

**THE OXFORDSHIRE COUNTY COUNCIL
(ABINGDON) (DESIGNATION AND REGULATION OF PARKING PLACES)
(VARIATION No.*) ORDER 20****

The Oxfordshire County Council (“the Council”) in exercise of its powers under Sections 32, 45, 46, 49(4) and 53 of 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.

Citation and Commencement

1. This Order may be cited as The Oxfordshire County Council (Abingdon) (Designation and Regulation of Parking Places) (Variation No.2) Order 202* and shall come into force on the day of 202*.

Interpretation

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.

(2) 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) Any reference in this Order to a numbered Article or Schedule shall, unless the context otherwise requires, be construed as a reference to a numbered Article or Schedule bearing that number in this Order.

3. The Oxfordshire County Council (Abingdon) (Designation and Regulation of Parking Places) Order 2017, as amended by The Oxfordshire County Council (Abingdon) (Designation and Regulation of Parking Places) (Variation No.1) Order 2020 (“the 2017 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 202*.

SCHEDULE

Amendments to the 2017 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`*;

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) in respect of which the Parking Charge in respect of the Parking Period has been paid which gives the same rights and responsibilities as the issue of a ticket for display;”

2.)

Articles to be amended.

Article 15 is amended as follows:

“Restrictions on Parking – Parking Ticket

15. Save as provided in Articles 8, 9 and 16 (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 17 or 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, and*

(2) either the Parking Period designated by that Parking Ticket has not expired or less than the excess period as specified in column 5 of the table at paragraph 3 of Schedule 3 has expired since the end of the Parking Period designated by that Parking Ticket.”

3.)

Article 17 is amended as follows:

“Parking Ticket

17 The Parking Charge shall be paid and

(1) a Parking Ticket shall be 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 shall 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.”

4.)

Article 21 is amended as follows:

“Evidence – Periods of Stay

21. (1) For the purpose of ascertaining whether any Parking Period or any period mentioned in Article 20 in respect of a vehicle left in a Pay and Display Parking Place during the Prescribed Hours has expired, the information on the Parking Ticket displayed on the vehicle *or on a Virtual Parking Ticket* 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 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.

(2) 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 *or no Virtual Parking Ticket has been obtained*, 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, *or no Virtual Parking Ticket has been obtained* 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