

ROYAL BOROUGH OF KINGSTON UPON THAMES

**REMOVAL OF EXEMPTION TO PARK WITHOUT PAYMENT
(PROPOSAL NO. 141)**

THE KINGSTON UPON THAMES (PARKING PLACES) (AMENDMENT NO. *) ORDER 20**

DOCUMENTS FOR INSPECTION

1. The draft Order
2. Plans to indicate the locations and effect of the Order
3. The Council's statement of reasons for proposing to make the Order
4. A copy of the notice to appear in the Surrey Comet and the London Gazette on 25/11/2011

Available for inspection until further notice



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STATEMENT OF REASONS

The Council is making this proposal for reasons of clarity and consistency when enforcing on-street “pay & display” & “shared use” parking places. This proposal amends the Borough’s Traffic Management Orders so that no parking is permitted if no method of payment is available.

There exists some confusion about whether or not vehicles may park e.g. in a “pay & display” parking place if the ticket parking meter is out of order and the telephone payment parking system is unavailable. This proposal would ensure that no vehicle should park in a “pay & display” or “shared use” parking place unless payment is made or a valid permit is displayed.

Detailed particulars of this proposal are also available at www.kingston.gov.uk; search for ‘TMO’ (Traffic Management Orders).

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REMOVAL OF EXEMPTION TO PARK WITHOUT PAYMENT (PROPOSAL NO. 141)

THE KINGSTON UPON THAMES (PARKING PLACES) (AMENDMENT NO. *) ORDER 20**

1. NOTICE IS HEREBY GIVEN that the Council of the Royal Borough of Kingston upon Thames propose to make the above Order under sections 45, 46, 49 and 124 of and Part IV of Schedule 9 to the Road Traffic Regulation Act 1984, as amended.
2. The general effects of the Order would be to amend certain provisions of the Borough's on-street parking Orders so as to remove the existing exemption from payment of the parking charge at "pay and display" and "shared use" on-street parking places if no method of payment is available. If a vehicle is left in such a parking place without making payment either at a parking machine or by use of the telephone payment parking system, a penalty charge may be incurred (unless, if in a "shared use" parking place, the vehicle displays a valid permit).
3. The proposed Order and other documents giving more detailed particulars of the Order are available for inspection until 6 weeks have elapsed from the date on which either the Order is made or the Council decides not to make the Order at:
 - The Information and Advice Centre, Guildhall 2, Kingston upon Thames, KT1 1EU between 8.30 a.m. and 5.00 p.m. on Mondays to Fridays inclusive;
 - Kingston Library, Fairfield Road, Kingston, during normal opening hours;
 - New Malden Library, Sandal Road, New Malden, during normal opening hours;
 - Surbiton Library, Ewell Road, Surbiton, during normal opening hours;
 - Tolworth Community Library, 37-39 The Broadway, Tolworth, during normal opening hours; and
 - Tudor Drive Library, Tudor Drive, Kingston during normal opening hours.
4. For further information, telephone 'Place and Regeneration' on 020 8547 5002.
5. Any objections or other representations about the proposed Orders should be sent in writing (please quote Proposal No. 141) by 16th December 2011 to either;
The Director (Place and Regeneration), Traffic Order Section, Guildhall 2, Kingston upon Thames, Surrey, KT1 1EU or to **TMO@rbk.kingston.gov.uk**.
All objections must specify the grounds on which they are made.

Dated 25th November 2011.

JOHN BOLLAND

Service Manager (Traffic Management and Design)
(Place and Regeneration)

20** No. *

**THE KINGSTON UPON THAMES (PARKING PLACES)
(AMENDMENT NO. 2) TRAFFIC ORDER 20****

Made: * 20**

Coming into force: * 20**

The Council of the Royal Borough of Kingston upon Thames, after consulting the Commissioner of Police of the Metropolis, in exercise of the powers conferred by sections 45, 46, 49 and 124 of and Part IV of Schedule 9 of the Road Traffic Regulation Act 1984(a) as amended by section 8 of and Part I of Schedule 5 to the Local Government Act 1985(b), and of all other powers thereunto enabling, hereby make the following Order: -

Citation and commencement

1. This Order may be cited as the Kingston upon Thames (Parking Places) (Amendment No. 2) Order 20** and shall come into force on * 20**.

Interpretation

2. In this Order:

“enactment” means any enactment whether public general or local, and includes any Order, byelaw, rule, regulation, scheme or other instrument having effect by virtue of an enactment and any reference in this Order to any enactment shall be construed as a reference to that enactment as amended, applied, consolidated, re-enacted by or as having effect by virtue of any subsequent enactment.

Amendment of the Orders specified in the Schedule to this Order

- 3. Without prejudice to the validity of anything done or to any liability incurred in respect of any act or omission before the coming into force of this Order the Orders specified in column 1 of the Schedule to this Order (and any relevant amending Orders) shall have effect as though in each of those Orders, the part or parts of the Article specified in relation thereto in column 2 of the Schedule to this Order were deleted.

Dated this * day of * 20**.

**Service Manager (Traffic Management and Design)
Place and Regeneration
(The officer appointed for this purpose)**

SCHEDULE

Order (1)	Part(s) of Article deleted (2)
The Kingston upon Thames (Parking Places) (Special Parking Area) (Grove Area) (No.1) Traffic Order 2000 (<i>RBK 2000/16</i>)	14(2)
The Kingston upon Thames (Parking Places) (Canbury) (No.1) Traffic Order 2002 (<i>RBK 2002/38</i>)	12(2)
The Kingston upon Thames(Parking Places) (Kingston Hill) (No.1) Traffic Order 2003 (<i>RBK 2003/2</i>)	13(2)
The Kingston upon Thames (Parking Places) (Special Parking Area) (Canbury Gardens) (No.2) Traffic Order 2003 (<i>RBK 2003/11</i>)	12(2)
The Kingston upon Thames (Parking Places) (Tolworth) (No.1) Traffic Order 2003 (<i>RBK 2003/35</i>)	13(1)
The Kingston upon Thames (Parking Places) (Surbiton) (No.3) Traffic Order 2003 (<i>RBK 2003/61</i>)	14(1) 14(2) 14(4) 14(5)
The Kingston upon Thames (Parking Places) (Riverside) (No.1) Traffic Order 2003 (<i>RBK 2003/62</i>)	13(2)
The Kingston upon Thames (Parking Places) (Norbiton) (No.2) Traffic Order 2004 (<i>RBK 2004/3</i>)	12(2)
The Kingston upon Thames (Parking Places) (New Malden) (No.2) Traffic Order 2005 (<i>RBK 2005/35</i>)	14(2) 14(3)
The Kingston upon Thames (Parking Places) (Oakhill) (No.1) Traffic Order 2005 (<i>RBK 2005/49</i>)	12(2)
The Kingston upon Thames (Parking Places) (Villiers) (No.1) Traffic Order 2005 (<i>RBK 2005/50</i>)	12(2) 12(3)
The Kingston upon Thames (Parking Places) (Kingston) (No.2) Traffic Order 2008 (<i>RBK 2008/38</i>)	14(2) 14(3)
The Kingston upon Thames (Parking Places) (Berrylands) (No.1) Traffic Order 2008 (<i>RBK 2008/46</i>)	13(1)

EXPLANATORY NOTE

(This Note is not part of the Order, but is intended to indicate its general purport).

This Order amends the provisions of the Orders specified in the Schedule to this Order so as to remove the exemption from payment of the parking charge if no method of payment is available.