

**THE BOROUGH OF FAREHAM DRAFT
(OFF-STREET PARKING PLACES) (AMENDMENT 3) ORDER 2021**

Fareham Borough Council in exercise of its powers under Sections 32, 35 and Part IV of Schedule 9 of the Road Traffic Regulation Act 1984 (“the Act”) and of all other enabling powers, with the consent of the Hampshire County Council pursuant to Section 39(3) of the Act 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:

CITATION

- 1 This Order shall come into operation on XXXX and may be cited as The Borough of Fareham (Off-Street Parking Places) (Amendment 3) Order 2021.

INTERPRETATION

- 2 In this Order:
- (i) “Principal Order” shall mean The Borough of Fareham (Off-Street Parking Places) Consolidation Order 2017 (as amended).
 - (ii) Except where otherwise stated, any reference to an Article or Schedule shall be construed as a reference to that Article or Schedule in this Order.
 - (iii) Any reference to an enactment shall be construed as a reference to that enactment as amended by any subsequent enactments.

AMENDMENTS

- 3 The words “Schedule 7” in Article 1 of the Principal Order shall be substituted for “Schedule 9”.

- 4 Article 2 of the Principal Order shall be amended as follows

- (i) The definition of “Official Permit” and “Permit” shall be deleted and replaced by

“Official Permit” and “Permit” means a parking permit which states “AUTHORISED PARKING”, issued by the Council to park in a car park or designated parking place(s) as specified on the parking permit or virtual permit issued by Fareham Borough Council.

- (ii) After the definition of “Coach” the following wording shall be inserted

“Coastal Car Park” has the meaning of being one, or all, of the following car parks or Parking Places: Swanwick Shore Road, Passage Lane, Shore Road, Meon Shore, Hove-to, Salterns Road, Monks Hill.

- (iii) The definition of “Parking Place” shall be deleted and replaced by

“Parking Place” means an area of land or building specified by name in column 1 of Schedules 2, 3, 4, 5, 6, 7 and 8 to this Order and shown for indicative purposes only on the relevant plan attached to this Order provided by the Council under Section 32(1) of the Act for the purpose of Vehicle parking and not closed (in whole or part) by a Notice erected thereon by authority of the Council.

(iv) The definition of "Season Ticket" shall be deleted and replaced by

"Season Ticket" means a virtual or physical season ticket issued by the Council, to a vehicle registered with the Council specifying the designated parking place(s) in which the Vehicle is permitted to be left

(v) The definitions of "Ticket", "Parking Ticket" and "Pay and Display Tickets" shall be deleted and replaced by

"ticket", "parking ticket" and "pay and display tickets" means a ticket or virtual ticket issued by the Council pursuant to this Order and indicating the charge that has been paid, the time at the beginning of the period for which payment was made and/or the time when the period expires

5 Article 3 of the Principal Order (save for the heading) shall be deleted and replaced by

"Each Parking Place specified in Column 1 of Schedules 2, 3, 4, 5, 6, 7 and 8 to this Order may be used, subject to the following provisions of this Order, for the parking of Vehicles only of such class or classes as are specified in Column 2 of the said Schedules and only in the position specified in Column 3 of the said Schedules."

6 Article 4 of the Principal Order (save for the heading) shall be deleted and replaced by

(1) "No Vehicle drawing a Trailer or the Trailer itself shall be left in any Parking Place specified in Column 1 of Schedules 2, 3, 4, 5, 6, 7 and 8 to this Order where Trailers are excepted under Column 2 of the said Schedules.

(2) For the purpose of this Order:-

(a) The drawing Vehicle and the Trailer shall be deemed to be separate Vehicles

(b) Each of the Vehicles must be parked wholly in accordance with the provisions of this Order save that:-

(i) any parking ticket referred to in Article 21 of this Order in respect of the Trailer shall be displayed in the Relevant Position on the drawing Vehicle

(ii) any Penalty Charge Notice issued in respect of the Trailer shall be attached to the drawing Vehicle or if the drawing Vehicle is not present in the Parking Place the Notice of Charge shall be affixed to the Trailer."

7 Article 8 of the Principal Order (save for the heading) shall be deleted and replaced by

"Where in Schedules 2, 3, 4, 5, 6, 7 and 8 to this Order a Parking Place is described as available on specified days, during specified hours or for a maximum period of stay, no person shall permit a Vehicle to wait in that Parking Place on any day, during such hours or for any period other or longer than those specified."

8 Article 10 of the Principal Order (save for the heading) shall be deleted and replaced by

(1) "A Civil Enforcement Officer or any other person duly authorised by the Council may in a case of emergency, move or cause to be moved, Vehicles Left in a Parking Place, to any place he thinks fit.

(2) Where a Vehicle is Left in a Parking Place in a position other than that specified in Column 2 of Schedules 2, 3, 4, 5, 6, 7 and 8 to this Order, a Civil Enforcement Officer or any other person duly authorised by the Council may move the Vehicle or cause it to be moved to a position which complies with that specified in Column 2 of that Schedule."

9 Article 19 of the Principal Order (save for the heading) shall be deleted and replaced by

“The driver of a Vehicle using one of the Pay and Display Parking Places listed in Schedules 3, 4 and 8 shall upon leaving the Vehicle in the Parking Place, purchase a pay and display ticket or virtual pay and display ticket at the level of charge and for the period required in accordance with the scale of charges specified in the relevant Schedule.”

10 Article 21 of the Principal Order (save for the heading) shall be deleted and replaced by

“Any Vehicle left in a Pay and Display Parking Place shall have displayed upon it in the Relevant Position throughout the period that the Vehicle is left in the Parking Place a pay and display ticket which covers the entire period that the Vehicle is left in the Parking Place SAVE FOR where a virtual pay and display ticket has been purchased.”

11 Article 24 of the Principal Order (save for the heading) shall be deleted and replaced by

“If at any time while a Vehicle is left in a Pay and Display Parking Place no pay and display ticket is displayed on that Vehicle in the Relevant Position it shall be deemed that the charge has not been paid SAVE WHERE a virtual pay and display ticket has been purchased.”

12 Article 27 of the Principal Order shall be deleted and replaced by

“Season Tickets

(1) “The driver of a Vehicle left strictly in accordance with the provisions of this Order in the Outer Car Parks and Coastal Car Parks shall be exempt from payment of any parking charge if a valid Season Ticket, in accordance with paragraph 2 of this Article, has been purchased from the Council for that particular Parking Place and, where applicable, that Vehicle is registered with the Council as having a valid Season Ticket and (where the Council has issued a physical Season Ticket) the Season Ticket is displayed on the Vehicle in the Relevant Position and the registration number, if any, displayed on the Season Ticket matches the registration number of the Vehicle. FOR THE AVOIDANCE OF DOUBT if any Vehicle is left in any of the parking places specified as an Outer Car Park or Coastal Car Park in such a manner as not to comply with Articles 3 to 8 and 13 to 15 of this Order, a contravention shall have occurred irrespective of whether or not a valid Season Ticket has been purchased, is displaying the correct registration number and, if relevant, displayed in the Relevant Position.

(2) A Season Ticket will only be valid when :-

- (a) it has been purchased from the Council; and
- (b) it has been registered with the Council for the Vehicle specified at the time of purchase or (where the Council has issued a physical Season Ticket) the registration number printed on the Season Ticket (if any) matches the registration number of the Vehicle in which it is displayed; and
- (c) it is for the period specified at the time of purchase.

(3) The prices of the Season Tickets referred to in this Article are given in Schedule 1 to this Order.”

- 13** Article 28 of the Principal Order (save for the heading) shall be deleted and replaced by
- “When a pay and display ticket or Season Ticket or Official Permit has been exhibited on a Vehicle in the Relevant Position no person shall remove the pay and display ticket or Season Ticket or Official Permit from the Vehicle until the Vehicle is removed from the Parking Place.”
- 14** Article 29 of the Principal Order (save for the heading) shall be deleted and replaced by
- “If a Vehicle is left in or driven in a Parking Place referred to in Schedules 2, 3, 4, 5, 6, 7 and 8 to this Order without complying with the requirements of this Order, a contravention shall have occurred and a Penalty Charge shall be payable. A Penalty Charge Notice showing the information required by the Civil Enforcement of Parking Contraventions (England) General Regulations 2007 or any subsequent replacement regulations can be issued by a Civil Enforcement Officer.”
- 15** Article 36 of the Principal Order (save for the heading) shall be deleted and replaced by
- “The driver of a Vehicle left in a Parking Place strictly in accordance with the provision of this Order shall be exempt from payment of any parking charge on Mondays to Fridays excluding recognised Bank Holidays if an Official Permit has been issued by the Council and:
- (i) (where the Council has issued a virtual Official Permit) that Vehicle is registered with the Council as having an Official Permit; or
 - (ii) (where the Council has issued a physical Official Permit) the Official Permit is displayed on the Vehicle in the Relevant Position.”
- 16** Article 37 of the Principal Order (save for the heading) shall be deleted and replaced by
- “A Motor Cycle which is Left in a Parking Place specified in Schedules 2, 3, 4, 5, 6, 7 and 8 hereto in the position specified for such Vehicles in column 3 thereof shall be exempt from payment of the Parking Charge. FOR THE AVOIDANCE OF DOUBT if a Motor Cycle is Left in a Parking Place in a bay not reserved for such Vehicles when such bays are provided in that Parking Place, a contravention will have occurred.”
- 17** The contents of Schedule 1 to this Order shall be inserted into Schedule 1 of the Principal Order.
- 18** The contents of Schedule 2 to this Order shall be inserted into a new Schedule 8 of the Principal Order.
- 19** Schedule 8 of the Principal Order shall be re-numbered now become Schedule 9 to the Principal Order.
- 20** The contents of Schedule 3 to this Order shall be deleted from Schedule 6 of the Principal Order.
- 21** The contents of Schedule 4 to this Order shall be deleted from Schedule 5 of the Principal Order.
- 22** The contents of Schedule 5 to this Order shall be inserted into Schedule 5 of the Principal Order.

THE COMMON SEAL of
FAREHAM BOROUGH COUNCIL
was hereunto affixed this day of
2021

in the presence of:

Authorised Signatory

Schedule 1 – Coastal Car Parks Season Ticket Prices

Swanwick Shore Road, Passage Lane, Shore Road, Meon Shore, Hove-to, Salterns Road, Monks Hill

	Annual Permit
Coastal Car Parks Season Ticket	£80

Schedule 2– Pay and Display Coastal Car Parks

Schedule 8

Name of Parking Place	Classes of Vehicles	Position in which Vehicles may wait	Maximum Period for which Vehicles may wait	Price	Parking Ticket Period
Swanwick Shore Road Car Park Lower Swanwick	All Vehicles except a) Goods Vehicles exceeding 1525kg unladen weight; b) Passenger Vehicles adapted to carry more than 12 passengers exclusive of the driver	Wholly within a Bay not reserved for any other class of Vehicle or person. Motorcycles may only wait within a Bay marked "Motor Cycles Only". Trailers only (unattached to vehicle) must be parked in designated trailer bays.	4 hours from 1 April – 30 September inclusive, no return within 4 hours	£1 an hour up to a maximum of 4 hours between the hours of 10am – 6pm each day (1 April - 30 September inclusive)	Charging period to be between the hours of 10am – 6pm each day
			12 Hours from 1 October – 31 March inclusive	£1 an hour up to a maximum of 6 hours between the hours of 10am – 6pm each day (1 October – 31 March inclusive)	

Passage Lane	All Vehicles except a) Goods Vehicles exceeding 1525kg unladen weight; b) Motorcycles and c) Passenger Vehicles adapted to carry more than 12 passengers exclusive of the driver	Wholly within a Bay not reserved for any other class of Vehicle or person. Trailers only (unattached to vehicle) must be parked in designated trailer bays.	12 Hours 14 days for Season Ticket holders, no return to any Coastal Car Park within 7 days (otherwise than for a maximum period of 4 or 12 hours as set out above)	£1 an hour up to a maximum of 6 hours between the hours of 10am – 6pm each day	Charging period to be between the hours of 10am – 6pm each day
Shore Road Car Park Warsash	All Vehicles except a) Goods Vehicles exceeding 1525kg unladen weight b) Passenger Vehicles adapted to carry more than 12 passengers exclusive of the driver and c) trailers.	Wholly within a Bay not reserved for any other class of Vehicle or person. Motorcycles may only wait within a bay marked “Motorcycles only”.	4 hours from 1 April – 30 September inclusive, no return within 4 hours 12 hours from 1 October – 31 March inclusive	£1 an hour up to a maximum of 4 hours between the hours of 10am – 6pm each day (1 April – 30 September inclusive) £1 an hour up to a maximum of 6 hours between the hours of 10am – 6pm each day (1 October – 31 March inclusive)	Charging period to be between the hours of 10am – 6pm each day

Meon Shore Car Park Hill Head	All Vehicles except a) Goods Vehicles exceeding 1525kg unladen weight; b) Passenger Vehicles adapted to carry more than 12 passengers exclusive of the driver	Wholly within a Bay not reserved for any other class of Vehicle or person. In a position not causing obstruction to any access, exit or internal circulating route or vehicles.	12 Hours	£1 an hour up to a maximum of 6 hours between the hours of 10am – 6pm each day	Charging period to be between the hours of 10am – 6pm each day
Hove-to Car Park Hill Head	All Vehicles except a) Goods Vehicles exceeding 1525kg unladen weight; b) Passenger Vehicles adapted to carry more than 12 passengers exclusive of the driver and C) trailers.	Wholly within a Bay not reserved for any other class of Vehicle or person. Motorcycles may only wait within a bay marked “Motorcycles only”.	12 Hours 14 days for Season Ticket holders, no return to any Coastal Car Park within 7 days (otherwise than for a maximum period of 4 or 12 hours as set out above)	£1 an hour up to a maximum of 6 hours between the hours of 10am – 6pm each day	Charging period to be between the hours of 10am – 6pm each day
Salterns Road Car Park Hillhead	All Vehicles except a) Goods Vehicles exceeding 1525kg unladen weight; b) Passenger Vehicles adapted to carry	Wholly within a Bay not reserved for any other class of Vehicle or person. Motorcycles may only wait within a bay marked “Motorcycles only	12 Hours	£1 an hour up to a maximum of 6 hours between the hours of 10am – 6pm each day	Charging period to be between the hours of 10am – 6pm each day

	more than 12 passengers exclusive of the driver and c) trailers.				
Monks Hill Car Park, Hill Head	All Vehicles except a) Goods Vehicles exceeding 1525kg unladen weight; b) Passenger Vehicles adapted to carry more than 12 passengers exclusive of the driver and C) trailers.	Wholly within a Bay not reserved for any other class of Vehicle or person. Motorcycles may only wait within a bay marked "Motor Cycles Only".	12 Hours	£1 an hour up to a maximum of 6 hours between the hours of 10am – 6pm each day	Charging period to be between the hours of 10am – 6pm each day

Schedule 3

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Name of Parking Place	Classes of Vehicles	Position in which Vehicle may wait	Maximum Period for which Vehicles may wait
Swanwick Shore Road Car Park Lower Swanwick	All Vehicles except a) Goods Vehicles exceeding 1525kg unladen weight; and b) Passenger Vehicles adapted to	Wholly within a Bay not reserved for any other class of Vehicle or person.	12 Hours except Official Permit holders

	carry more than 12 passengers exclusive of the driver	Trailers only (unattached to vehicle) must be parked in designated trailer bays. Motor Cycles may only wait within a Bay marked "Motor Cycles Only"	
Salterns Road Car Park, Hill Head	All Vehicles except a) Goods Vehicles exceeding 1525kg unladen weight; b) Passenger Vehicles adapted to carry more than 12 passengers exclusive of the driver and C) trailers.	Wholly within a Bay not reserved for any other class of Vehicle or person. Motor Cycles may only wait within a Bay marked "Motor Cycles Only"	12 Hours except Official Permit holders
Passage Lane Car Park, Warsash	All Vehicles except a) Goods Vehicles exceeding 1525kg unladen weight; b) Motor Cycles and c) Passenger Vehicles adapted to carry more than 12 passengers exclusive of the driver	Wholly within a Bay not reserved for any other class of Vehicle or person. Trailers only (unattached to Vehicle) must be parked in designated trailer bays	12 Hours except Official Permit holders
Meon Shore Car Park, Hill Head	All Vehicles except a) Goods Vehicles exceeding 1525kg unladen weight; and b) Passenger Vehicles adapted to	Wholly within a Bay not reserved for any other class of Vehicle or person	12 Hours except Official Permit holders

	carry more than 12 passengers exclusive of the driver	In a position not causing obstruction to any access, exit or internal circulating route or Vehicles	
Monks Hill Car Park, Hill Head	All Vehicles except a) Goods Vehicles exceeding 1525kg unladen weight; and b) Passenger Vehicles adapted to carry more than 12 passengers exclusive of the driver; and c) trailers	Wholly within a Bay not reserved for any other class of Vehicle or person. Motor Cycles may only wait within a Bay marked "Motor Cycles Only"	12 Hours except Official Permit holders

Schedule 4

Name of Parking Place	Classes of Vehicles	Position in which Vehicle may wait	Maximum Period for which Vehicles may wait

Shore Road Warsash	All Vehicles except a) Goods Vehicles exceeding 1525kg unladen weight; b) Passenger Vehicles adapted to carry more than 12 passengers exclusive of the driver and c) Trailers	Wholly within a Bay not reserved for any other class of Vehicle or person. Motor Cycles may only wait within a Bay marked "Motor Cycles Only"	4 hours from 1 April to 30 September 24 hours from 1 October to 31 March
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Schedule 5 – Warsash Road Car Park Warsash

Warsash Road Car Park Warsash	All Vehicles except a) Goods Vehicles exceeding 1525kg unladen weight; b) Passenger Vehicles adapted to carry more than 12 passengers exclusive of the driver and c) trailers.	Wholly within a Bay not reserved for any other class of Vehicle or person. Motor Cycles may only wait within a Bay marked "Motor Cycles Only".	4 Hours No return within 4 hours
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