

SWINDON BOROUGH COUNCIL

(PERMITTED PARKING AREA AND SPECIAL PARKING AREA)

(WAITING RESTRICTIONS, STREET PARKING PLACES, CLEARWAYS AND BUS STOP

CLEARWAYS) CONSOLIDATION ORDER 2003

AMENDMENT ORDER (NO.1) 2004

Swindon Borough Council (hereinafter referred to as "the Council") in exercise of the powers conferred by Sections 1(1), 2(1) to (3), 4(2), 32, 35, 45, 46, 47, 49, 124 and Part IV of Schedule 9 to the Road Traffic Regulation Act 1984 (hereinafter referred to as "the Act of 1984"), and of all other enabling powers and after consultation with the Chief Officer of Police in accordance with Part III of Schedule 9 to the Act of 1984, hereby make the following Order:-

PART I

CITATION AND INTERPRETATION

1. This Order shall come into operation on the 15 March 2004 and may be cited as the Swindon Borough Council (Permitted Parking Area and Special Parking Area) (Waiting Restrictions, Street Parking Places, Clearways and Bus Stop Clearways) Consolidation Order 2003 Amendment Order No.1 2004.
2. The Swindon Borough Council (Permitted Parking Area and Special Parking Area) (Waiting Restrictions, Street Parking Places, Clearways and Bus Stop Clearways) Consolidation Order 2003 ("the Consolidation Order") is hereby varied as follows:-
 - (a) At the end of the definition of "parking place" in Article 2 of the Consolidation Order there shall be added the words "to which the provisions of Part III of this Order apply which includes the parking places subject to a charge referred to in Article 14A.
 - (b) After the definition of "parking place" in Article 2 of the Consolidation Order insert the following definitions:-

"pay and display machine" means an apparatus of a type and design approved by the Secretary of State for Transport for the purpose of this Order being apparatus designed to indicate the time by a clock and the issue of numbered tickets indicating:

 - (a) the date of issue;
 - (b) the payment of a charge;
 - (c) the departure time; and
 - (d) if applicable to the apparatus in question other information relating to the leaving of a vehicle in a parking place;

"pay and display parking place" means a parking place shown on the plans attached to this Order and subject to a charge as referred to in Article 14A of this Order.

(c) In the definition of "relevant position" in Article 2 of the Consolidation Order for the words "a disabled person's badge or a parking permit" there shall be substituted the words "a disabled person's badge, parking permit or ticket issued pursuant to Article 14C of this Order. "

(d) After Article 14 of Part III of the Consolidation Order there shall be inserted:

14A (1) The parts of the roads identified on the plans attached to this Order as pay and display parking places are authorised to be used subject to the following provisions of this Order, as parking places for such classes of vehicles, in such positions, on such days, during such hours as identified on the plans attached to this Order, and on payment of such charges as are for the time being prescribed by the Council.

14B The Council may:

- (1) install in such positions in or in the vicinity of a pay and display parking place as they may think fit such pay and display machines as are required by this Part of this Order for the purposes of that pay and display parking place, and
- (2) carry out such other work as is authorised by this Part of this Order or is reasonably required for the purposes of the satisfactory operation of a pay and display parking place.

- 14C (1) The driver of a vehicle using the pay and display parking place shall immediately on the parking of the vehicle on the pay and display parking place pay the appropriate charge for the waiting period in question in accordance with such charges as are for the time being prescribed by the Council.
- (2) The charge referred to in the last preceding paragraph shall be payable by the insertion of an appropriate coin or coins into the pay and display machine situated on the pay and display parking place.
 - (3) The driver of the vehicle shall attach any ticket issued on payment of the charge referred to in paragraph (1) of the Article in the relevant position on the vehicle in respect of which it was issued and shall ensure that the whole of the front of the ticket is visible.
 - (4) The driver of the vehicle shall also comply with any instructions exhibited on the pay and display machine as to the inputting into the machine of all or part of the vehicle's registration or other information related to the vehicle or the driver thereof relevant to the leaving of the vehicle in the pay and display parking place.
 - (5) The driver of the vehicle shall ensure that a ticket or tickets are purchased and displayed as described in the preceding paragraphs to cover the entire period that the vehicle is parked in the pay and display parking place.

- (6) The following vehicles left in a pay and display parking place namely:-
- (a) an invalid carriage as defined in Section 136 (5) of the 1984 Act;
 - (b) a disabled person's vehicle which displays in the relevant position a disabled person's badge

shall be exempt from any limitation on time specified on the plans attached to this Order and from payment of any charge

- (7) On any suspension of the use of a pay and display parking place or any part thereof under Article 18 of this Order, if the use of all the pay and display parking places relating to one pay and display machine has been suspended, any person authorised by the Council may temporarily remove that pay and display machine and post, bracket or other support on which such pay and display machine is fitted.
- (8) If at any time during the permitted hours a notice is placed on a pay and display machine relating to a parking place indicating that the pay and display machine is out of order the charge for that parking place shall be suspended unless an alternative meter location is indicated on the pay and display machine and details of such notice shall indicate the nearest alternative parking place.

- (e) After Article 18 of Part III of the Consolidation Order there shall be inserted:

"18A No person shall use any part of a parking place or any vehicle left in a parking place –

- (a) for sleeping, camping, or cooking; or
- (b) for the purpose of servicing or washing any vehicle or part thereof other than is reasonably necessary to enable that vehicle to depart from the parking place.

18B The driver of a vehicle using a parking place shall not sound any horn or similar instrument except when about to change position of the vehicle in or to depart from the parking place."

4671/03.

THE COMMON SEAL of
SWINDON BOROUGH COUNCIL
was hereunto affixed this
10th day of March 2004
in the presence of:

HEAD OF CONVEYANCING,
ENVIRONMENT AND CONTRACTS

pm/legal/agreements/parking.doc

CERTIFIED TO BE A TRUE
COPY OF THE ORIGINAL

HEAD OF CONVEYANCING,
ENVIRONMENT AND CONTRACTS
CORPORATE GOVERNANCE
SWINDON BOROUGH COUNCIL