

**ROYAL BOROUGH OF KINGSTON UPON THAMES**

**PROPOSED REMOVAL OF PAYMENT MACHINES AT  
ON-STREET PARKING PLACES**

**(REF. KINGMAP0077)**

**The Kingston upon Thames (Charged-for Parking Places (Amendment No\*) 202\***

**DOCUMENTS FOR INSPECTION**

1. A copy of the notice to appear in the Surrey Comet and the London Gazette Thursday 6 April 2023
2. The Council's statement of reasons for proposing to make the Order.
3. The Draft Order

**ROYAL BOROUGH OF KINGSTON UPON THAMES**  
**PROPOSED REMOVAL OF PAYMENT MACHINES AT**  
**ON-STREET PARKING PLACES**

1. **NOTICE IS HEREBY GIVEN** that the Council of the Royal Borough of Kingston upon Thames propose to make the following Order The Kingston upon Thames (Charged-for Parking Places (Amendment No\*) 202\* under sections 6, 45, 46, 49 and 124 of and Part IV of Schedule 9 of the Road Traffic Regulation Act 1984, as amended.
2. The effect of the Order would be to remove the option for payment of the parking charge to be made using “pay & display” or “ticketless” machines at on-street parking places throughout the borough. All existing payment machines would be withdrawn.

Please note that payment of the parking charge would only be available:

- (a) by using the telephone payment parking system (“pay-by-phone”); and
  - (b) at “PayPoints” using cash or debit/credit card). PayPoints are available at various retail premises throughout the borough.
3. Copies of the proposed Order and of the Council’s Statement of Reasons for proposing to make the Order may be inspected as follows:
    - (a) online at <https://www.kingston.gov.uk/tmos-open-statutory-consultation>;;
    - (b) The Information and Advice Centre, Guildhall 2, Kingston upon Thames, KT1 1EU between 9am and 5pm Mondays to Fridays inclusive
    - (c) Council libraries; and
    - (d) copies of the proposed Order can also be obtained by calling 020 8547 5000 (between 9am and 5pm Mondays to Fridays); or
    - (e) by emailing [tmo@kingston.gov.uk](mailto:tmo@kingston.gov.uk) (please quote ref **KingMap 0077**).
  4. Any person desiring to object to the proposal or make any other representation in respect of it, should send a statement in writing to that effect and, in the case of an objection, stating the grounds thereof to the Council in this matter to Traffic Order Section, Guildhall 2, Kingston upon Thames, KT1 1EU or email [tmo@kingston.gov.uk](mailto:tmo@kingston.gov.uk) quoting reference **KingMap 0077** by **27 April 2023**.

Dated 6 April 2023.

JAYNE DANDO  
Head of Corporate Service - Highways and Transport

*Please Note: Persons responding to the Order should be aware that the Council may be legally obliged to disclose the information provided to third parties.*

## STATEMENT OF REASON

Saving is created by avoidance of monthly machine maintenance costs. Further costs will be avoided in future years as maintenance costs are expected to rise from 2024. Machines are reaching end of operational life - replacement of these assets is expected to cost £1.8m with potential costly upgrades.

**202\* No. \***

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The Kingston upon Thames (Charged-For Parking Places) (Amendment No. \*) Order 202\*.

Made:-

Coming into force:-

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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 6, 45, 46, 49, 124 of and Part IV of Schedule 9 to the Road Traffic Regulation Act 1984(**a**), as amended, and all other enabling powers, hereby makes the following Order:-

1. This Order shall come into force on \* 202\* and may be cited as The Kingston upon Thames (Charged-For Parking Places) (Amendment No. \*) Order 202\*.
2. In this Order:-
  - (1) “the Order of 2018” means the Kingston upon Thames (Charged-For Parking Places) (No. 2) Consolidation Order 2018(**b**);
  - (2) the expression “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
  - (3) 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.
3. (1) Without prejudice to the validity of anything done or to any liability incurred in respect of any act or omission before the coming into operation of this Order, the Order of 2018 shall have effect as though:

(a) the following expression were added to Article 3(1) to that Order:

*“PayPoint” means a payment system available at the premises of participating retailers where payment of the parking charge to the service provider may be made using cash or by debit or credit card in accordance with instructions at the PayPoint;”*

- (b) the Articles, or parts thereof, specified in column 1 of the Schedule to this Order were amended as specified in column 2 of that Schedule;
- (c) in Schedule 5, wherever the words "*Pay and Display Area*" appear, those words were substituted by the words "*Payment Parking Area*";
- (d) where the words "*Pay & Display*" appear on a map tile attached to the Order of 2018, those words shall be replaced with "Payment Parking"

Dated this \* day of \* 202\*.

JAYNE DANDO

Head of Corporate Service - Highways and Transport

## SCHEDULE

### Amendments to the Order of 2018

Article	Amendment
3(1)	in the expression of "parking charge", paragraph (a) were omitted
3(1)	in the expression of "parking charge" the wording of paragraph (b) were substituted with the following wording: <i>"(b) by the telephone payment parking system or PayPoint in respect of a vehicle left in a parking place or a shared-use parking place without displaying a permit;"</i> .
3(1)	in the expression of "parking place" the words "(v) <i>ticket parking metered parking place</i> " were omitted
3(1)	for the expression of "service" provider there were substituted the following expression: <i>"service provider" means a company authorised and appointed by the Council to operate, administer and maintain the process of payment of parking charges using the telephone payment parking system or PayPoint;"</i>
3(1)	the expressions " <i>ticket</i> ", " <i>ticket parking meter</i> " and " <i>ticketless parking system</i> " were omitted
3(5)	omitted

Article	Amendment
5(2)(a)	substituted with the following wording: <i>"as are passenger vehicles, goods carrying vehicles, motor cycles or invalid carriages for which payment of the parking charge has been made using the telephone payment parking system or by PayPoint;</i>
5(3)	omitted
5(4)(i)	omitted
6(2)(b)	omitted
6(3)	omitted
7(1)	substituted with the following wording: <i>"The parking charge for a vehicle left in a parking place (other than a permit parking place or in a shared use parking place if the vehicle has been issued with a valid permit) during the permitted hours shall be determined by the Controlled Parking Zone in which the vehicle is left as set out in Schedule 5 (as subsequently amended under the provisions of sections 46a of the Road Traffic Regulation Act 1984):</i> <i>Provided that no parking charge shall be payable in respect of a parking place (other than a permit parking place or shared-use parking place) until the expiration of thirty minutes from when the vehicle is first left in that parking place, except in the case of a parking place in the Kingston Controlled Parking Zone (A/A1) or the Kingston Hill Controlled Parking Zone (H)"</i>
8(1)(a)	omitted
8(1)(b)	substituted with the following wording: <i>"by use of the telephone payment parking system or PayPoint, in accordance with the instructions indicated on signs placed in the vicinity of the parking place."</i>
8(1)(c)	omitted
8(2)	omitted
8(3)	omitted
8(4)	substituted with the following wording: <i>"Where payment of the parking charge is made using the telephone payment parking system or PayPoint an indication that payment has been made, the parking period for which payment has been made and the day, time will appear on a hand-held device, or other such indication as has been obtained by a civil enforcement officer in contact with the service provider."</i>

Article	Amendment
13(1)	omitted
14(2)	omitted
15	<p>substituted with the following Article:</p> <p><b><i>"Indications by the telephone payment parking system and PayPoint</i></b></p> <p><b><i>"15. (1) Payment of the parking charge for a vehicle left in a parking place referred to in Article 5(2)(A) or 5(4) shall be indicated by a hand-held device or other such indication as has been obtained by a civil enforcement officer in contact with the service provider, indicating that the parking charge has been paid and the day and time by which the parking period for which payment was made will expire.</i></b></p> <p><b><i>(2) At any time while a vehicle is left in a parking place referred to in Article 5(2)(A) or 5(4) and no indication that payment of the parking charge has been made, or an indication that the parking period for which payment was made has expired, it shall be presumed, unless the contrary is proved that either:</i></b></p> <p><b><i>(a) the parking charge has not been duly paid in respect of that vehicle; or</i></b></p> <p><b><i>(b) the parking period for which payment was made has expired."</i></b></p>
16	omitted
17	omitted
18	for the words " <i>ticket metered parking place</i> " there were substituted the words " <i>parking place</i> "
20(5)(a)	omitted
24(a)	omitted

### EXPLANATORY NOTE

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

This Order further amends the Kingston upon Thames (Charged-For Parking Places) (No. 2) Consolidation Order 2018, to facilitate the removal of "pay and display" and "ticketless" parking machines at designated on-street parking places.

The Order provides that payment of the parking charge can only be made:

- By using the telephone payment parking system ("pay-by-phone"); or
- By using the "PayPoint" system.