

APPENDIX C

THE BOROUGH OF FAREHAM (OFF-STREET PARKING PLACES) (AMENDMENT 2) ORDER 2018

Fareham Borough Council in exercise of its powers under Sections 32, 35 and Part IV of Schedule 9 of the Road Traffic Regulation Act 1984 (“the Act”) and of all other enabling powers, after consultation with the Chief Officer of Police in accordance with Part III of Schedule 9 to the Act, hereby makes the following Order:

CITATION

- 1 This Order shall come into operation on XXXX and may be cited as The Borough of Fareham (Off-Street Parking Places) (Amendment 2) Order 2018.

INTERPRETATION

- 2 In this Order:
 - (i) “Principal Order” shall mean The Borough of Fareham (Off-Street Parking Places) Consolidation Order 2017.
 - (ii) Except where otherwise stated, any reference to an Article or Schedule shall be construed as a reference to that Article or Schedule in this Order.
 - (iii) Any reference to an enactment shall be construed as a reference to that enactment as amended by any subsequent enactments.

AMENDMENTS

3. Article 2 of the Principal Order shall be amended as follows

- (i) After the definition of “Council Offices” the following wording shall be inserted

“Disabled Persons” or “Blue Badge” have the same meaning as in the Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000 SI 682

“Disabled Persons Vehicle” has the same meaning as in the Local Authorities Traffic Orders (Exemptions for Disabled Persons) (England and Wales) Regulations 2000”

- (ii) After the definition of “Motor Cycle” the following words shall be inserted

“Official Permit” and “Permit” mean a parking permit which states “AUTHORISED PARKING”, issued by the Council to park in a car park or designated parking place(s) as specified on the parking permit

“Outer Car Park” or “Outer Car Parks” has the meaning of being one, or all, of the following Car Parks or Parking Places: Bath Lane, Holy Trinity Church, Lysses, Malthouse Lane, Osborn Road West, Trinity Street or Youth Centre

- (iii) After the definition of “Relevant Position” the following words shall be inserted

“Season Ticket” means a virtual season ticket issued by the Council, to a vehicle registered with the Council specifying the designated parking place(s) in which the Vehicle is permitted to be left”

“Ticket”, “Parking Ticket” and “Pay and Display Tickets” means a ticket issued by a ticket machine pursuant to this Order and indicating the charge that has been paid, the time at the beginning of the period for which payment was made and/or the time when the period expires”

4. Article 2 of the Principal Order shall be amended as follows. The definition of “Relevant Position” shall be deleted and replaced by

“Relevant Position” means

(a) in respect of a Disabled Persons Badge and parking disc has the same meaning as in the Local Authorities Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000 and

(b) in respect of all other tickets and permits referred to in this Order means exhibited on the dashboard or facia of the vehicle, motorhome or trailer or where the vehicle, motorhome or trailer does not have a dashboard or facia in a conspicuous position on the vehicle so that the whole of the information on the front of the ticket is clearly legible from the outside of the vehicle.”

5. Article 3 of the Principal Order shall be deleted and replaced by the following wording

“3. Class and Position of Vehicles

Each Parking Place specified in Column 1 of Schedules 2,3,4,5,6 and 7 to this Order may be used, subject to the following provisions of this Order, for the parking of Vehicles only of such class or classes as are specified in Column 2 of the said Schedules and only in the position specified in Column 3 of the said Schedules.”

6. Article 4 of the Principal Order shall be deleted and replaced by the following wording

“4. Manner of Parking of Trailers

- (1) No Vehicle drawing a Trailer or the Trailer itself shall be left in any Parking Place specified in Column 1 of Schedules 2,3,4,5,6 and 7 to this Order where Trailers are excepted under Column 2 of the said Schedules.
- (2) For the purpose of this Order:-
 - (a) the drawing Vehicle and the Trailers shall be deemed to be separate Vehicles
 - (b) Each of the Vehicles must be parked wholly in accordance with the provisions of this Order save that:-
 - (i) any parking ticket referred to in Article 21 of this Order in respect of the Trailer shall be displayed in the Relevant Position on the drawing Vehicle
 - (ii) any Penalty Charge Notice issued in respect of the Trailer shall be attached to the drawing Vehicle or if the drawing Vehicle is not present in the Parking Place the Notice of Charge shall be affixed to the Trailer.”

7. Article 8 of the Principal Order shall be deleted and replaced by the following wording

“8. Maximum Period of Parking

Where in Schedules 2,3,4,5,6 and 7 to this Order a Parking Place is described as available on specified days, during specified hours or for a maximum period of stay, no person shall permit a Vehicle to wait in that Parking Place on any day, during such hours or for any period other or longer than those specified.”

8. Article 10 of the Principal Order shall be deleted and replaced by the following

“10. Movement of Vehicles in a Parking Place in Emergencies

- (1) A Civil Enforcement Officer or any other person duly authorised by the Council may in a case of emergency, move or cause to be moved, Vehicles left in a Parking Place, to any place he thinks fit.
- (2) Where a Vehicle is Left in a Parking Place in a position other than that specified in column 2 of Schedules 2,3,4,5,6 and 7 to this Order a Civil Enforcement Officer or any other person duly authorised by the Council may move the Vehicle or cause it to be moved in a position which complies with that specified in Column 2 of that Schedule.”

9. Article 27 of the Principal Order shall be deleted and replaced by the following wording

“(1) The driver of a Vehicle left strictly in accordance with the provisions of this Order in the Outer Car Parks, as defined in paragraph 2 of this Article, shall be exempt from payment of any parking charge if a valid Season Ticket has been purchased from the Council and that Vehicle is registered with the Council as having a valid Season Ticket. FOR THE AVOIDANCE OF DOUBT, if any Vehicle is left in any of the parking places specified as an Outer Car Park in such a manner as not to comply with Articles 3 to 8 and 13 to 15 of this Order, a contravention shall have occurred irrespective of whether or not a valid Season Ticket had been purchased and registered with the Council.

(2) A Season Ticket will only be valid when:-

- (a) purchased from the Council; and
- (b) registered with the Council for the Vehicle specified at the time of purchase,
- (c) for the period specified at the time of purchase,

(3) The prices of the Season Tickets referred to in this Article are given in Schedule 1 to this Order.”

10. Article 29 of the Principal Order shall be deleted and replaced by the following wording

“29. Contravention

If a Vehicle is left in or driven in a Parking Place referred to in Schedules 2,3,4,5,6 and 7 to this Order without complying with the requirements of this Order, a contravention shall have occurred and a Penalty Charge shall be payable. A Penalty Charge Notice showing the information required by the Civil Enforcement of Parking Contraventions (England) General Regulation 2007 or any subsequent replacement regulation can be issued by a Civil Enforcement Officer. “

11. Article 38 of the Principal Order shall be deleted and replaced by the following wording

“(i) Any vehicle which is a Disabled Persons Vehicle which displays in the relevant position a Disabled Persons badge and which, immediately before or after any period of waiting in a Parking Place, has been or is about to be driven by the Disabled Person whose badge is displayed, or as the case may be, used for carrying disabled persons(s) as passenger(s) shall be exempt of charges and from compliance with the maximum period of waiting and prohibition of return (if any) specified in respect of the Parking Place.

(ii) In barrier operated car parks, a vehicle which is a Disabled Persons Vehicle and is displaying, in the Relevant Position, a Disabled Persons badge issued in accordance with the provision of the Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000 or any subsequent replacement regulations may make an application to the Council for the registration(s) for a maximum of two vehicles with the Council, to be held on record, so as to be exempt of charges and from compliance with the maximum period of waiting and prohibition of return (if any) specified in respect of the Parking Place”

- 12.** Schedule 1 shall be deleted from the Principal Order and replaced by the wording set out in Schedule 1.
- 13.** The article relating to “Civic Office Car Park” in Schedule 3 shall be deleted from the Principal Order and replaced by the wording set out in schedule 2.
- 14.** The wording in respect of Burrigge Village Hall Car Park (Main) set out in Schedule 3 shall be inserted into Schedule 5 of the Principal Order.
- 15.** The plan set out in Schedule 4 shall be inserted into Schedule 5 of the Principal Order.
- 16.** The Articles in Schedule 5 of the Principal Order in respect of Middle Road Car Park, Park Gate, The Green Car Park Stubbington and the Car park at the rear of Standen House, Stubbington shall be deleted from the Principal Order and replaced by the wording set out in Schedule 5
- 17.** The heading of “Schedule 6 - 24 hour (minimum) car parks (free) shall be deleted from the Principal Order and replaced by “Schedule 6 – 24 hour (maximum) car parks (free)
- 18.** Schedule 7 of the principal order will now become Schedule 8 of the principal order.
- 19.** A new Schedule 7 entitled “Schedule 7 – 24 hour (maximum) car parks (Permit Holders Only) shall be inserted into the Principal Order as set out in Schedule 6.
- 20.** The Plan set out in Schedule 7 shall be inserted into Schedule 7 of the Principal Order.

THE COMMON SEAL of
FAREHAM BOROUGH COUNCIL
was hereunto affixed this XX day
of XXX 201X

in the presence of:

Authorised Signatory

Schedule 1

SCHEDULE 1

PRICES OF SEASON TICKETS REFERRED TO IN ARTICLE 27 HEREOF

Malthouse Lane; Trinity Street; Osborn Road West; The Youth Centre; Bath Lane; Lysses; Holy Trinity and the top floor (only) of the Osborn Road multi-storey Parking Place

Full Day					
	1 Day	2 Days	3 Days	4 Days	Weekly
One Month	£13.00	£30.00	£50.00	£60.00	£70.00
Quarterly	£35.00	£80.00	£110.00	£150.00	£170.00
Half Yearly	£65.00	£140.00	£200.00	£270.00	£300.00
Annual	£110.00	£230.00	£340.00	£470.00	£520.00

Part Day (5 hours per day)					
	1 Day	2 Days	3 Days	4 Days	Weekly
One Month	£10.00	£20.00	£30.00	£40.00	£45.00
Quarterly	£20.00	£50.00	£70.00	£90.00	£100.00
Half Yearly	£40.00	£80.00	£120.00	£160.00	£180.00

Schedule 2 – Pay and Display Car Parks (Inner)

Civic Offices Car Park	All Vehicles except a) Goods Vehicles exceeding 1525kg unladen weight; b) Passenger Vehicles adapted to carry more than 12 passengers exclusive of the driver; c) Motor Cycles; and d) Trailers	Wholly within a Bay not reserved for any other class of Vehicle or person	10 Hours	£1 per hour to apply 8am to 6pm Saturdays and 10.30am to 4pm Sundays and Bank Holidays	Permit holders only Monday to Friday 8am to 6.30pm Blue badge holders may use designated bays 8am to 6.30pm subject to a maximum stay of 1 hour
------------------------	---	---	----------	--	---

Schedule 3 – Limited Wait car parks (free)

Name of Parking Place	Classes of Vehicles	Position in which Vehicles may wait	Maximum Period for which Vehicles may wait
Burrige Village Hall Car Park (Main)	All Vehicles except a) Goods Vehicles exceeding 1525kg unladen weight; b) *Passenger Vehicles adapted to carry more than 12 passengers exclusive of the driver; and c) Trailers	Wholly within a Bay not reserved for any other class of Vehicle or person.	4 Hours, No Return to Car Park within 2 hours. Official Permit Holders may wait for a period not exceeding 24 hours

Schedule 4

Plan Burrige Village Hall

Schedule 5 – Limited Wait Car Park (free)

Name of Parking Place	Classes of Vehicles	Position in which Vehicles may wait	Maximum Period for which Vehicles may wait
Middle Road Car Park, Park Gate	All Vehicles except a) Goods Vehicles exceeding 1525kg unladen weight; b) Passenger Vehicles adapted to carry more than 12 passengers exclusive of the driver; and c) Trailers	Wholly within a Bay not reserved for any other class of Vehicle or person. Motor Cycles may only wait within a Bay marked "Motor Cycles Only"	2 hours, No Return within 4 hours.
The Green Car Park, Stubbington	All Vehicles except a) Goods Vehicles exceeding 1525kg unladen weight; b) Passenger Vehicles adapted to carry more than 12 passengers exclusive of the driver; and c) Trailers	Wholly within a Bay not reserved for any other class of Vehicle or person.	1 hours, No Return within 3 hours.
Car Park Rear of Standen-House, Stubbington	All Vehicles except a) Goods Vehicles exceeding 1525kg unladen weight; b) Passenger Vehicles adapted to carry more than 12 passengers exclusive of the driver; and c) Trailers	Wholly within a Bay not reserved for any other class of Vehicle or person. Motor Cycles may only wait within a Bay marked "Motor Cycles Only"	1 hours, No Return within 3 hours.

“Schedule 7 – 24 hour (maximum) car parks (Permit Holders Only)

Name of Parking Place	Classes of Vehicles	Position in which Vehicles may wait	Maximum Period for which Vehicles may wait	Parking Period
Meon House Car Park	All Vehicles except a) Goods Vehicles exceeding 1525kg unladen weight; b) Passenger Vehicles adapted to carry more than 6 passengers exclusive of the driver; and c) Trailers	Wholly within a Bay not reserved for any other class of Vehicle or person.	24 Hours	Official Permit holders only, 7 days a week.