

SOUTH BUCKS DISTRICT COUNCIL  
OFF-STREET PARKING PLACES CONSOLIDATION ORDER 2010

The District Council of South Bucks (hereinafter referred to as 'the Council') in exercise of their powers under Section 35 and Part IV of Schedule 9 to the Road Traffic Regulation Act 1984 (as amended) (hereinafter referred to as 'the Act of 1984') and of all other enabling powers with the consent of the County Council of Buckinghamshire given under Section 39(3) of the Act of 1984 and after consultation with the Chief Officer of Police in accordance with Paragraph 20 of Schedule 9 of the Act of 1984, hereby make the following Order:-

PART I

GENERAL

1. (1) This Order shall come into operation on the 25 November 2010 and may be cited as the South Bucks District Council Off-Street Parking Places Consolidation Order 2010.
- (2) The South Bucks District Council (Off-Street Parking Places) Order 1999 is hereby revoked.
2. (1) In this Order except where the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them:-
  - "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;
  - "owner" has the same meaning as in Section 142(1) of the Act of 1984;
  - "parking place" means any area of land specified in Column 1 of the Schedule to this Order provided by the Council under Section 32 of the Act of 1984 for use as a parking place and includes any access or exit roads leading thereto or therefrom
  - "parking bay" means a space for parking a single vehicle indicated by white lines marked on the surface of a parking place or by some other means".
  - "Vehicle" includes motor vehicles, motor cycles, invalid carriages and disabled persons vehicles as defined within the provisions of Section 136 of the Act of 1984
- (2) The Interpretation Act 1889 (as amended) shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament and as if for the purposes of Section 38 of that Act this Order were an Act of Parliament and the Orders revoked by Article 1 of this Order were Acts of Parliament thereby repealed.
- (3) Any reference to an Act includes any statutory modifications or re-enactments thereof.

## PART II

### USE OF PARKING PLACES

3. Each parking place specified in Column 1 of the Schedule to this Order may be used, subject to the following provisions of this Order, as a parking place for such classes of vehicles, in such positions and on such days and during such hours and on payment of such charges as are specified in relation to that parking place in the said Schedule.
4. (1) The parking of vehicles is permitted only within the confines of a marked parking bay subject to where in the Schedule to this Order 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 without the written consent of the Council permit it to wait in that parking place:-
  - (a) unless it is of the specified class; or
  - (b) in a position other than that specified
- (2) Where a parking bay in a parking place is set aside for a particular class of vehicle the driver of a vehicle shall not permit a vehicle of any other class to wait in that parking bay.
- (3) No vehicle shall be parked in any access or exit road leading to or from a parking place.
- (4) Where a parking bay in a parking place is marked for short term users only, then the driver of a vehicle shall not permit it to wait in such a bay for a period longer than two hours.
5. (1) The driver of a vehicle using a parking place shall on entering the parking place purchase a parking ticket by payment of the appropriate charge in accordance with the Scale of Charges specified in the Schedule to this Order, such parking ticket being valid for the period of issue and car park of issue only and is not transferable between cars, persons or car parks.

Provided that no charge shall be payable by the driver of a vehicle left in the parking place who displays pursuant to Paragraph (3) of this Article, a valid season ticket issued in respect of that vehicle in accordance with the provisions of Paragraph (7) of this Article or an official pass.
- (2) The charge referred to in Paragraph (1) of this Article shall be payable by the insertion of appropriate money into the apparatus or device provided, being an apparatus or device specially or generally approved by the relevant Government Department for such purpose.
- (3) The driver of a vehicle shall display any ticket issued on payment of the charge referred to in Paragraph (1) of this Article or season ticket referred to in Paragraph (7) of this Article or official pass in a conspicuous position on the windscreen of the vehicle, or some suitable alternative position if the vehicle is a motor cycle in respect of which it was issued and shall cause the said ticket or official pass to be exhibited in that position at all times while the vehicle is parked in a parking place, so that the details shown on the front of the said ticket are clearly visible to persons standing outside the vehicle.

- (4) (a) An excess charge of £80 will be made at any time a valid ticket or official pass is not displayed as provided for in Paragraph (3) of this Article or if a vehicle is left in the parking place for longer than the period for which payment is made but the Council will accept the sum of £40 if such sum is paid within 14 days of the issue of the Notice referred to in Paragraph (5) below.
- (b) A standard charge of £80 will be made at any time in which a vehicle is left unattended in a position other than an authorised parking bay or where a vehicle is left unattended contrary to Article 4 but the Council will accept the sum of £40 if such sum is paid within 14 days of the issue of the Notice referred to in Paragraph (5) below.
- (c) An excess charge of £80 will be made at any time in which a vehicle is left in a parking bay marked for short term users only for a period longer than two hours contrary to Article 4(4) but the Council will accept the sum of £40 if such a sum is paid within 14 days of the issue of the Notice referred to in Paragraph (5) below.
- (d) An excess charge of £80 will be made at any time in which a vehicle is left in a parking place for a continuous period longer than the maximum permitted in Article 6(2) below but the Council will accept the sum of £40 if such sum is paid within 14 days of the issue of the Notice referred to in Paragraph (5) below.
- (e) An excess charge of £80 will be made at any time in which a vehicle is left in a parking place where that vehicle is of a class other than that permitted in Column 3 of the Schedule to this Order but the Council will accept the sum of £40 if such sum is paid within 14 days of the issue of the Notice referred to in Paragraph (5) below.
- (5) In the case of a vehicle in respect of which an excess charge is payable by virtue of paragraph (4)(a), (4)(c), 4(d) or 4(e) and/or a standard charge is payable by virtue of paragraph (4)(b) of this Article, it shall be the duty of a parking attendant or other officer authorised by the Council to attach or place on the vehicle in a conspicuous position a notice which shall include the following particulars:-
- (a) the registration mark of the vehicle;
- (b) the time at which the notice is affixed to the vehicle;
- (c) a statement that the appropriate parking charge and excess charge is required to be paid giving reasons why, and;
- (d) the manner in which, and the time within which the said parking and excess charge should be paid.
- (6) Where a notice has been attached to a vehicle in accordance with the provisions of Paragraph (5) of this Article, no person not being the driver of the vehicle or duly authorised representative of the Council shall remove the notice from the vehicle unless authorised to do so by the driver or owner.

- (7) The owner of a vehicle may on application to the Council purchase a season ticket for use in those car parks where provision for such tickets has been made 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.
  - (8) In any proceedings for an offence under this Order it shall be assumed unless the contrary is shown, that any apparatus or device provided as aforesaid is of a type and design approved by the relevant Government Department.
  - (9) Were in any proceedings for an offence under this Order of failing to pay the charge or any excess charge or any standard charge it is provided that the amount which has become due or any part of that amount, has not been duly paid the Court shall order the payment of the sum not paid, and any sum ordered to be paid by virtue of this Article shall be recoverable as a penalty.
  - (10) Where in any proceedings for an offence under this Order of failing to pay an excess charge if it is not proved that the excess charge has become due but if it is proved that an appropriate charge in accordance with the Scale of Charges specified in the Schedule to this Order has not been paid, the defendant may be convicted of an offence of failing to pay the said appropriate charge.
6. (1) With the exception of any motor vehicle displaying a valid season ticket which shall be exempt from such limitation, when a motor vehicle has left a parking place after waiting thereon, the driver of the vehicle shall not within two hours after its leaving permit it to wait again upon any parking bay in the same parking place.
  - (2) the driver of a motor vehicle shall not permit it to wait in any parking place for a continuous period longer than 24 hours, or such shorter continuous period as may be designated as the maximum stay in the scale of charges specified in the Schedule to this Order, and the vehicle must be removed for at least two hours before being permitted to re-enter and wait again upon the parking place.
7. 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.
  8. No person shall sell a vehicle whilst it is in a parking place nor use a vehicle while it is in a parking place, in connection with the sale of any article to persons in or near the parking place or in connection with the selling or offering for hire of his skill or services.
  9. Subject to the proviso hereto, when a vehicle is left in a parking place in contravention of any of the provisions of Article 4, Article 5(1) or (3) or Article 10, Article 16, Article 24 or Article 26 of this Order, a person authorised in that behalf by the Council may remove the vehicle or arrange for it to be removed from that parking place and the Council may make such charges for removal and/or storage as are prescribed in the appropriate statute or statutory requirements for the time being in force.

Provided that when a vehicle is waiting in a parking place in contravention of the provisions of Article 4(1)(b) or (4)(2) or (4)(3) of this Order, a person authorised in that behalf by the Council may alter or cause to be altered the position of the vehicle in order that its position shall comply with that provision.

10. 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 Vehicle Excise and Registration Act 1994 and unless there is 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 (as amended).
11. The driver of a motor vehicle using a parking place shall not sound any horn or other similar instrument except when about to change the position of the vehicle in or to depart from the parking place.
12. No person shall, except with the permission of any person duly authorised by the Council, drive any vehicle in a parking place other than for the purpose of leaving that vehicle in the parking place in accordance with the provisions of this Order or for the purpose of departing from the parking place.
13. No person shall in a parking place advertise or publish by any means any event, display, entertainment, sale, business, shop, organisation, collection or other thing.
14. No person shall in a parking place wantonly shout or otherwise make any loud noise to the disturbance or annoyance of users of the parking place or residents or premises in the neighbourhood.
15. No person shall in a parking place use any threatening, abusive or insulting language, gesture or conduct with intent to put any person in fear or as to occasion a breach of the peace or whereby a breach of the peace is likely to be occasioned.
16. No person shall use any part of a parking place or any vehicle left in a parking place:-
  - (a) for sleeping or camping purposes;
  - (b) for eating or cooking purposes;
  - (c) for the purpose of repairing, servicing or washing any vehicle to part thereof other than is reasonably necessary to enable that vehicle to depart from the parking place;
  - (d) for constructing or breaking up of any vehicle.
17. No person shall without the written consent of the Council, use a parking place as a means of passage proceeding from one road to another road or from and to neighbouring premises.
18. Where in a parking place signs are erected or surface markings are laid for the purpose of:-
  - (a) indicating the entrance to or exit from the parking place,
  - (b) indicating that a vehicle using the parking place shall proceed in a specified direction within the parking place,

no person shall drive or cause or permit to be driven any vehicle so that it enters the parking place otherwise than by an entrance, or leaves the parking place except as specified, as the case may be.

19. In a parking place no person shall:-
- (a) erect or cause or permit to be erected any tent, booth, stand, building or other structure without the written consent of the Council;
  - (b) light or cause or permit to be lit any fire.
20. The following vehicles left in a parking place shall be exempt from payment of any charge
- (i) an invalid carriage;
  - (ii) a vehicle issued to a disabled person by the relevant Government Department in lieu of an invalid carriage;
  - (iii) a vehicle left by the driver thereof, who is a person who on account of his severe physical disability has been given notice in writing by the Council that he is exempt from any such charge or limitation on time, if the notice is displayed on the vehicle in a conspicuous position;
  - (iv) a vehicle left by the driver thereof, being a vehicle which bears on the front and rear in conspicuous positions, badges issued by any local authority in pursuance of a scheme under Section 21 of the Chronically Sick and Disabled Persons Act 1970 or any statutory modification or re-enactment thereof.
21. Any person removing or altering the position of a vehicle by virtue of Article 8 of this Order may do so by towing or driving the vehicle or in such other manner as he may think necessary and may take such measures in relation to the vehicle as he may think necessary to enable him to remove it or alter its position as the case may be.
22. When a person authorised by the Council removes or makes arrangements for the removal of a vehicle from a parking place by virtue of Article 8 of this Order, he shall make such arrangements as may be reasonably necessary for the safe custody of the vehicle.
23. No person shall obstruct the free passage of any vehicle entering or leaving a parking place.
24. Notwithstanding the provisions of this Order the Council may by Notice displayed on or near the parking place:-
- (i) close the parking place or any part or parts thereof to all vehicles or any specified class of vehicles for any period and a driver of any vehicle shall not use the parking place or any part thereof when it has been so closed;
  - (ii) vary the times of operation of the parking place specified in Column 5 of the Schedule to this Order;
  - (iii) vary the entry charges for the parking place specified in Column 6 of the Schedule to this Order.
25. A person leaving a live animal in a vehicle in a parking place shall take steps to ensure that an adequate supply of fresh air is available for such animal whilst in the vehicle and that the animal cannot escape from or molest persons passing near the vehicle.

26. No person shall cause or permit to wait in a parking place any vehicle leaking oil, petrol or fuel.
27. Vehicles are admitted only on condition that the Council shall not be liable for loss or damage to:-
- (a) any vehicle;
  - (b) anything in or on, or about any vehicle however such loss or damage may be caused.
28. By virtue of Section 35A of the Act of 1984, in the event of any contravention of, or non-compliance with, a provision of this Order made under section 35(1) of the Act of 1984, that person responsible shall be guilty of an offence.
29. Notwithstanding the provisions of this Order the Council may issue written consent to any person for any act or use in a parking place which would otherwise be unlawful under this Order and may impose such conditions as it thinks fit.

Dated this 22<sup>nd</sup> day of November 2010

THE COMMON SEAL of SOUTH BUCKS )  
DISTRICT COUNCIL was hereunto )  
affixed in the presence of:- )



Chairman

Deputy

Director of Resources



SCHEDULE 1 (Page 1)

NAME OF PARKING PLACE (1)	POSITION IN WHICH VEHICLES MAY WAIT (2)	CLASSES OF VEHICLES (3)	DAYS OF OPERATION (4)	HOURS OF OPERATION (5)	SCALE OF CHARGES (inclusive of VAT payable) (6)
Alkons, Burkes Road, Beaconsfield	Within the parallel lines as marked to indicate the space for each vehicle	Motor cars, motorcycles and invalid carriages as defined in Section 136 of the Act of 1984 and motor vehicles not exceeding 750 kilograms carrying capacity constructed or adapted solely for the purposes of carrying goods or burdens of any description.	All days	8 am to 6 pm	First ½ hour or part thereof - 60p 1 hour - £1.20 2 hours - £1.60 3 hours - £2.10 12 hours - £4.40 <u>Maximum Stay</u> - 12 hours <u>Season Tickets</u> - 3 months - £210.00 - 6 months - £390.00 Charges - 8am - 6pm (Mon - Sun) including Sundays and Public Holidays Charge £1.00 All Day Free Parking 6pm - 8am No tickets issued before 8am
Pennicroft, Burkes Road, Beaconsfield	Within the parallel lines as marked to indicate the space for each vehicle	"	All days	8 am to 6 pm	First ½ hour or part thereof - 60p 1 hour - £1.20 2 hours - £1.70 3 hours - £2.30 12 hours - £5.40 <u>Maximum Stay</u> - 12 hours <u>Season Tickets</u> - 3 months - £260.00 - 6 months - £470.00 Charges - 8am - 6pm (Mon - Sun) including Sundays and Public Holidays Charge £1.00 All Day Free Parking 6pm - 8am No tickets issued before 8am
Warwick Court, Warwick Road, Beaconsfield	Within the parallel lines as marked to indicate the space for each vehicle	"	All Days	8 am to 6 pm	First ½ hour or part thereof - 60p 1 hour - £1.20p 2 hours - £1.70p 3 hours - £2.30 12 hours - £4.40 <u>Maximum Stay</u> - 12 hours <u>Season Tickets</u> - 3 months - £210.00 - 6 months - £390.00 Charges - 8am - 6 pm (Mon - Sun) including Sundays and Public Holidays Charge £1.00 All Day Free Parking 6pm - 8am No tickets issued before 8am



SCHEDULE 1 (Page 2)

NAME OF PARKING PLACE (1)	POSITION IN WHICH VEHICLES MAY WAIT (2)	CLASSES OF VEHICLES (3)	DAYS OF OPERATION (4)	HOURS OF OPERATION (5)	SCALE OF CHARGES (inclusive of VAT payable) (6)
Council Hall, Penn Road, Beaconsfield	Within the parallel lines as marked to indicate the space for each vehicle	"	All days	All days	Operated by Waitrose Limited
Jennery Lane, Burnham	Within the parallel lines as marked to indicate the space for each vehicle	Motor cars, motorcycles and invalid carriages as defined in Section 136 of the Act of 1984 and motor vehicles not exceeding 750 kilograms carrying capacity constructed or adapted solely for the purposes of carrying goods or burdens of any description.	All days	8 am to 6 pm	First 1/2 hour or part thereof - 40p 1 hour - 80p 2 hours - £1.10 <u>Maximum Stay</u> - 2 hours <u>Season Tickets</u> - 3 months - £130.00 - 6 months - £250.00 Charges - 8am - 6 pm (Mon - Sun) including Sundays and Public Holidays Charge £1.00 All Day Free Parking 6pm - 8am.
Summers Road, Burnham	Within the parallel lines as marked to indicate the space for each vehicle	"	All days	8 am to 6 pm	First 1/2 hour or part thereof - Free 1 - hour - 50p 2 - hours - 80p 3 - hours - £1.20 24 hours - £2.00 <u>Season Tickets</u> - 3 months - £130.00 - 6 months - £250.00 Charges - 8am - 6 pm (Mon - Sun) including Sundays and Public Holidays Charge £1.00 All Day Free Parking 6pm - 8am
Neville Court (off Dropmore Road, Burnham)	Within the parallel lines as marked to indicate the space for each vehicle	"	All Days	8 am to 6 pm	First 2 hours or part thereof - 30p 4 hours - 50p 24 hours - £1.00 <u>Season Tickets</u> - 3 months - £45.00 - 6 months - £90.00 Charges - 8am - 6 pm (Mon - Sun) including Sundays and Public Holidays Charge £1.00 All Day Free Parking 6pm - 8am

SCHEDULE 1 (Page 3)

NAME OF PARKING PLACE (1)	POSITION IN WHICH VEHICLES MAY WAIT (2)	CLASSES OF VEHICLES (3)	DAYS OF OPERATION (4)	HOURS OF OPERATION (5)	SCALE OF CHARGES (inclusive of VAT payable) (6)
The Broadway, Farnham Common	Within the parallel lines as marked to indicate the space for each vehicle	"	All days	All days	<p>First ½ hour or part thereof - FREE</p> <p>3 hours - 90p</p> <p>24 hours - £1.30</p> <p><u>Season Tickets</u> - 3 months - £40.00</p> <p>- 6 months - £80.00</p> <p>Charges - 8am - 6 pm (Mon - Sun) including Sundays and Public Holidays Charge £1.00 All Day</p> <p>Free Parking 6pm - 8am</p>
Orchehill Rise, Gerrards Cross	Within the parallel lines as marked to indicate the space for each vehicle	Motor cars, motorcycles and invalid carriages as defined in Section 136 of the Act of 1984 and motor vehicles not exceeding 750 kilogrammes carrying capacity constructed or adapted solely for the purposes of carrying goods or burdens of any description.	All days	8 am to 6 pm	<p>First 2 hours or part thereof - 10p</p> <p>2 - 4 hours - 20p</p> <p>4 - 24 hours - 80p per day</p> <p><u>Season Tickets</u> - 3 months - £35.00</p> <p>- 6 months - £60.00</p> <p><u>Free Parking</u></p> <p>- 6pm - 8 am (Mon - Sat)</p> <p>- 6 pm Sat - 8 am Mon</p> <p>- Bank Holidays</p> <p><u>Discount</u></p> <p>- 6 monthly season tickets subject to a discount of £20 for shop and office workers in Gerrards Cross</p>
Bulstrode Way, Gerrards Cross	Within the parallel lines as marked to indicate the space for each vehicle	"	All days	8 am to 6 pm	<p>First ½ hour or part thereof - 60p</p> <p>1 hour - £1.20</p> <p>2 hours - £1.70</p> <p>3 hours - £2.30</p> <p><u>Maximum Stay</u> - 3 hours</p> <p><u>Season tickets</u> - 3 months - £260.00</p> <p>- 6 months - £470.00</p> <p>Charges - 8am - 6pm (Mon - Sun) including Sundays and Public Holidays Charge £1.00 All Day</p> <p>Free Parking 6pm - 8am</p>



