owner can then make representations to the Council and may appeal to an independent adjudicator if those representations are rejected. The Notice to Owner will contain instructions for doing this. If you challenge this PCN but the Council issues a Notice to Owner anyway, the owner must follow the instructions on the Notice to Owner.

Detach Here

Please complete below before returning this slip with your payment.

Name:

Mr/ Mrs/ Miss/ Ms:

Address

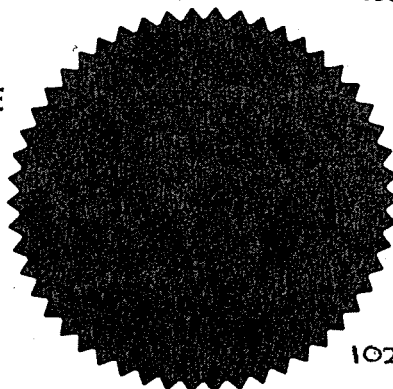
Post Code:

Postal Payments to:

City & County of Swansea, Civic Centre, Oystermouth Road,
Swansea. SA1 3SN

THE COMMON SEAL OF THE
COUNCIL OF THE CITY AND
COUNTY OF SWANSEA

was hereunto affixed
in the presence of:-



102, 149

M. H. H. H.

~~Head of Legal and Democratic Services/~~
Authorised Signatory

