

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

(REF. OF332)

THE KINGSTON UPON THAMES (OFF-STREET PARKING PLACES)
(AMENDMENT NO. *) ORDER 202*

DOCUMENTS FOR INSPECTION

1. A copy of the notice to appear in the Surrey Comet and the London Gazette Thursday 4 May 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 OFF-STREET PARKING PLACES (CAR PARKS)

THE KINGSTON UPON THAMES (OFF-STREET PARKING PLACES) (AMENDMENT NO. *) ORDER 202*

1. NOTICE IS HEREBY GIVEN that the Council of the Royal Borough of Kingston upon Thames propose to make the above Order under sections 32, 35 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” machines in the following Council-owned car parks. All existing payment machines would be withdrawn.

- Ashdown Road Car Park, Kingston
- Blagdon Road Car Park, New Malden
- Canbury Place Car Park, Kingston
- Guildhall Car Park, Kingston
- Hook Centre Car Park, Chessington
- Malden Centre Car Park, New Malden
- Neville House Car Park, Kingston
- St Phillips Road Car Park, Surbiton
- Thameside Car Park, Kingston

3. Please note that:

(a) payment of the parking charge in the above car parks would only be available

- By using the telephone payment parking system (“pay-by-phone”); and
- At “PayPoints” using cash or debit / credit card). PayPoints are available at various retail premises throughout the borough;

(b) the method of payment of the parking charge at the following “pay on foot” car parks will remain unchanged:

- Bittoms Car Park, Kingston
- Cattle Market Car Park, Kingston
- Rose Car Park, Kingston.

4. 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) at The Information and Advice Centre, Guildhall 2, Kingston upon Thames, KT1 1EU between 9am and 5pm Mondays to Fridays inclusive; or
- (c) at Council libraries;;
- (d) Copies of the proposed Order can also be obtained by calling 020 8547 5000 (between 9 a.m. and 5 p.m. on Mondays to Fridays); or
- (e) by emailing TMO@kingston.gov.uk. (using reference **TMO-OF332**)

5. Any person desiring to object to the proposals 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 the Traffic Order Section, Guildhall 2, Kingston upon Thames, Surrey KT1 1EU or email TMO@kingston.gov.uk, quoting reference **TMO-OF332** by 25th May 2023.

Dated 4th May 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. *

**THE KINGSTON UPON THAMES (OFF STREET PARKING PLACES)
(AMENDMENT NO. *) ORDER 202***

Made:-

Coming into force:-

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 32, 35 and 124 of, and Parts III and 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 (Off-Street Parking Places) (Amendment No. *) Order 202*.
2. In this Order:-
 - (1) “the Order of 2014” means the Kingston upon Thames (Off Street Parking Places) (No. 1) Order 2014**(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. 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 2014 shall have effect as though:
 - (a) in Article 3(1) the meanings of “parking ticket” and “*ticket machine*” were omitted;
 - (b) the following expressions 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;

“pay on foot ” in relation to a parking place specified in Schedule 3 to the Order of 2014, means a parking system where:

- (a) a ticket is issued by a machine to the driver of a vehicle on arrival at the parking place;*
- (b) payment of the parking charge is paid at a payment machine once the driver has returned to their vehicle and before exiting the parking place in accordance with the instructions displayed on the payment machine;*

“payment machine” means an apparatus designed to accept payment of the parking charge at “pay on foot” parking places.

- (c) Articles 17(2) to (7) were substituted by the following Articles:

“17 (2) The parking charge shall be payable:

- (a) in any parking place specified in column 1 of Schedule 2 by using the telephone payment parking system or PayPoint in accordance with the instructions indicated on signs placed in the parking place; or*
 - (b) in any parking place specified in column 1 of Schedule 3 by using the “pay by foot” payment parking system in accordance with the instructions and payment methods indicated on signs placed in the parking place.*
- (3) Payment of the parking charge and the parking period for which payment has been made in any parking place specified in column 1 of Schedule 2 to this Order:*
- (a) shall be indicated on a hand-held device; or*
 - (b) may be obtained by a civil enforcement officer in contact with the service provider.*
- (4) Articles 17(2) and (3) shall not apply in relation to a vehicle which displays a valid permit issued in respect of that vehicle, provided that the permit is so displayed so that the particulars are clearly visible from outside the vehicle at all times that the vehicle remains in the parking place.”*

- (d) in Article 18(1)(c) the words “or parking ticket” were omitted;
- (e) Article 19 were omitted;
- (f) in Schedules 1 and 2 to the Order of 2014 any reference to “KINGSTON COLLEGE CAR PARK,” were omitted.

Dated this * day of * 202*.

**Head of Corporate Service
Highways and Transport**
(The officer appointed for this purpose)

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 (Off Street Parking Places) (No. 1) Order 2014, to facilitate the removal of “pay and display” off-street parking places.

The Order provides that payment of the parking charge at off-street parking places (except at parking places where the “pay by foot” parking system is used) can only be made:

- By using the telephone payment parking system (“pay-by-phone”), except at “pay by foot; or
- By using the “PayPoint” system.