
PARKING PLACES ORDER

THE LONDON BOROUGH OF RICHMOND UPON THAMES (OFF-STREET PARKING PLACES) (CIVIL ENFORCEMENT) (AMENDMENT No. 1) ORDER 2011

Made: 6 June 2011

Coming into operation: 24 June 2011

The Council of the London Borough of Richmond upon Thames, having consulted the Commissioner of Police of the Metropolis, in exercise of the powers conferred by Sections 32, 35 and 124 of, and Part IV of Schedule 9 to, the Road Traffic Regulation Act 1984**(a)**, as amended, (“the Act of 1984”) and all other enabling powers hereby make the following Order—

1. (1) This Order may be cited as the London Borough of Richmond upon Thames (Off-Street Parking Places) (Civil Enforcement) (Amendment No. 1) Order 2011 and shall come into operation on 24 June 2011.
2. (1) In this Order, the expression “enactment” means any enactment whether public, general or local and includes any order, bye-law, rule, regulation, scheme or other instrument having effect by virtue of an enactment;

(2) Any reference in this Order to any enactment shall be construed as a reference to that enactment as amended, applied, consolidated, re-enacted by or as having effect by virtue of any subsequent enactment.

(3) The Interpretation Act 1978**(b)** shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.
- 3 Without prejudice to the validity of anything done or to any liability incurred in respect of any act or omission before the coming into operation of this Order, the London Borough of Richmond upon Thames (Off-Street Parking Places) (Civil Enforcement) Order 2011**(c)** shall have effect as though amendments to the parts of that order and its schedules as specified in column 2 of items numbered 1 to 6 in the table in the Schedule to this order were made as given in column 3 of those items.

Dated 6 June 2011

Assistant Director, Traffic and Transport
(The officer authorised for this purpose)

(a) 1984 c. 27.

(b) 1978 c. 30.

(c) 2011/12.

THE SCHEDULE

(See Article 3)

AMENDMENTS TO BE MADE TO THE LONDON BOROUGH OF RICHMOND UPON THAMES (OFF-STREET PARKING PLACES) (CIVIL ENFORCEMENT) ORDER 2011

1 Item No	2 Article or Schedule	3 Amendment
1	Article 5(1)	Before the words "The scheme comprises" add the words "Subject to the provisions of paragraph (6) of this Article"
2	Article 5(4)	For the word "shall" substitute the word "may"
3	Article 5(6)	Add to Article 5 the following paragraph:- “(6) The Council may from time to time issue guidance as to the operation of the RichmondCard scheme or the use of the RichmondCard. The guidance shall be deemed to clarify the provisions of this order, but shall neither replace nor contradict any provision. The Council shall take such steps as it sees fit to publicise the guidance, which may include its publication on the Council’s web-site.”
4	Schedule 4, Part B	In the paragraph commencing "On receipt of the charge..." delete the words "the applicant," and "person or"
5	Schedule 4, Part D	Add a further paragraph as follows:- "The RichmondCard may be used by a resident or a resident over 75 years of age to obtain one parking period which is free of charge for a period of up to 30 minutes by inserting the card into the ticket machine but without selecting any fixed parking period. The machine will issue a ticket valid for 30 minutes. Only one such parking period will be available to that person in any period of 1 hour, and during that time it will not be possible to use that RichmondCard to obtain any subsequent free parking period at that or any other ticket machine in the borough."
6	Schedule 4, Part G (Withdrawal of RichmondCards etc, page 34)	Rename this as Schedule 4 Part H – Withdrawal of RichmondCards issued prior to the operational date

EXPLANATORY NOTE

(This note is not part of the order, but is intended to indicate its general purport)

This Order amends the Order which prescribes parking charges for off-street car parks and which makes provision for the RichmondCard scheme.

The scheme was first introduced in 2009 both as a convenient and cashless method by which drivers could pay for parking charges and as means by which they could access concessionary or discounted charges subject to the general principles given in the parking places orders in force at that time.

The provisions for the scheme are now included in the London Borough of Richmond upon Thames (Off-Street Parking Places) (Civil Enforcement) Order 2011 ("the off-street order"). Schedule 4 to that order replicates the 2009 scheme other than certain necessary changes to reflect the nature of the 2011 order and the concessionary parking charges which it introduced. The London Borough of Richmond upon Thames (On-Street Parking Places) (Parking Charges) Order 2011 extends the scheme to on-street parking. Whenever the Council issues a RichmondCard to a resident or any other person, they also issue guidance giving detailed information as to how the card is to be used. The off-street order should be read in conjunction with that guidance to clarify any points of detail.

This order:-

- (a) adds a general condition that the off-street order should be read in conjunction with the guidance;
- (b) adds a paragraph to Schedule 4 (the RichmondCard scheme) to restrict the concessionary free parking period to one period of up to 30 minutes within any period of 1 hour; and
- (c) makes minor changes and corrections to the text of the parent order.

The London Borough of Richmond upon Thames (Off-Street Parking Places) (Civil Enforcement) (Amendment No. 1) Order 2011

STATEMENT OF REASONS FOR MAKING THIS ORDER

Guidance issued by the Council shall be deemed to clarify any matters of detail concerning the RichmondCard scheme which is not expressly provided for by the relevant Traffic Management Order or Orders. The concessionary free parking period of up to 30 minutes is restricted to one such parking period within any period of 1 hour.

ROAD TRAFFIC REGULATION ACT 1984

THE LONDON BOROUGH OF RICHMOND UPON THAMES (OFF-STREET PARKING
PLACES) (AMENDMENT No. 1) ORDER 2011

THE RICHMOND CARD SCHEME

(Reference 32/11)

1. NOTICE IS HEREBY GIVEN that the Council of the London Borough of Richmond upon Thames has made the above Order under sections 32, 35 and 124 of, and Part IV of Schedule 9 to, the Road Traffic Regulation Act 1984, as amended.
2. This order amends the London Borough of Richmond upon Thames (Off-Street Parking Places) (Civil Enforcement) Order 2011 (“the off-street parking places order”) which, amongst other matters, sets out the general terms of the RichmondCard scheme and the manner in which the RichmondCard is to be used.
3. The Council publishes on its website guidance as to the use of the RichmondCard in the form of guidance notes and a copy of these are, or should be, sent to everyone who has applied for RichmondCard when the card is issued. This guidance sets out in detail the manner in which the RichmondCard is to be used, including the way in which residents of the borough may access concessionary parking charges or free parking periods of up to 30 minutes, and instructions as to the correct use of the pay and display machines.
4. The general effect of the Order is that the guidance shall be deemed to clarify any matters of detail concerning the RichmondCard scheme which is not expressly provided for by the order. It also adds a paragraph to the RichmondCard scheme to limit the free parking of 30 minutes for residents to 30 minutes within any period of one hour and makes some minor amendments elsewhere to remove anomalies between it and the published guidance.
5. The RichmondCard scheme applies equally to on-street parking at pay and display bays. The order which regulates the parking charges and the manner in which those charges are payable is the London Borough of Richmond upon Thames (On-Street Parking Places) (Parking Charges) Order 2011, made under sections 45, 46 and 49 of the above Act. That order provides for the RichmondCard scheme to operate as set out in the off-street parking place order. The amendment order to which this notice relates therefore affects on-street parking in a similar way.
6. The order will come into force on 24 June 2011.
7. Copies of the Order and the Council’s Statement of Reasons for making the Order can:-

- (a) be inspected, quoting Reference 32/11, at the Civic Centre (Central Reception, ground floor), 44 York Street, Twickenham between 9.15am and 5pm on Mondays to Fridays, except for Bank and other public holidays; or
- (b) be viewed on the Council's web-site at http://www.richmond.gov.uk/traffic_management_orders.htm.

ANDREW DARVILL

Assistant Director, Traffic and Transport

Civic Centre, 44 York Street, Twickenham TW1 3BZ

10 June 2011