

KENNET DISTRICT COUNCIL

District Council of Kennet (Off-Street Parking Places) Order 1991

Notice is hereby given that, The District Council of Kennet (hereinafter referred to as the "Council") in exercise of its powers under section 35(1) of the Road Traffic Regulation Act 1984 ("the Act") and Part IV of Schedule 9 to the Act and of all other enabling powers, with the consent of the County Council of Wiltshire in accordance with section 39(3) of the Act and after consulting the Chief Officer of Police in accordance with Part III of Schedule 9 to the Act, hereby proposes to make the following Order:

PART I
GENERAL

Commencement and Citation

1. This Order may be cited as the District Council of Kennet (Off-Street Parking Places) Order 1991.

Revocation

2. The Orders referred to in Schedule I are hereby revoked:

Interpretation

3. (1) Any reference in this Order to a numbered Article is a reference to the Article bearing that number in this Order and any reference in this Order to a numbered Schedule is a reference to the Schedule bearing that number to this Order.
(2) In this Order:
"charging hours" means any period specified in column 5 of the Schedule in respect of which a charge is specified in an Article.
"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.
"disabled person" means a disabled person of a description prescribed by Regulation 5 of the Disabled Persons (Badges for Motor Vehicles) Regulations 1975(c).
"operating centre" in relation to any vehicle, means the base or centre at which the vehicle is normally kept, and references to an operating centre of the holder of an operator's licence are references to any place which is an operating centre for authorised vehicles under the licence.
"owner" in relation to a vehicle means the person by whom such vehicle is kept and used.
"parking bay" means any area of a parking place which is provided for the leaving of a vehicle and indicated by markings on the surface of the parking place; and
"parking place" means any area of land specified by name in the Schedule II provided by the Council under section 32(1) of the Act for use as a parking place.

PART II

Use of Land and Parking Place

4. (1) Each area of land specified by name in the Schedule II may be used, subject to the following provisions of this Order as a parking place for such classes of the vehicles in such positions on such days and during such hours as are specified in relation to that area in Schedule II.
(2) Where in the Schedule II a parking place is described 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 unless it is of the class and in the position so specified.
(3) Where, within a parking place, there is a sign or surface marking which indicates that a parking place is available only for a disabled person's vehicle, the driver of a vehicle shall not permit it to wait in that parking bay unless it is a disabled person's vehicle.
5. The driver of a vehicle shall not permit it to wait in a parking place for longer than the maximum period permitted for waiting specified in Schedule II in relation to that parking place.
6. (1) The driver of a vehicle using a parking place shall on leaving the vehicle in the parking place pay the appropriate charge in accordance with the Scale of Charges specified in Schedule II provided that no charge shall be payable by the driver of a vehicle left in that parking place who displays a valid Season Ticket issued in respect of that vehicle in accordance with the provisions of paragraph (3) of this Article.
(2) The charge referred to in paragraph (1) of this Article shall be payable by:
(a) the insertion of an appropriate coin or coins into the apparatus or device provided being an apparatus or device approved in accordance with section 35(3) of the Act and known as a "Pay-and-Display" machine, and the provisions of section 47(5) of the Act shall apply in respect of such apparatus or
(b) paying an Attendant Officer of the Council.
(3) The owner of a vehicle may on application to the Council purchase a Season Ticket in respect of that vehicle for a charge ascertained by reference to the said Scale of Charges and that Season Ticket shall be valid in such parking places as are specified thereon during the period for which it is issued.
(4) Any ticket issued on payment of the charge ascertained by reference to the said Scale of Charges or a Season Ticket issued in accordance with paragraph (3) of this Article shall be attached to the inside of the windscreen of the vehicle in respect of which it was issued and in a conspicuous position.
(5) A vehicle shall not be left in a parking place if it displays an out of date ticket.
7. The driver of a vehicle shall not permit that vehicle to wait in a parking place unless the vehicle is licensed in accordance with the provisions of section 1 of the Vehicles (Excise) Act 1971 and unless there is in force in relation to the use of the vehicle by the driver such a policy of insurance as complies with the requirements of Part VI of the Road Traffic Act 1972.
8. The driver of a motor vehicle using a parking place shall stop the engine as soon as the vehicle is in position in the parking place and shall not start the engine except when about to change the position of the vehicle in or to depart from the parking place.
9. No person shall use any part of a parking place or any vehicle left in a parking place:
(1) for sleeping or camping or cooking;
(2) for the purpose of servicing or washing any vehicle or part thereof other than is reasonably necessary to enable that vehicle to depart from the parking place.
10. The driver of a vehicle using a parking place shall not sound any horn or other similar instrument or cause to be made any loud noise to the disturbance or annoyance of users of the parking place or occupiers of premises in the neighbourhood except when about to change the position of the vehicle in or to depart from the parking place.
11. (1) If a vehicle is left in a parking place in a position other than in accordance with the provisions of Article 4 a person authorised by the Council on that behalf may alter or cause to be altered the position of the vehicle so that its position is in accordance with the said provisions.