

BOROUGH COUNCIL OF WELLINGBOROUGH

ROAD TRAFFIC REGULATION ACT, 1984

THE BOROUGH COUNCIL OF WELLINGBOROUGH (OFF STREET PARKING PLACES)  
VARIATION ORDER 1994

The Borough Council of Wellingborough (hereinafter referred to as "the Council") in exercise of its powers under Sections 32 and 35 of, and Part IV of Schedule 9 to the Road Traffic Regulation Act, 1984, as amended, (which said Act is hereinafter referred to as "the Act of 1984"), and of all other enabling powers and after consultation with the Chief Officer of Police in accordance with Part III of Schedule 9 to the Act of 1984, hereby make the following Order.

PART I GENERAL

- 1 This Order shall come into operation on the 3rd day of January 1995 and may be cited as "The Borough Council of Wellingborough (Off Street Parking Places) Variation Order 1994."
- 2 Any reference in this Order to the "Order of 1994" means The Borough Council of Wellingborough (Off Street Parking Places) Order 1994.
- 3 The Interpretation Act 1978 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 14 of that Act, this Order was an Act of Parliament.

PART 2 - VARIATION OF ORDER OF 1994

Article 7 of the Order of 1994, shall be varied to read:-

"No person shall, except with the permission of the Council, 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".

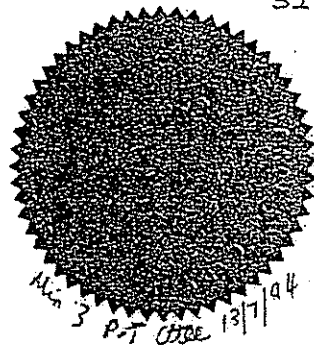
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THE COMMON SEAL of THE BOROUGH COUNCIL )  
OF WELLINGBOROUGH was hereunto affixed )  
this 20th day of December 1994 in the )  
presence of )

*M. Dutton* Mayor

*M. Hunt*

Borough Solicitor/Secretary



BOROUGH COUNCIL OF WELLINGBOROUGH

ROAD TRAFFIC REGULATION ACT, 1984

THE BOROUGH COUNCIL OF WELLINGBOROUGH (OFF-STREET PARKING PLACES) ORDER, 1994

The Borough Council of Wellingborough, (hereinafter referred to as "the Council") in exercise of its powers under Sections 32 and 35 of, and Part IV of Schedule 9 to the Road Traffic Regulation Act, 1984, as amended, (which said Act is hereinafter referred to as "the Act of 1984") and of all other enabling powers and after consultation with the Chief Officer of Police in accordance with Part III of Schedule 9 to the Act of 1984 hereby make the following Order :-

1. The Borough of Wellingborough (Off-Street Parking Places) Order, 1976; the Borough Council of Wellingborough (Off-Street Parking Places) Variation Order, 1980; and The Borough Council of Wellingborough (Off-Street Parking Places) Variation Order, 1984 are hereby revoked.

2. 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 by name in column 1 of Schedule 1 to this Order provided by the Council under Section 32 of the Act of 1984 for use as a parking place ; and

"relevant position" means, in relation to Article 18 of this Order :-

(a) in the case of a vehicle fitted with a front windscreen, the badge is exhibited thereon with the obverse side facing forwards on the nearside of and immediately behind the windscreen ;

(b) in the case of a vehicle not fitted with a front windscreen, the badge is exhibited in a conspicuous position on the vehicle.

"disabled person's badge" has the same meaning as in the Disabled Persons (Badges for Motor Vehicles) Regulations, 1982 or a badge having effect under those Regulations as if it were a disabled person's badge ;

"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.

3. Each area of land specified by name in column 1 of Schedule 1 to this Order maybe 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 as are specified in relation to that area in the said Schedule.

4. Where in Schedule 1 to this Order a parking place is described or a parking bay in 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 :-

(a) unless it is of the specified class ; or

(b) in a position other than that specified.

5.(1) 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 1 to this Order in relation to that parking place ;

(2) when a vehicle has left a parking place after waiting therein the driver thereof shall not within one hour after its leaving permit it to wait again in that parking place.

6. 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.

7. No person shall 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.

8. Subject to the proviso hereto, when a vehicle is left in a parking place in contravention of any of the provisions of Articles 4, 5 or 9 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 :-

Provided that when a vehicle is waiting in a parking place in contravention of the provision of Article 4(b) 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.

9. 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 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, 1988.

10. 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.

11. 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.

12. 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 of premises in the neighbourhood.

13. 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 so as to occasion a breach of the peace or whereby a breach of the peace is likely to be occasioned.

14. 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 ; or

(c) 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.

15. No person shall use a parking place as a means of passage proceeding from one road to another road.

16. 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 ; or
- (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 :-

- (i) so that it enters the parking place otherwise than by an entrance, or leaves the parking place otherwise than by an exit, so indicated ; or
- (ii) in a direction other than that specified, as the case maybe.

17. 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.

18. The following vehicles left in a parking place shall be exempt from any limitation on time specified in column 6 of Schedule 1 to this Order :-

- (i) an invalid carriage ;
- (ii) a vehicle issued to a disabled person by the Department of Health 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 a 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 disabled person's vehicle which displays in the relevant position a disabled person's badge issued by any local authority in accordance with the provisions of the Disabled Persons (Badges for Motor Vehicles) Regulations, 1982 or a badge having effect under those Regulations as if it were a disabled person's badge.

19. 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 maybe.

20. 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 maybe reasonably necessary for the safe custody of the vehicle.

21. No person shall, except with the permission of any person duly authorised by the Council take, drive or ride a vehicle or a cycle on or in any part of the parking place which is not allocated for a vehicle or cycle of that specified class or which is not required for direct access to or egress from a parking bay allocated for that specified class.

22. The Interpretation Act, 1978 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 14 of that Act this Order was an Act of Parliament.

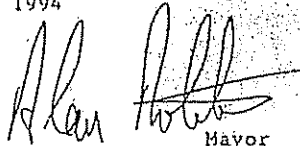
23. This Order shall come into operation on 27th day of January, 1994 and may be cited as "the Borough Council of Wellingborough (Off-Street Parking Places) Order, 1994".

THE COMMON SEAL OF THE BOROUGH COUNCIL

OF WELLINGBOROUGH was hereunto affixed

this 18th day of January, 1994

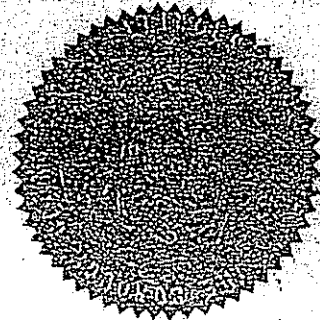
in the presence of

  
Alan Fisher

Mayor



Borough Secretary



SCHEDULE 1

Name of Parking Place	Position in which vehicle may wait	Classes of Vehicle	Days of operation of Parking Place	Hours of Operation of Parking Place	Maximum period for which vehicles may wait	Scale of Charges
1	2	3	4	5	6	7
1.(i) Swansgate Multi-storey Car Park, Wellington with the exception of those parking bays referred to in 1(ii) and (iii) below	Wholly within a parking bay	Motor car as defined in Section 136(2)(a), and invalid carriage as defined in Section 136(5) of the Act of 1984; and motor vehicles not exceeding 1.5 tonnes or adapted solely for the purpose of carrying goods or vehicles not exceeding 2 metres in height	All days	All hours	24 hours	No Char
(ii) Those parking bays in which is displayed the words "Disabled badge holders only"	"	(i) an invalid carriage ; (ii) a vehicle issued to a disabled person by the Department of Health in lieu of an invalid carriage ; (iii) a disabled person's vehicle which displays in the relevant position a disabled person's badge	"	"	"	"
(iii) Those parking bays on the ground floor in which is displayed the words "Motor cycles only"	"	(i) motor cycle as defined in Section 136(4) of the Act of 1984 ; (ii) cycle as defined in Section 192(1) of the Road Traffic Act, 1988	"	"	"	"

Name of Parking Place	Position in which vehicle may wait	Classes of Vehicle	Days of operation of Parking Place	Hours of Operation of Parking Place	Maximum period for which vehicles may wait	Scale of Charges
1	2	3	4	5	6	7
2. Sharman Road Car Park Wellingtonborough	Wholly within a parking bay	Motor car as defined in Section 136(2)(a), motor cycle as defined in Section 136(4) and invalid carriage as defined in Section 136(5) of the Act of 1984; and motor vehicles not exceeding 1.5 tonnes unladen weight constructed or adapted solely for the purpose of carrying goods or vehicles not exceeding 2 metres in height	All days	All hours	24 hours	No Charge
3(1) High Street Car Park Wellingtonborough	"	"	"	"	"	"
(ii) In the parking bays in the section of High Street Car Park in the vicinity of the access onto High Street, which are not subject to a restriction on height by way of a height restricting barrier in addition to the classes of vehicles described in (i) above.	"	Motor vehicle not exceeding 7.5 tonnes maximum Gross weight	"	"	"	"

Name of Parking Place

Position in which vehicle may wait

Classes of Vehicle

Days of operation of Parking Place

Hours of Operation of Parking Place

Maximum period for which vehicles may wait

Scale of Charges

1	2	3	4	5	6	7
1						
4. Thomas Street Car Park	Wholly within a parking bay	Motor car as defined in Section 136(2)(a), motor cycle as defined in Section 136(4) and invalid carriage as defined in Section 136(5) of the Act of 1984; and motor vehicles not exceeding 1.5 tonnes unladen weight constructed or adapted solely for the purpose of carrying goods or vehicles not exceeding 2 metres in height	All days	All hours	24 hours	No Charge