

WINCHESTER CITY COUNCIL
ROAD TRAFFIC REGULATION ACT 1984
WINCHESTER CITY (OFF STREET PARKING PLACES) ORDER 2026

Winchester City Council (hereinafter referred to as “the Council”) in exercise of its powers and duties under Section 32, 33, 35, 122 (1) and (2), 124 and Part IV of Schedule 9 of the Road Traffic Regulation Act 1984 (which Act is hereinafter referred to as “the Act of 1984”), and of all other enabling and amending legislation and powers, with consent of Hampshire County Council and after consultation with the Chief Officer of Police in accordance with Part III of Schedule 9 of the Act of 1984 hereby make the following Order.

PART 1

General

Commencement and Citation

1. This Order may be cited as the Winchester City (Off Street Parking Places) Order 2026.
2. This Order shall come into force on XXXXXXXX 2026.

Revocations and Transitional Provisions

3. With effect of the date on which this Order shall come into force in accordance with Article 2 above, the following Orders are hereby revoked:
 - (a) Winchester City (Off Street) Parking Places Order 2003
 - (b) The Winchester City (Off Street) Parking Places Order 2003 (Variation no.1) Order 2008
 - (c) The Winchester City (Off Street) Parking Places Order 2003 (Variation no.2) Order 2010
 - (d) The Winchester City (Off Street) Parking Places Order 2003 (Variation no.3) Order 2010
 - (e) The Winchester City (Off Street) Parking Places Order 2003 (Variation no.5) Order 2010
 - (f) The Winchester City (Off Street) Parking Places Order 2003 (Variation no.6) Order 2011
 - (g) The Winchester City (Off Street) Parking Places Order 2003 (Variation no.6) Order 2012
 - (h) The Winchester City (Off Street) Parking Places Order 2003 (Variation no.8) Order 2013
 - (i) The Winchester City (Off Street) Parking Places Order 2003 (Variation no.9) Order 2014
 - (j) Winchester City (Off Street) Parking Places Order 2003 (Variation no.10) Order 2021
 - (k) Winchester City (Off Street) Parking Places Order 2003 (Variation no.11) Order 2021
 - (l) Winchester City (Off Street) Parking Places Alresford Order 2009
 - (m) Winchester City (Off Street) Parking Places Alresford (No.2) Order 2012
 - (n) Winchester City Parking Places Order 2010
 - (o) The Winchester City (Barfield Close and St Catherine’s View) (Off Street Parking Places) Order 2003
 - (p) The Winchester City (Barfield Close and St Catherine’s View) (Off Street Parking Places) Order 2003 (Variation no.4) Order 2021
 - (q) The Winchester City (Barfield Close and St Catherine’s View) (Off Street Parking Places) Order 2003 (Variation no.5) Order 2021
4. Without prejudice to Article 3, any permits issued by the Council under the Winchester City (Off Street) Parking Places Order 2003 as varied, Winchester Parking Places Order 2010, The Winchester City (Barfield Close and St Catherine’s View) (Off Street Parking Places) Order

2003 as varied, shall remain valid until the date stipulated on the permit as the expiry date of that permit as if the permit had been issued in accordance with the provisions of this Order.

Interpretation

5. (1) In this Order except where the context otherwise requires, the following expressions have the meanings hereby assigned to them: -

An App	A computer program or software application designed to operate on a mobile device or a computer for the purpose of purchasing or obtaining an e- ticket.
ANPR (Automatic Number Plate Recognition)	A camera system which reads vehicle number plates as the vehicle enters and exits a parking place.
Barfield II Park & Ride Resident	Those entitled to a resident permit for Barfield II Park & Ride as specified in Schedule V.
Bus Parking Area	Area in Perins car park which is dedicated to buses during Monday to Friday inclusive but used as a parking place on Saturday, Sundays and school holidays as per map in Schedule VII.
The Council	Winchester City Council
Civil Enforcement Officer	Shall have the same meaning as in Section 76 of the Traffic Management Act 2004.
Coach or Coaches	A public service vehicle designed and constructed for the carriage of seated passengers only and has a capacity exceeding 22 passengers, in addition to the driver.
Coach Parking Bay	Means an area within the Parking Place indicated as such by markings on the surface or signage of the Parking Place as an area where a Coach, Motor Home, Campervan or Motor Caravan in accordance with the provisions of this Order, may be stationed.
Disabled Person's Badge or Blue Badge	Shall have the meaning assigned to it by section 2(1) of the Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000 as amended. It must be displayed behind the front windscreen, with the entire front side of the badge fully visible if viewed from outside of the vehicle.
Disabled Parking Bay	Means a parking bay within the parking place indicated as such by markings on the surface of signage, to be used as a parking place for a disabled person's vehicle displaying a Blue Badge.
Driver	Shall have the meaning assigned to it by section 142(1) of the 1984 Act and in relation to a vehicle waiting in a parking place 'driver' means the person driving that vehicle at the time the vehicle was left in the parking place.
Dual Use Bays	Means parking bays within a parking place which allow both Parent & Child and Disabled parking and are indicated as such by markings on the surface or signage at the parking place.
Electric Vehicle	Means a motor vehicle which is powered entirely or partially by electricity and is capable of being charged from an external source.
Electric Vehicle Charging Bay	Means an area within a parking place designated for the sole use by an electric vehicle for continuous charging time, subject to any maximum period of stay; indicated as such by markings on the surface or signage at the parking place.

E-Ticket	Shall mean a ticket obtained by using a website, an app, text message or dialling the number prescribed and displayed in the parking place for that purpose, by the payment method specified and shall only be valid for the time specified and for the vehicle details entered and for the parking place for which it was purchased.
Light Goods Vehicle (LGV)	Commercial vehicles with two axles, and a total weight not exceeding 3.5 tonnes, including vans, pick-up trucks and utility vehicles.
Minibus	A motor vehicle which is constructed or adapted to carry more than 8 but not more than 16 seated passengers in addition to the driver.
Motor Caravan	Shall have the same meaning assigned to it by the Motor Vehicles (Type Approval) (Great Britain) Regulations 1984.
Motorcycle	Shall have the same meaning as Section 136(4) of the Road Traffic Act 1984.
Motorcycle Bay/ Area	Means an area within a parking place, indicated by signage or markings on the surface, which is provided for the leaving of a motorcycle.
Motor Home	Means a motor vehicle which is constructed or adapted for the carriage of passengers or their effects which contains as permanently installed equipment, the facilities which are reasonably necessary for enabling the vehicle to provide living accommodation for its users.
Motor Home, Motor Caravan and Campervan Parking Area	Means an area of the parking place where a Motor Home, campervan or Motor Caravan, in accordance with the provisions of this Order, may be stationed; indicated as such by markings on the surface of the parking place or by signage.
Parent and Child Bay	Means parking bays within a parking place indicated as such by markings on the surface or signage, as an area where a vehicle has either a booster or child seat, or whose passengers contain at least one child under 12 years of age.
Park & Ride	A car park on the outskirts of Winchester, which uses a bus to transport site customers and their passengers into Winchester.
Park and Ride Bus	A bus provided at the Park & Ride car parks to transport site customers and their passengers into Winchester and back to the Park & Ride car parks
Parking Bay	A space in a parking place, marked on the surface by lines, studs or other indications or indicated by notices which is provided for the parking of a vehicle.
Parking Device	Any apparatus or device provided by or operated by the council to allow access or payment. Payment methods to include, by coin, debit or credit card, contactless, other cashless methods, or via an app.
Parking Place	Any area of land specified in Column 1 of Schedule I to this Order and provided by the Council pursuant to the Act of 1984 for the use as a public parking place.
Pay On Foot Car Park	A car park whereby the vehicle driver receives a parking ticket upon entering the car park and pays for their parking using a parking device prior to the vehicle exiting.
PCN	Penalty Charge Notice
Penalty Charge	Shall have the meaning assigned to it in section 92 of the Traffic Management Act 2004
Penalty Charge Notice	Shall have the meaning assigned to it as in The Civil Enforcement of Road Traffic Contraventions (Approved Devices, Charging Guidelines and General Provisions) (England) Regulations 2022

Permit	Means an official authorisation issued under the provisions of this order by the Council which, when used in accordance with the particulars stipulated in this Order, authorises the specified vehicle to park within a parking bay in a specified parking place. These permits can be paper or virtual. Types of permits available are Resident, Special, Volunteer and Visitor.
Permit Zone	The areas of Winchester separated into defined parking areas included within either the Inner or Outer Areas as they were on 30 th September 2023. Eligible properties in the permit zone are listed in Schedule VI.
Owner	Shall have the meaning assigned to it in section 92 of the Traffic Management Act 2004.
Relevant Position	Means <ul style="list-style-type: none"> (a) in the case of a vehicle fitted with a front windscreen, a position thereon with the obverse side facing up on the near side of and immediately behind the windscreen so that all details of that being displayed 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, with the obverse side facing up and all details of that being displayed are clearly visible from outside the vehicle.
Relevant Vehicle	Means the Vehicle that a permit, ticket or season ticket was issued to.
Reserved Bay	Means a parking bay or bays in a parking place, indicated by markings on the ground and/or signage, where vehicles can park if express consent of the Council has been given. Drivers must adhere to the conditions stated on any signage in situ.
Season Ticket	An official authorisation issued under the provisions of this order made by the Council which shall permit a vehicle displaying said season ticket to park within a parking bay in a specified parking place. These tickets can be paper or virtual and may specify a particular vehicle. Those season tickets available to everyone to buy are detailed in Schedule II. Schedule III details season tickets only available to be bought by those that qualify with specific criteria.
School Holidays	The holiday periods which are undertaken by Perins School, Alresford.
Special Permit	A virtual or paper permit issued by the Council that allows for targeted parking provisions. The drivers must adhere to the conditions stated on the special permit.
‘The Act of 1984’	The Road Traffic Regulation Act 1984
Ticket	Means the ticket, tickets or e-tickets issued by means of a ticket machine, an app, phone or parking device.
Ticket Machine	Means any apparatus or device approved by the Secretary of State, designed to issue tickets indicating the date and time at which the ticket was obtained.
Trailer	Has the same meaning as defined in Section 136 of the Act of 1984.
Upper Parking Area	Area in the Perins car park which is in use as a parking place during Saturdays, Sundays and school holidays as per map in Schedule VII.
Vehicle	Means a motor vehicle as defined by Section 136 of the Act of 1984.
Vehicle Registration Mark (VRM)	The characters (letters and numbers) that are shown on the registration plate of a vehicle.
Virtual Permit or Virtual Season Ticket	An electronic record of a Permit or Season Ticket issued and confirmed by the Council.

Visitor Permit	<p>A permit issued under the provisions of this order by the Council specifically for visitors of eligible properties.</p> <p>For Wickham properties specified in Schedule V to allow for one day of parking. Permits can be by way of Scratchcard or virtual.</p> <p>For Alresford properties specified in Schedule V a single Visitor permit may be issued where a Group R Permit has not been issued and valid for the same property. Permits can be paper or virtual.</p>
Volunteer Permits	Means a virtual permit issued under the provisions of this order by the Council specifically for Voluntary, Community and Social Enterprise Organisations who rely on volunteers.
Wickham Resident	Those who are entitled to a Wickham Square Resident Permit as detailed in Schedule V.

(2) Any reference in this Order to an enactment shall be construed as a reference to that enactment as amended by any subsequent enactment.

(3) Except where the context otherwise requires, references in this Order to Articles and Schedules are references to the Articles and Schedules to this Order.

(4) The Interpretation Act 1978 shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.

PART II

Use of Parking Places

6. 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 school holidays as are specified in relation to that land or buildings in the said Schedule and payment of such charges as are specified in the said Schedule, when applicable.
7. 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.
 - c. From allowing Alresford Town Council to close Arlebury Park car park for private use for a maximum of 10 days per year. These closures will be advertised by way of a written notice in the said car park.
 - d. From allowing Mid-Hants Railway Limited to close Alresford Station car park for private use for a maximum of 5 days per year. The closures will not be on more than

3 separate occasions in any year, with any occasion not exceeding 3 consecutive days. These closures will be advertised by way of a written notice displayed in the car park.

8. Where in Article 7 of, or Schedule 1 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:-

- Unless it is a vehicle of one of the specified classes of vehicles appropriate to that parking place, parking bay and that day; or
- Otherwise, than wholly within a parking bay marked out on the parking place; or
- 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.

9. 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:

- 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 7 of this order;
- Unless it is a vehicle displaying a valid season ticket applicable to that parking place for longer than 24 hours or in a parking place where the maximum stay specified in Column 6 of Schedule 1 is less than 24 hours, for longer than the period so specified.

10. Where in a parking place signs are erected or surface markings are laid for the purpose of indicating the entrance or exit from the parking place or indicating that a vehicle using the parking place shall proceed in a specified direction within the parking place, no person shall drive or permit to be driven any vehicle 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 in a direction other than so specified. (Vehicles must adhere to the signs erected or surface markings that specify the entrance or exit of a parking place and the direction that vehicles must travel).

11. In a designated motorcycle bay/ area, no person shall cause or permit a vehicle to park unless the vehicle is a motorcycle. A parking ticket must be purchased when parking a motorcycle in a parking bay/ area not reserved for motorcycles.

12. In those car parks where trailers are allowed, specified in Schedule 1, they must park in the motorhome, motor caravan and campervan parking area and any trailer attached to a vehicle or articulated vehicle shall not be disconnected from the vehicle.

13. If a vehicle or trailer is waiting in a parking place in contravention of the provisions of any Article of this order, a person authorised by the Council may alter or cause the position of that vehicle to be altered in order that its position shall comply with those provisions but without prejudice to the provisions of Article 59 of this Order.

14. In a parking place, no person shall:

- Drive a vehicle other than for the purpose of leaving that vehicle in a parking place in accordance with the provisions of this order (This Article shall not prevent a person from gaining access to a private parking place where the access is within the parking place).
- Not bring any vehicle containing any toxic, inflammable, explosive, noxious or dangerous substance, other than fuel used for the propulsion of the vehicle.
- Erect or cause or permit to be erected any tent, booth, stand, building or other structure.

- d. Light or cause to permit to be lit any fire.
- e. Leave or cause or permit to be left any wheeled shopping trolley except in the trolley bays provided.
- f. Wantonly shout or otherwise make loud noises to the disturbance or annoyance of others.
- g. Use any threatening, abusive, or insulting language, gesture or conduct likely to put any person in fear.
- h. Use a parking place as a means of passage proceeding from one road to another road.
- i. Use a vehicle or trailer in connection with the sale of any articles or in connection with the selling or offering for hire of services, or for sleeping, camping, eating or cooking purposes.
- j. Deposit or cause to be deposited, any rubbish or litter of whatever description, except in a container provided in the parking place for that purpose.

15. In a parking place, unless the express permission of the Council has been given, no person shall:

- a. Roller skate, roller blade, skateboard, cycle or play with any mechanical contrivances or ball games.
- b. Carry out any commercial activities, or the cleaning, washing, servicing or repairs of vehicles or trailers except with the written approval of the Council.

Disabled Parking Bays or Other Bays Designated by Lines or Signs

- 16. The driver of a vehicle left in a parking place shall permit it to wait only in such positions as conforms with any notices or markings displayed in the parking place or with any directions given by a Civil Enforcement Officer and shall not leave a vehicle in a position that prevents the ingress or egress of any other vehicle.
- 17. Where there is a sign in a parking bay indicating that the use of that bay is suspended or reserved the driver of a vehicle shall not permit that vehicle to wait in that parking bay unless the Council has given specific permission to that driver and vehicle by means of a special permit.
- 18. The driver of a vehicle shall not leave it in a designated disabled bay unless it is displaying a valid disabled person's blue badge.
- 19. The driver of a vehicle shall not leave it in a dual use bay unless it is displaying a valid disabled person's badge or whose passengers contain at least one child under 12 or has a booster or child seat in place.
- 20. Where there is a sign, marking or notice indicating that a parking bay is intended for a specific use, then the driver of a vehicle shall only wait in that bay for the designated purpose and period advertised on the sign, notice or bay marking.

Electric Vehicles

- 21. No person shall use an electric vehicle charging bay designated as such by a sign or surface markings, for any purpose other than to charge an electric vehicle. The maximum dwell time for an electric vehicle within a charging bay is stated on the sign. The driver of the electric vehicle must pay for parking, where applicable, and the electricity.

22. The driver of an electric vehicle shall not permit to wait in an electric vehicle charging bay unless it is being charged throughout the period within which it is parked in the electric vehicle charging bay.
23. Any vehicle displaying a season ticket or permit for that car park may use the electric vehicle bays for charging. The driver must pay for the electricity, but the parking charge is covered by the season ticket/permit. The vehicle must adhere to the regulations of the electric vehicle charging bay as specified on the sign.

Vehicle Exceeding Maximum Height, Weight, Time or not Otherwise of Specified Class

24. The driver of a vehicle shall not permit it to wait in that parking bay within that parking place if the parking bay is marked on the ground, or indicated by signs, as being available only for use by a specified class of vehicle unless the vehicle is of the class specified.
25. In relation to the parking places described as Upper Parking Area and Bus Parking Area within Perins Car Park in Schedule I to this Order, a vehicle shall not be left in these areas during Monday to Friday inclusive (other than a designated school holiday which will be advertised by notice on site) the vehicle may be removed by the Council under the provisions of Article 59 and 60 hereto.
26. 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. This does not apply for those who have a Wickham Square Resident permit as detailed in Schedule III.
27. In relation to the parking place described as Basingwell Street 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. This does not apply for those who have a Group FB permit as detailed in Schedule III.
28. In relation to the parking place described as Alresford Station in Schedule I to this Order, any vehicle used by customers of the Watercress Line may stay over 3 hours by collecting a parking voucher from the booking office once a parking ticket for the parking place has been purchased and with both parking voucher and parking ticket displayed in the relevant position.

Payment of Parking

29.
 - (1) Subject to paragraph (12) the driver of a vehicle shall upon parking the vehicle in a parking place immediately pay the appropriate charge applicable to the class of vehicle, and period of parking. This can be ascertained by reference to Schedule I of this order provided that no charge shall be payable by the driver of a vehicle who displays in the relevant position a valid resident permit, season ticket, special permit, visitor permit, or volunteer permit issued in respect of that vehicle in accordance with the provisions of paragraph (2) of this Article.
 - (2) A season ticket, special permit, resident permit, visitor permit or volunteer 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 issues. Any such charge, if the Council sees appropriate, would be ascertained by reference to Schedule II and III of 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 parking device provided, where a parking device is in use, or
- (ii) By means of 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 devices, having 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, as specified on the ticket by such parking device or in records retained by the Council in respect of the purchase of an e-ticket, shall be evidence of the particulars specified.
- (5) A vehicle that has been parked in any parking place which offers free parking for a certain time, will need to obtain a free ticket from a parking device and display in their vehicle or will need to obtain a free e-ticket.
- (6) Any driver obtaining a free ticket must not then acquire a subsequent ticket. Drivers must obtain a ticket to fulfil their intended length of stay when they initially enter the parking place. Drivers can claim only one free parking ticket in one parking place per calendar day.
- (7) No person shall exhibit on any vehicle, any parking ticket, resident permit, season ticket, special permit, visitor permit, volunteer permit 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.
- (8) Where any parking device is defective or not available in a parking place the charge referred to in paragraph (1) of this Article may be collected by a Civil Enforcement Officer.
- (9) A vehicle, whose driver has been issued with a special permit, resident permit, visitor permit, volunteer permit or season ticket by the Council or 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 Column 7 of Schedule I relevant to the issued permit or season ticket.
- (10) A ticket issued on payment of the charge referred to in Article 29 (1) 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.
- (11) A vehicle which displays a disabled person's badge, in the relevant place, that is left in a parking place specified by name in Column 1 of Schedule I shall be exempt from payment of any charge if that parking place is not a pay on foot car park and controlled by barriers. Provided that such an exemption shall only apply 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.
- (12) The requirements of Article 29 (1) for a driver to pay the appropriate charge upon parking the vehicle in the parking place shall not apply where the parking place operates a system whereby entry to the parking place is through the 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 payments in accordance with Article 29 (3) above prior to exiting the parking place.

- (13) A vehicle which parks in The Lido car park on a Saturday will need to acquire a ticket from Cattle Market, Coach Park or Worthy Lane car parks on the opposite side of the road to The Lido car park.
- (14) A vehicle parked in Winchester Sport & Leisure Park car park will be allowed up to 3 hours free parking if the driver is partaking in any chargeable activity at the Winchester Sport & Leisure Park and is not a member of staff at the Leisure Park. To activate the free parking, input of the vehicle registration mark is needed on the parking device found inside the Sport & Leisure Centre. Drivers that fail to register their vehicles will be liable for a PCN.
- (15) Any vehicle that parks in an overflow parking place or an additional parking area due to the original parking place being full, is subject to the payment structure, terms and conditions of the parking place wherein their vehicle has parked.
- (16) In respect to Park & Ride car parks, the driver of the vehicle will immediately pay the appropriate charge and shall, upon boarding the bus, show the park & ride bus driver the bus portion of the ticket, season ticket bus pass or other proof of e-ticket purchase.
- (17) Any driver that transfers parking tickets between vehicles will be liable for a PCN.
- (18) Tickets that have a VRM printed on them, must match the VRM of the vehicle that ticket was bought for. If VRM's do not match between ticket and vehicle, a PCN may be issued.

Permits and Season Tickets

- 30. Parking place Permits and Season Tickets may be issued by the Council in respect of the parking places and for the charges specified in Schedule II, III and IV of this Order subject to Articles 31 and 34 of this Order.
- 31. The driver of a vehicle who displays a parking permit or season ticket issued by the Council in respect of that vehicle shall be entitled, so long as the parking permit or season ticket remains valid to park, without further payment in any parking place in respect of which that parking permit or season ticket has been issued, but otherwise subject in all respects to the provisions of this Order and subject to any conditions specified at the time of issue.
- 32. Drivers of vehicles that are issued a special permit by the Council in respect of that vehicle, will adhere to the conditions on that special permit. If the permit advises that no payment is required, the vehicle may park without further payment in a specific parking place in respect of which that special permit has been issued. If the special permit dictates a parking payment is required in addition to the special permit, the driver must adhere to the conditions and parking charge shown on the special permit. Any vehicle that has parked with a special permit is otherwise subject in all respects to the provisions of this Order and subject to any conditions specified at the time of issue.
- 33. Those eligible for a Wickham Square Resident permit can only apply for a maximum of three Resident parking permits in any 12-month period and a maximum of three sets of visitor permits. Each set has 10 daily visitor permits. Users of the visitor permit must adhere to the instructions on the scratchcard itself.
- 34. The Council may require an applicant for a permit or season ticket, 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.
- 35. 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, permits, season ticket or season tickets applied for, and on receipt of the appropriate

fee as may be specified in Schedule II, Schedule III and Schedule IV to this Order, may issue such a permit, permits, season ticket or season tickets 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 vehicle has been let for hire or reward). Subject to Articles 36 -38 of this Order, all permits, and season tickets shall be valid for a period as decided by the Council, specified in Schedule II, III and IV.

36. The Council may print on any permit such information as it deems appropriate.
37. A permit or season ticket holder may surrender a permit or season ticket to the Council at any time or due to the occurrence of any event detailed in Article 39. A permit or season ticket holder who surrenders a permit or season ticket;
 - (1) Before the permit or season ticket becomes valid shall be entitled to a refund of the fee paid
 - (2) After the permit or season ticket has become valid shall be entitled to a refund calculated pro rata for each full month unused at the time of receipt by the Council of the surrendered permits/season tickets so long as the residual value of all permits/season tickets surrendered total more than £10 in value.
38. No refund is payable if the permit or season ticket is surrendered as a consequence of any events specified in Article 39 (4) to (6).
39. The Council may, by notice in writing serve on the permit holder or season ticket holder at the address, or email address, shown by that person on the application form for the permit or season ticket or at any other address believed to be that person's residence, withdraw a permit or season ticket if it appears to the Council that any of the events set out below has occurred, and the permit holder or season ticket holder shall surrender the permit or season ticket to the Council within 48 hours of the receipt of the said notice.
The events referred to are:-
 - (1) The permit holder ceasing to be living at the address on their original application if permit eligibility relates to a specific property as detailed in Schedule III and V;
 - (2) The permit holder ceasing to be the owner of the vehicle in respect of which a permit was issued.
 - (3) The issue of a duplicate permit/season ticket by the Council following an application made under the provisions of Article 41 and 42.
 - (4) A cheque, debit/credit card transaction or electronic transfer received from the permit holder as payment of the appropriate fee in respect of the permit being subsequently dishonoured, cancelled or any information supplied in support of a permit application being subsequently found to be false;
 - (5) The permit/season ticket having been used by any person not authorised to do so under the provisions of this order, or a vehicle which is not a relevant vehicle.
 - (6) The permit/season ticket having been used in respect of a vehicle which has been parked in a parking place unreasonably to prevent access to premises adjoining the road, to obstruct other road users or cause a nuisance.
40. Article 39 (2) shall only be relevant to a permit or season ticket restricted to a specific relevant vehicle.
41. If a paper permit or season ticket is mutilated, defaced, lost, 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 or season ticket holder shall surrender it to the Council and may then apply to the Council for the issue of a duplicate permit/season ticket. The Council reserves the right to charge for the issue of a duplicate.

42. The provisions of this Order shall apply to a duplicate permit or season ticket and an application for a duplicate permit or season ticket, as if it were a permit/season ticket or an application for a permit/season ticket.
43. Any application for a duplicate permit or season ticket under Articles 41 and 42 of this Order shall include the appropriate fee as specified in Schedule II & III of this Order. Upon the issue of a duplicate permit or season ticket, the permit or season ticket which it duplicates shall become invalid.

Virtual Permits and Virtual Season Tickets

44. A virtual permit or season ticket may be issued via the internet by the Council in respect of the parking places and for the charges specified within Schedule II and III of this Order subject to the terms and conditions of use.
45. Where a virtual permit or season ticket has been obtained as an alternative to a parking permit or season ticket and remains valid, any requirement in this order for a parking permit or season ticket to be displayed on the vehicle to which it relates shall not apply.
46. The driver of a vehicle who obtains a virtual permit or season ticket issued by the Council in respect of that vehicle shall be entitled, so long as the virtual permit or season ticket remains valid, to park without further payment in any parking place in respect to the provisions of this Order and subject also to any conditions specified at the time of issue of the virtual permit or season ticket.
47. The Council may, by notice in writing serve on the holder of such virtual permit or season ticket at the address, or email address, shown by that person on the application for the virtual permit or season ticket, or at any other address believed to be that person's residence or place of business, withdraw a virtual permit or season ticket if it appears to the Council that any of the stipulated terms and conditions have been abused and the virtual permit or season ticket will immediately become invalid.

Parked without Displaying Ticket

48.
 - (1) Subject to Article 49 (2) below, any ticket issued on payment of the charge referred to in Article 29 of this Order shall be at all times displayed in the relevant position so that the entire obverse side that includes the purchase and parking particulars is clearly visible from outside the vehicle.
 - (2) The requirements of Article 29(1) for a driver to display a ticket shall not apply:
 - (i) Where the parking place operates a system whereby entry to the parking place is through a barrier which is opened upon a ticket being issued to the driver on entry, provided the driver pays the appropriate charge for payment prior to exit at a parking device 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 to the parking place, it shall be produced to any person duly authorised by the Council on demand of any vehicle leaving any parking place. If the driver is unable to produce the ticket issued to them on entering the parking place or the ticket issued on entry to the parking place is defaced or damaged,

then the charge of the visit shall be calculated by CCTV staff. The time of entry will be established (via the ANPR camera system), a ticket will be re-issued via the parking device for the actual stay duration and the appropriate tariff for the customer to pay will be calculated.

Additional Payment to Extend Initial Parking Time

49.

- (1) Where a parking ticket has been purchased or obtained and displayed in accordance with the provisions of Article 29 of this order, no additional tickets shall be purchased or obtained which would have the effect, by their combination, to avoiding a higher parking charge rate that would have been appropriate upon an initial single ticket purchase.
- (2) Combination purchases of a ticket through a ticket machine and a e-ticket purchase, or vice versa is not allowed. The initial ticket purchase must cover the entire period that the vehicle will be in the parking place for, unless an extended payment is required via the same format as the original payment.
- (3) Combination purchases for two e-tickets or two tickets purchased through a ticket machine are allowed. A second ticket price will be calculated to make up the difference between the initial tariff paid and the tariff that would have applied should the complete parking session have been purchased as a single transaction on arrival.

Penalty Charge Notices

50. If a vehicle has been left:

- (1) In contravention of or failure to comply with the provisions of Articles 6 to 49 inclusive of this order or
- (2) Beyond the period of parking which has been paid for
A Penalty Charge may be incurred.

51. In the case of a vehicle in respect of which a penalty charge has been incurred, a Civil Enforcement Officer may affix a PCN to the vehicle or give such a notice to the person appearing to them to be in charge of the vehicle.

52. The authority may serve a penalty charge notice by post in certain situations in accordance with Regulation 10 of The Civil Enforcement of Road Traffic Contraventions (Approved Devices, Charging Guidelines and General Provisions) (England) Regulations 2022.

53. A PCN must contain the matters prescribed in Schedule 2 to The Civil Enforcement of Road Traffic Contraventions (Approved Devices, Charging Guidelines and General Provisions (England) Regulations 2022 together with 3(1) and 3(2) (as applicable) of The Civil Enforcement of Road Traffic Contraventions (Representations and Appeals) (England) Regulations 2022.

Payment of the Penalty Charge

54. A penalty charge incurred and issued to any vehicle shall be paid to the Council either :

- (1) Online via the Council's website at www.pcn.winchester.gov.uk (credit/debit cards only)
- (2) By automated telephone payment service by calling the council's dedicated payment line (credit/debit cards only)

- (3) By telephone by calling the Parking Department (credit/debit cards only) and only during Council available hours as displayed on the PCN.
- (4) At payment kiosks within the Winchester City Council reception area, Colebrook Street, Winchester (credit/debit cards, cash and cheques) only during Council available hours as displayed on the Council website.
- (5) By bank or building society cheque via post to Parking Services, Winchester City Council, City Offices, Colebrook Street, Winchester, Hants, SO23 9LJ. Cheques must be made payable to Winchester City Council.

55. With regards to Article 51 of this Order the PCN must be paid within the 28 day period beginning with the date on which the PCN was issued and served. With regards to Article 52 of this Order the PCN must be paid within the 28-day period beginning with the date on which the PCN is served.

56. The amount of the penalty charge shall be published by the Council in accordance with the Traffic Management Act 2004 as amended.

57. If the Penalty Charge is paid before the last day of the period of 14 days beginning with the date on which the PCN is served, the amount of the Penalty Charge is reduced by 50%.

Restriction on Removal of Notices

58. 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 51 of this Order, no other person other than the owner or person in charge of the vehicle or someone duly authorised by the Council, shall remove the notice from the vehicle whilst the vehicle is within the parking place.

Removal of Vehicle

59. 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.

60. 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 and may take such measures in relation to the vehicle or trailer as they may think necessary to enable them to remove it as aforesaid.

61. When a person authorised by the Council removes or plans for the removal of a vehicle or trailer from a parking place, they shall make such arrangements as may be reasonably necessary for the safe custody of the vehicle, or trailer.

62. Neither the Council nor the person authorised to remove or makes 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.

63. 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.

Enforceability

64. If a court, the Traffic Penalty Tribunal, the Department of Transport or the Traffic Enforcement Centre declare any part of this Order to be invalid, or unenforceable such declaration shall not invalidate the remainder of this Order.