

PARKING PLACES ORDER

THE LONDON BOROUGH OF RICHMOND UPON THAMES (CENTRAL TWICKENHAM) (PARKING PLACES) (AMENDMENT No. 7) ORDER 2008

Made: 7 July 2008

Coming into operation: 14 July 2008

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 45, 46, 49 and 124 of the Road Traffic Regulation Act 1984(a), as amended by the Local Government Act 1985(b), the Traffic Management Act 2004(c) ("the Act of 2004") and all other enabling powers hereby makes the following Order—

1. This Order shall come into operation on 14 July 2008 and may be cited as the London Borough of Richmond upon Thames (Central Twickenham) (Parking Places) (Amendment No. 7) Order 2008.
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(d) 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 (Central Twickenham) (Parking Places) Order 2003(e), as amended, shall have effect as though:
 - (a) for the item numbered 1A/1 in Schedule 1A to that Order there were substituted the item similarly numbered and set out in columns 1, 2, 3, 4 and 5 of Schedule 1 to this Order;
 - (b) the item numbered 2A/7 in Schedule 2A to that Order is revoked;

(a) 1984 c. 27.

(b) 1985 c. 51.

(c) 2004 c. 18.

(d) 1978 c. 30.

(e) 2003/58 – the relevant amending Order is 2007/11.

- (c) there were added to the items in Schedule 7A to that Order the item numbered 7A/15A as set out in columns 1, 2, 3, 4 and 5 of Schedule 2 to this Order;
- (d) for the item numbered 7A/16 in Schedule 7A to that Order there were substituted the item similarly numbered and set out in columns 1, 2, 3, 4 and 5 of Schedule 2 to this Order;
- (e) there were made the textual amendments to that Order as set out in columns 1 and 2 of Schedule 3 to this Order as a consequence of the coming into force of Part 6 of the Act of 2004.

Dated 7 July 2008



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

SCHEDULE 1
(See Article 3(a))

SCHEDULE 1A [to 2003/58]

IN RELATION TO A PARKING PLACE REFERRED TO IN THIS SCHEDULE THE EXPRESSION "PERMITTED HOURS" MEANS THE PERIOD BETWEEN 8.30 AM AND 6.30 PM ON MONDAYS TO SATURDAYS INCLUSIVE, ANY SUCH DAY NOT BEING GOOD FRIDAY, CHRISTMAS DAY OR A BANK HOLIDAY.

PARKING PLACES IN RESPECT OF WHICH THE MAXIMUM PARKING PERIOD FOR WHICH A VEHICLE MAY BE LEFT DURING THE PERMITTED HOURS IS ONE HOUR.

1 No. of parking place	2 Designated parking place	3 Maximum number of parking bays	4 Minimum total length in metres not to be occupied by parking bays	5 Special manner of standing
1A/1	CROSS DEEP, the south-east side, from a point 1 metre south of a point opposite the common boundary of Nos 45 and 47 King Street Parade, southwards for a distance of 35 metres.	7	-	-

SCHEDULE 2
(See Article 3(c) and (d))

SCHEDULE 7A [to 2003/58]

IN RELATION TO A PARKING PLACE REFERRED TO IN THIS SCHEDULE THE EXPRESSION "PERMITTED HOURS" MEANS THE PERIOD BETWEEN 8.30 AM AND 6.30 PM ON MONDAYS TO SATURDAYS INCLUSIVE, ANY SUCH DAY NOT BEING GOOD FRIDAY, CHRISTMAS DAY OR A BANK HOLIDAY.

PARKING PLACES IN RESPECT OF WHICH THE MAXIMUM PARKING PERIOD FOR WHICH A VEHICLE MAY BE LEFT DURING THE PERMITTED HOURS IS FOUR HOURS IF IT DISPLAYS A VALID TICKET FROM A TICKET PARKING METER OR IN WHICH A VEHICLE MAY BE LEFT DURING THE PERMITTED HOURS IF IT DISPLAYS A VALID RESIDENTS', RESIDENTS' VISITORS, MULTI-ZONE BUSINESS OR OPERATIONAL PERMIT.

1 No. of parking place	2 Designated parking place	3 Maximum number of parking bays	4 Minimum total length in metres not to be occupied by parking bays	5 Special manner of standing
7A/15A	HEATH GARDENS, the east side, from a point 9 metres south of the southern kerb-line of Heath Road southwards for a distance of 12 metres.	2	-	-
7A/16	HEATH GARDENS, the west side, from a point opposite the common boundary of Nos 12 and 14 Heath Gardens northwards for a distance of 68 metres.	10	18	-

SCHEDULE 3
(See Article 3(e))

Consequential textual amendments to 2003/58 from the coming into force of Part 6 of the
Traffic Management Act 2004

1	2
Article	Amendment
Article 3(1)	Add the following:– ““civil enforcement officer” means a person appointed by or on behalf of the Council for the enforcement of road traffic contraventions”
Article 3(1)	Delete the meaning of the expression “parking attendant”
Article 3(1)	For the expression “penalty charge” substitute as follows – ““penalty charge” means the charge set by the Council under the provisions of the Road Traffic Act 1991 or the Traffic Management Act 2004 and following approval of the Secretary of State or the Mayor of London, as the case may be, which is to be paid following the issue of a penalty charge notice within 28 days of the issue or service of that notice”
Article 3(1)	For the expression “reduced penalty charge” substitute as follows – ““reduced penalty charge” means the charge set by the Council under the provisions of the Road Traffic Act 1991 or the Traffic Management Act 2004 and following approval of the Secretary of State or the Mayor of London, as the case may be, which is to be paid following the issue of a penalty charge notice within 14 or 21 days of the issue or service of that notice”
Article 12	Substitute the whole of this Article as follows – “If a vehicle is left in a parking place referred to in Schedule 1, Schedule 2, Schedule 3, Schedule 4, Schedule 5, Schedule 6, Schedule 7, Schedule 8, Schedule 9, Schedule 10, Schedule 11, Schedule 12, Schedule 13 or Schedule 14 during the permitted hours without complying with the requirements of this Order, a contravention shall have occurred and a penalty charge shall be payable. A penalty charge notice may then be issued by a civil enforcement officer or served by the Council.”

SCHEDULE 3 (Continued)

1 Article	2 Amendment
Article 13	<p>Substitute the whole of this Article as follows –</p> <p>“The penalty charge shall be paid to the Council by cash, cheque, postal order or other accepted means which shall be delivered or sent by post to the Council’s payment office or to the Council’s agents’ office at the address or addresses indicated on the penalty charge notice and in accordance with instructions on that notice, to arrive not later than 5pm, or be paid by a credit card or debit card by telephone by 5pm:-</p> <p>(a) on the fourteenth day in the case of a reduced penalty charge where the notice was issued under Regulation 9 of the Civil Enforcement of Parking Contraventions (England) General Regulations 2007 [S.I. 2007 No. 3483] beginning on the date the notice was served; or</p> <p>(b) on the twenty-first day in the case of a reduced penalty charge where the notice was issued under Regulation 10 of those Regulations beginning on the date the notice was served; or</p> <p>(c) on the twenty-eighth day in the case of a penalty charge, beginning on the date the notice was served:-</p> <p>Provided that, if the said fourteenth, twenty-first or twenty-eighth day falls upon a day on which the said payment office or agents’ offices are closed, the period within which payment of the said charge shall be made to the Council or their agents shall be extended until the next day on which the said offices are open.”</p>
Articles 14, 15, 16, 18	<p>For the expression “parking attendant” substitute the expression “civil enforcement officer”.</p>

EXPLANATORY NOTE

(This Note is not part of the Order but is intended to indicate its general purport.)

The Order makes the following alterations to the Central Twickenham controlled parking zone:-

- (a) removes one bay from a set of eight parking meter bays in Cross Deep, Twickenham where the maximum stay allowed is 1 hour, so that seven bays remain in place;
- (b) removes one bay from a set of eleven shared-use parking bays in Heath Gardens, Twickenham (pay and display where the maximum stay allowed is 4 hours or unlimited maximum stay if a valid residents parking permit is displayed) so that ten bays remain in place; and
- (c) alters a set of two parking meter bays in Heath Gardens, where the maximum stay allowed is 2 hours into two shared-use bays (pay and display where the maximum stay allowed is 4 hours or unlimited maximum stay if a valid residents parking permit is displayed).

The hours of operation of the Central Twickenham controlled parking zone are between 8.30am and 6.30pm on Mondays to Saturdays inclusive.

The Order also makes certain textual changes to the Order of 2003 as a result of Part 6 of the Traffic Management Act 2004 which came into force on 31 March 2008.

STATEMENT OF REASONS

The alterations to the parking provision in Central Twickenham are being made to utilise the limited on-street parking facilities to be designated and used for the optimum benefit of residents and businesses within the zone and of visitors to the area.

