

CABINET (TRAFFIC AND PARKING) COMMITTEE

22 FEBRUARY 2010

WICKHAM RESIDENTS' PARKING SCHEME

REPORT OF HEAD OF ACCESS AND INFRASTRUCTURE

Contact Officer: Andy Hickman Tel No: 01962 848105

RECENT REFERENCES:

[CAB1913\(TP\) – Wickham Residents' Parking Scheme – 5 November 2009](#)

EXECUTIVE SUMMARY:

This report considers the Wickham residents' permit scheme which is currently under review following consultation with Wickham Councillors and a survey undertaken in Spring 2008. This matter was considered at the Committees meeting in November 2009 where it was agreed to advertise changes to the scheme as set out in the Order appended 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 parking order under the Road Traffic Act 1984 (as amended) to implement the changes agreed by Committee in November 2009 as set out in this report

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DETAIL:

1 Introduction

- 1.1 The scheme has been in place in its current form since before 1994, during which time residents and visitors have been able to obtain free permits for parking in the Wickham Square car park on application to Winchester City Council. Parking in The Square is limited to two hours, with no return within three hours. The permit allows holders to remain longer than the two hour limit.
- 1.2 A survey titled "Wickham Square Questionnaire Information and Analysis" was sent to all current permit holders in spring 2008. The scheme in its current form needs to be reviewed in order that a fair and agreed system is put in place, which balances the needs of residents with that of businesses and shops, whilst recognising that there is limited parking capacity in Wickham. The results were discussed with local Members (Councillor A Clear and Councillor T Evans, together with Parish Councillors) on 17th June 2008. The survey indicated that the vast majority of residents would continue to apply for one or more permits if charging was introduced.
- 1.3 A letter was sent to all local Councillors and a separate letter to current permit holders with more detailed proposals, including costs. Following the consultation with local Councillors, a review of the properties to be included within the scheme has taken place. The extent of the scheme was discussed further with local Councillors on 23rd October 2009 and a defined area agreed for properties to be included within the residents' scheme. This was reflected in the proposals which have been advertised.

2 Proposed Implementation

- 2.1 The agreed proposed cost of permits will be £10 for the first and second permits, £30 for a third permit, (a maximum of 3 permits per property will apply). In addition the City Council will take over the administration of visitors' permits currently issued by Warwick's. Visitors' permits will be available priced at £5 for a book of 10.
- 2.2 A copy of the parking Places Order is appended to this report.

OTHER CONSIDERATIONS:

3 SUSTAINABLE COMMUNITY STRATEGY AND CORPORATE BUSINESS PLAN (RELEVANCE TO):

3.1 This proposal contributes to the corporate objectives of safe and secure communities and an efficient Council.

4 RESOURCE IMPLICATIONS:

4.1 These changes can be implemented within current resources.

5 RISK MANAGEMENT ISSUES

5.1 None.

BACKGROUND DOCUMENTS:

Residents survey results.

APPENDICES:

Wickham Residents' Parking Scheme Parking Places Order.

Interpretation

3. (1) In this Order except where the context otherwise requires, the following expressions have the meanings hereby assigned to them:-
- (i) "civil enforcement officer" has the same meaning as in Section 76 of the Traffic Management Act 2004
 - (ii) "the Council " means Winchester City Council ;
 - (iii) "disabled persons badge" means a badge of a form prescribed by the Disabled Persons (Badges for Motor Vehicles) (England and Wales) Regulations 2000;
 - (iv) "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;
 - (v) "e-ticket" shall mean a ticket purchased by ringing the number prescribed and displayed in the car park for that purpose, by the payment method specified and shall only be valid for the time specified and for the vehicle details given and for the car park for which it was purchased
 - (vi) "goods vehicle" has the same meaning as in Section 192 of the Road Traffic Act 1988;
 - (vii) "owner" has the same meaning as in Section 142 of the Act of 1984;
 - (viii) "parking device" has the same meaning as in Section 142 of the Act of 1984 and shall include any apparatus or device approved by the Secretary of State operated by the insertion of coins or bank notes or by means of credit or debit cards;

(ix) "parking place" means any part of any land or building specified by name in Column 1 of the Schedule to this Order and provided by the Council pursuant to the Act of 1984 for use as a public parking place;

(x) "parking bay" means a space in a parking place, marked on the surface of the parking place by lines, studs or other indications, or indicated by notices which is provided for the parking of vehicles;

(xi) "parking permit" means a permit issued under the provisions of this Order

(xii) "permit holder" means a person to whom a permit has been issued under the provisions of this Order

(xiii) "relevant position" means :

(a) in the case of a vehicle fitted with a front windscreen, a position thereon with the obverse side facing on the near side of and immediately behind the windscreen so that the date, time, parking place name and fee paid shown on the ticket are clearly visible from outside the vehicle.

(b) in the case of a vehicle not fitted with a front windscreen, any other conspicuous position on the front of the vehicle so that the date, time, parking place name and fee paid shown on the ticket are clearly visible from outside the vehicle.

(xiv) "resident" means a person whose usual place of abode is at premises situated in the area defined on the map attached hereto (or any other map that the Council may substitute to show the extent of the residents covered by this order) Such premises to be built and capable of occupation at the date of this order or undergoing renovation prior to being let, but will not include any premises for which planning permission has been granted but not implemented at the date of

this Order. For the purposes of these provisions the expression "resident" shall not include a person pursuing a course of education or training who occupies premises designed for the purposes of multiple occupation and who is in actual occupation of part thereof for less than 40 weeks a year

(xv) "season ticket" and "season card" means a season ticket or season card purchased from the Council pursuant to article 8(2) hereof;

(xvi) "ticket" means the ticket issued by means of a parking device or parking apparatus on payment of the appropriate fee;

(xvii) "trailer" shall have the same meaning as defined in Section 136 of the Act of 1984;

(xviii) "vehicle" means a motor vehicle as defined by Section 136 of the Act of 1984.

(xix) "visitor" means a person who is not a resident and is visiting a resident for a period not exceeding six consecutive weeks.

(2) The Interpretation Act 1978 shall apply to 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 or re-enacted by, or as having effect by virtue of any subsequent enactment.

PART II

Use of Parking Places

4 The land and buildings specified by name in column 1 of Schedule I to this Order shall not be used, subject to the following provisions of this Order, other than as parking

places for such classes of vehicles, in such positions and on such days and during such hours as are specified in relation to that land or buildings in the said Schedule and on payment of such charges as are specified in the said Schedule.

5. Nothing in this Order shall prevent the Council, if appropriate by a notice displayed at the parking places;

- (a) from closing the parking place or any part thereof for any period
 - (i) whilst any works are being executed therein
 - (ii) whilst the parking place or part thereof is required for use for some special purpose
 - (iii) for any other reason
- (b) from setting aside for use only by specially authorised vehicles of part or parts of a parking place on all days or on certain days or during certain parts of certain days.

6. Where in Article 5 of, or Schedule I to this Order, a parking place is described as available for waiting on all days or on certain days by specified classes of vehicle or in a specified position, the driver of a vehicle shall not, except with and subject to the terms of any permission in writing from the Council in the particular case, cause or permit it to wait in that parking place on any day:-

- (a) unless it is a vehicle of one of the specified classes of vehicles appropriate to that parking place and that day; or
- (b) otherwise than wholly within a parking bay marked out on the parking place. or

(c) so as unreasonably to prevent access to any premises adjoining the road, or the use of the road by other persons, or so as to be a nuisance;

7. The driver of a vehicle shall not, except with and subject to the terms of any permission in writing from the Council in the particular case, cause or permit it to wait in a parking place or any part thereof –

(a) at any time when the parking place or that part (as the case may be) has been closed or set aside for use only by specially authorised vehicles in accordance with Article 5 of this Order;

(b) unless it is a vehicle displaying a valid season ticket, permit or resident card permit applicable to that car park for longer than 24 hours or in a car park where the maximum stay specified in Column 6 of Schedule I to this Order is less than 24 hours, for longer than the period so specified.

8. (1) The driver of a vehicle shall upon depositing the vehicle in a parking place immediately pay the appropriate charge applicable to the class of vehicle, and period of parking ascertained by reference to Schedule I to this order provided that no charge shall be payable by the driver of a vehicle who displays in the relevant position a valid season ticket, permit or resident card permit issued in respect of that vehicle in accordance with the provisions of paragraph 8 (2) and of this Article.

(2) A season ticket, season card or permit shall be valid for such period and for use in such parking places for the parking of such classes of vehicles in such positions and on such days and during such hours as shall be specified by the Council at the time

at which it is issued. The charge for such a season ticket, season card or permit shall be ascertained by reference to Schedule I to this Order.

- (3) The charge referred to in paragraph (1) of this Article shall be payable
 - (i) by the insertion of an appropriate coin, coins or bank notes into the apparatus provided, where a parking apparatus is in use , or
 - (ii) by means of such credit or debit cards or other electronic methods of payment, which would include the purchase of an e-ticket as may be approved by the Council, or
 - (iii) by such other parking device having been specifically or generally approved by the Secretary of State for such purposes
- (4) The particulars as to the time at which a ticket was obtained from parking apparatus, specified on the ticket issued by such apparatus or in the case of an e-ticket records retained by the Council shall be evidence of the particulars so specified.
- (5) No person shall exhibit on any vehicle, any parking ticket, permit, resident card permit, season ticket or disabled person's badge upon which the figures or particulars have become illegible or altered in any way by anyone other than a person duly authorised by the Council.
- (6) Where any parking apparatus is defective or is not installed in a car park the charge referred to in paragraph (1) of this Article may be collected by a civil enforcement officer.

- (7) A vehicle left by the driver thereof who has been issued with a permit by the Council for the purpose of leaving the vehicle in a parking place for such time as that vehicle is parked in consequence of the driver's duty or business on behalf of the Council shall be exempted from payment of the charges specified in Schedule I hereto.

- (8) A ticket issued on payment of the charge referred to in Article 8(1) hereof shall be valid only at the parking place at which it was issued. or in the case of an e-ticket at the parking place specified on purchase.

- (9) A vehicle which displays in the relevant place a disabled person's badge left in a parking place specified by name and described as a "Pay and Display" car park in Column 1 of Schedule I hereto shall be exempt from payment of any charge specified in Schedule I hereto, PROVIDED THAT such exemption shall apply only where at the time the vehicle is parked in the parking place it is either driven or occupied as a passenger by the holder of the disabled person's badge.

- (10) (i) The requirements of Article 8 (1) for a driver to pay the appropriate charge upon depositing the vehicle in the parking place shall not apply where the car park operates a system whereby entry to the car park is through a barrier which is opened upon a ticket being issued to the driver on entry PROVIDED the driver pays the appropriate charge applicable to the class of vehicle and period of parking ascertained by reference to Schedule I by payment in accordance with Article 7(3) above prior to exiting the car park

(ii) The requirements of Article 8 (1) for a driver to pay the appropriate charge upon depositing the vehicle in the parking place shall not apply where the car park

operates a system whereby entry to the car park is through a barrier which is opened using a valid season card PROVIDED the season card is valid for that car park and that vehicle or where a valid parking permit is properly displayed

Parked without displaying ticket

9. (1) Subject to Article 9(2) below, any ticket issued on payment of the charge referred to in Article 8 of this Order shall at all times be displayed in the relevant position so that the date, time, parking place name and fee paid shown on the ticket are clearly visible from outside the vehicle.

- (2) The requirements of Article 9 (1) for a driver to display a ticket shall not apply:-
 - (i) where the car park operates a system whereby entry to the car park is through a barrier which is opened upon a ticket being issued to the driver on entry, provided the driver pays the appropriate charge such for payment on exit at a parking apparatus or barrier;

 - (ii) where an e-ticket has been purchased covering the class of vehicle and period of parking .

- (3) If any ticket is issued to the driver on entry it shall be produced to any person duly authorised by the Council on demand at any time whilst the vehicle is within the parking place and where the driver of any vehicle leaving any parking place is unable to produce the ticket issued to him on entering the Car park or the ticket issued to

him on entry to the car park is defaced or damaged the charge of the visit shall be calculated by reference to the maximum charge for that Car park in accordance with Schedule I

Parked with additional payment to extend time beyond that first purchased

10. Where a parking ticket has been purchased and displayed in accordance with the provisions of Articles 8 and 9 of this order no additional tickets shall be purchased which would have the effect, by their combination of avoiding a higher parking charge rate that would have been appropriate upon an initial single ticket purchase.

Parked beyond the bay markings

11. The driver of a vehicle shall not permit it to wait in a parking place other than wholly within a marked parking bay.

Parked in disabled persons spaces or other spaces designated by signs or lines

12. (1) The driver of a vehicle left in a parking place shall permit it to wait only in such positions as conform with any notices or markings displayed in the parking place or with any directions given by a parking attendant and shall not leave a vehicle in a position that prevents the ingress or egress of any other vehicle.

(2) Where there is a sign in a parking bay indicating that the use of that bay is suspended the driver of a vehicle shall not permit that vehicle to wait in that parking bay.

Vehicle exceeds maximum height/weight or not otherwise of specified class

13. Where

- (a) in Schedule I to this Order a parking place is described as available for vehicles of a specified class or in a specified position; or
- (b) a parking bay within a parking place is described by special markings or indicated by means of a notice displayed within the parking place as available for vehicles of a specified class or in a specified position;

the driver of a vehicle shall not permit it to wait in that parking place or parking bay (as the case may be) unless it is of the specified class or other than in the position specified.

14. In relation to the parking place described as Wickham Square in Schedule I to this Order, where a vehicle has been left for any part of the initial permitted length of time, it shall not return to that parking place before the lapse of three hours since that departure.

PART III

Permits

15. Any resident of a property contained within the area specified in the map attached to this Order may apply to the Council for the issue of a permit for the leaving of a relevant vehicle by that resident, any other person resident at the same address or by any visitor to that address at any time in any parking place specified in Schedule I to this Order, subject to no more than three such permits being available for use, by a resident or by a visitor, in respect of any one address; provided that any period of waiting by a vehicle left by a visitor shall not exceed the duration of such visit. The number of permits issued to any one address shall not exceed three.

16. Any resident may apply to the Council for a block of ten card permits, each card permit to be valid for the leaving of a relevant vehicle by any person attending at the address of that resident at any time on the day, provided that no more than three such blocks of ten are issued in respect of any one address during any calendar year.

17. 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.

18. 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 I to this 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. Subject to Articles 19, 20, 21 and 22 of this Order, all such permits shall be valid for a period of twelve months.

19. A permit holder may surrender a permit to the Council at any time and shall surrender a permit to the Council on the occurrence of any of the events set out in Article 21 of this Order; a permit holder who surrenders a permit

(a) before the permit becomes valid shall be entitled to a refund of the fee paid in respect thereof;

(b) after the permit has become valid shall be entitled to a refund calculated on the balance of the period remaining unexpired at the time when the permit is surrendered to the Council, to a minimum value of £5.00;

provided that no refund is payable if the permit is surrendered as a consequence of any of the events specified in Article 21 (d), (e), (f) or (g) of this Order.

20. 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 in Article 21 of this Order has occurred, and the permit holder shall surrender the permit to the Council within 48 hours of the receipt of the said notice. If the

Council has sent a letter to the address shown by that person on the application for the permit and no other address has been given then seven days after the letter has been posted the permit will be deemed to be withdrawn.

21. The events referred to in Article 19 and 20 of this Order are:-

- (a) the permit holder ceasing to be a resident;
- (b) the permit holder ceasing to be the owner of the vehicle in respect of which a permit was issued;
- (c) 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;
- (d) the issue of a duplicate permit by the Council following an application made under the provisions of Articles 24 or 25 of this Order;
- (e) the expiry of the period for which the permit was issued;
- (f) 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) the permit having been used in respect of a vehicle which is not a relevant vehicle;
- (h) the permit having been used by any person not authorised to do so under the provisions of this order; and
- (i) the permit having been used in respect of a vehicle which has been parked in a parking place unreasonably so as to prevent access to premises adjoining the road, to obstruct other road users or cause a nuisance.

Provided that sub-paragraphs (b) and (c) of this Article shall only have effect in respect of a permit restricted to a specified relevant vehicle.

22. A permit shall cease to be valid on the occurrence of any one of the events set out in Article 21 of this Order.
23. If a permit is mutilated or defaced 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.
24. If a permit is lost or destroyed, the permit holder may apply to the Council for the issue of a duplicate permit.
25. The provisions of this Order shall apply to a duplicate permit and an application for such a permit as if it were a permit or, as the case may be, an application for a permit.
26. Any application for a duplicate permit under the provisions of Articles 23, 24, or 25 of this Order shall include the appropriate fee as specified in Schedule I to this Order, and upon the issue of a duplicate permit the permit which it duplicates shall become invalid.
27. A permit shall be in writing and may include the following particulars:-
 - (a) the registration mark of the vehicle in respect of which the permit has been issued or the address of the permit holder;

- (b) the area in respect of which the permit is valid;
 - (c) the period during which, subject to the provisions of Article 22 of this Order, the permit shall remain valid; and
 - (d) an authentication that the permit has been issued by the Council.
 - (e) any other information that the Council deems necessary
28. Whenever a vehicle has been left in a parking place during any period when it would not otherwise be authorised to wait there shall be displayed on, or adjacent to, the near side of the front windscreen of the vehicle a permit valid in respect of that vehicle and parking place so that all the particulars referred to in Article 27 of this Order are clearly legible from outside the vehicle.
29. When a permit has been displayed on a vehicle in accordance with the provisions of Article 28 of this Order, no person shall remove the permit from the vehicle unless authorised to do so by the driver of the vehicle.

Penalty Charge Notices

30. (1) If a vehicle has been left

- (i) in contravention of or failure to comply with the provisions of Articles 4, 5, 6, 7, 8, 9, 10,11, 12, 13, 14 28 of this Order or
- (ii) beyond the period of parking which has been paid for or

a penalty charge shall become payable provided that if the penalty charge is paid before the end of the period of 14 days beginning with the date of service of the notice, the amount of the penalty charge shall be reduced in accordance with the provisions of Part 3 of Schedule 9 to the Traffic Management Act and paragraph 2 of the Schedule to the Civil Enforcement of Parking Contraventions (Guidelines on Levels of Charges) (England) Order 2007;

(2) In the case of a vehicle in respect of which a penalty charge has been incurred a civil enforcement officer may fix a penalty charge notice to the vehicle or give such a notice to the person appearing to him or her to be in charge of the vehicle or may issue a notice by post if the civil enforcement officer has reason to believe a penalty charge is payable and was prevented by some person from issuing the notice or was in the process of issuing the notice and the vehicle was driven away from the position in which it was stationary prior to the completion of the penalty charge notice PROVIDED THAT a penalty charge notice may not be served later than the expiration of the period of 28 days beginning with the date on which, according to a record produced by an approved device, or information given by a civil enforcement officer, the contravention to which the penalty charge notice relates occurred.

(3) A penalty charge notice must contain the matters prescribed in the Schedule to the Civil Enforcement of Parking Contraventions (England) General Regulations 2007 together with 3(2) and (4) (as applicable) of The Civil Enforcement of Parking Contraventions (England) Representations and Appeals Regulations 2007.

(4) The penalty charge should be paid to the Council either by cheque (drawn upon a bank or building society acceptable to the Council), postal order, cash (in dominations acceptable to the Council), credit or debit card or by such other means as the Council may deem acceptable, which shall be delivered or sent by post (or by telephone in the case of credit or debit card) so as to reach the offices of the Council, its authorised agent or other address specified in the penalty charge notice no later than 23hr 59.59 on the 28th day following the day on which the penalty charge was incurred

(5) For the purpose of Sub-Article (1) the amount of the penalty charge shall be that published by the Council in accordance with the Traffic Management Act 2004 as amended

(6) The provisions of Sections 63-67 and 70-82 of and Schedules 6 and 7 to the Road Traffic Act 1991 as amended by the Traffic Management Act 2004 and The Civil Enforcement of Parking Contraventions (England) General Regulations 2007 and any other amending Legislation shall apply to the above restrictions imposed by this Order

31. The holder of any ticket, season ticket, season card, disabled persons badge, permit or other purported authority to park shall produce such document on demand for inspection by a civil enforcement officer or any other person duly authorised by the Council.

Restriction on Removal of Notices

32. Where a notice has been fixed to a vehicle or given to the person appearing to be in charge of the vehicle in accordance with the provisions of Article 30(2) of this Order , no person other than the driver of the vehicle or some other person duly authorised by the Council, shall remove the notice from the vehicle until the vehicle is removed from the parking place.

33. (1) Where in a parking place signs are erected or surface markings are laid out for the purposes of: -

(a) indicating that a vehicle using the parking place shall proceed in a specified direction within the parking place; or

(b) indicating the entrance to or exit from that 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

- (2) Any trailer attached to a vehicle or an articulated vehicle, as defined by Section 131 of the Act of 1934, shall not be disconnected from the vehicle

34. When a vehicle or trailer is waiting in a parking place in contravention of the provisions of any Article of this Order, a person authorised in that behalf by the Council may alter or cause to be altered the position of the vehicle in order that its position shall comply with those provisions but without prejudice to the provisions of Article 43 of this Order

35. The driver of a vehicle shall not bring into a parking bay any vehicle or trailer attached hereto containing any toxic, inflammable, explosive, noxious or dangerous substance, other than fuel used either for the propulsion of the vehicle or the drawing of the vehicle as the case may be or for the driving or any ancillary engine or equipment forming part of the vehicle

36. The driver of a vehicle using a parking place shall not drive the vehicle other than for the purpose of leaving that vehicle in a parking place in accordance with the provisions of this order or for the purpose of departing from the parking place. (Provided that this Article shall not prevent a person from driving a motor vehicle in a parking place to which this Order applies for the purpose of gaining access to a private parking place where access to that private parking place can only be gained by driving a vehicle through a parking place to which this Order applies).

37. No person in a parking place shall wantonly shout or otherwise make any loud noise to the disturbance or annoyance of users in the parking place or residents or occupiers of premises in the neighbourhood.

38. No person shall in a parking place

(a) use any threatening, abusive or insulting language, gesture or conduct likely 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

(b) Deposit or leave any vehicle, trailer, or anything which formed part of a vehicle or trailer, or any rubbish, litter or other thing within a parking place so as to give rise to a concern that it may be abandoned there

(c) Roller skate, skateboard, cycle or play with any mechanical contrivances or at any game or sport

39. No person shall use a vehicle, or trailer while it is in a parking place, in connection with the sale or 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 for sleeping, camping, eating or cooking purposes. Except with the approval of the Council and subject to such conditions as the Council may from time to time decide, no person shall carry out in any parking place any commercial activities, or the cleaning, washing, servicing or repair of vehicles or trailers (except such minimum emergency repairs as may be necessary to remove a vehicle or trailer from a parking place)

40. No person shall use a parking place as a means of passage proceeding from one road to another road.
41. 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;
 - (c) leave or cause or permit to be left any wheeled shopping trolley except in the trolley bays provided or with the written permission of the Council
42. When a vehicle or trailer is left or used in a parking place in contravention of any of the provisions contained in the Articles of this Order, a person authorised in that behalf by the Council may remove the vehicle or trailer or arrange for the aforesaid vehicle or trailer to be removed from the parking place.
43. Any person removing a vehicle or trailer by virtue of the last preceding Article of this Order 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 or trailer as he may think necessary to enable him to remove it as aforesaid.
44. When a person authorised by the Council removes or makes arrangements for the removal of a vehicle or trailer from a parking place, he or she shall make such

arrangements as may be reasonably necessary for the safe custody of the vehicle, or trailer.

45. Neither the Council nor the person authorised to remove or make arrangements to remove vehicles or trailers shall be responsible for any loss or damage to the vehicle or trailer or to anything contained therein arising from, or in consequence of, the exercise of the powers contained in the Articles of this order. Any expenses incurred by the Council in removing a vehicle or trailer within any parking place shall be recoverable by the Council from the driver of the vehicle or vehicle to which the trailer was attached, as the case may be, summarily as a civil debt.
46. The Council accepts no liability either at common law or under the Occupiers Liability Act 1957, or otherwise, for loss of or damage to vehicles or other property left in any of the Council's parking places to which this order applies.

The Common Seal of Winchester City Council)
was hereunto affixed this day of 2010)
in the presence of

SCHEDULE I

COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4	COLUMN 5	COLUMN 6	COLUMN 7
Name of Parking Place	Position in which vehicles may wait	Class of Vehicles	Days when parking available	Prescribed Charging Hours	Maximum Period for which vehicles may wait	Scale of Charges
<u>Wickham Square</u> The surface car park at The Square, Wickham, Hampshire	Wholly within a marked parking bay	Passenger vehicles and goods vehicles of an unladen weight not exceeding 2 tonnes and any other vehicle for which express consent of the Council has been given	All Days	9am and 5pm Monday to Saturday	3 Hours (Return prohibited within 3 hours between 9am and 5pm, Monday to Saturday)	Up to 0.5 hours: £ 0.00 Up to 1 hour: £ 0.30 Up to 2 hours: £ 0.60 Up to 3 hours: £ 0.80

Fees for Parking Permits/Season Tickets and Cards

<u>Type of permit</u>	<u>Fee</u>
Residents – First Permit	£10.00 per permit per annum
Residents – Second or Third permits	£30.00 per permit per annum
Duplicate	£10.00 per permit per annum
Residents Card Permits	£5 per ten (Maximum of thirty available to eligible residents)