



London Borough of Hounslow

Deposited Documents – Reference TMO/P017/20

Held on deposit online and at Hounslow House

Placed on deposit on Wednesday, 12 February 2020

End of consultation period is Wednesday, 4 March 2020

Chiswick New Pool Off-Street Car Park

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Any person wishing to comment on or object to the order should follow the instructions on the Notice.

Any queries regarding these deposited documents should be sent by email to trafficorders@hounslow.gov.uk or alternatively a voicemail can be left on extension 3322.

These documents may be destroyed on or after 5 March 2020.

Chiswick New Pool Off-Street Car Park

The London Borough of Hounslow (Chiswick New Pool Off-Street Parking Place) Order 20**

1. The London Borough of Hounslow proposes to make an Order under sections 32 and 35 of the Road Traffic Regulation Act 1984.
2. The general effect of the Order would be to introduce a new off-street car park at Chiswick New Pool on Edensor Road, Chiswick. The hours of operation would be Monday to Friday, 8.30am to 4.30pm. The maximum stay would be 4 hours with no return within 2 hours. The parking charges would be up to 3 hours free, and up to 4 hours £3.
3. Documents giving further information of the proposed Order can be viewed for a period of 21 days from the date of this Notice:
 - (a) online at hounslow.gov.uk by typing in the term “traffic notices” in the search bar; or
 - (b) at the Customer service reception, Hounslow House, 7 Bath Road, Hounslow, TW3 3EB, between the hours of 9am and 4.45pm, Mondays to Fridays.
4. Any person wishing to object to the proposed Order should send a statement in writing stating the grounds of the objection to the Assistant Director for Transport, Parking & Environmental Strategy at the address above or by email to trafficorders@hounslow.gov.uk quoting the reference TMO/P017/20, to be received by no later than Wednesday, 4 March 2020.

Dated 12 February 2020

Mark Frost
Assistant Director, Transport, Parking & Environmental Strategy

Traffic Management Order

20** No.**

The London Borough of Hounslow (Chiswick New Pool Off-Street Parking Places) Order 20**

Made on ** ***** 20**

Coming into operation on ** ***** 20**

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SCHEDULES

Schedule 1 - Parking place

Schedule 2 – Parking Charges

The Council of the London Borough of Hounslow, having consulted the Commissioner of Police of the Metropolis, in exercise of the powers conferred by sections 32 and 35 of the Road Traffic Regulation Act 1984¹ as amended and of all other enabling powers hereby makes the following Order:

1. Citation and Commencement

- (1) This Order may be cited as The London Borough of Hounslow (Chiswick New Pool Off-Street Parking Places) Order 20** and shall come into operation for all purposes on ** ***** 20**.

¹ 1984 c.27

2. Interpretation

- (1) In this Order, except where the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them:
- "article" means an article of this order;
- "charging hours" in relation to the parking place means Mondays to Fridays, 8.30am to 4.30pm;
- "civil enforcement officer" has the same meaning as in the Traffic Management Act 2004;
- "the Council" means the Council of the London Borough of Hounslow;
- "disabled person's badge" have the same meanings as in the Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000²;
- "driver" in relation to a vehicle waiting in a parking place means the person driving the vehicle at the time it was left in the parking place;
- "goods vehicle" has the meaning as in the Traffic Signs Regulations and General Directions 2016³
- "hand-held device" means a wireless hand-held computer used by a civil enforcement officer which is programmed to interface with the telephone parking system;
- "motor vehicle" has the same meaning as in Section 136 of the Road Traffic Regulation Act 1984;
- "motor cycle" has the same meaning as in Section 136 of the Road Traffic Regulation Act 1984;
- "owner" has the same meaning as in the Civil Enforcement of Parking Contraventions (England) General Regulations 2007⁴;
- "parking contravention" has the meaning as assigned to it in Part 1 of Schedule 7 of the Traffic Management Act 2004;
- "parking space" means an area of the parking place which is provided for the leaving of a vehicle and indicated as such by markings on the surface of the parking place;
- "parking place" means the area of land shown edged in red in Schedule 1 provided by the Council and approved for such purpose under the Road Traffic Regulation Act 1984;
- "Schedule" means a Schedule to this Order;
- "service provider" means the company authorised and appointed by the Council to operate, administer and maintain the payment of parking charges using the telephone payment parking system;
- "telephone payment parking system" means a system to facilitate and monitor the payment of parking charges using communication between the driver and the service provider by means of either telephone, text messaging, mobile application or web application;
- "vehicle" means a passenger vehicle or motor cycle and goods vehicle, but does not include a trailer, caravan, stall or other mobile structure.
- (2) 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 amendment.

² SI.2000/882
³ SI.2016/362
⁴ SI.2007/3483

- (3) For the purposes of this Order a vehicle shall be regarded as displaying a disabled person's badge in the relevant position when it is so regarded for the purposes of Regulation 3 of the Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England and Wales) Regulations 2000⁵.

3. Use of land and parking places

- (1) The area of land shown edged in red in Schedule 1 may be used, subject to the following provisions of this Order, as a parking place for the parking of motor vehicles, motor cycles and goods vehicles the unladen weight of which does not exceed 3050 kilograms.
- (2) A driver leaving a vehicle in the parking place shall not leave the vehicle in a restricted area within the parking place or in any position in the parking place in which it will obstruct access to the parking place, to any premises adjoining the parking place or to any access way within the parking place.
- (3) Every vehicle left in the parking place shall stand so that every part of the vehicle is wholly within the limits of any parking space.
- (4) Where there is a sign or notice in the parking place or parking space indicating that the use of that parking place or parking space is suspended, the driver of a vehicle shall not permit that vehicle to be left in that parking place or parking space.
- (5) Where, within a parking place, there is a sign or surface marking that indicates that a parking space or area is available only for a particular type of vehicle, or for use by a permit holder, no driver shall leave a vehicle in any such parking space or area other than of the type or for the use so specified.
- (6) A driver leaving a vehicle in the parking place shall not leave the vehicle for longer than 4 hours.
- (7) The driver of a vehicle who has left a vehicle in a parking place for the maximum period for which vehicles may be left as specified in Article 4(5) shall immediately remove the vehicle from the parking place and shall not permit the vehicle to return to the parking place for a period of two hours.
- (8) Subject to the provisions of this Order, a driver leaving a vehicle in the parking place during the charging hours shall make payment of the parking charge through the telephone payment parking system.

4. Parking charges

- (1) The parking charges for a vehicle left in the parking place during the charging hours shall be those specified in Schedule 2.

5. Payment of parking charge

- (1) A person leaving a vehicle in a parking place is to use the telephone payment parking system to pay the parking charge, imposed by this Order, for the period they wish to park by communicating with the service provider, at the time the vehicle is left in the parking place.

6. Exemption from charges

⁵ SI 2000/683

- (1) A vehicle displaying in the relevant position a valid disabled person's badge left in a parking place shall be exempt from the payment of any parking charge specified in Schedule 2.
- (2) The following vehicles left in a parking place shall be exempt from the payment of any parking charge specified in the Schedule provided that they are parked in a parking space expressly reserved for such vehicles by a sign or notice displayed at or adjacent to the said parking space or parking spaces:
 - b) a pedal cycle; or
 - c) a motor-cycle.
- (3) The following vehicles left in a parking place shall be exempt from payment of any parking charge:
 - a) any vehicle being used for fire brigade, ambulance or police purposes provided that in all circumstances it is reasonably necessary for the vehicle to be left in the parking place.

7. Indications and evidence by the telephone payment parking system

- (1) Where a vehicle has been left in the parking place an indication that payment has been made using the telephone payment parking system and the parking period for which payment has been made shall either:
 - (a) appear on a hand-held device; or
 - (b) be obtained by a civil enforcement officer contacting the service provider.
- (2) If at any time while a vehicle is left in the parking place and no indication that payment of the parking charge has been made using the telephone payment parking system, 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:
 - (a) the parking charge has not been duly paid in respect of that vehicle; or
 - (b) the parking period for which payment was made had already expired.

8. Contravention

- (1) If a vehicle is left in a parking place without complying with the provisions of this Order, then a contravention of this Order, and a parking contravention within Part 1 of Schedule 7 to the Traffic Management Act 2004, shall be deemed to have occurred.
- (2) Where a vehicle is left in a parking place without complying with the provisions of this Order, the vehicle may be removed or caused to be removed from that parking place as provided for by Regulations made under section 99 of the Road Traffic Regulation Act 1984

9. Movement of vehicles left in parking places

- (1) If a vehicle is left in the parking place in a position other than in accordance with the provisions of Article 3, a person authorised by the Council may alter or cause to be altered the position of the vehicle so that its position is in accordance with the said provisions.
- (2) For the purpose of meeting the requirements of an emergency, a person authorised by the Council or a police constable in uniform may alter or cause to be altered the position of a

vehicle in the parking place or remove or arrange for the removal of a vehicle from a parking place.

- (3) Any person altering or causing the alteration of the position of a vehicle by virtue of paragraphs (1) and (3) of this Article, or removing or causing the removal of a vehicle by virtue of paragraphs (2) and (3) of this Article may do so by towing or driving the vehicle or in such other manner as he may think reasonably necessary to enable the position of the vehicle to be altered or the vehicle to be removed.
- (4) Any person removing or arranging for the removal of a vehicle by virtue of paragraphs (2) or (3) of this Article shall make such arrangements as they consider to be reasonably necessary for the safety of the vehicle in the place to which it is removed.
- (5) The foregoing provisions of this Article relating to the removal of vehicles shall be applied to and have equal effect for the purpose of removal of trailers, caravans, stalls or other mobile structures that are left in the parking place in contravention of Article 3.

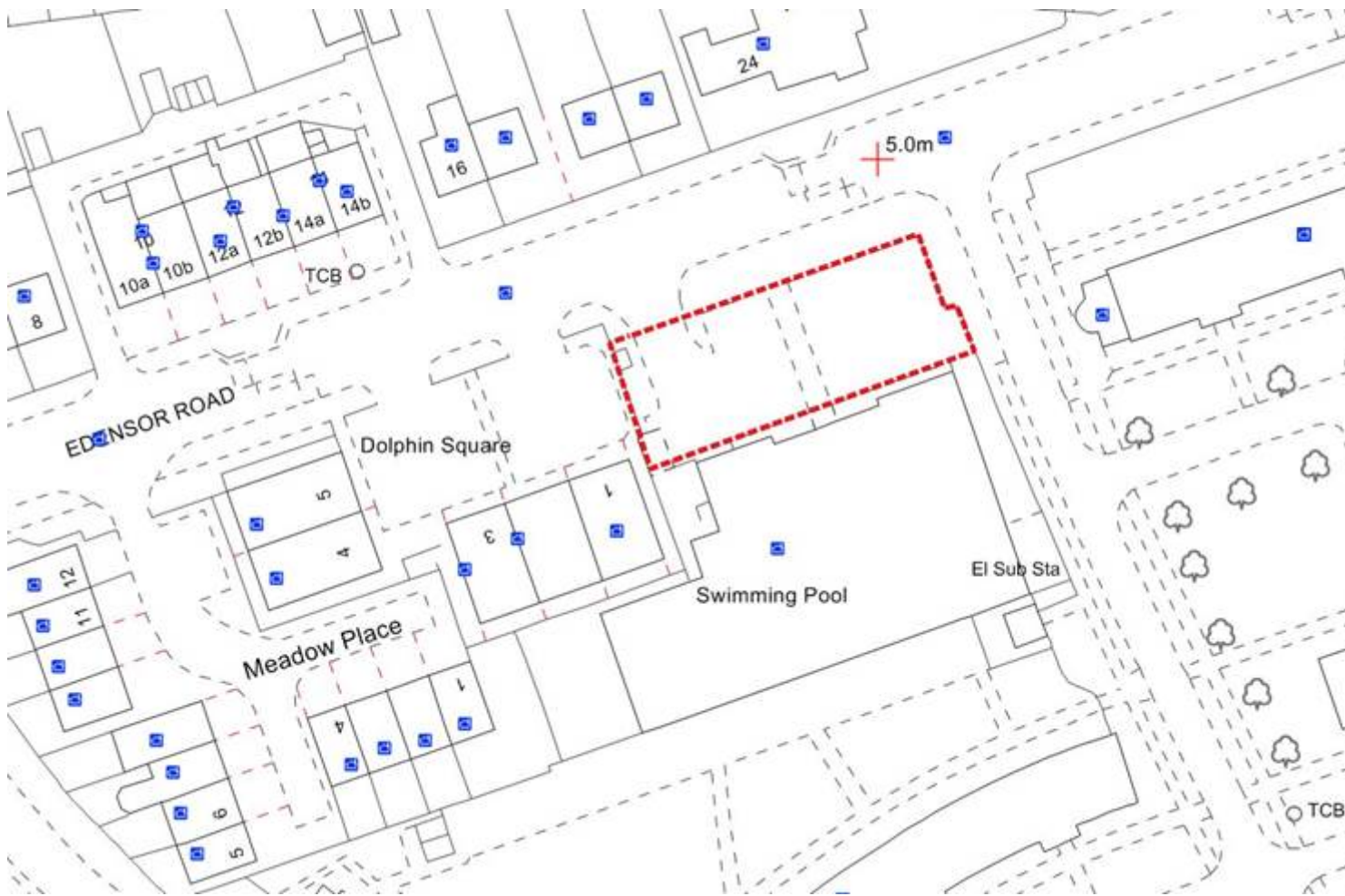
10. Other provisions

- (1) The driver of a motor vehicle using a parking place shall stop the engine as soon as the vehicle is in position in the parking place and shall not start the engine except when about to change the position of the vehicle in or to depart from the parking.
- (2) Notwithstanding the provisions of this order the Council may by notice displayed at or near a parking place close or suspend the use of the parking place or part thereof for any period and for any reason whatsoever and no driver of any vehicle shall, except with the permission of a person authorised by the Council or in accordance with any consent given by or agreement with the Council, use such parking place, or part thereof, when it is so closed or suspended.
- (3) The exercise by the Council or its agents of its powers under this Order shall not render it subject to any liability in respect of loss of or damage to any vehicle or the fittings or contents of any vehicle or any other property left in the parking place, or for any injury howsoever caused to any persons entering upon the parking place, unless such loss or damage or injury is caused by the negligence of the Council, its employees or its agents.

Dated ***** day of ***** 20**

Mark Frost
Assistant Director Transport, Parking & Environmental Strategy

Schedule 1



Schedule 2

Scale of Charges:

Up to 3 hours	Free
Up to 4 hours	£3.00



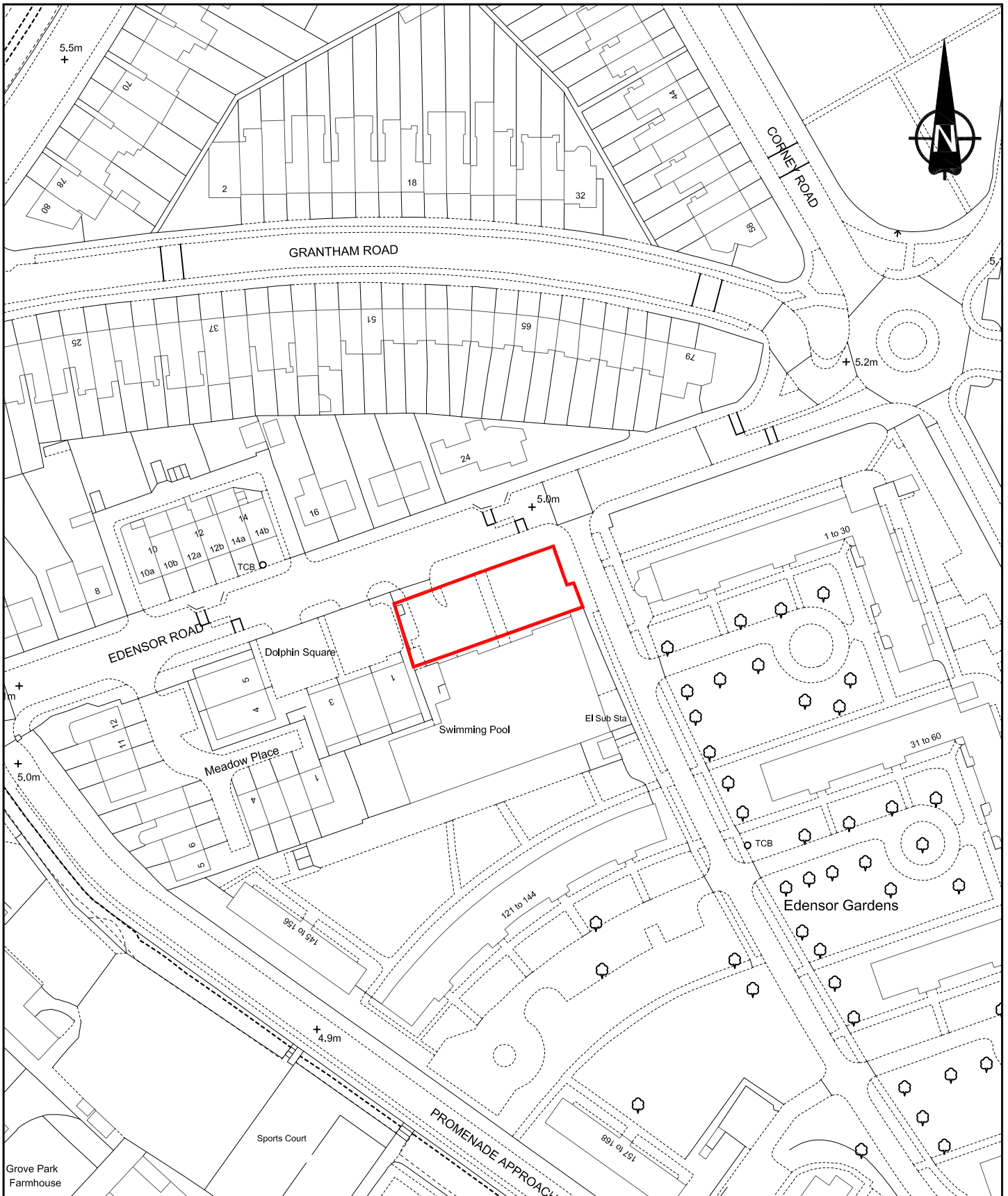
Chiswick New Pool Off-Street Car Park

Statement of Reasons

The Council is proposing to introduce controlled parking at Chiswick New Pool on Edensor Road, Chiswick restricting the use of the car park and to introduce a parking charge for those wishing to stay longer than 3 hours.

This car park is currently free to use and as a result is being used for commuter parking or other long-term parking, which restricts the availability of parking space for visitors to the sites who are the intended beneficiaries of the facility.

The proposed changes would bring this car park in-line with the car parks at other leisure facilities within the borough.



NEW CHISWICK POOL, CHISWICK.

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Drawn by: P.R.K.

Scale 1/1250

Date February 2020

O.S. Reference - TQ2177SW