

CABINET (TRAFFIC AND PARKING) COMMITTEE

22 FEBRUARY 2010

WINCHESTER CITY (OFF-STREET) PARKING PLACES ORDER – RESIDENT CONCESSIONS

REPORT OF HEAD OF ACCESS AND INFRASTRUCTURE

Contact Officer: Andy Hickman Tel No: 01962 848105

RECENT REFERENCES:

[CAB 1749\(TP\) - Consideration of Residents' Season Ticket Holders Discount - 17 November 2008](#)

[CAB1914\(TP\) – Winchester Residents' Off-Street Parking Scheme –5 November 2009](#)

EXECUTIVE SUMMARY:

This report considers the Winchester Residents' Parking scheme and parking places Order. This matter was considered at the Committee's meetings in November 2008 and 2009 where it was agreed to advertise changes to the Order covering the scheme as set out in the appendix to this report.

The Order has been advertised and no objections received therefore it is recommended that the changes are now implemented.

RECOMMENDATIONS:

That the Head of Legal Services be authorised to make the Orders as advertised and the discount/ concessionary schemes established.

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DETAIL:

- 1 Introduction
- 2 The parking regulation order relating to specific concessions to residents as set out in the appendix to this report was advertised following agreement by Cabinet in November 2009 and November 2008. No objections have been received.
 - 2.1 It is proposed that the Order be made as advertised. .
- 3 Proposed Implementation
 - 3.1 The necessary arrangements will be made to enable the concessionary schemes to be implemented by April 2010.

OTHER CONSIDERATIONS:

- 4 SUSTAINABLE COMMUNITY STRATEGY AND CORPORATE BUSINESS PLAN (RELEVANCE TO):
 - 4.1 This proposal contributes to the corporate objectives of a High Quality Environment and safe and secure communities.
- 5 RESOURCE IMPLICATIONS:
 - 5.1 These proposals can be implemented within current resources.
- 6 RISK MANAGEMENT ISSUES
 - 6.1 None.

BACKGROUND DOCUMENTS:

None

APPENDICES:

Parking Places Order .

WINCHESTER CITY COUNCIL

ROAD TRAFFIC REGULATION ACT 1984

THE WINCHESTER CITY (OFF STREET) PARKING PLACES ORDER 2003
(VARIATION NO.2) ORDER 2010

Winchester City Council acting on behalf of Hampshire County Council in exercise of its powers under sections under Sections 1,2 4,32,35,45,46,49,51 and 53 of the Road Traffic Regulation Act 1984 (" the Act"), as amended by the Road Traffic Regulation (Parking) Act 1986, Part IV of Schedule 9 to the Act , 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, hereby makes the following order :-

1. In this order the "Principal Order " means "The Winchester City (Off Street) Parking Places Order 2003 (as amended)."
2. The Principal Order shall have effect subject to the amendments set out in Schedule 1 hereto.
3. This order may be cited as "The Winchester City (Off Street) Parking Places Order 2003 (Variation No.2) Order 2010 and shall come into operation on the day of 2010

SCHEDULE I

Interpretation

1. In Part I Article (4) shall be inserted into the Principal Order as follows:-

Residents Season ticket Discounts Permits ;

- a) "Resident" shall have the following meaning any person whose usual place of abode is at premises situated in any "permit zone" (defined in the Hampshire (Various Roads, Winchester) (Parking Places and Restriction of Waiting)(Controlled Zone) Order 2002) or who is the owner of any such premises undergoing renovation prior to being let. For the purpose of these provisions the expression "resident" shall not include a person pursuing a course of education or training who occupies the premises designed for the purposes of multiple occupation and
- b) Any Resident as defined above shall be eligible to apply for the discount Permits detailed in Schedule II of the Principal Order, which will be valid for the periods detailed.

- c) The Council may require an applicant for a permit or a permit holder to produce such evidence in respect of the application as they may reasonably require to verify any particulars of information given to them. Any such application shall be made on a form issued by the Council and shall include the particulars and information required by such form to be supplied.
- d) The Council, upon being satisfied that details supplied by an applicant are accurate, and that the applicant is eligible in accordance with the provisions of this Order to be issued with the permit or permits applied for, and on receipt of the appropriate fee as specified in Schedule II to the Principal Order, may issue such a permit or permits to the applicant for the leaving of a relevant vehicle as provided in the relevant article of this Order, by the owner or by any person using such vehicle with the consent of the owner (other than a person to whom such a vehicle has been let for hire or reward). The Council may print on any permit such information as it deems appropriate.
- e) "Resident Permit Holder" shall mean a Resident as defined by Hampshire (Various Roads, Winchester) (Parking Places and Restriction of Waiting)(Controlled Zone) Order 2002 who would qualify for a permit under that Order.
- f) The Council may, by notice in writing served on 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 residence, withdraw a permit if it appears to the Council that any of the events set out below has occurred, and the permit holder shall surrender the permit to the Council within 48 hours of the receipt of the said notice.

The events referred to are:-

- (i) the permit holder ceasing to be a resident;
 - (ii) the permit holder ceasing to be the owner of the vehicle in respect of which a permit was issued;
 - (iii) the vehicle in respect of which such permit was issued being adapted or used in such a manner that it is not a relevant vehicle;
 - (iv) the expiry of the period for which the permit was issued;
 - (v) a cheque, cash or credit card or electronic transfer received from the permit holder as payment of the appropriate fee in respect of the permit being subsequently dishonoured or any information supplied in support of a permit application being subsequently found to be false;
- g) If a permit is mutilated or defaced lost or destroyed or the figures or particulars on it have become illegible or the colour of the permit has become altered by fading or otherwise, the permit holder shall surrender it to the Council and may then apply to the Council for the issue of a duplicate permit. The Council reserves the right to charge for the issue of a duplicate permit

2. In Schedule II to the Principal Order the following shall be inserted

Residents and Resident Permit Holders Season ticket Discounts Permits

A "Resident Permit Holder" shall be entitled to a 30% discount on the full season ticket price of any car park operating the pay and display system

A Resident Permit Holder who resides in Chesil Street shall be entitled to a 30% discount on the full season ticket price of Chesil Multi Storey Car park

A Resident shall be entitled to a permit which will be valid Mondays to Fridays from 8 a.m to 9a.m and from 4pm to 6pm and between 8.00 am and 6.00 pm on Saturdays for the following Fee £100 per annum at the following car parks; Chesil Surface Car Park; St Peters Car Park and the Cattle Market Car Park and Worthy Lane Car park

Given this day of 2010

THE COMMON SEAL OF WINCHESTER)
CITY COUNCIL was hereunto affixed)
in the presence of :-)