

CERTIFIED TO BE A TRUE
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SWINDON BOROUGH COUNCIL

THE BOROUGH OF SWINDON

(FEE PAYING OFF-STREET PARKING PLACES)

CONSOLIDATION ORDER 2003 AMENDMENT ORDER (No.1) 2013

S.P. Taylor

S.P. TAYLOR

DIRECTOR OF LAW AND
DEMOCRATIC SERVICES

Swindon Borough Council (hereinafter referred to as "the Council") in exercise of its powers under Section 35(1) and (3) and Part IV of Schedule 9 of the Road Traffic Regulation Act 1984, (hereinafter referred to as "the 1984 Act") as amended and the Traffic Management Act 2004 (hereinafter referred to as "the 2004 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 1984 Act hereby makes the following Order:

1. This Order shall come into operation on the 11 February 2013 and may be cited as The Borough of Swindon (Fee Paying Off-Street Parking Places) Consolidation Order 2003 Amendment Order (No 1) 2013.
2. The Orders listed in Schedule 1 to this Order are hereby revoked.
3. The Borough of Swindon (Fee paying off-street parking places) Consolidation Order 2003 ("hereafter referred to as the 2003 Order") and any amendment Orders made thereafter shall be further amended as follow:

Insert in Article 2 INTERPRETATION of the 2003 Order the following definitions:

"charges" is the amount payable for the parking of a specified vehicle or vehicles in a specified parking place pursuant to the 2003 Order and any amendment Order made thereafter.

"Service Bays" means a vehicle displaying a permit used by Swindon Borough Council or any authorised vehicles belonging to maintenance engineer

"Operational Permits" means permits by Swindon Borough Council to be used in accordance with the terms and conditions issued with the permit and in accordance with Article 40 for parking of a specified vehicle in a specified parking place.

"approved method of payment" means any method of payment approved by the Council

"parking session" means the time paid using an approved method of payment or ticket machine.

"Old Town Centre Resident" means a person whose usual abode is at premises the postal address of which is in a road or part of road within the marked area identified as a Old Town Centre parking zone shown in Schedule 10(b).

"Town Centre Resident" means a person whose usual abode is at premises the postal address of which is in a road or part of road within the marked area identified as Town Centre parking zone shown in Schedule 10(a).

"resident's season ticket" means a ticket purchased from the Council by a Town Centre Resident or Old Town Centre Resident subject to certain conditions, valid for the period

specified on the ticket for use in the parking places specified on the ticket.

“resident’s parking permit” means a permit which has been issued by the Council to a person whose usual place of abode is at premises the postal address of which is in a road or part of a road within those areas designated by the Council as residents’ parking zones A, B, C, D, E, F, G, H, J, K, L, M, N and P.

USE OF LAND AS PARKING PLACES

Delete Article 4(ii) of the 2003 Order and substitute with:

4 (ii) The parking places specified in the said Schedules 2 to 9 shall be in operation at all times with the exception of Spring Gardens, Carlton multi-storey and Brunel North multi-storey car parks which are closed overnight at periods from time to time agreed by the Council.

“PARK AND DISPLAY” CAR PARKS

Delete Article 17 of the 2003 Order and substitute with:

17 The driver of a vehicle left in accordance with the provisions of this Order in a pay and display parking place shown in Schedules 2 to 6 and 8 and 9 shall purchase a valid parking ticket at the price and for the period indicated in Schedule 2 to 6 and 8 and 9 and exhibit the parking ticket on the vehicle in accordance with the provisions of Article 18 (ii) unless the ticket has been purchased using an approved method of payment.

17A The holder of a resident’s parking permit in residents parking zones A, B, C, D, E, F, G, H, J, K, L, M, N and P on purchasing an overnight car park ticket in a car park adjoining their zone, that would normally be valid from 6.00pm to 6.00 am may park for an additional 3 hours to 9.00 am for no additional payment subject to the resident’s parking permit and car park ticket being displayed on the vehicle in accordance with Articles 18 (ii), (iii) and (iv). The issue of a resident’s parking permit shall not imply any reservation of parking space.

Insert after 18 (iii)

(iv) the parking session has been paid using an approved method of payment.

SEASON TICKETS

Delete 24 (iv) and (v) and replace with

- (iv) Damaged or lost (on proof of report of loss to Police) season tickets will be replaced on application to the Council and payment of a fee prescribed by the Council at the time.
- (v) A holder of a season ticket on surrendering his ticket shall be entitled to a refund based upon the number of complete months remaining unexpired from the beginning of the calendar month following the date on the Council receives the surrender ticket. The refund will be one twelfth of the annual rate for each unexpired calendar month less an administration charge prescribed by the Council at the time.

After Article 24, Season Tickets, (v) there shall be inserted:

(vi) The driver of a vehicle left in accordance of Article 24 (i) of the 2003 Order in a short stay

car park as specified in Schedule 3 shall be exempt from purchasing a Pay and Display parking ticket for any period in respect of which there is displayed a valid season ticket purchased by the Council.

- (vii) A season ticket may on application be purchased from the Council for such charges as may from time to time be determined by the Council to be and that season ticket shall be valid on days, months and times as is specified thereon during the period in respect of on which it has been issued.
- (viii) A season ticket may be issued to the holder with a maximum of two vehicles which must clearly show the vehicle registration number of both vehicles the season ticket has been issued for. Photocopies of season tickets are not permitted.

RESIDENTS SEASON TICKETS

- 24a (I) The Council may sell to the owner of vehicle who is a Town Centre Resident a Resident's season ticket in respect of a vehicle to be parked in a parking bay in the car parks listed in Schedule 5 at the charges specified in Schedule 11 and that Resident's season ticket when displayed in the vehicle in accordance with Article 18(ii) and(iii) shall be valid only for the parking place or parts of parking place shown on it. The issue of a resident's season ticket shall not imply any reservation of parking place.

The Council may sell to the owner of vehicle who is an Old Town Centre Resident a Resident's season ticket in respect of a vehicle to be parked in a parking bay in the car parks listed and at the charges specified in Schedule 11 and that Resident's season ticket when displayed in the vehicle in accordance with Article 18(ii) and(iii) shall be valid only for the parking place or parts of parking place shown on it. The issue of a resident's season ticket shall not imply any reservation of parking place.

- (ii) Article 24 (iv) and (v) shall apply to residents' season tickets.
- (iii) An application for a residents' season ticket for the parking of that vehicle in a parking place listed in schedule 5 and 6 shall be made on a form issued by and obtainable from the Council or authorised agent and shall include the particulars and information required by such form to be supplied and such fee as is for the time being prescribed by the Council.
- (iv) The Council or authorised agent may at any time require an applicant for a resident's season ticket or a holder or a holder of the said ticket to produce to an officer of the Council or authorised agent such evidence in respect of an application for a resident's season ticket as they may reasonably require to verify the particulars or information given to them or to verify that the resident's season ticket is valid.

RESERVED PARKING SPACES

Delete 25 (viii) and (ix) and replace with

- (viii) Damaged or lost (on proof of report of loss to Police) reserved space season tickets will be replaced on application to the Council and payment of an administration charge being prescribed by the Council at the time.

- (ix) A holder of a reserved space season ticket on surrendering his ticket shall be entitled to a refund based upon the number of complete months remaining unexpired from the beginning of the calendar month following the date on which the Council's Parking Manager receives the surrendered ticket. The refund will be one twelfth of the annual rate for each unexpired calendar month less an administration charge being prescribed by the Council at the time.

SHOPMOBILITY PARKING

Delete 27(i) and replace with;

- (i) In the parking place identified in Schedule 2 as Wyvern multi-storey car park, the area level 1 is designated for use by the Shopmobility Scheme. No vehicle shall be left in level 1 of the said parking place without displaying a valid Shopmobility parking permit issued by the duty Shopmobility manager.

The following new articles are to be added to the Order of 2003 as follow:

35. CAR PARK CHARGES

The charges in respect of the car parks in schedule 2 to 11 may vary by giving notice under Section 35c and 46a of the 1984 Act in accordance with Part V of The Local Authorities Traffic Orders (Procedure) (England and Wales) Regulation 1996.

36. SERVICE BAYS

No person shall cause or permit a vehicle to park in a space marked for service users in the parking places shown in Schedule 2 to 9.

37. OPERATIONAL PERMITS

At the discretion and authorisation of the Council an operational permit may be granted for the parking of a specified vehicle or vehicles in a specified parking place at a specified time/day at a rate prescribed by the Council.

The driver of a vehicle left in accordance with the provisions above in a parking place shown in Schedule 2 to 9 shall be exempt from purchasing a parking ticket or paying an appropriate fee if the operational permit is displayed in a relevant position of the motor vehicle and is used in accordance with the terms and condition it has been issued.

AMENDMENTS TO THE SCHEDULES OF THE ORDER OF 2003

IN SCHEDULES 2 TO 9 DELETE THE WORDING IN CLASS OF VEHICLE '1.5 TONNES' AND SUBSTITUTE WITH '2 TONNES'.

IN SCHEDULES 2 TO 9 DELETE THE WORDING 'NONE' IN SEASON TICKETS WHERE APPLICABLE AND SUBSTITUTE WITH 'SUBJECT TO AVAILABILITY AND ACCORDING TO THE TERMS AND CONDITION OF THE SEASON TICKET OR PERMIT.

IN SCHEDULE 2 DELETE KING STREET CAR PARK FROM THE 'NAME OF PARKING PLACES'.

IN SCHEDULE 4 DELETE THE COLLEGE CAR PARK FROM THE 'NAME OF PARKING PLACES' AND DELETE THE WORDING 'ALL CLASSES NOT EXCEEDING 1.5 TONNES UNLADEN WEIGHT' AND SUBSTITUTE WITH 'DISABLED PERSONS' VEHICLES DISPLAYING A DISABLED PERSONS' BADGE' FOR REGENT CIRCUS.

IN SCHEDULE 5 DELETE SIGNAL POINT CAR PARK FROM THE 'NAME OF PARKING PLACES'

DELETE SCHEDULE 9 and 9A (GREAT WESTERN HOSPITAL AND OASIS)

INSERT SCHEDULES 10 A AND 10 B (TOWN CENTRE ZONE AND OLD TOWN CENTRE ZONE)

INSERT SCHEDULE 11 (TOWN CENTRE AND OLD TOWN CENTRE PARKING ZONE CHARGES)

35504

THE COMMON SEAL of
SWINDON BOROUGH COUNCIL

was hereunto affixed this

6^h day of February 2013

in the presence of:


HEAD OF LITIGATION
AND PERSONAL SERVICES

SCHEDULE ONE

ORDERS TO BE REVOKED

1. The Borough of Swindon (Fee Paying Off-Street Parking Places) Consolidation Order 2003 Amendment Order (No. 2) 2005
2. The Borough of Swindon (Fee Paying Off-Street Parking Places) Consolidation Order 2003 Amendment Order (No. 1) 2006
3. The Borough of Swindon (Fee Paying Off-Street Parking Places) Consolidation Order 2003 Amendment Order (No. 2) 2008
4. The Borough of Swindon (Fee Paying Off-Street Parking Places) Consolidation Order 2003 Amendment Order (No. 2) 2008

SCHEDULE 10(a)

Boundary Area of Town Centre Parking Zone

All Resident's within marked area may apply to park in the Town Centre Long Stay Car Parks listed in Schedule 5



SCHEDULE 11

TOWN CENTRE AND OLD TOWN CENTRE PARKING ZONE

SCALE OF CHARGES

TOWN CENTRE PARKING ZONE	PARKING ANY TIME IN THE TOWN CENTRE LONG STAY CAR PARKS AS LISTED IN SCHEDULE 5 OF THE ORDER OF 2003 WITH THE EXCEPTION OF SPRING GARDENS, CARLTON MULTI-STORY AND BRUNEL NORTH MULT-STORY	£625 PER 12 MONTHS
	PARKING FROM 6 PM TO 9AM IN THE TOWN CENTRE LONG STAY CAR PARKS AS LISTED IN SCHEDULE 5	£150 PER 12 MONTHS
OLD TOWN PARKING ZONE	PARKING ANY TIME IN THE PLANKS AND BRITTANNIA PLACE CAR PARKS FROM SCHEDULE 3 AND 6 OF THE ORDER OF 2003.	£625 PER 12 MONTHS
	PARKING FROM 6 PM TO 9AM IN THE PLANKS AND BRITTANNIA PLACE CARS FROM SCHEDULE 3 AND 6 OF THE ORDER OF 2003	£150 PER 12 MONTHS