

**Telford & Wrekin Council**  
**Off Street Parking Places Order 2016 – Oakengates**

Borough of Telford & Wrekin (“the Council”) in exercise of its powers under sections 32 and 35 of the Road Traffic Regulation Act 1984 (“the Act”) and part III of the schedule 9 to the Act and of all other enabling powers hereby makes the following Order:-

1. This order shall come into operation on the \*\*\*\*\* 2016 and may be cited as the **Telford & Wrekin Council, Off Street Parking Places Order 2016 – Oakengates** (“this Order”).
2. The Orders specified in Schedule One of this Order shall cease to have effect in so far as they relate to the off street parking places described in Schedule Two and Three to this Order.
3. This Order shall:-
  - i. Introduce arrangements for use of the Parking Places that are the subject of this Order.
  - ii. Introduce short stay arrangements for use of certain Parking Places that are the subject of this Order.
  - iii. Introduce long stay arrangements for use of certain Parking Places that are the subject of this Order.
  - iv. Introduce excess charges for contravention of this Order.

4. In this Order:-

“The Act” refers to the Road Traffic Regulation Act 1984

“Caravan” has the same meaning as in the Caravan Sites and Control of Development Act 1960

“Car Park Enforcement Officer” means any of the Councils authorised Car Park Enforcement Officers and includes any other officer or servant of the Council employed to control and manage any of the Parking Places provided by the Council

“Coach or Bus Parking Area” means a Parking Bay for which there is a sign or surface marking indicating it is only available for the parking of a Public Service Vehicle

“The Council” means Borough of Telford & Wrekin

“Disabled Parking Bay” means a Parking Bay for which there is a sign or surface marking indicating it is available only for the parking of a Disabled Person’s Vehicle

“Disabled Person” has the same meaning as in the Act

“Disabled Person’s Badge” has the same meaning as in the Disabled Persons (Badges For Motor Vehicles) (England) Regulations 2000

“Disabled Persons Vehicle” has the same meaning as in the Act

“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 and where a separate person acts as steersman of a Vehicle, includes that person as well as any other people engaged in the driving of the Vehicle, and “Drive” shall be construed accordingly

“Electric Vehicle Charging Bay” means a Parking Bay in which there is a sign or surface marking indicating it is available only for the parking and charging of an electric vehicle

“Emergency Vehicles” means ambulances, fire service vehicles and police vehicles being used in the course of their duties

“Excess Charge” means the sum of £60.00 (such sum to be reduced to £30.00 if paid within 14 days of the contravention unless the offence is in relation to parking in a Disabled Parking Bay without displaying in the relevant position a Disabled Person’s Badge where no discount is offered)

“Maximum Permitted Period” means the maximum waiting period for which a Vehicle can remain in a Parking Place described in Schedules Two and Three to this Order, as indicated by signs located within the area of those Parking Places and specified in Schedule Two Column 2 and Schedule Three Column 2

“Motor Cycle” has the same meaning as in the Act

“No Return” means that no Vehicle is permitted to return to a Parking Place where it has been previously parked until after a minimum period of time as specified in Schedule Two Column 2 and Schedule Three Column 2 has past, commencing when the vehicle first departed the parking place.

“Operating Hours” means the hours between 0700 and 1800 hours on every day of the week

“Parking Bay” means any area of a Parking Place which is provided for the leaving of a Vehicle and indicated for this purpose by the markings on the surface of the Parking Place.

“Parking Place” means any of the off-street parking places described in the Schedule to this Order

“Public Service Vehicle” has the same meaning as in the Public Passenger Vehicles Act 1981

“Trailer” has the same meaning as in the Act

“Vehicle” means any Motor Vehicle (as defined in the Act) the weight of which does not exceed 3 tonnes unladen and the height of which does not exceed 2.5 metres, an Electric Vehicle, a Public Service Vehicle, a Motor Cycle and a Disabled Persons Vehicle

5. For the purpose of this Order a vehicle shall be regarded as displaying:-
  - (a) A Disabled Person’s Badge in the relevant position, when:-
    - (i) In the case of a vehicle fitted with a front windscreen, the badge is exhibited thereon with the obverse side facing forwards on the near side of and immediately behind the windscreen, and
    - (ii) in the case of a vehicle not fitted with a front windscreen, the badge is exhibited in a conspicuous position on the front or near side of the vehicle, and
6. The Parking Places specified by name and shown on the drawings set out in Schedules Two and Three to this Order may only be used in accordance with the provisions of this Order, and shall only be used as a Parking Place for Vehicles, in such positions and on such days and during such hours as are specified in this Order.
7. Nothing in this Order shall prevent the Council from:-
  - a) Closing the Parking Place or any part thereof for any period or,
  - b) From setting aside any part of the Parking Place on all days or on certain days or for certain parts on certain days for the sole use of particular Vehicles
8. Where in Schedules Two and Three to this Order a Parking Place is described, the Driver of a Vehicle shall not permit it to wait in that Parking Place:-
  - a) Unless it is a Vehicle
  - b) In a position other than wholly within a Parking Bay or other than in a position as directed by a Car Park Enforcement Officer
  - c) At any time where the Parking Place or part thereof has been closed under article 7 (a) of this Order.
  - d) In any part of the Parking Place at a time when that part has been set aside for use in accordance with article 7 (b) of this Order unless the Vehicle is so authorised.
  - e) In a Disabled Parking Bay unless displaying in the relevant position a Disabled Person’s Badge
  - f) In an Electric Vehicle Charging Bay unless connected to the charging point for the purposes of charging the vehicle
  - g) In a Coach or Bus parking area unless it is a Public Service Vehicle except with the written consent of the Council
  - h) For a period exceeding the Parking Place’s Maximum Permitted Period
  - i) During the Parking Place’s No Return Period
9. The Driver of a Vehicle, whilst it is in a Parking Place, shall comply with any instructions given to him by the Car Park Enforcement Officer as to the manner of parking of the Vehicle and shall remove the Vehicle from the Parking Place on being required by the Car Park Enforcement Officer so to do.

11. The Excess Charge shall be payable by the Driver of that Vehicle if it is left in Parking Place on any day:-
  - a) In contravention of article 8 (a) of this Order (specified class); or
  - b) In contravention of article 8 (b) of this Order (otherwise than wholly within a Parking Bay); or
  - c) In contravention of article 8 (c) of this Order (closing part of the whole of the Parking Place); or
  - d) In contravention or article 8 (d) of this Order (in a bay set aside for specially authorised vehicles); or
  - e) In contravention of article 8 (e) of this Order (in a bay set aside for Disabled Persons Vehicles); or
  - f) In contravention of article 8 (f) of this Order (in a bay set aside for charging of Electric Vehicles); or
  - g) In contravention of article 8 (g) of this Order (in a bay set aside for a Public Service Vehicle); or
  - h) In contravention of article 8 (h) of this Order (Maximum Permitted Period)
  - i) In contravention of article 8 (i) of this Order (No Return Period)
  
12. In the case of a Vehicle in respect of which the Excess Charge may have been incurred, it shall be the duty of a Car Park Enforcement Officer to attach to the Vehicle in a conspicuous position or present to the Driver a notice ("Excess Charge Notice") which shall include the following particulars:-
  - a) The registration mark of the Vehicle or, where the Vehicle is being used under a trade license, the number of the trade plate carried by the Vehicle;
  - b) The reason why the Excess Charge has been incurred
  - c) A statement that the Excess Charge of £60 is required to be paid and that such Excess Charge will be discounted to £30 if paid within fourteen days of the offence occurring, unless the offence is in relation to parking in a Disabled Parking Bay without displaying in the relevant position a Disabled Person's Badge where no discount is offered;
  - d) The manner in which, and the time within which the Excess Charge should be paid; and
  - e) A statement that it is an offence under section 35A of the Act for the Driver of a Vehicle who has left the Vehicle in a Parking Place to fail duly to pay the Excess Charge
  
13. The period for which a Vehicle may be left in a Parking Place after the Excess Charge has been incurred shall not exceed four hours from issue of the Excess Charge Notice.
  
14. If a Vehicle is left in a Parking Place for more than four hours after the issue of the Excess Charge Notice, it shall be the duty of a Car Park Enforcement Officer to attach to the Vehicle in a conspicuous position a notice which shall include the following particulars:
  - a) The registration mark of the Vehicle or, where the Vehicle is being used under a trade license, the number of the trade plate carried by the Vehicle;
  - b) The time at which he first noticed that the Vehicle had been left in the Parking Place for more than four hours after the issue of the Excess Charge Notice: and
  - c) A statement that is an offence under section 35A of the Act for the Driver of a Vehicle who has left the Vehicle therein for longer than four hours after the issue of the Excess Charge Notice
  
15. When a notice has been attached to a Vehicle in accordance with any of the foregoing provisions of this Order no person other than a person authorised by the Council in that behalf or the Driver or a person authorised by the Driver in that behalf shall remove the notice from the Vehicle.
  
16. The Excess Charge (whether the full sum or the discounted amount in accordance with this order) shall be paid to the Council either by cheque, bankers draft, money order or postal order which shall be delivered or sent by post to reach the office address for this purpose indicated on the Excess Charge Notice not later than 4.00pm on the twenty-eighth day following the issue of the Excess Charge Notice, or alternatively by telephone or by internet payment not later than the aforesaid twenty-eight day period provided that, if the said twenty-eighth day falls upon the day on which the said office address is closed, the period within which payment of the said charge will be made shall be extended until 4.00pm on the next full day on which the said office address is open.
  
17. The Driver of a 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 Place.
  
18. No person shall use a Vehicle, while it is in a Parking Place, in connection with the sale of any article in or near the Parking Place or in connection with the selling or offering for hire of skills or services.

20. a) When a Vehicle is left in a Parking Place in contravention of this Order, a person authorised by the Council may remove the Vehicle or arrange for it to be removed from the Parking Place or cause the position of the Vehicle to be altered in order that its position shall comply with that provision.
- b) For the purpose of meeting the requirements of an emergency, a person authorised by the Council or a Police Constable in uniform may remove the Vehicle or arrange for it to be removed from the Parking Place or cause the position of the Vehicle to be altered in order that its position shall comply with that provision.
- c) Any person altering or causing the alteration of the position of a Vehicle, or removing or causing the removal of a Vehicle may do so by towing or driving the Vehicle or in such other manner reasonably necessary.
- d) Any person removing or arranging for the removal of a Vehicle shall make such arrangements as reasonably necessary for the safety of the Vehicle in the place to which it is removed.
21. The driver of a Vehicle using a Parking Place shall not sound any horn or other similar instrument except when about to change the position of the Vehicle in or to depart from the Parking Place and then only when use of the horn is necessary to alert the attention of other drivers or pedestrians.
22. No person shall: -
- a) Except with the permission of any person duly authorised by the Council, drive any Vehicles in a Parking Place other than for the purpose of leaving that Vehicle in that Parking Place in accordance with this Order or for the purpose of departing from the Parking Place;
- b) Drive recklessly or at excessive speed or in a manner which is dangerous to other users of that Parking Place, or without due care and attention or without reasonable consideration for other users of that Parking Place.
23. No person shall use any part of a Parking Place: -
- a) For sleeping or camping purposes;
- b) For eating or cooking purposes;
- c) For the purpose of servicing or washing any Vehicle or part thereof other than is reasonably necessary to enable that Vehicle to depart from that Parking Place; and
- no person shall place or permit to be placed on the Vehicle not being a Motor Cycle, any cover of the type normally used to protect the exterior of a Vehicle from the weather during storage in the open air
24. Where in a Parking Place signs are erected or surface markings are laid for the purpose of:
- a) Indicating the entrance to or exit from the Parking Place; or
- b) Indicating that a Vehicle using the Parking Place shall proceed in a specified direction within the Parking Place; or
- c) Indicating that Vehicles of a specified type may be parked within a designated area
- no person shall drive or cause to permit to be driven any Vehicle
- (i) so that it enters the Parking Place otherwise than by an entrance, or leaves the parking place otherwise than by an exit, so indicated, or
- (ii) in a direction other than that specified, or
- (iii) in an undesignated area
25. The Driver of a Vehicle shall not take or attempt to take a Vehicle into a Parking Place if either a sign indicates or a Car Park Enforcement Officer states that it is full.
26. No person shall wilfully or recklessly damage or interfere in any way with the fabric or structure or equipment of the Parking Place which for the absence of doubt shall include any apparatus or device situated thereon.
27. No person shall bring any Trailer or Caravan into the Parking Place except with the written consent of the Council.
28. No person shall except with the written consent of the Council, drive any Vehicle other than as defined in article 4 of this Order in a Parking Place.
29. No provision of this Order will have the effect of prohibiting or restricting access to any Parking Place for Emergency Vehicles or imposing any charge on such Vehicles for use of Parking Place.

## Schedules

<b>Schedule One</b>
The District of the Wrekin Council (Off-Street Parking Places) Order 1987 The District of the Wrekin Council (Off Street Parking Places (Amendment No.4)) Order 1995

<b>Schedule Two – Long Stay Parking Places</b>		
<b>Column 1 Parking Place</b>	<b>Column 2 Duration of Stay</b>	<b>Column 3 Drawing Number</b>
Oakengates Theatre	Maximum Permitted Period is 24 hours  <b>No Return within 2 hours</b>	CAR PARKS/OAK/TH
New Street		CAR PARKS/OAK/NS
Bridge Street		CAR PARKS/OAK/BS
Station Approach		CAR PARKS/OAK/SA

<b>Schedule Three – Short Stay Parking Places</b>		
<b>Column 1</b>	<b>Column 2 (Duration of Stay)</b>	<b>Column 3 (Drawing Number)</b>
Limes Walk	Maximum Permitted Period is 3 hours No Return within 2 hours	CAR PARKS/OAK/LW

**THE COMMON SEAL** of  
**BOROUGH OF TELFORD & WREKIN**

was hereunto affixed on the                      day of                      2016  
in the presence of: