

**THE OXFORDSHIRE COUNTY COUNCIL
(VARIOUS ROADS-SOUTH OXFORDSHIRE) (PROHIBITION AND RESTRICTION
OF WAITING AND PERMITTED PARKING) (VARIATION No.*) ORDER 20****

The Oxfordshire County Council (“the Council”) in exercise of its powers under Sections 1, 2, 4, 32 and 35 and Part IV of Schedule 9 to the Road Traffic Regulation Act 1984 (“the Act”) and all other enabling powers and after consultation with the Chief Officer of Police in accordance with Part III of Schedule 9 to the Act, make the following Order.

1. This Order may be cited as The Oxfordshire County Council (Various Roads - South Oxfordshire) (Prohibition and Restriction of Waiting and Permitted Parking) (Variation No.1) Order 202* and shall come into force on the day of 202*.

2. (1) Any reference in this Order to any enactment (meaning any act and any subordinate legislation as defined in the Interpretation Act 1978) shall be construed as a reference to that enactment as amended or replaced by any subsequent enactment.

(2) Words importing the masculine gender shall also include the feminine gender and words in the singular include the plural and vice versa.

(3) The restrictions imposed by this Order shall be in addition to and not in derogation from any restriction or requirement imposed by any other enactment.

(4) Headings are inserted for convenience and shall not affect the construction or interpretation of this Order.

3. The Oxfordshire County Council (Various Roads - South Oxfordshire) (Prohibition and Restriction of Waiting and Permitted Parking) Order 2021 (“the 2021 Order”) is amended in the manner and to the extent specified in the Schedule to this Order.

GIVEN UNDER the Common Seal of the Oxfordshire County Council

this day of 20**.

SCHEDULE

Amendments to “the 2021” Order:

1.)

Changes to Definitions:

Current definition to remain and be extended:

“Parking Ticket” means a ticket issued by a Ticket Machine or a Parking Attendant pursuant to the provisions of this Order and indicating the payment of a Parking

Charge, the Parking Period in respect of which such Parking Charge has been paid and the time of the beginning or end of that Parking Period, **and includes a `Virtual Parking Ticket`**”;

2.)

New definition to be added:

“Virtual Parking Ticket” means a permission to park obtained by means of connectivity to the intranet or an appropriate application (`App`) via a mobile phone, or similar method (without the need to display a ticket) which gives the same rights and responsibilities as the issue of a ticket for display;”

Amendments to the articles:

3.)

Article 30 is amended as follows:

“Restrictions on Parking – Parking Ticket

30. Save as provided in Articles 17, 18 and 31 (Exemptions), no person is to cause or permit any vehicle to wait in a Pay and Display Parking Place during the Prescribed Hours except upon the direction or with the permission of a Parking Attendant, a traffic warden, the Council or a police constable in uniform:

(1) unless there has been paid in accordance with Article 32 the Parking Charge selected according to the expected duration of the period of stay and the Parking Ticket so obtained for the vehicle is

- (a) displayed in the Relevant Position on the vehicle; or
- (b) is a Virtual Parking Ticket.**

(2) either the Parking Period designated by that Parking Ticket has not expired or less than the excess period as specified in column 6 of Part II of Schedule 70 has expired since the end of the Parking Period designated by that Parking Ticket.”

4.)

Article 32 is amended as follows:

Parking Ticket

“32. The Parking Charge shall be paid and,

- (1) a Parking Ticket obtained by the insertion into a Ticket Machine at or near the Pay and Display Parking Place (or, if such machine is for the time being defective, at another machine at or near the Pay and Display Parking Place) a coin or coins, of appropriate denomination, to the amount of the Parking Charge or by such other payment method as specified on a Ticket Machine, or
- (2) a Virtual Parking Ticket (which will not be displayed) may be obtained by payment via internet connectivity, mobile telephone App or other means authorised by the Council.”**

provided that if for the time being a notice is displayed at the Parking Place so requiring, the Parking Charge shall be paid to, and a Parking Ticket obtained from, a Parking Attendant.”

5.)

Article 37 is amended as follows:

“Evidence – Periods of Stay

37. (1) For the purpose of ascertaining whether any Parking Period or any period mentioned in Article 36 in respect of a vehicle left in a Pay and Display Parking Place during the Prescribed Hours has expired, the *following* information as to the time of the beginning or end of the Parking Period in respect of which the Parking Charge has been paid shall (without prejudice to any contrary evidence) be evidence of, as the case may be, the time of the beginning of the period of stay of that vehicle or the time of expiry of the Parking Period or the time of expiry of the period mentioned in Article 36:
- (2) in the case of Parking Ticket issued from a Ticket Machine and displayed on a vehicle the information on the Parking Ticket* provided that in the case of a Parking Ticket issued from a Ticket Machine information on the Parking Ticket shall be compared with the time shown on the clock on the Ticket Machine from which the Parking Ticket was issued.
- (3) in the case of a Virtual Parking Ticket the information taken by an enforcement officer from any connectivity method used for the enforcement of Virtual Parking Tickets*

37A For the purpose of ascertaining whether the Parking Period in respect of a vehicle left in a Pay and Display Parking Place during the Prescribed Hours has expired in a case where no Parking Ticket is displayed on the vehicle in the Relevant Position *and there is no Virtual Ticket*, the Parking Period which is to be taken to apply shall be that part of the period of stay of that vehicle ending with the time at which a Parking Attendant first notices that no Parking Ticket is displayed on the vehicle *and that there is no Parking Ticket*, irrespective of the duration of that part of the period of stay.”

THE COMMON SEAL of the
OXFORDSHIRE COUNTY COUNCIL
was hereunto affixed in the presence of:

Solicitor / Designated Officer.