

WINCHESTER CITY COUNCIL

ROAD TRAFFIC REGULATION ACT 1984

THE WINCHESTER CITY (OFF STREET) PARKING PLACES ORDER 2003  
(VARIATION NO.1) ORDER 2008

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

1. In this order the "Principal Order " means "The Winchester City (Off Street) Parking Places Order 2003 (as amended)."
2. The Principal Order shall have effect subject to the amendments set out in Schedule 1 hereto.
3. This order may be cited as "The Winchester City (Off Street) Parking Places Order 2003 (Variation No.1) Order 2008 and shall come into operation on the twenty-ninth day of February 2008.

SCHEDULE I

Interpretation

1. In Part I Article 3(1) of the Principal Order:-
  1. delete the words in (xii) and substitute therefor the following:-
    - (xii) "ticket" means the ticket or tickets issued by means of a parking device or parking apparatus on payment of the appropriate fee or an e-ticket issued on payment of the appropriate fee
  - 1.2 insert at the end of the clause the following:-
    - (xv) "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
2. In Part II Article 7 of the Principal Order:-

Use of Parking Places

- 2.1 Insert at the start of article 7 (1) the following words; Subject to Paragraph (10)
- 2.1 delete the words in Articles 7(3), 7(4) and 7(8) and substitute therefor the following:-
- (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, as specified on the ticket by such apparatus or in records retained by the Council in respect of the purchase of e-ticket, shall be evidence of the particulars so specified
- (8) A ticket issued on payment of the charge referred to in Article 7 (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.
- 2.2 insert at the end of Article 7 the following:-
- (10) (i) The requirements of Article 7 (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 1 by payment in accordance with Article 7(3) above prior to exiting the car park
- (ii) The requirements of Article 7 (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

Parking without displaying ticket

3. In Part II Article 8 of the Principal Order:-
- 3.1 delete the words in Article 8 and substitute therefor the following:-
8. (1) Subject to Article 8(2) below, any ticket issued on payment of the charge referred to in Article 7 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.

8(2) The requirements of Article 8 (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 .
8. (2) 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 1

- 4. In Schedule 1 to the Principal Order:-
  - 4.1 delete all references throughout to "pay and display" "pay on foot" or "pay on exit"
- 5. In Schedule II to the Principal Order the reference to Tower Street in Group 1 will be removed and Tower Street will be added to Group B

Given this twenty-sixth day of February 2008

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



Head of Legal Services

