

WAVERLEY BOROUGH COUNCIL
THE WAVERLEY BOROUGH COUNCIL (OFF-STREET
PARKING PLACES) ORDER 2020

Council Offices,
The Burys,
Godalming, Surrey. GU7 1HR

The Council of the Borough of Waverley (hereinafter called "the Council") in exercise of its powers under Sections 32, 33, 35, 35A(1) and 124 of the Road Traffic Regulation Act 1984 (hereinafter called "the Act of 1984") and Parts III and IV of Schedule 9 to the Act of 1984 and the Road Traffic Act 1991 (hereinafter called the 1991 Act) each as amended by the Road Traffic (Permitted Parking Area and Special Parking Area) (County of Surrey) (Borough of Waverley) Order 2007 and the Traffic Management Act 2004 (hereinafter called the 2004 Act) and of all other enabling powers and with the consent of the County Council of Surrey given under Section 39(3) of the Act of 1984 and after consultation with the Chief Officer of Police in accordance with Part III of Schedule 9 of the Act of 1984 hereby makes the following Order.

PART I

GENERAL

Article
No.

1. Commencement and Citation

This Order shall come into operation on 20 November 2020 and may be cited as the "Waverley Borough Council (Off-Street Parking Places) Order 2020".

2. Interpretation

(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 "the Schedule" is a reference to the Schedule to this Order.

(2) In this Order except where the context otherwise requires the following expressions have the meanings hereby respectively assigned to them:-

"Charging Days" means those days other than Christmas Day which are specified in relation to each parking place in the Schedule;

"Charging Hours" means any period specified in the Schedule to this Order in respect of which a charge is specified in Article 12, except in respect of the hours relating to Off-peak Parking Permits ;

"Civil Enforcement Officer" means a person authorised by or on behalf of the Council to patrol and issue penalty charge notices in any parking place.

"Contract Parking Permit " means a Parking Permit issued by the Council to permit the parking of a vehicle in a parking bay marked 'contract only' in the parking places specified in Part III of the Schedule upon payment of a fee and display of the Council issued Contract Parking Permit;

"Council" means Waverley Borough Council;

"Credit Card" and "Debit Card" have the same meanings as given by section 35A(6) of the Act of 1984

"Designated Space" means a parking space designated by the Council for use by a particular class of vehicle or driver and which is enclosed by a white line;

"Disabled Person's Badge" has the same meaning as in the Disabled Persons' (Badges for Motor Vehicles) (England) Regulations 2000 and any amendments or re-enactment thereof;

"Disabled Person's Parking Permit" means a Parking Permit issued by the Council upon application on such terms and conditions as the Council deems appropriate

"Disabled Person's Vehicle" means any:-

(i) Invalid carriage;

(ii) Vehicle issued to a disabled person by the Department of Health and Social Care in lieu of an invalid carriage;

(iii) Vehicle lawfully displaying a Disabled Person's Badge;

"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;

"Electric Charging Point" means an installation adjacent to a parking bay for the purposes of recharging the battery of an electric vehicle by way of a connecting lead;

"Electric Vehicle" means an automobile that is powered entirely or partially by electricity and is capable of being charged from an external source;

"Electric Vehicle Parking Bay" means a parking bay the Parking Place, where a charging point is provided for the use of charging electric powered vehicles;

"Hand-held Device" means a wireless hand held computer used by a Civil Enforcement Officer which is programmed to interface with the telephone parking payment system;

"Heavy Goods Vehicle" means a motor vehicle constructed or adapted for use for the carriage of goods of any description which exceeds 2.25 metric tonnes gross laden weight or a trailer so constructed or adapted;

"Goods Vehicle" means a vehicle which is constructed or adapted for use for the carriage of goods or burdens of any description;

"Off Peak Parking Permit" means a parking permit issued by the Council to a person whereby a vehicle owned, kept, driven or controlled by that person may be left between the hours of for use between the hours of 8 a.m. and 9.30 a.m. and 4.30 p.m. and 6.30 p.m. on Mondays to Fridays inclusive and all day on Saturdays in car parks as specified in the Schedule Parking Places specified in the Schedule to this Order upon payment of fee;

"Owner", in relation to a vehicle, means the person by whom such vehicle is kept. It shall be presumed that the Owner was

the person in whose name the vehicle was at that time registered under the Vehicle Excise and Registration Act 1994;

"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;

"Parking Charge" means the charge paid by the Driver of the vehicle by which he is authorised under this Order to leave the vehicle in a parking place;

"Parking Permit issued by the Council" means a parking permit, season ticket and/or contract permit issued by the Council (in such form as the Council shall from time to time prescribe);

"Parking Place" means any area of land specified by name in Column 1 of Part I of the Schedule and provided by the Council under Section 32(1) of the Act of 1984 for use as a Parking Place;

"Parking Ticket" means a ticket issued by an apparatus or device of a type and decision approved by the Secretary of State following the insertion of an appropriate coin or coins, Debit or Credit Card into the apparatus or device;

"Passenger Vehicle" means a vehicle constructed or adapted solely for the carriage of passengers and their effects, including a "station wagon" or "estate car" which is not being used for the carriage of goods commercially;

"Penalty Charge" means the charge set under the provisions of Schedule 9 Part 3 of the Traffic Management Act 2004 which is to be paid to the Council following the issue of a Penalty Charge notice within 28 days of the issue of that notice.

"Season Permit" means a permit issued by the Council to a person whereby a vehicle owned, kept, driven or controlled by that person may be left Monday to Saturday inclusive in Parking Places specified in the Schedule to this Order upon payment of a fee;

"Service Provider" means the company authorised and appointed by the Council to operate, administer and maintain the payment of the Parking Charges using the telephone payment parking system;

"Telephone Payment" means an accepted payment made using the telephone payment parking system;

"Telephone Payment Parking System" means a system to facilitate and monitor the payment of Parking Charges using telephone, computer or other means of communication with the Service Provider in accordance with instructions indicated on signs located at each Parking Place;

"Ticket Machine" means an apparatus at a Parking Place designed following payment for the appropriate Parking Charge(s) by the insertion of the appropriate currency – coin or coins, Debit or Credit Card to issue Parking Ticket(s) and receipt(s) and as a means to collect the Parking Charge(s) payable in respect of a Vehicle in the Parking Place and generally approved for the purpose by the Secretary of State;

"Vehicle" means any vehicle as defined in the classes of vehicles permitted to wait in the Parking Places as set out in the Schedule to this Order whether or not it is in a fit state for use on the public highway and includes any chassis or body with or without wheels, appearing to have formed part of such a vehicle and any load carried by and anything attached to such a vehicle.

(3) For the purpose of this Order, a Vehicle shall be regarded as displaying a Disabled Person's Badge in the relevant position if the Disabled Person's Badge is exhibited in the manner prescribed in 'The Blue Badge Scheme' advisory leaflet "The Blue Badge Scheme: rights and responsibilities in England" published by the Department for Transport or in the Disabled Person's (Badges for Motor Vehicles) (England) Regulations 2000.

(4) Any reference in this Order to any enactment shall be construed as a reference to that enactment as amended by any subsequent enactment.

(5) The Interpretation Act 1978 shall apply for the interpretation of this Order.

PART 2
AUTHORISATION AND USE OF PARKING PLACES

Article
No.

3. Use of Parking Places

(1) Each of the areas specified in Column (1) of Part I of the Schedule to this Order (and as delineated on the plans attached to this Order) is authorised to be used, subject to the following provisions of this Order, as a Parking Place for such Vehicles or classes of Vehicles as referred to in the said Schedule in such positions and, on such days and during such hours and subject to such waiting restrictions as are specified in relation to that Parking Place in the said Schedule.

(2) Consent to use the Parking Places specified in Column (1) of the Schedule to this Order is withdrawn if the terms and conditions of the Order or of the conditions shown on the car park charges and conditions of use boards sited in the Parking Places are not complied with.

(3) Where in the Schedule to this Order a Parking Place (or part thereof) is described as available for Vehicles of a specified class or in a specified position or on specified days or during specified hours the Driver shall not permit it to wait in that Parking Place:-

(a) unless it is of a specified class or by prior arrangement;

(b) on days or during hours other than those specified;

(c) in any position except wholly within a marked Parking Bay delineated by surface applied line markings, embedded contrasting-colour paving elements, barrier posts or other indication of Parking Bay.

(d) in such a position as to obstruct access to the Parking Place or obstruct the access roads within the Parking Place.;

(e) in a position where waiting is by notice declared to be prohibited;

(f) in such a position as to cause a nuisance or obstruction to other vehicles and or pedestrians;

(g) in excess of the waiting limit period specified for that Parking Place (or part of that Parking Place) in Part I of the Schedule.

(4) The Driver of a Vehicle drawing a trailer shall not permit the trailer to wait in a Parking Place unless the registration number of the towing Vehicle is clearly displayed thereon.

(5) Where a Vehicle of the permitted class but which is oversize (for instance a large van or long or wide vehicle, or vehicle and corresponding trailer) is parked in a Parking Place,

(a) a Parking Ticket must be purchased; or

(b) Telephone Payment(s) made by means of the Telephone Parking Payment System; or

(c) a combination of both;

for each Parking Bay occupied in full or in part and no Vehicle may be left in any Parking Place if its length exceeds two Parking Bays,

(6) Where, within a Parking Place there is a sign or surface marking which indicates that a Parking Bay is provided only for a Disabled Person's Vehicle, the Driver of a Vehicle

shall not permit it to wait in that Parking Bay unless the Vehicle *is lawfully displaying a Disabled Person's Badge*.

(7) No Driver of a Vehicle shall permit the Vehicle to park or wait in a Parking Bay marked as being for the use of a Parking Permit holder unless he is the holder of the appropriate Parking Permit.

(8) The Driver of an Electric Vehicle shall not permit it to wait in an Electric Vehicle Parking Bay unless it is being charged at the Electric Charging Point throughout the period within which it is parked in the Electric Vehicle Parking Bay.

(9) No Driver shall park in an Electric Vehicle Parking Bay marked for the use of Electric Charging Vehicles only and not being that class of Vehicle nor shall a Driver leave a Vehicle in the Electric Charging Parking Bay without using the Electric Charging Point to charge the Electric Vehicle (10) The maximum stay for Electric Vehicle Parking Bay(s) marked for the use of Electric Charging Vehicles only is as specified on the notice or sign adjacent to the Electric Charging Point along with the instructions for use of the Electric Charging Point. Electric Vehicles are required to be connected to the Electric Charging Point and in the process of charging whilst in the Electric Charging Parking Bay.

(11) Where Electric Vehicle Parking Bays are available, a charge will be incurred in relation to the use of the Electric Vehicle Charging Point for the use of the electricity, which is paid directly to the Electric Vehicle Charging Bay equipment provider. *In addition, the relevant Parking Charge for the Vehicle must be paid.*

4. Closing and Setting Aside Parking Places

(1) Nothing in this Order shall prevent the Council, by notice displayed at a Parking Place:-

- (a) from closing the Parking Place or any part thereof for any period; or
- (b) from setting aside for special use or for use only by specially authorised Vehicles of any part or parts of the Parking Place on all days or on certain days or during certain parts of certain days;

(2) The Driver of a Vehicle shall not, except with and subject to the terms of any permission in writing from the Council in the particular case, cause or permit it:-

- (a) to wait in the Parking Place or any part thereof at any time when the Parking Place or that part (as the case may be) has been closed under Article 4(1)(a) of this Order.
- (b) to wait in any part of the Parking Place at a time when that part has been set aside for special use or for use by a specially authorised Vehicle in accordance with Article 4(1)(b) of this Order, unless the Vehicle is so authorised.

5. Licensing and Insurance

(1) The Driver of a Vehicle shall not drive in or permit it to wait in a Parking Place unless it is licenced in accordance with the Vehicles Excise and Registration Act 1994 and any amendment or re-enactment thereof.

(2) The Driver of a Vehicle shall not drive in or permit it to wait in a Parking Place unless there is in relation to the use of the Vehicle by the Driver such a current policy of insurance as complies with the requirements of Part VI of the Road Traffic Act 1988 and any amendment or re-enactment thereof.

6. Use of Vehicle in Parking Places

(1) The Driver of a motor vehicle using a Parking Place shall stop the engine and apply the handbrake as soon as the Vehicle is in position in the Parking Place and shall not release the handbrake or start the engine except when about to change the position of the Vehicle in or to depart from the Parking Place.

(2) The Driver of a Vehicle using a Parking Place shall not drive the Vehicle recklessly or at a speed or in a manner which is dangerous to other users of that Parking Place or without due care and attention or without reasonable consideration for other users of that Parking Place.

(3) No person shall sell or attempt to sell or use any 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 or provision of facilities without the prior written consent of the Council.

(4) 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 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;

(ii) in a direction other than so specified as the case may be; or

(iii) at an excess speed.

(5) No person shall, except with the permission of a person authorised by the Council in that behalf, drive or permit to be driven any Vehicle in the Parking Place for any purpose other than 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.

(6) No person shall use a Parking Place as a means of passage by a Vehicle proceeding from one road to another.

(7) No person shall, except with the prior consent of the Council, permit to be driven any Vehicle in a Parking Place for the purpose of learner driver training except for the purpose of leaving that Vehicle in the Parking Place in accordance with the provisions of this Order or for the purpose of entering or departing from the Parking Place.

(8) The Driver of a Vehicle using a Parking Place shall not sound a horn or other similar instrument:-

(a) in the case of a motor vehicle which is stationary, at any time, other than at times of danger due to another moving Vehicle in or near the Parking Place, or

(b) in the case of a Vehicle which is in motion, between 23.00 hours and 07.00 hours the following morning.

(9) No person shall use any part of a Parking Place or any Vehicle or appurtenance left in a Parking Place:-

- (a) for sleeping or camping or cooking or washing purposes; or
- (b) without the prior written consent of the Council 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.

7. Advertising and Promotional Material

(1) Except with the written consent of the Council, no person shall use a Parking Place for the purpose of displaying or distributing advertising promotional or campaigning material.

(2) Part (1) of this Article shall apply:-

- (i) to any person who engages in the distribution of advertising promotional or campaigning material in a Parking Place;
- (ii) to any person who engages any other person to distribute advertising promotional or campaigning material in a Parking Place;
- (iii) to any person whose goods, trade, business or other concerns receive publicity by the display of such advertising promotional or campaigning material; provided that a person shall not be guilty of an offence under part (1) of this Article by reason only that his goods, trade, business or other concerns are given publicity by the advertising material if he proves that it was displayed without his knowledge or consent.

8. Other Uses of a Parking Place

(1) 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, stove or cooker;
- (c) place or cause to be placed any advertising promotional or campaigning information on any Vehicle: or
- (d) transfer or cause to be transferred any type of fuel from one Vehicle to another Vehicle.

(2) No person shall in a Parking Place without the written consent of the Council (which may be given on such terms and conditions as it thinks fit):-

- (a) sell or offer for sale anything whatsoever;
- (b) make any collection of money or articles for charitable or other purposes; or
- (c) advertise or publish by any means any event, display, entertainment, sale, business, shop, organisation or other thing.

9. Noise, disturbance and anti-social activity

(1) No person shall in a Parking Place wantonly shout or otherwise make any loud noise (including the use of any in-vehicle or portable sound systems or amplifying equipment) to the disturbance or annoyance of users of the Parking Place or residents or occupiers of premises in the neighbourhood.

(2) No person shall in a Parking Place:-

- (a) obstruct a Civil Enforcement Officer in the exercise of their duties, threaten or otherwise intimidate them;
- (b) use any threatening, abusive or insulting language, gesture or conduct which is offensive and/or 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;
- (c) without the consent of any person duly authorised by the Council, leave or cause to be left unattended in any Parking Place other than in a designated trolley park any shopping or supermarket trolley;
- (d) willfully, carelessly or negligently deface, damage or destroy any part of the Parking Place, any tree or shrub growing therein or any wall, fence or barriers enclosing any Parking Place or any fitting or equipment in or on the Parking Place;
- (e) urinate or defecate in a Parking Place or any part thereof otherwise than in a public convenience specifically provided and set apart for such purpose;
- (f) cause or permit any dog or other animal belonging to him or his charge to

enter or remain in the Parking Place unless such dog or animal is on a lead and under proper control and effectively restrained from causing annoyance to any person and from worrying and disturbing any other animal;

- (3) Except with the written consent of the Council, no person in a Parking Place shall:-
- (a) park or drive or ride any Vehicle of any description which is not expressly authorised in accordance with the provisions of this Order;
 - (b) tether, drive or ride any animal; or
 - (c) play any game or sport or undertake any recreational activity.

10. Supervision of Parking Places

The Council does not undertake to supervise the Parking Places specified in Column 1 of Part I of the Schedule and Vehicles are parked entirely at the Owner's and/or Driver's risk and the Council will not accept any liability for any loss or damage howsoever caused either to the Vehicle or its contents or injury to persons unless caused by negligence of the Council, its servants or its agents.

11. Maximum Waiting Period

A Driver of a Vehicle shall not permit that Vehicle to wait in a Parking Place for longer than the period specified in Column 2 of Part I of the Schedule.

PART 3

CHARGES FOR THE USE OF PARKING PLACES

Article

No.

12.

(1) The appropriate Parking Charge is payable for Vehicles waiting in the Parking Places specified in the Schedule to this Order or otherwise varied by an Order of a Notice of Variation during the Charging Hours specified in the Schedule, unless the Vehicle displays a valid Parking Permit issued by the Council or the Driver has been exempted by the Council from payment of the Parking Charge.

(2) The appropriate Parking Charge means the charge or charges specified in relation to that Parking Place in the Schedule to this Order and in relation to the Charging Days specified in that Schedule.

(3) The Parking Charge referred to in Paragraph (2) of this Article shall be payable immediately after a Vehicle is parked in a Parking Bay and before the Driver leaves the Parking Place by either

(a) *the insertion of appropriate coin(s), Debit or Credit Card into the Ticket Machine; or*
(b) *by making a Telephone Payment by a Registered Driver at the level of Parking Charge for the period required in accordance with the scale of charges specified in Part IV of the Schedule ,*

and in either case in accordance with the conditions and instructions displayed in the Parking Place. (4) The Parking Ticket(s) issued on payment of the Parking Charge referred to in Paragraph (2) of this Article when payment is made in accordance with Paragraph (3)(a) of this Article shall be displayed face up:-

(a) in the case of a Vehicle fitted with a front windscreen, in a conspicuous position inside the front windscreen or windshield of the Vehicle in respect for which it was issued;

(b) in any other case, in a conspicuous position at the front of the driving compartment of the Vehicle for which it was issued;

such that the parking purchase information (expiry time and fee paid) is clearly visible from outside of the Vehicle through the front windscreen or from the front of the Vehicle and shall be displayed for the whole time that the Vehicle is left in the Parking Place and shall not be removed until the Vehicle is removed from the Parking Place.

(5) Any Parking Ticket issued on payment of the Parking Charge referred to in Paragraph (2) of this Article when payment is made in accordance with Paragraph (3)(a) of this Article shall be valid for the day of issue only except where the Parking Ticket indicates that the parking purchase extends into the following day's charging period.

(6) Any Parking Ticket issued on payment of the Parking Charge referred to in Paragraph (2) of this Article shall be valid only for the Vehicle and car park for which it is initially purchased and is not transferable between Vehicles or Parking Places.

(7) When a Parking Ticket or Tickets has or have been displayed on a Vehicle in accordance with Paragraph (4) of this Article, no person, not being the Driver of the Vehicle shall remove the Parking Ticket(s) from the Vehicle unless authorised by the Driver so to do.

(8) The purchase of a Parking Ticket or Tickets shall entitle the Driver to leave the Vehicle in the Parking Place for so long as is indicated by the Parking Ticket(s) purchased providing that the Vehicle shall not wait in the Parking Place for a period of time greater than the maximum period of permitted waiting for that Parking Place.

(9) The making of a Telephone Payment or Payments in relation to a Vehicle shall entitle the Driver to leave the Vehicle in the Parking Place for so long as is indicated by the Telephone Payment Parking System, providing that the Vehicle shall not wait in the Parking Place for a period of time greater than the maximum period of permitted waiting for that Parking Place.

(10) The expiry of the period for which the Parking Charge specified for that Parking Place in the Schedule has been paid shall be indicated when:-

(a) there is exhibited on the Vehicle a Parking Ticket and the time shown on the clock of the Hand-held Device is later than the time at which the period for which a Parking Charge has been paid expired; or

(b) where payment has been made by Telephone Payment transaction(s) in relation to the Vehicle and the time indicated on the Hand-held Device is later than the expiry time and date of the electronic record of the transaction(s) on the Telephone Payment Parking System.

(11) If at any time while a Vehicle is left in a Parking Place where neither a Parking Ticket or Parking Permit is displayed on a Vehicle in the relevant position and in accordance with Paragraph (4) of this Article, nor can it be determined that a Telephone Payment transaction has been made on the Telephone Payment Parking System, it shall be deemed that the Parking Charge has not been paid.

(12) If at any time when a Vehicle is left during the permitted hours in a Parking Place on the nearest Ticket Machine in that Parking Place there is a notice placed by any person duly authorised by the Council, indicating that the said Ticket Machine is out of order, then a Parking Ticket shall be obtained from another Ticket Machine (where provided).

(13) Where no valid Parking Ticket can be obtained and displayed Vehicles may be left in a Parking Place but may not be left for longer than the maximum period of waiting in that Parking Place as specified in the Schedule.

Exemptions from Daily Charges

(14)(1) No Parking Charge shall be payable in respect of:

- (i) a Vehicle which displays in the relevant position a valid Disabled Person's Badge alongside a corresponding Council approved Disabled Person's Parking Permit provided that the Vehicle immediately before or after the Vehicle is left in the Parking Place has been used or is to be used by the holder of a Disabled Person's Badge.;
- (ii) a motorcycle which is left in a Parking Bay specified for such vehicles (if any); or
- (iii) a Vehicle left displaying in a relevant position a Parking Permit issued by the Council valid for that Parking Place.

(14)(2) If at the time when a Vehicle is left in a Parking Place shown during the Charging Hours there is no Ticket Machine at the Parking Place, or all the Ticket Machines at the Parking Place carry notices placed upon them by a person duly authorised by the Council indicating that they are out of order, the Driver of that Vehicle shall be exempt from purchasing a Parking Ticket. Where the Telephone Payment Parking System is not available, a Parking Ticket must be obtained from a Ticket Machine.

15 Part concession for Disabled Person's Vehicle

(1) A Vehicle left in a Parking Bay marked as being provided only for a Disabled Person's Vehicle which displays in the relevant position a Disabled Person's Badge shall be entitled to the concessionary grant of one hour's parking exemption in relation to the Parking Charge when a minimum of one hour's Parking Charge is paid whether at a Ticket Machine or by way of Telephone Payment subject to a maximum stay of a total of three hours. This concession is available provided that the Vehicle immediately before or after the Vehicle is left in the Parking Place has been used or is to be used by the Person in respect of whom the Disabled Person's Badge is issued.

(2) A Vehicle left in a Parking Bay which displays in the relevant position a Disabled Person's Badge shall be entitled to the concessionary grant of one hour's parking exemption in relation to the Parking Charge when a minimum of one hour's Parking Charge is paid whether at a Ticket Machine or by way of Telephone Payment. This concession is available provided that the Vehicle immediately before or after the Vehicle is left in the Parking Place has been used or is to be used by the Person in respect of whom the Disabled Person's Badge is issued.

(16) Parking Permits

(i) The Owner of a Vehicle may on application to the Council, purchase a Season Permit for use in a specified/designated Parking Place in respect of that Vehicle for a Parking Charge as specified in the Schedule and that Season Permit shall be valid in such Parking Places as are specified thereon during the period for which it is issued under terms and conditions determined by the Council.

(ii) The Owner of a Vehicle may on application to the Council, purchase a Contract Permit for use in a specified/designated Parking Place in respect of that Vehicle for a Parking Charge as specified in the Schedule and that Contract Permit shall be valid for use in a Parking Bay marked as 'Contract only' within such Parking Places as are specified thereon during the period for which it is issued under terms and conditions determined by the Council.

(iii) Season Permits or Contract Permits for certain Parking Places may be issued at the discretion of the Council's Strategic Director or a Head of Service in accordance with Paragraph (16)(i) of this Article.

The Owner of a Vehicle may, on application to the Council, purchase an Off-peak Parking Permit for use between the hours of 8 a.m. and 9.30 a.m. and 4.30 p.m. and 6.30 p.m. on Mondays to Fridays inclusive and all day on Saturdays in car parks as specified in the Schedule.

(iv) Any Season Permit, Contract Permit and/or Off Peak or other Parking Permit issued in accordance with Paragraphs (16)(i), (16)(ii) and (16)(iii) of this Article shall be displayed in a conspicuous position in the front windscreen or windshield or at the front of the driving compartment of the Vehicle in respect of which it is issued such that the Season Permit or Parking Permit serial number and car

registration number (if printed thereon) are clearly visible from outside of the Vehicle and shall not be removed until the Vehicle is removed from this Parking Place. It shall be displayed for the whole time that the Vehicle is left in the Parking Place.

CONTRAVENTION AND PENALTY CHARGES

Article

No.

17.

(1) If a Vehicle is left or used in a Parking Place referred to in the Schedule without complying with the requirements of this Order, a contravention shall have occurred and an additional sum namely a Penalty Charge shall be payable.

(2) In the case of a Vehicle in respect of which the Penalty Charge may have been incurred, it shall be the duty of the Civil Enforcement Officer to attach to the Vehicle in a conspicuous position a Penalty Charge Notice which shall include the information required by the 2004 Act or by giving it to the person appearing by him to be in charge of the Vehicle.

(3) A Penalty Charge notice fixed to a Vehicle in accordance with the preceding Article shall not be removed or interfered with except by or under the authority of:

- (i) the owner, or person in charge of, the Vehicle;
- (ii) a Civil Enforcement Officer

PAYMENT OF PENALTY CHARGES

Article

No.

18.

Payment of a Penalty Charge of the standard amount shown in Part V of the Schedule shall be made to the Council as provided below by not later than 4 p.m. on the twenty eighth day following the day on which the Penalty Charge was incurred or where payment is sent by post, shall be sent so as to reach the Council not later than the said twenty eight days, provided that if the said twenty eighth day falls upon a day when the Council offices are closed to the public, the period within which payment of the Penalty Charge shall be made to the Council shall be extended until 4 p.m. on the next full day on which the Council offices are open.

The manner of payment shall be:-

- (a) by telephone by Credit or Debit Card (automated 24 hour payment line); or,
- (b) by Credit or Debit Card via the Council's website www.waverley.gov.uk/payments;
- (c) use of the barcode provided at Pay Point retail outlets by cash or at Post Offices by cash, cheque or Debit card.
- (d) by Postal Order delivered or sent by post addressed to The Director of Finance, Waverley Borough Council, Council Offices, The Burys, Godalming, Surrey GU7 1HR;

19. Where payment of a Penalty Charge is received by the Council within a period of fourteen days following the day on which the Penalty Charge was incurred, the amount of the Penalty Charge payable will be the reduced amount shown in Part IV of the Schedule, provided that if the fourteenth day falls upon a day on which the said Council offices are closed, the period for payment of the reduced sum shall be extended until 4p.m. on the next full day on which the Council offices are open.

20. If the Owner fails to pay the Penalty Charge by the end of the 28 day period, a notice to owner will be served; and if the Penalty Charge is then not paid within a further 28 days it may be increased by 50%.

21. Where a challenge against the issue of a Penalty Charge notice is made in writing and is received by the Council within fourteen days of the issue of that notice and where that notice is rejected, the payment of the reduced amount will be accepted where that payment is received by the Council within fourteen days following the day of notification in writing by the Council that the notice is upheld and payment is due.

22. Indications as evidence

The particulars given in the Penalty Charge notice attached to a Vehicle in accordance with this Article shall be treated as evidence in any proceedings relating to failure to pay such Penalty Charge.

MISCELLANEOUS PROVISIONS

Article

No.

23. Power to move or remove Vehicles

(1) If a Vehicle is left in a Parking Place in a position other than in accordance with the provisions of Articles 3 and 4, a person authorised by the Council in 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.

(2) If a Vehicle is left in a Parking Place in contravention of any of the foregoing provisions of this Order, a person authorised by the Council in that behalf may remove the Vehicle from that Parking Place or arrange for such removal.

(3) For the purpose of meeting the requirements of any emergency, a person authorised in that behalf by the Council or a uniformed Police Officer may alter or cause to be altered the position of a Vehicle in a Parking Place or remove or arrange for the removal of the Vehicle from the Parking Place.

(4) Any person altering or causing the alteration of the position of a Vehicle by virtue of Paragraph (1) of this Article, or removing or causing the removal of a Vehicle by virtue of Paragraphs (2) or (3) of this Article, may do so by towing or driving the Vehicle or moving it in such other manner as he may think reasonably necessary to enable the position of the Vehicle to be altered or the Vehicle to be removed. (5) Any person removing or arranging for the removal of a Vehicle by virtue of Paragraphs (2) or (3) of this Article shall make such arrangements as they consider to be reasonably necessary for the safety of the Vehicle in the place to which it is removed and the Council shall not be liable for any loss or damage caused to the Vehicle or its contents as a result of its being moved within a Parking Place or removed from a Parking Place under the provisions of this Order, excepting that resulting from the negligence of the Council or its contractors.

24. The provisions of this Article shall apply to the Parking Place described in Column 1 of the Schedule to this Order as "South Street, Farnham".
Between 08.00 hours and 18.30 hours on any day other than Christmas Day, any Vehicle which has been removed from a Parking Bay in the Parking Place specified in this Schedule to this Order shall not again be left in the same Parking Place until a period of two hours has elapsed since it was so removed.

25. The provisions of this Article shall apply to the Parking Place described in Column 1 of the Schedule to this Order as "Council Offices, Godalming".
Between 08.00 hours and 18.30 hours on the days of Monday to Friday inclusive, excluding Christmas Day, no Vehicle may be left in the Parking Place unless it displays a valid Staff Parking Permit, Member Parking Permit or a Visitors Permit issued by the Council.

26. The provisions of this Article shall apply to the Parking Place described in Column 1 of the Schedule to this Order as "Woolsack Way, Godalming".
Between 08.00 hours and 18.30 hours on the days of Monday to Friday inclusive excluding Christmas Day, no Vehicle may be left in the Parking Place unless it displays a valid Parking Permit.

27. The provisions of this Article shall apply to the Parking Places described in Column 1 of the Schedule to this Order as "Weydown Road, Haslemere", 'Tanners Lane' "Meadow, Farncombe" and "North Street, Farncombe".
The maximum period for which Vehicles may wait in these Parking Places shall be seven days provided a Parking Ticket valid for the period/waiting is displayed at all times in accordance with Article 12 of this Order.

28. The provisions of this Article shall apply to the Parking Places described in

Column 1 of the Schedule to this Order as “Meadrow, Farncombe”, “Coach and Lorry Park”.

The class or classes of Vehicles authorised to use that part of the Parking Place so delineated shall include Goods Vehicles, Heavy Goods Vehicles, coaches and other public service vehicles.

All other provisions of the Order shall apply to that Parking Place.

29. The provisions of this Article shall apply to the Parking Place described in

Column 1 of the Schedule to this Order as “Waggon Yard, Farnham”
No Vehicle may be left in the Parking Bay within the Parking Place marked as ‘reserved’
unless an appropriate Parking Permit issued by the Council is displayed.
All other provisions of the Order shall apply to that Parking Place.

REVOCATION

25. The Waverley Borough Council (Off-Street Parking Places) Order 2017 (as amended) is hereby revoked.

The Common Seal of the Borough)
Council of Waverley was here unto)
affixed in the presence of)
Authorised Officer

**HE WAVERLEY BOROUGH COUNCIL
(OFF-STREET PARKING PLACES) ORDER 2020
SCHEDULE**

The following is a list of the classes of vehicles permitted to wait in the Parking Places named in this schedule.

- (i) Motor cars within the provisions of Section 136(2) of the Act of 1984
- (ii) Motorcycles as defined in Section 136(4) of the Act of 1984
- (iii) Motor vehicles constructed or adapted for use for the conveyance of goods
- (iv) Invalid carriages within the provisions of Section 136(5) of the Act of 1984
- (v) Disabled persons' vehicles

SCHEDULE (PART I)

Location of Parking Place	Maximum wait	Charging Period	Charging Days	Scale of Charges
GODALMING				
1. Crown Court	24 hours	8.00am - 6.30pm	Monday to Saturday	See Schedule of charges. Season Permit See Schedule of charges.
2. South Street	24 hours	8.00am - 6.30pm	Monday to Saturday	See Schedule of charges.
3. Mint Street	24 hours	8.00am - 6.30pm	Monday to Saturday	See Schedule of charges.
4. Mill Lane 5. Council Offices (All spaces, - Designated 'staff' spaces)	24 hours 24 hours	8.00am - 6.30pm 8.00am - 6.30pm	Monday to Saturday Saturday only	See Schedule of charges. See Schedule of charges.
6. Queen Street	24 hours	8.00am - 6.30pm	Monday to Saturday	See Schedule of charges. Season Permit See Schedule of charges.
7. Croft Road	24 hours	8.00am - 6.30pm	Monday to Saturday	See Schedule of charges. Season Permit See Schedule of charges.
8. Meadow	7 days	8.00am - 6.30pm	Monday to Saturday	See Schedule of charges. Season Permit See Schedule of charges.

9. North Street	7 days	8.00am - 6.30pm	Monday to Friday Saturday Monday to Saturday	See Schedule of charges. Season Permit See Schedule of charges.
10. Station Lane, Milford	24 hours	8.00am - 6.30pm	Monday to Saturday	See Schedule of charges. Season Permit See Schedule of charges.
11. Godalming Leisure Centre	24 hours		Monday to Sunday	Special £86.00 per annum No charge
FARNHAM				
12. Central	24 hours	8.00am - 6.30pm	Monday to Saturday	See Schedule of charges.
13. South Street	Max stay 4 hour. No return within 2 hours	8.00am - 6.30pm	Monday to Saturday	See Schedule of charges.
14. Lower Hart	24 hours	8.00am - 6.30pm	Monday to Saturday	See Schedule of charges.
15. Upper Hart	24 hours	8.00am - 6.30pm	Monday to Saturday	See Schedule of charges. Season Permit See Schedule of charges.
16. Waggon Yard	24 hours	8.00am - 6.30pm	Monday to Saturday	See Schedule of charges. Season Permit See Schedule of charges.
17. St James	24 hours	8.00am - 6.30pm	Monday to Saturday	See Schedule of charges. Season Permit See Schedule of charges.
18. Riverside 1	24 hours	8.00am - 6.30pm	Monday to Saturday	See Schedule of charges. Season Permit See Schedule of charges.
19. Riverside 2 & Riverside 3	24 hours	8.00am - 6.30pm	Monday to Saturday	See Schedule of charges. Season Permit See Schedule of charges.

20.Farnham Leisure Centre	24 hours	8.00am - 6.30pm	Monday to Saturday	See Schedule of charges.
21. Frensham Great Pond	24 hours	9.00am – 7.00pm	Monday to Sunday	See Schedule of charges.
HASLEMERE				
22. High Street	24 hours	8.00am - 6.30pm	Monday to Saturday	See Schedule of charges.
23. Chestnut Avenue	24 hours	8.00am - 6.30pm	Monday to Saturday	See Schedule of charges. Season Permit See Schedule of charges.
24. Weydown Road	7 days	8.00am - 6.30pm	Monday to Friday Saturday Monday to Saturday	See Schedule of charges. Season Permit See Schedule of charges.
25. Tanners Lane	7 days	8.00am - 6.30pm	Monday to Saturday	See Schedule of charges. Season Permit See Schedule of charges.
26. Wey Hill (Long Stay)	24 hours		Monday to Sunday	No charge
27 Wey Hill (Short Stay)	Maximum Stay 4 hours		Monday to Sunday	No charge
28. Beacon Hill, Hindhead	24 hours		Monday to Sunday	No charge
29. Heather Way, Hindhead	24 hours		Monday to Sunday	No charge
CRANLEIGH				
30. Lucks Green	24 hours		Monday to Saturday	No charge
31. Village Way	24 hours	8.00am - 6.30pm	Monday to Saturday	See Schedule of charges. Season Permit See Schedule of charges.

32. Stocklund Square	24 hours	8.00am - 6.30pm	Monday to Saturday	See Schedule of charges. Season Permit See Schedule of charges.
33. Snoxhall Fields	Monday to Friday maximum stay 3 hours Saturday maximum stay 4 hours	8.00am – 6.30pm	Monday to Saturday	See schedule of charges No charge
BRAMLEY				
33. Library	Max stay 2 hours,- no return within 2 hours	8:00am-6:30pm	Monday to Sunday	No charge
34. Bramley car park	24 hours		Monday to Sunday	No charge

PART II – COMMERCIAL VEHICLE PARKING

35.Meadrow, Farncombe coach and lorry park (goods vehicles, heavy Goods vehicles, coaches and public service vehicles)	Weekdays- After 6:30pm until 8am; Weekends- anytime	Weekdays- After 6:30pm until 8am; Weekends- anytime	Monday to Saturday	See Schedule of charges.
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PART III – OFF-PEAK PARKING PERMIT / CONTRACT PARKING PERMIT AND DISABLED PERSON'S BADGE

OFF-PEAK PARKING PERMIT	As specified in Article 12 (15)(iii) of the Order. Available in the following car parks:- Chestnut Avenue	8.00 am - 9.30 am 4.30 pm – 6.30 pm (weekdays) 8.00 am - 6.30 pm(Saturdays)	Monday to Saturday	See Schedule of charges
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	Croft Road Crown Court Central High Street Meadow North Street Queen Street Riverside 1 Riverside 2 Riverside 3 St James Station Lane Stocklund Square Village Way Tanners Lane Weydown Road Upper Hart Waggon Yard			
CONTRACT PARKING PERMIT				
FARNHAM				
36.Upper Hart	24 hours	Monday to Saturday	See Schedule of charges.	
37.LocalityOffice (rear of)	24 hours	Monday to Saturday	See Schedule of charges.	
GODALMING				
38.Council Offices Car Park (The Bury's) - designated Council staff parking bays	5 days	Monday to Friday	In accordance with conditions of use of staff parking permit	
39.Woolsack Way - designated Council staff car park	5 days	Monday to Friday	In accordance with conditions of use of staff parking permit	
DISABLED PERSONS BADGE USE				
In a bay reserved for blue badge holders	Maximum stay 3 hours		See Schedule of charges	

PART V – PENALTY CHARGES					
No.	Contravention description	Penalty Charge	Reduced amount if paid within 14 days of issue	Charge Certificate	Traffic Enforcement Centre Registration Fee
74	Using a vehicle in a Parking Place in connection with the sale or offering or exposing for sale of goods when prohibited	£70	£35	£105	£8
80	Parked for longer than the maximum period permitted	£50	£25	£75	£8
81	Parked in a restricted area of the car park	£70	£35	£105	£8
82	Parked after the expiry of paid for time	£50	£25	£75	£8
83	Parked in a car park without clearly displaying a valid Parking Ticket or voucher or parking clock	£50	£25	£75	£8
85	Parked in Parking Permit bay without clearly displaying a valid permit	£70	£35	£105	£8
86	Parked beyond the bay markings	£50	£25	£75	£8
87	Parked in a designated disabled person's parking space without displaying a valid Disabled Person's Badge in the prescribed manner.	£70	£35	£105	£8
89	Vehicle parked exceeds maximum weight or height or length permitted in the area	£70	£35	£105	£8
91	Parked in a car park or area not designated for that class of vehicle	£70	£35	£105	£8
92	Parked causing an obstruction	£70	£35	£105	£8
95	Parked in a Parking Place for a purpose other than the designated purpose for the Parking Place	£50	£25	£75	£8

Tom Horwood
Chief Executive
Waverley Borough Council,
Council Offices,
The Burys,
Godalming,
Surrey
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