

THE CITY OF SOUTHAMPTON
(ITCHEN BRIDGE TOLLS) (NO. 2) ORDER 2003

Southampton City Council (hereinafter called "the Council"), pursuant to Sections 22 and 29 of the Hampshire Act 1983 (hereinafter referred to as "the Act") and of all other enabling powers, hereby makes the following Order:

1 COMMENCEMENT AND CITATION

This Order shall come into operation on 01 July 2003 and may be cited as the City of Southampton (Itchen Bridge Tolls) (No.2) Order 2003.

2 INTERPRETATION

In this Order, except where the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them.

"Affected Vehicle" means a vehicle having a gross vehicle weight of not less than 7.5 tonnes, owned by a local commercial concern which is ordinarily operated from premises which are in the concessionary zone.

"The Bridge" means the bridge as defined in the Act.

"Concessionary Zone" means the zone described in Schedule 2 to this Order.

"Disabled Persons' Badge" means a badge issued by any local authority in accordance with the provisions of the Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000 or a badge, having effect under those regulations as if it were a disabled person's badge.

"Disabled Persons' Vehicle" means a vehicle which is lawfully displaying a valid Disabled Persons' Badge and is carrying a person who is in receipt of either:-

- (i) the higher rate of the mobility component of the disability living allowance in accordance with section 73 of the Social Security Contributions and Benefits Act 1992; or
- (ii) a mobility supplement under article 26A of the Naval, Military and Air Forces etc (Disablement and Death) Service Pensions Order 1983, including such a supplement by virtue of any scheme or order under article 25A of the Personal Injuries (Civilians) Scheme 1983.

and who tenders to the toll collector at the time the vehicle in question is stopped at the toll plaza, constructed pursuant to Section 19 of the Act, a valid identity card and token issued by or on behalf of the Council for the purpose of exempting the said person from payment of the toll.

"Local Commercial Concern" means a person (including a body corporate) or partnership carrying on a trade or business from or at premises within the concessionary zone.

"Local Concessionary Permit" means a permit issued by the Council, in accordance with the provisions of this Order, to local commercial concerns, in respect of an affected vehicle and bearing upon its face the registration number of the affected vehicle.

“Motor Car” means a mechanically propelled vehicle, not being a motorcycle or disabled person’s vehicle, which is constructed or adapted to carry no more than 8 seated passengers (exclusive of the driver) and the gross vehicle weight of which is less than 2 tonnes.

“Motor Cycle” means a mechanically propelled bicycle, motor assisted pedal cycle, or motor scooter, in each case with or without a sidecar attached.

“Omnibus” means a mechanically propelled vehicle, which is constructed or adapted to carry more than 8 seated passengers (exclusive of the driver).

“Peak Periods” means the periods between 07:00 and 09:30 hours and between 16:00 and 18:30 hours on the days Monday to Friday in every week, other than Bank or Public holidays.

“Permit Holder” means a person (including a body corporate) or partnership to whom a local concessionary permit has been issued.

“Resident” means a person (not being a body corporate), whose usual place of abode is at premises within the City of Southampton.

“Token” means a token voucher or other device, including a smart card, issued by or on behalf of Southampton City Council, for the purpose of exemptions contained in this Order.

“Toll Collector” means a person or device authorised or provided by the Council to collect tolls on the bridge.

“Towing” means towing or propelling and similar expressions shall be construed accordingly; and for the avoidance of doubt it is declared that a trailer attached to a vehicle by means of a partial superimposition shall be treated as being towed; and

“Vehicle” shall include trailer.

2A Any reference in this Order to any enactment shall be construed as a reference to that enactment as amended by, or pursuant to the provisions of any subsequent enactment.

2B A trailer, or trailers towed by a vehicle, shall be treated with the vehicle as one composite vehicle; and the class of traffic, to which such composite vehicle belongs, shall be determined by aggregating the gross vehicle weights and by aggregating the number of axles with wheels in contact with the ground at the time of crossing the bridge, as the case may be.

Provided that this shall not apply to a trailer or trailers towed by a motorcycle, a disabled person’s vehicle, a motor car, an omnibus or any other vehicle, the gross vehicle weight of which is less than 2 tonnes.

3 MAXIMUM TOLLS

In respect of traffic passing over the bridge, of each respective class specified in Columns I and II of Schedule 1 to this Order, the Council may during the periods specified in Column III of the said schedule take and recover by cash, smart card or other means decided by Southampton City Council tolls not exceeding those specified for the relevant periods and classes of traffic in Column IV of the said schedule.

4 LOCAL EXEMPTIONS FROM TOLLS

During the periods specified in Column III of Schedule 1 to this Order, traffic of the classes (3) (4) (5) and (6) specified in Columns I and II of the said schedule shall be exempted from the payment of tolls specified in that schedule if, and only if:

(i) a token of the series specified in column V of Schedule 1 in respect of the relevant period and class of traffic is tendered to the toll collector at the time the vehicle or

animal in question is stopped at the toll plaza, constructed pursuant to Section 19 of the Act; and

- (ii) in respect of traffic of the classes (5) and (6) specified in Columns I and II of Schedule 1, a valid local concessionary permit is displayed on the vehicle in question in the manner required by this Order.

5 ISSUE OF TOKENS

- (i) Upon application being made by a resident and upon payment by him of the price specified in Column VI of Schedule 1 to this Order for tokens of one of the Series A and D, the Council shall issue tokens to him of that series.
- (ii) Upon application being made by a local commercial concern, and upon payment of the price specified in Column VI of Schedule 1 to this Order for a token or tokens of one of the Series B and C, the Council shall issue to it a token or tokens of that series.
- (iii) The Council may require applications for tokens to be in writing upon such form as it may from time to time prescribe.
- (iv) The Council may require an applicant for tokens to produce to an Officer of the Council such evidence in respect of an application for tokens made to it, as it may reasonably require to verify any particulars, or in respect of information given to it, and in particular, but without prejudice to the generality of the foregoing, to require evidence in respect of an applicant's claim to be a resident or a local commercial concern.

6 ISSUE OF LOCAL CONCESSIONARY PERMITS

- (i) A local commercial concern, which is the owner of an affected vehicle, may apply to the Council for the issue of a permit to enable such vehicle to satisfy the requirements in Article 4 for the exemption from the tolls specified in Article 3 of this Order.
- (ii) Any such application shall be made on a form issued by and obtainable from the Council and shall include the particulars and information required by such form to be supplied.
- (iii) The Council may at any time require an applicant for a local concessionary permit or a holder of such a permit to produce to an officer of the Council such evidence in respect of an application for a permit made to it as it may reasonably require to verify such particulars, or in respect information given to it or in respect of any permit issued to it as it may reasonably require.
- (iv) Upon receipt of an application duly made under the foregoing provisions of this article and upon being satisfied that the applicant is a local commercial concern and is the owner of an affected vehicle the Council may issue to the applicant a local concessionary permit in respect of that vehicle.

7 SURRENDER, WITHDRAWAL AND VALIDITY OF LOCAL CONCESSIONARY PERMITS

- (i) A permit holder may surrender a permit to the Council at any time and shall surrender such local concessionary permit or permits to the Council on the occurrence of one of the events set out in paragraph (iii) of this Article.
- (ii) The Council may, by Notice in writing served on a permit holder or by recorded delivery post at the address shown on his or its application for such local concessionary permit or permits or any other address believed to be premises from or at which the permit holder is carrying on a trade or business, withdraw such permit or permits if it appears to the Council that anyone of the events set out in

sub-paragraphs (iii) (a) (b) or (c) of this Article has occurred and the permit holder shall surrender the permit to the Council within 48 hours of the receipt of the aforementioned notice.

- (iii) The events referred to in the foregoing provisions of this article are:
- (a) the permit holder ceasing to be a local commercial concern;
 - (b) the permit holder ceasing to be the owner of the vehicle in respect of which the local concessionary permit was issued;
 - (c) the vehicle in respect of which the local concessionary permit was issued, otherwise than by virtue of (a) or (b) above, ceasing to be an affected vehicle;
 - (d) the issue of a duplicate local concessionary permit by the Council under the provisions of article 8 of this Order;
 - (e) the local concessionary permit ceasing to be valid pursuant to the provisions of paragraph (iv) of this Article.
- (iv) A local concessionary permit shall cease to be valid at the expiration of the period specified thereon.

8 APPLICATION FOR ISSUE OF DUPLICATE LOCAL CONCESSIONARY PERMITS

- (i) If a local concessionary permit is accidentally defaced or mutilated or the figures or particulars thereon have become illegible or the colour of the permit has become altered by fading or otherwise, the permit holder shall surrender it to the Council and may apply to the Council for the issue to him or it of a duplicate permit and the Council upon receipt of the surrendered permit may issue a duplicate local concessionary permit so marked
- (ii) If a local concessionary permit is lost or destroyed, the permit holder may apply to the Council for the issue to him or it of a duplicate permit and the Council upon being satisfied as to such loss or destruction, shall issue a duplicate local concessionary permit so marked and upon such issue the lost or destroyed permit shall become invalid
- (iii) The Council may charge a permit holder a sum not exceeding two pounds in respect of the administration costs of issuing a duplicate local concessionary permit.

9 DISPLAY OF LOCAL CONCESSIONARY PERMITS

A local concessionary permit is displayed in the manner required by article 4 (ii) of this Order if:

- (i) in the case of a vehicle fitted with a transparent windscreen the permit is displayed on the inside surface of the windscreen so that it is facing forwards and can be entirely and easily seen from the front of the vehicle;
- (ii) in the case of a vehicle which is not fitted with a transparent windscreen the permit is displayed on the front of the vehicle so that it is facing forwards and can be entirely and easily seen from the front of the vehicle.

10 OTHER EXEMPTIONS FROM TOLLS

Nothing in this Order shall be taken as:

- (i) derogating from the exemptions contained in Section 31 of the Act; or
- (ii) requiring a toll to be paid in respect of a motor vehicle being used for Police, Fire Brigade or Ambulance purposes on the occasion of an emergency.

11 REVOCATION

The Order specified in Schedule 3 to this Order shall be revoked in its entirety.

THE COMMON SEAL of
SOUTHAMPTON CITY COUNCIL
was hereunto affixed this 27th day
of June 2003

in the presence of:

Authorised Signatory

Schedule 1

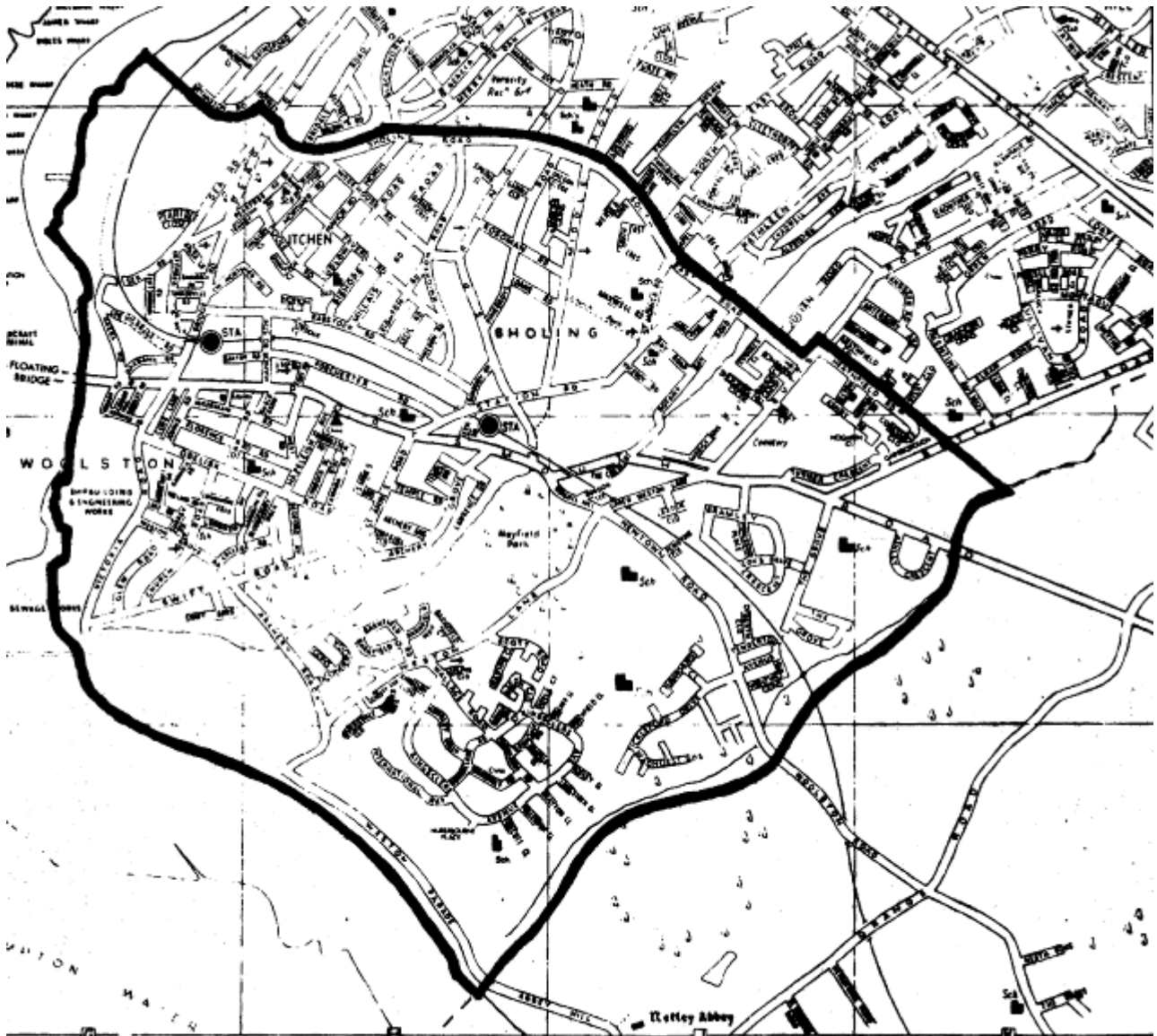
I	II	III	IV	V	VI
Class No	Class of Traffic	Time of day	Maximum Tolls	Series of Tokens	Price of Tokens
(1)	PEDAL CYCLES, DISABLED PERSONS' VEHICLES AND ANIMALS – for each pedal cycle, not being motor assisted, each disabled person's vehicle, or each animal on foot, not drawing or propelling a vehicle.	All	No Toll	N/A	N/A
(2)	MOTOR CYCLES, with or without trailer of any description or sidecar	All	20p	N/A	N/A
(3)	CARS AND LIGHT VANS - for each motor vehicle, whether or not towing a trailer of any description and for every other vehicle with a gross vehicle weight of less than 2 tonnes, whether or not towing a trailer of any description	Peak periods	60p	D	£4.00 for 10
		All except peak periods	50p	A	£3.00 for 10
(4)	BUSES AND LIGHT COMMERCIAL VEHICLES - for each omnibus, whether or not towing a trailer of any description and for every other vehicle not included in any other class, whose gross vehicle weight is not less than 2 tonnes, but does not exceed 7.5 tonnes	All	£1.20	B	60p per token
(5)	HEAVY COMMERCIAL VEHICLES WITH NOT MORE THAN 2 AXLES – for each vehicle not included in any of the foregoing classes whose gross vehicle weight exceeds 7.5 tonnes but does not exceed 17 tonnes	All	£5.00	C	£2.00 per token
(6)	OTHER HEAVY COMMERCIAL VEHICLES - for each vehicle not included in any other class of traffic whose gross vehicle weight exceeds 17 tonnes	All	£25.00	C	£2.00 per token

Schedule 2

The Concessionary Zone is the area shown within the thick black line shown on the plan below:
Provided that it is hereby declared that:

- (a) premises having direct access to or abutting the north side of Sholing Road, South East Road, or Heathfield Road, and
- (b) all premises having access to the road network by means only of the northwards extension of Hazel Road

are included within the Concessionary Zone.



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Schedule 3: Revocations

The City of Southampton (Itchen Bridge Tolls) Order 2003