

HAMPSHIRE COUNTY COUNCIL

THE HAMPSHIRE (THE BOROUGH OF GOSPORT (SHAFTESBURY ROAD (NORTH) (RESIDENTS PARKING SCHEME) (NO.3) ORDER 1993 (AMENDMENT NO. 1) ORDER 2020

Hampshire County Council in exercise of its powers and duties under sections 1, 2, 3, 4, 45, 46, 49, 51, 122 (1) and 122 (2) of Road Traffic Regulation Act 1984 ("the Act"), Part IV of Schedule 9 to the Act, and of all other enabling and amending legislation and powers, and after consultation with the Chief Officer of Police in accordance with Part III of Schedule 9 to the Act, hereby makes the following Order:

1. This Order shall come into force on *27th June* 2020 and may be cited as The Hampshire (The Borough of Gosport (Shaftesbury Road (North) (Residents Parking Scheme) (No.3) Order 1993 (Amendment No. 1) Order 2020.
2. The Interpretation Act 1978 shall apply to this Order as it applies for the interpretation of an Act of Parliament.
3. In this Order "the 1993 Order" means the The Borough of Gosport (Shaftesbury Road (North)) (Residents Parking Scheme) (No.3) Order 1993.
4. For the purposes of the Order the following expressions have the meanings hereby assigned to them and shall also be inserted into Article 18 of the 1993 Order:

"Permit Holder" means a person to whom a permit or virtual parking permit has been issued under the provisions of this Order"

"telephone or electronic payment system" means an electronic system, using a telephone connection or electronic application set up and maintained by the service provider whereby:

- (a) the driver of a vehicle, or some other person authorised by that driver on their behalf, uses a telephone or electronic device to communicate with the service provider and make payment of the parking charge in respect of a specified vehicle and parking place in which the vehicle is left and for a specified parking period by use of a credit or debit card; and
- (b) the service provider, on behalf of the Council, accepts payment of the parking charge by the method referred to in paragraph (a) of this definition and records such payment together with the parking period for which payment has been made, the parking place in which the vehicle is left and the registration mark of the vehicle in respect of which payment has been made:

"virtual parking permit" means an electronic record of a permit issued and confirmed by the Council to exempt a vehicle from a restriction under the terms and charges applicable at the time of issue:

5. Article 2 of the 1993 Order shall be deleted and replaced with the following:

“Save as provided in Article 15 no person shall, except upon the direction or with the permission of a police constable in uniform or of a traffic warden, cause or permit any vehicle to wait on any day between 8am-6pm (hereinafter referred to as “the restricted hours”) in the area (hereinafter referred to as “the area”) specified in the Schedule to this Order, unless a valid permit is issued in accordance with the provisions of this Order is displayed on the vehicle in the manner specified in Article 10 of this Order, or the permit holder has obtained a valid virtual parking permit which exempts them from displaying a parking permit.”

6. Article 3 (1) of the 1993 Order shall be deleted and replaced with the following:

“Any resident who is the owner of a vehicle of the following class, that is to say a passenger vehicle, a light goods vehicle or a motor cycle, may apply for the issue of a virtual parking permit for the leaving of that vehicle using the telephone or electronic payment system, and shall include the particulars and information required to be supplied and shall be accompanied by a remittance for such charge specified in Article 7 of this Order as is appropriate in respect of the permit for which application is being made.”

7. Article 3 (4) of the 1993 Order shall be deleted and replaced with the following:

“The Council may at any time require an applicant for a permit or a permit holder to produce to an officer of the Council such evidence in respect of an application for a permit made to them as they may reasonably require to verify any particulars or information given to them or in respect of any permit issued by them as they may reasonably require to verify that the permit is valid. In respect of a virtual parking permit the officer of the Council can access the record of the virtual parking permit by a hand-held device, on the electronic database approved by the Council.”

8. Article 3 (4) (a) of the 1993 Order shall be deleted and replaced with the following:

“One virtual parking permit for the leaving during the restricted hours in a parking space of the vehicle to which such permit relates by the owner of such vehicle or by any person using such vehicle with the consent of the owner other than a person to whom such vehicle has been let for hire or reward: Provided that, subject to the provisions of Article 5 of this Order, the Council shall not issue a virtual parking permit to any resident which would be valid for any period during which any other permit or virtual parking permit issued to that resident is or would be valid;”

9. Article 3 (4) (b) of the 1993 Order shall be deleted

10. Article 3 (5) (a) of the 1993 Order shall be deleted and replaced with the following:

“One virtual visitors parking permit for the leaving during the restricted hours for a period not exceeding one day in a parking space to which such permit relates by the owner of such vehicle or by any person using such vehicle with the consent of the owner other than a person to whom such vehicle has been let for hire or reward: Provided that, subject to the

provisions of Article 5 of this Order, the Council shall not issue a virtual visitors parking permit to any resident which would be valid for any period during which any other visitors permit or virtual visitors parking permit issued to that resident is or would be valid;"

11. Article 3 (5) (b) of the 1993 Order shall be deleted
12. Article 5 of the 1993 Order shall be deleted and replaced with the following:
 - (1) "If a permit is mutilated or accidentally defaced or the figures or particulars thereon have become illegible or the colour of the permit has become altered by fading or otherwise, the permit holder shall either surrender it to the Council or apply to the Council for the issue to him of a duplicate virtual parking permit and the Council, upon the receipt of the permit and the appropriate fee specified in Article 7 of this Order, shall issue a duplicate or replacement virtual parking permit on an electronic database approved by the Council, and upon such issue, the original permit shall become invalid.
 - (2) If the permit is lost or destroyed, the permit holder may apply to the Council for the issue to him of a duplicate virtual parking permit and the Council, upon being satisfied as to such loss or destruction and upon receipt of the appropriate fee specified in Article 7 of this Order, shall issue a duplicate/replacement virtual parking permit on an electronic database approved by the Council and upon such issue, the original permit shall become invalid.
 - (3) The provisions of this Order shall apply to a duplicate permit or virtual parking permit and an application therefore as if it were a permit or virtual parking permit or as the case may be an application therefor."
13. Article 6 of the 1993 Order shall be deleted and replaced with the following:
 - (1) "A resident's permit shall either be in the form of a virtual resident's parking permit, the record of which can be accessed by a hand held device, on the electronic database approved by the Council, or the resident's permit shall be in writing and coloured pink. The resident's permit shall include the following particulars: -
 - (a) The registration mark of the vehicle in respect of which the permit has been issued:
 - (b) The period during which, subject to the provisions of Article 4(4) of this Order, the permit shall remain valid:
 - (c) An indication that the permit has been issued by the Council; and
 - (d) The hours during which the vehicle in respect of which the permit has been issued may be left in the area.
 - (2) A visitor's permit shall either be in the form of a virtual visitor's parking permit, the record of which can be accessed by a hand held device, on the electronic database approved by the Council, or the visitor's permit shall be in writing and coloured green. The visitor's permit shall include the following particulars: -
 - (e) The name and address of the person to whom the permit is issued:

- (f) The period during which, subject to the provisions of Article 4(4) of this Order, the permit shall remain valid:
- (g) An indication that the permit has been issued by the Council; and
- (h) The hours during which the vehicle in respect of which the permit has been issued may be left in the area.”

14. Article 7 of the 1993 Order shall be deleted and replaced with the following:

“The charge in connection with the issue of a permit for the leaving of a vehicle in the area during the permitted hours shall, subject as hereinafter provided, be either

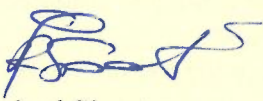
- (a) £20 in respect of a resident’s permit for any period during the permitted hours in any period of 12 months running from the beginning of the month in which the permit first becomes valid.
- (b) Any resident permit holder is eligible for 100 visitor’s permits for free for any period during the permitted hours not exceeding one day from the date on which the permit first becomes valid.”

15. Article 10 of the 1993 Order shall be deleted and replaced with the following:

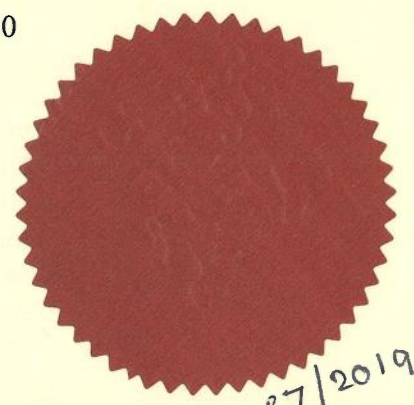
“At all times during which the vehicle is left in the area during the permitted hours there shall be displayed in a protective cover on the front of the vehicle a valid permit issued in respect of that vehicle so that all particulars referred to in Article 7 of this Order are readily visible from the front of the vehicle, unless the permit holder has obtained a virtual parking permit which exempts them from displaying a permit.”

GIVEN this 17th day of June 2020

THE COMMON SEAL of HAMPSHIRE)
 COUNTY COUNCIL was hereunto affixed)
 in the presence of:)



Authorised Signatory



37/2019