

SOUTH HOLLAND DISTRICT COUNCIL (OFF-STREET PARKING PLACES) (CIVIL ENFORCEMENT) (AMENDMENT NO. 1) ORDER 2019

1. South Holland District Council (“the Council”) in exercise of its powers under sections 32 and 35 of the Road Traffic Regulation Act 1984, the Traffic Management Act 2004 and of all other enabling powers and with the consent of Lincolnshire County Council under section 39 of the Road Traffic Regulation Act 1984 and after consultation with the Chief Officer of Police in accordance with Part III of Schedule 9 to the 1984 Act, hereby makes the following Order.
2. This Order is supplemental to the South Holland District Council (Off-Street Parking Places) (Civil Enforcement) Order 2012 (“the Original Order”)
3. This Order shall come into operation on Monday 8 July 2019 and shall be cited as the South Holland District Council (Off-Street Parking Places) (Civil Enforcement) (Amendment No.1) Order 2019.
4. Definitions set out in the Original Order shall apply in this Order.
5. The Original Order is hereby amended as follows:

PART I – GENERAL

In Article 2(5) (Interpretation) the following definitions shall be added:

““electric vehicle” means any vehicle that uses for the purpose of propulsion (whether alone or in association with other sources of power) rechargeable batteries or other energy storage devices that can be restored to full charge by connecting a plug to an external electric power source”

““electric vehicle charging bay” means a parking bay which is available for use only for the parking of electric vehicles during the charging of such electric vehicles”

““payment card” means such bank credit or debit card, discount card or pre-payment card as may be used where such facility is advertised by notice at a parking place”

““payment method” means any method of payment for use of a parking place as may be required by this Order and as may be advertised by notice at each parking place including but not limited to insertion of appropriate coin or coins into a ticket machine or insertion of an appropriate payment card into a ticket machine or payment by any payment card or mobile phone in accordance with such instructions as may be advertised by notice at the parking place”

PART 2 – USE OF LAND AND PARKING PLACE

Articles 3(5)(a) to 3(5)(c) shall be added as follows:

“3. (5a) Where, within a parking place, there is a sign or surface marking which indicates that a parking bay is available only as an electric vehicle charging bay no person shall cause or permit a vehicle to park in that parking bay unless it is an electric vehicle and such vehicle is connected to the electric charging point provided for that parking bay and is being charged”

“3. (5b) Where an electric vehicle has been fully recharged the person in charge of the vehicle shall remove the electric vehicle from the electric vehicle parking bay and no electric vehicle shall remain in an electric vehicle charging bay unless that electric vehicle is being charged”

“3. (5c) An electric vehicle may within any parking place park within any parking bay which is not an electric vehicle parking bay subject to compliance with the terms of this Order”

PART 3 – CHARGES FOR PARKING

Article 4(2) shall be amended to read as follows:

“The charge referred to in paragraph (1) of this Article 4 shall be payable by any payment method as may be advertised by notice at such parking place”

PART 7 – LIABILITY AND OTHER PROVISIONS

Article 8(3) shall be amended to read as follows:

“No person shall with intent to defraud interfere with a ticket machine or operate or attempt to operate a ticket machine by the insertion of objects other than undamaged and unaltered coins or payment cards as may be validly accepted as a payment method in accordance with the provisions of this Order.”

THE COMMON SEAL of
SOUTH HOLLAND DISTRICT COUNCIL

was hereunto affixed this 28 day of
JUNE 2019 in the presence of:

S R Wolstholme



Authorised Signatory