

STROUD DISTRICT COUNCIL

(OFF STREET PARKING PLACES) (CONSOLIDATION) ORDER 2010 (AS AMENDED)

VARIATION ORDER 2018

WHEREAS the Stroud District Council (Off-Street Parking Places) (Consolidation) Order 2010 (“the 2010 Order”) was made by the Council for the purposes of consolidating previous off-street parking orders;

AND WHEREAS the 2010 Order has been amended by variation orders dated 11th January 2011, 28th April 2011 and 16th April 2013 and the parking charges referred to in the 2010 Order were amended by a notice dated 28th September 2017;

NOW THE STROUD DISTRICT COUNCIL in the County of Gloucester in the exercise of its powers under section 35(1) and Schedule 9 Part IV of the Road Traffic Regulation Act 1984 (hereinafter referred to as “the Act”) and of all other powers enabling it in that regard and with the consent of the Gloucestershire County Council pursuant to Section 39(3) of the Act and after consultation with the Chief Officer of Police in accordance with Schedule 9 Part III paragraph 20(1) of the Act hereby makes the following Order:

1. This Order may be cited as the Stroud District Council (Off Street Parking Places) (Consolidation) Order 2010 (as amended) Variation Order 2018.
2. The Order shall have effect so as to vary the 2010 Order as set out in the Schedule to this Order.
3. This Order shall come into operation on 7th January 2019.

GIVEN UNDER THE COMMON SEAL of the STROUD DISTRICT COUNCIL the

_____ day of _____ 2018

THE COMMON SEAL OF)
STROUD DISTRICT)
COUNCIL WAS AFFIXED)
IN THE PRESENCE OF)

.....
Proper Officer

SCHEDULE

Variations to the Original Order

1. a. In the Interpretation clause, the definition of *“Penalty Charge”* shall be varied so that the words *“charge set by the Council”* are deleted and replaced with the words *“charges set out in Schedule 7 adopted by the Council”*;
b. Clause 30 of Part V shall be amended so that the words *“an excess charge shall be payable as”* are deleted and replaced with the words *“a Penalty Charge shall be payable”*;
c. A new Schedule 7 shall be inserted after Schedule 6 and the new Schedule 7 shall read as set out in Appendix 1 of this Order.
2. Clause 4 of Part II shall be amended so that:
 - a. the words *“as shown on the plans at Appendices 1.1 to 5.12”* are deleted and replaced with the words *“referred to in this Order”*;
and
 - b. the words *“on such terms and conditions as are advertised at each Parking Place or as set out in Schedules 1 to 6 and Table 1 of this Order”* are deleted and replaced with the words *“as are set out in this Order (including Schedules 1 to 6 and Table 1 hereof).”*
3. Clause 13 of Part III shall be amended so that the words *“, debit or credit card (contactless or chip and pin)”* are inserted after the words *“mobile phone payment”* and before the words *“or other approved method”*.
4. After Part IV and before Part V (between clauses 29 and 30), the following shall be added:

“PART IVA

ELECTRIC VEHICLE CHARGING POINTS

- 29A. *Where one or more Electric Vehicle Charging Points (EVCPs) are situated within a Parking Place, the following regulations shall apply to their use:*
- a. *EVCPs may only be used by vehicles which are powered wholly or partly by electricity and which are compatible with the charging apparatus provided;*
 - b. *Vehicles using EVCPs must park wholly within the marked bay immediately adjacent to the charging apparatus (“the EVCP bay”) being used;*
 - c. *EVCPs shall only be used in accordance with the instructions and regulations published by the supplier or manufacturer of the charging apparatus or the Council and displayed on or near to the charging apparatus;*
 - d. *No vehicle may be parked in an EVCP bay for a longer period than that stipulated on Council signage on or adjacent to the charging apparatus;*
 - e. *No vehicle shall remain in an EVCP bay whilst not being charged; and*
 - f. *Vehicles using EVCP bays must comply with all requirements relating to the payment of the tariff applicable to the parking place in which the EVCP is situated and in this respect the EVCP bay shall be treated as though it were any other bay in the same parking place.”*
5. In the Use of Parking Places and Scale of Charges table entry relating to Stonehouse - Long Stay, the Maximum Stay Length of “23 hours” shall be deleted and replaced with “72 hours”.
6. In the Use of Parking Places and Scale of Charges table for Stroud - Long Stay, the entry for Cheapside shall be varied as follows:
- i. The Maximum Stay Length of “23 hours” shall be deleted and replaced with “72 hours”; and
 - ii. All of the words in the “Class of Vehicle” column shall be deleted and replaced with the words “All vehicles up to a maximum gross vehicle weight of 3,500KG”.

7. Schedule 6 of the 2010 Order shall be varied so that Clause 24 shall be deleted and replaced with the following words: *“Failure to comply with the above terms and conditions will result in a Penalty Charge being applied.”*

8. Table 1 shall be varied as follows

- a. The Charging Times for Painswick Car Park shall be deleted and replaced with the hours *“08:00am – 3:00pm all days excluding Sundays and Bank Holidays”*
- b. The Charging Times for Stonehouse Car Park shall be deleted and replaced with the hours *“08:00am – 3:00pm all days excluding Sundays and Bank Holidays”*
- c. The Scale of Charges relating to Cheapside shall be deleted and replaced with the following:

- £0.80 up to 1 hour
- £1.40 up to 2 hours
- £1.80 up to 3 hours
- £2.10 up to 4 hours
- £3.00 up to 24 hours
- £6.00 up to 48 hours
- £9.00 up to 72 hours

- d. The Scale of Charges relating to Stonehouse shall be deleted and replaced with the following:

- £0.40 up to 1 hour
- £0.60 up to 2 hours

- £1.10 up to 3 hours
- £1.80 up to 5 hours
- £2.50 up to 24 hours
- £5.00 up to 48 hours
- £7.50 up to 72 hours

9. On the first page of Schedule 5 of the 2010 Order, after the listing for “Rodborough Long Stay Butterow West”, the following shall be inserted

“● **Stratford Park**”

and in the table in Schedule 5, after the entry for Rodborough – Long Stay Butterow West, the following shall be inserted:

<i>Car Park</i>	<i>Maximum Stay Length</i>	<i>Class of Vehicle</i>	<i>Hours of Operation</i>	<i>Period of No Return</i>	<i>Plan of Car Park</i>
<i>Stratford Park</i>	<i>Buses and coaches – 2 hours. All other vehicles -12 hours</i>	<i>All classes of vehicle up to a maximum gross vehicle weight of 3,500KG and buses and coaches</i>	<i>06:30 – 22:30</i>	<i>1 hour</i>	<i>Appendix 1.7A</i>

10. The following appendices of the 2010 Order shall be deleted and replaced with the following:

- a. The plan of Church Street Car Park Short Stay dated 31.03.2010 at Appendix 1.8 shall be replaced with the plan of Church Street Car Park Short Stay at Appendix 2A to this Order.
 - b. The plan of Newmarket Road, Nailsworth Long Stay dated 31.03.2010 at Appendix 3.1 shall be replaced with the plan of Newmarket Road, Nailsworth Long Stay at Appendix 2B to this Order.
 - c. The plan of Old Market West, Nailsworth Short Stay dated 31.03.2010 at Appendix 3.6 shall be replaced with the plan of Old Market West, Nailsworth Short Stay at Appendix 2C to this Order.
11. The plan of Stratford Park Car Park referred to in the table at clause 9 of this Order shall be the plan at Appendix 2D to this Order and shall be inserted as Appendix 1.7A of the 2010 Order.

APPENDIX 1

SCHEDULE 7

PENALTY CHARGES

1. The following breaches of the provisions of this order shall incur a penalty of £70.00, which shall be reduced to £35.00 if paid within 14 days:
 - a. Parking in a loading area during restricted hours without reasonable excuse;
 - b. Using a vehicle in a parking place in connection with the sale or offering or exposing for sale of goods when prohibited;
 - c. Parking in a restricted area in a car park;
 - d. Parking in a permit bay without clearly displaying a valid permit;
 - e. Parking in a disabled person's parking space without clearly displaying a valid disabled person's badge;
 - f. Parking a vehicle which exceeds the maximum weight and/or height and/or length permitted in the area;
 - g. Parking in a car park or area not designated for that class of vehicle; and

h. Parking causing an obstruction.

2. Any other breach of the provisions of this order shall incur a penalty of £50.00, which shall be reduced to £25.00 if paid within 14 days.
3. Where a charge certificate has been served in respect Penalty Charge which has been issued, the penalty charge payable shall be £105.00 in respect of breaches falling within paragraph 1 above and £75.00 in respect of any other breach.
4. For the purposes of paragraph 2 of The Civil Enforcement of Parking Contraventions (Guidelines on Levels of Charges) (England) Order 2007, all parking places referred to in this Order are hereby designated as falling within Band 2 of Table 1.







