

BROMSGROVE DISTRICT COUNCIL
(OFF-STREET PARKING PLACES)
(CIVIL ENFORCEMENT AND CONSOLIDATION)
ORDER 2013

Bromsgrove District Council (hereinafter called "the Council") in exercise of its powers under Sections 32, 35 and Part IV of Schedule 9 of the Road Traffic Regulation Act 1984, as amended ("the 1984 Act") and of all other enabling powers, after consultation with the Chief Constable of Police in accordance with Part III of Schedule 9 to the 1984 Act hereby makes the following Order:

PART 1
GENERAL

Commencement and Citation

1. This Order shall come into operation on the 1st day of April 2013 and may be cited as the Bromsgrove District Council (Off-Street Parking Places) (Civil Enforcement and Consolidation) Order 2013.

Interpretation

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

"alternative approved method of payment" means cashless payments, park and phone, payment by debit or credit card facilitated by on site or remote verification by, for example, card reader or mobile phone text or phone call or decrementing card;

"bank holiday" has the same meaning as described in the 'Banking and Financial dealings Act 1971 (C.80). The first Monday of May shall be treated as if it were a Bank Holiday for the purposes of this Order;

"charging days", means those days which are as specified at each parking place respectively;

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"charging hours", means the period as specified at each parking place on all charging days;

"Council" means Bromsgrove District Council or its successor authority;

"daily charge" means the charge imposed by the Council for parking in a parking place on any one day and for a specified period of time as is identified in the scale of charges specified in Schedule 1 to this order and by notice on site;

"disabled persons' badge" means a badge issued by a Local Authority in accordance with the provisions of the The Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000 or similar legislation for member countries of the EU.

"expiry time" is the time indicated on the Pay and display ticket and is the time by which the vehicle must leave the parking place;

"light goods vehicle" means a vehicle which is constructed or adapted for use for the carriage of goods or burden of any description, the overall height of which does not exceed 2.00 metres and the unladen weight of which does not exceed 2540 kilograms and is not drawing a trailer;

"loading/unloading" refers to when a vehicle is parked wholly in a parking place or bay marked for that purpose on site, for the purpose of delivering or collecting goods or merchandise or loading or unloading the vehicle at premises adjacent to the parking place or bay and the vehicle does not park for more than twenty minutes or such longer period as a duly authorised officer of the Council may authorise;

"motor cycle" refers to a solo motorcycle only and excludes any motor cycle which has a side-car or trailer, or which has more than two wheels;

"owner" in relation to a vehicle means the person who is recorded as the registered keeper by the Driver and Vehicle Licensing Agency on the date on which the vehicle was parked in the parking place in question;

"park" and "parked" refer to the stopping of a vehicle and it remaining at rest for some time whether or not the driver is still in the vehicle and a vehicle shall be deemed to be parked for any period in the same parking place or parking bay (as the case may be) if any part of it is below the vehicle or the vehicle's load (if any) whether or not the vehicle is moved during that period;

"Park and Phone" means a method of payment of the parking charge involving registration of payment by phone or electronic means and, on first use, registration of the relevant registration number of the vehicle, location of the parking place, credit or debit card details or any such other details as the Council may from time to time require which is accepted by the Council as a valid method of payment for the relevant time of use of the parking place;

"parking bay" means an area of a parking place, which is provided for the leaving of a vehicle of a class specified and indicated by markings on the surface of the parking place or signed or otherwise indicated by signs in the parking place;

"parking permit" means a season ticket, contract permit, business permit, staff permit, disabled badge or resident's permit of a type and design issued by the Council;

"parking place" means an area of land provided by the Council pursuant to Section 32(1) of the 1984 Act for the purpose of parking of vehicles and not closed (in part or in whole) by a notice erected thereon by authority of the Council;

"pay and display ticket" means a ticket issued by a ticket machine located in the parking place in which the vehicle has been parked or issued by a person nominated by the Council on payment of a charge and valid for a parking period as advertised at that parking place;

"Pay on Exit" means a Parking Place where a ticket is issued by a Ticket Machine located at the entrance to a Parking Place, the ticket is retained by the vehicle user and not displayed, and then the relevant charge is paid as required prior to exiting the parking place.

"Penalty Charge" means a charge imposed by legislation in respect of parking contraventions that are subject to civil enforcement;

"public holiday" means Christmas Day, Good Friday and any other day designated by the Government as a public holiday;

"relevant position" means

- (a) in respect of a vehicle displaying a valid disabled person's badge -
 - (i) in the case of a vehicle fitted with a dashboard or fascia panel, the badge is exhibited thereon so that Part 1 (the front of the badge), is legible from outside the vehicle; or
 - (ii) in the case of a vehicle not fitted with a dashboard or fascia panel, the badge is exhibited in a conspicuous position on the vehicle so that Part 1 of the badge is legible from outside the vehicle;
- (b) in respect of a vehicle displaying a pay and display ticket or parking permit -
 - (i) the ticket or permit is exhibited on the inside surface of the windscreen or in a clearly visible position so that it is facing forwards and can be easily seen and read from the front or side of the vehicle; or
 - (ii) in the case of a vehicle that is not fitted with a transparent windscreen, the ticket or permit is exhibited on the front of the vehicle facing forwards and clearly visible; or
- (c) in respect of a vehicle displaying a hackney carriage plate
 - (i) the plate must be affixed to the vehicle in accordance with the instructions given within the licence as issued by Bromsgrove District Council;

"smartcard" means an electronically read card issued by Bromsgrove District Council specifically used in conjunction with the appropriate system. To be used with the Council's current terms and conditions.

"ticket machine" means an apparatus of a type designed to indicate the time by a clock and to issue parking tickets which show that a payment has been made of an amount or for a period specified thereon and which specify the date and, either the time of such payment, or the expiry time of the parking period for which payment has been made;

"vehicle" includes any motor car, motor cycle or other mechanically propelled automobile.

"Virtual Parking Permit" means an electronic record of parking ticket, permit or dispensation issued and confirmed by Bromsgrove District Council to exempt a vehicle from a restriction in the provisions of this order, under the terms applicable at the time of issue. A Virtual Parking Permit may be obtained by any of the methods provided from time to time by the Council and to be valid must be registered on an account in an electronic database approved by the Council with an indication that the permit has been issued and validated in accordance with Council procedures.

"wait" and "waiting" refer to the stopping of a vehicle and it remaining at rest for some time whether or not the driver is still in the vehicle; "Wait" and "waiting" apply as for "park" and "parked"

3. Except where the context requires otherwise, any reference in this Order to a numbered Article shall be construed as a reference to the Article bearing that number in this Order.
4. 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 enactment.
5. Unless the context otherwise requires, words denoting the singular shall include the plural and vice versa and words denoting the persons shall include either gender, bodies corporate, unincorporated associations and partnerships.
6. The Interpretation Act 1978 shall apply for the interpretation of this Order.

PART 2

DESIGNATION AND USE OF PARKING PLACES

Designation

7. Each area of land or building named and specified by the Plans in Schedule 2 may be used, subject to the provisions of this Order, as a place to park vehicles of such classes, in such positions, on such days, during such hours, for such period as are advertised at each parking place and on payment of such charges as stated in Schedule 1 to this Order and as advertised on site.

Class and position of vehicle

8. Where by notice at a parking place, the parking place, or any parking Bay within the parking place, is described as available for vehicles of a specified class or vehicles to be parked in a specified location, no person shall cause or permit a vehicle to be parked in that parking place or in any parking Bay within the parking place,
 - (i) unless it is of the specified class; that is;
Or is;
 - (ii) parked beyond the bay markings;
 - (iii) in a position other than that specified; or
 - (iv) for a purpose other than provided for in this Order.

Classes of vehicle

9. No person shall cause or permit a vehicle to be parked in a parking Bay unless it is a passenger vehicle, light goods vehicle, a vehicle displaying a disabled person's badge, motor cycle and / or a class specifically prescribed in the Schedules or as advertised on site.

Position of vehicle

10. If parking bays are marked out in a parking place the driver of a vehicle shall ensure that it is not parked beyond the parking bay markings and shall not permit it to wait in that parking place unless it is so positioned.
11. If parking bays are not marked out in a parking place the driver of a vehicle shall ensure that it is positioned so that it does not obstruct or potentially obstruct other vehicles using the parking place, the free flow of traffic circulating within the parking place and the entrances to and exits from the parking place.

Disabled person's parking bays

12. No person shall cause or permit a vehicle to be parked in a parking bay marked for disabled persons unless the vehicle displays a valid disabled person's badge in the relevant position and immediately before or immediately after the act of parking the vehicle has been or is about to be used by the person(s) in respect of whom the disabled person's badge has been issued.

Permit parking bays

13. No person shall cause or permit a vehicle to park in a parking bay identified for permit holders unless the vehicle is displaying a permit valid for that time and that parking bay. Where a Virtual Parking Permit has been obtained as an alternative to a Parking Ticket and remains valid, any requirement in the relevant Parking Order for the Parking Ticket to be displayed on the vehicle to which it relates shall not apply.

Taxi bays

14. No person shall cause or permit a Vehicle to be parked in an area marked as a taxi bay unless the Vehicle displays in the relevant position a valid Hackney Carriage plate / permit issued by the Council or unless authorised by the Council to do so.

Loading and unloading bays

15. No person shall cause or permit a vehicle to park in any area marked as a loading bay unless the vehicle is being used for the purpose of Loading or Unloading.

Motorcycle parking bays

16. No person shall cause or permit a vehicle to park in a parking bay marked for motor cycles unless the vehicle is a motorcycle.

Drop off bays

17. No person shall cause or permit a vehicle to park in a drop off bay marked for this purpose unless passengers are boarding or alighting from the vehicle within the maximum stay of 10 minutes.

Parent and child bays

18. Where in a parking place signs are erected or surface markings are laid for the purpose of indicating that a particular parking bay is for the use of parents with

children, no person shall cause a vehicle to be parked in such a parking bay unless the vehicle arrives in that parking place with a child present in the vehicle and leaves that parking place with a child present in the vehicle.

Hours of operation and maximum period of stay

19. A parking place or in any parking bay within the parking place is described as being in operation on specified days, during specified hours or for a maximum period of stay, no person shall cause or permit a vehicle to be parked in that parking place or in any parking bay within the parking place on any day, during such hours or for any period other or longer than those specified.

Period of no return

20. Where by notice on site, a parking place is described as having a period within which a vehicle may not return, no person shall cause or permit a vehicle to be parked again in that parking place on any day, during such hours within which the vehicle is excluded from waiting in the parking place.

Power to close or suspend parking places

21. Nothing in this Order shall prevent the Council by notice, sign or barrier displayed or erected in a parking place:
 - (i) from closing a parking place or any part thereof for any period; and/or
 - (ii) from setting aside a parking place or any part or parts thereof on all days or on certain days or during certain parts of days for use only by particular vehicles or organisations.
22. Any person closing or suspending the use of a parking place or any part thereof shall thereupon place or cause to be placed in or adjacent to that parking place or that part thereof a notice or traffic sign indicating that of that parking place or that part thereof is closed or the use is suspended and that parking by vehicles is prohibited.
23. No person shall cause or permit a vehicle to be parked in a parking place or any part thereof during such periods that the parking place or that part thereof is closed or the use is suspended or during such period as there is in or adjacent thereto a notice or traffic sign indicating the closure or suspension placed by or on behalf of the Council.

Sale of Goods

24. No person shall in a parking place without the express written permission of the Council, use a vehicle, in connection with the sale of any article, including the vehicle itself, to any person in or near the parking place or in connection with the selling or offering for hire of skill or services in any other capacity.

Parked with engine running

25. No person shall in a parking place continue to run the engine when the vehicle is in the parking space and shall not start the engine except when about to change the position of the vehicle in or to depart from the parking place.

Parked causing an obstruction or potential obstruction

26. No person shall in a parking place park the vehicle in such a manner or place where it causes an obstruction or potential obstruction to any other users of the parking place.

PART 3 CHARGES FOR PARKING

Pay and display Parking Places/ Pay on Exit/Pay on Foot parking places

27. The person in charge of a vehicle, upon parking the vehicle in a parking bay, shall immediately

- (i) arrange for the purchase of a pay and display ticket from a ticket machine situated at that parking place at the level of charge and for the period required in accordance with the scale of daily charges as stated in Schedule 1 to this Order and as advertised at the parking place.

or

- (ii) make arrangements to pay the appropriate fee through an alternative approved method of payment such as Pay by Phone at the level of daily charge and for the period required in accordance with the scale of charges as stated in Schedule 1 to this Order and as advertised at the parking place.

or

- (iii) The driver of a vehicle using a Pay on Exit parking place shall, upon arriving at the parking place, take a ticket from the machine to establish time of entry and shall on return to the vehicle prior to exit, pay the appropriate fee at the pay on foot machines or pay the authorised officer on duty, or a person nominated by the Council at the exit point, a parking fee at the level of charge and for the period required in accordance with the scale of charges as advertised on site.
- (iv) If the driver of a vehicle using a Pay on Exit parking place is in possession of a Council smartcard then entry is by use of the smartcard and shall on return to the vehicle prior to exit, pay the appropriate fee at the pay on foot machines or pay the authorised officer on duty, or a person nominated by the Council at the exit point, a parking fee at the level of charge and for the period required in accordance with the scale of charges as advertised on site.

Payment

28. No person shall cause or permit any vehicle to be parked in a parking place without arranging for the appropriate charge (if any) to be paid in accordance with the scale of current charges as stated in Schedule 1 to this Order and as advertised at the parking place.

Means of payment

29. The charges referred to in the preceding Article shall be payable in the manner as advertised at that parking place.

Display of ticket

30. Save for payment by an alternative approved method of payment, or at a pay on foot or pay on exit parking place, once a vehicle has been parked within a pay and display parking place the person in charge of the vehicle shall ensure that:
- (i) a valid pay and display ticket has been obtained to cover the entire period that the vehicle is parked in the parking place, and
 - (ii) the valid pay and display ticket is displayed in the relevant position on the vehicle in respect of which it was issued at all times the vehicle is parked.

Validity of pay and display tickets

31. A pay and display ticket is not transferable from one vehicle to another and on transfer the Pay and display ticket ceases to be valid.
32. A pay and display ticket is valid in the parking place in which it was issued and in any other pay and display parking place managed by Bromsgrove District Council with the same time limits as the parking place of issue.

Expiry of parking period

33. The expiry of the period for which the appropriate charge has been paid shall be
 - (i) where a pay and display ticket has been purchased, when the time is later than the expiry time shown on the pay and display ticket displayed, or
 - (ii) where an alternative approved method of payment has been used, when the period for which payment has been made and recorded has been exceeded.

No pay and display ticket displayed

34. If at any time while a vehicle is parked in a parking place, no pay and display ticket is displayed on that vehicle in the relevant position and in accordance with the provisions of this order, it shall be deemed that the charge has not been paid. Where a Virtual Parking Permit has been obtained as an alternative to a Parking Ticket and remains valid, any requirement in the relevant Parking Order for the Parking Ticket to be displayed on the vehicle to which it relates shall not apply.
35. If at the time when a vehicle is parked during the charging hours in a parking place and the nearest ticket machine in that parking place is out of order, then a ticket shall be obtained from another ticket machine within the same parking place (where provided) or as directed in the parking place.
36. Where no valid pay and display ticket can be obtained from a ticket machine within a parking place, vehicles may be parked in a parking place but may not be parked for longer than the maximum period of parking in that parking place as advertised at the parking place.

Parking permits

37. Parking permits are available from the Council at the appropriate fee as stated in Schedule 4 for a specific parking place subject to conditions determined by the Council.
38. A parking permit is only valid in the parking place(s) in respect of which it was issued, for the vehicle in respect of which it was issued and up to the date of expiry shown on the parking permit.
39. The driver shall abide by the terms stipulated by the Council for the use of the parking permit.

Display of season ticket / parking permit

40. A parking permit shall be displayed in the relevant position on the vehicle in respect of which it was issued at all times during which the vehicle is parked in the parking place. Where a Virtual Parking Permit has been obtained as an alternative to a parking ticket and remains valid, any requirement in the relevant Parking Order for the parking ticket to be displayed on the vehicle to which it relates shall not apply.

Replacement season tickets / parking permits

41. Damaged or lost season tickets / parking permits will be replaced on application to the Council and on payment of an administration fee in accordance with Council policies. The damaged or lost season ticket / parking permit will then become immediately invalid.

Surrender and refunds

42. A season ticket / parking permit remains the property of the Council and must be surrendered on request. In such instances any refund of fee paid will be provided in accordance with the Council policy in place at that time.
43. The holder of a season ticket / parking permit may, on surrendering the season ticket / parking permit, be entitled to a refund based upon the Council policy in place at that time.

Restriction on removal

44. When a pay and display ticket or parking permit has been exhibited on a vehicle in the relevant position no person shall remove the pay and display ticket or season ticket / parking permit from the vehicle until the vehicle is removed from the parking place.

PART 4 EXEMPTIONS

Exemption from charge

45. No charge shall be payable in respect of;
- (i) a motorcycle unless parked in a parking bay other than marked for motorcycles.
 - (ii) a vehicle parked displaying in a relevant position a parking permit valid for that parking place
 - (iii) Emergency service vehicles in the course of undertaking emergency duties.

Absence of Ticket machine

46. If at the time when a vehicle is parked in a parking place during the charging hours there is no ticket machine at the parking place, or all the ticket machines at that parking place carry notices placed upon them by a person duly authorised by the Council indicating that they are out of order, the driver of that vehicle shall be exempt from purchasing a pay and display ticket.

Payment by alternative approved method of payment

47. Where arrangements to pay the charge have been made through an alternative approved method of payment and no pay and display ticket is produced by following the process, the driver of a vehicle shall be exempt from the requirement to display such a ticket.

PART 5
RELOCATION, REMOVAL, CLAMPING AND DISPOSAL OF VEHICLES

Emergencies

48. A person authorised by the Council or a police officer in uniform may, using such measures as are appropriate, move or cause to be moved in the case of an emergency to any place he/she thinks fit, any vehicle parked in a parking place.

Contraventions in suspended parking place

49. A person authorised by the Council may, using such measures as are appropriate, move or cause to be moved to any place he/she thinks fit, any vehicle parked in a parking place which has been closed or suspended in whole or in part by the Council and the cost of movement or removal and safe keeping shall be the liability of the owner of the vehicle.

Safe keeping

50. Any person removing a vehicle from a parking place under the provisions of this Order shall make such arrangements as may be reasonably necessary to provide for the safe keeping of the vehicle.

Disposal of vehicles abandoned in parking places

51. The Council may sell or otherwise dispose of, in accordance with current legislation, a vehicle which has been, or could at any time be, removed from a parking place if the vehicle appears to have been abandoned and will be dealt with under the abandoned vehicle legislation.

PART 6
CONTRAVENTION AND PENALTY CHARGE

Contravention

52. Save for the provisions in Part 7, if a vehicle is parked in a parking place without complying with the requirements of this Order, a contravention shall have occurred and a penalty charge shall be payable as stated in Schedule 3.

Restriction on removal of notices

53. Any notice fixed to a vehicle in accordance with this Order shall not be removed or interfered with except by or under the authority of:
- (i) the Owner, or person in charge of, the vehicle;
 - (ii) the Council for the parking place in which the vehicle in question was found.

Indications as Evidence

54. The particulars given in any notice served on a vehicle in accordance with the provisions of this Order shall be treated as evidence in any proceedings relating to failure to pay the penalty charge.

PART 7

LIABILITY AND OTHER PROVISIONS

Liability

55. The Council accepts no liability for the loss or damage to vehicles or other property left in any of the parking places to which this Order applies save for that arising from the negligence of the Council.

Validity

56. If a Court, the Department for Transport, the Traffic Penalty Tribunal or the Traffic Enforcement Centre declares any part of this Order to be invalid or unenforceable, such declaration shall not invalidate the remainder of the Order.

Driving within a parking place

57. Where in a parking place signs are erected or surface markings are laid for the purpose of
- (i) indicating the entrance to or exit from the parking place, or
 - (ii) indicating that a vehicle using the parking place shall proceed in a specified direction within the parking place,
- any person who drives or permits 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 so specified

shall be liable to prosecution.

58. Any person who, without with the permission of a person authorised by the Council in that behalf, drives or permits to be driven any vehicle in a parking place for any purpose other than the purpose of leaving that vehicle in the parking place in accordance with the provisions of this Order or for the purpose of departing from the parking place shall be liable to prosecution.

Wilful damage

59. Any person who with intent to defraud interferes with a ticket machine or operates or attempts to operate it by the insertion of objects other than undamaged and unaltered coins of legal tender and of the appropriate denomination, shall be liable to prosecution.

Domestic purposes

60. Any person who uses any part of the parking place or any vehicle parked in a parking place
- (i) for sleeping or camping or cooking, or
 - (ii) for the purpose of servicing or washing any vehicle or part thereof other than is reasonably necessary to enable the vehicle to depart from the parking place,
- shall be liable to prosecution.

Behaviour

61. Any person who wilfully sounds any horn or any other similar instrument on a vehicle except when about to change the position of the vehicle in or to depart from the parking place shall be liable to prosecution.
62. Any person who in a parking place shouts or otherwise makes any loud noise to the disturbance or annoyance of users of the parking place or residents or premises in the neighbourhood shall be liable to prosecution.
63. Any person who in a parking place uses any threatening, abusive or insulting language, gesture or conduct with intent to put any person in fear or so as to occasion a breach of the peace or whereby a breach of the peace is likely to be occasioned shall be liable to prosecution.

Other activities

64. Any person who in a parking place
- (i) erects or causes or permits to be erected any tent, booth, stand, building or other structure without the written consent of the Council, or
 - (ii) lights or causes to be lit any fire,
 - (iii) causes wilful or deliberate damage to the fabric of the car park
 - (iii) Cycles or skateboards in the car park
- shall be liable to prosecution.

PART 8

REVOCATIONS

Revocations

65. The following Orders made by Bromsgrove District Council and all their Amendments and any other Orders and Regulations of whatever nature relating to off-street parking places specified in the Schedules within the area of the Council made before the introduction of this Order are hereby revoked.

Bromsgrove District Council (Off-Street Car Parks) Order 2011

**EXECUTED as a Deed by affixing the COMMON SEAL
of Bromsgrove District Council
in the presence of**

S. Sells
PRINCIPAL SOLICITOR



Dated this 30th May 2013

BROMSGROVE DISTRICT COUNCIL
(OFF-STREET PARKING PLACES)
(CIVIL ENFORCEMENT and CONSOLIDATION) ORDER 2013

SCHEDULE 1 – PAYMENT PARKING PLACES

Name of parking place (1)	Special classes of vehicle (if any) (2)	Days of operation of parking place (3)	Charging days and hours (4)	Scale of charges (5)	Maximum waiting period allowed (6)	Minimum time in which return is prohibited (7)
Bromsgrove Station Car Park	1) Motor vehicles and motor cycles all as defined in the Road Traffic Regulation Act 1984 2) Motor vehicles not exceeding 1.5 tonnes unladen weight constructed or adapted solely for the purpose of carrying goods; or 3) Any other class of vehicle as specified in column 2 of Schedule	All days	08.00 – 22.00 All days	All day £3.00	N/A	N/A
Churchfields Multi Storey	Levels 1 and 2;	All days	08.00 – 19.00 Monday to	Up to 30 minutes £0.40 Up to 1 hour £0.80	N/A	N/A

Car Park	<p>1) Motor vehicles and motor cycles all as defined in the Road Traffic Regulation Act 1984</p> <p>2) Motor vehicles not exceeding 1.5 tonnes unladen weight constructed or adapted solely for the purpose of carrying goods; or</p> <p>3) Any other class of vehicle as specified in column 2 of Schedule 1.</p> <p>Levels 3, 4, 5, and 6; vehicles not in excess of 3 tonnes.</p>		<p>Saturday (excluding Bank Holidays) 09.00 – 16.30 Sunday and Bank Holidays</p>	<p>Up to 2 hours £1.60 Up to 3 hours £2.40 All day £3.00</p>		
<p>Hanover Street Car Park</p> <p>1) Motor vehicles and motor cycles all as defined in the Road Traffic Regulation Act 1984</p> <p>2) Motor vehicles not exceeding 1.5 tonnes unladen weight constructed or adapted solely for the purpose of carrying goods; or</p> <p>3) Any other class of vehicle as specified in column 2 of Schedule 1</p>		All days	<p>08.00 – 22.00 All days</p>	<p>Up to 30 minutes £0.40 Up to 1 hour £0.80 Up to 2 hours £1.60 Up to 3 hours £2.40 All day £5.00</p>	N/A	N/A

New Road Car Park	<p>1) Motor vehicles and motor cycles all as defined in the Road Traffic Regulation Act 1984</p> <p>2) Motor vehicles not exceeding 1.5 tonnes unladen weight constructed or adapted solely for the purpose of carrying goods; or</p> <p>3) Any other class of vehicle as specified in column 2 of Schedule 1</p>	All days	08.00 – 22.00 All days	<p>Up to 30 minutes £0.40</p> <p>Up to 1 hour £0.80</p> <p>Up to 2 hours £1.60</p> <p>Up to 3 hours £2.40</p> <p>Up to 4 hours £3.20</p> <p>Up to 5 hours £4.00</p>	5 hours	5 hours
Parkside Car Park	<p>1) Motor vehicles and motor cycles all as defined in the Road Traffic Regulation Act 1984</p> <p>2) Motor vehicles not exceeding 1.5 tonnes unladen weight constructed or adapted solely for the purpose of carrying goods; or</p> <p>3) Any other class of vehicle as specified in column 2 of Schedule 1</p>	All days	08.00 – 22.00 All days	<p>Up to 30 minutes £0.40</p> <p>Up to 1 hour £0.80</p> <p>Up to 2 hours £1.60</p> <p>Up to 3 hours £2.40</p> <p>Up to 4 hours £3.20</p> <p>Up to 5 hours £4.00</p>	5 hours	5 hours
Recreation Road North	1) Motor vehicles and motor	All days	08.00 – 22.00 All days	<p>Up to 30 minutes £0.40</p> <p>Up to 1 hour £0.80</p>	N/A	N/A

Car Park	<p>cycles all as defined in the Road Traffic Regulation Act 1984</p> <p>2) Motor vehicles not exceeding 1.5 tonnes unladen weight constructed or adapted solely for the purpose of carrying goods; or</p> <p>3) Any other class of vehicle as specified in column 2 of Schedule 1</p>			<p>Up to 2 hours £1.60</p> <p>Up to 3 hours £2.40</p> <p>All day £5.00</p>			
School Drive Car Park	<p>1) Motor vehicles and motor cycles all as defined in the Road Traffic Regulation Act 1984</p> <p>2) Motor vehicles not exceeding 1.5 tonnes unladen weight constructed or adapted solely for the purpose of carrying goods; or</p> <p>3) Any other class of vehicle as specified in column 2 of Schedule 1</p>	All days	<p>08.00 – 22.00</p> <p>All days</p>	<p>Up to 30 minutes £0.40</p> <p>Up to 1 hour £0.80</p> <p>Up to 2 hours £1.60</p> <p>Up to 3 hours £2.40</p> <p>All day £5.00</p>	N/A	N/A	N/A
Stourbridge Road Car Park	<p>1) Motor vehicles and motor cycles all as defined in the Road Traffic Regulation Act 1984</p>	All days	<p>08.00 – 22.00</p> <p>All days</p>	<p>Up to 30 minutes £0.40</p> <p>Up to 1 hour £0.80</p> <p>Up to 2 hours £1.60</p> <p>Up to 3 hours £2.40</p> <p>All day £5.00</p>	N/A	N/A	N/A

	2) Motor vehicles not exceeding 1.5 tonnes unladen weight constructed or adapted solely for the purpose of carrying goods; or 3) Any other class of vehicle as specified in column 2 of Schedule 1							
Recreation Road South	1) Motor vehicles and motor cycles all as defined in the Road Traffic Regulation Act 1984 2) Motor vehicles not exceeding 1.5 tonnes unladen weight constructed or adapted solely for the purpose of carrying goods; or 3) Any other class of vehicle as specified in column 2 of Schedule 1	All days	08.00 – 22.00 Monday to Saturday (excluding Bank Holidays) 09.00 – 16.30 Sunday and Bank Holidays	Up to 30 minutes £0.40 Up to 1 hour £0.80 Up to 2 hours £1.60 Up to 3 hours £2.40 Up to 4 hours £3.20 Up to 5 hours £4.00 In excess of five hours £25.00	5 hours	5 hours	5 hours	
Windsor Street	1) Motor vehicles and motor cycles all as defined in the Road Traffic Regulation Act 1984 2) Motor vehicles not exceeding 1.5 tonnes	All days	08.00 – 22.00 All days	Up to 30 minutes £0.50 Up to 1 hour £1.00 Up to 2 hours £2.00	2 hours	2 hours	2 hours	

	unladen weight constructed or adapted solely for the purpose of carrying goods; or 3) Any other class of vehicle as specified in column 2 of Schedule 1	All days	08.00 – 22.00 All days	(i) Drop off parking bays – no charges (ii) Undesignated parking bays – permit holders only	(i) 10 minutes (ii) no maximum waiting period for permit holders	(i) No return within 2 hours (ii) N/A
Dolphin Centre Car Park	1) Motor vehicles and motor cycles all as defined in the Road Traffic Regulation Act 1984 2) Motor vehicles not exceeding 1.5 tonnes unladen weight constructed or adapted solely for the purpose of carrying goods; or 3) Any other class of vehicle as specified in column 2 of Schedule 1	All days	08.00 – 22.00 All days	(i) Drop off parking bays – no charges (ii) Undesignated parking bays – permit holders only	(i) 10 minutes (ii) no maximum waiting period for permit holders	(i) No return within 2 hours (ii) N/A
Catshill Car Park	1) Motor vehicles and motor cycles all as defined in the Road Traffic Regulation Act 1984 2) Motor vehicles not exceeding 1.5 tonnes unladen weight constructed or adapted solely for the purpose of carrying goods;	All days	00.00 – 23.59 All days	No charges	2 hours	2 hours

	3) or Any other class of vehicle as specified in column 2 of Schedule 1					
Alvechurch Car Park	1) Motor vehicles and motor cycles all as defined in the Road Traffic Regulation Act 1984 2) Motor vehicles not exceeding 1.5 tonnes unladen weight constructed or adapted solely for the purpose of carrying goods; or 3) Any other class of vehicle as specified in column 2 of Schedule 1	All days	00.00 – 23.59 All days	No charges	N/A	N/A
Alvechurch Sports and Social Club	1) Motor vehicles and motor cycles all as defined in the Road Traffic Regulation Act 1984 2) Motor vehicles not exceeding 1.5 tonnes unladen weight constructed or adapted solely for the purpose of carrying goods; or 3) Any other class of vehicle as specified in column 2 of Schedule 1	All days	00.00 – 23.59 All days	No charges	2 hours if parked between 08.00 to 19.00 Monday to Saturday except for vehicle clearly displaying a club membership sticker at the	For vehicles not displaying a club membership sticker, or a permit, no return within 2 hours

	specified in column 2 of Schedule 1					time of parking during club opening hours or vehicle clearly displaying a permit for this car park at the time of parking.	
Aston Road (Part) Car Park	1) Motor vehicles and motor cycles all as defined in the Road Traffic Regulation Act 1984 2) Motor vehicles not exceeding 1.5 tonnes unladen weight constructed or adapted solely for the purpose of carrying goods; or 3) Any other class of vehicle as specified in column 2 of Schedule 1	All days	00.00 – 23.59 All days	No charges	N/A	N/A	N/A
Sanders Park Car Park	1) Motor vehicles and motor cycles all as defined in the Road Traffic Regulation Act 1984 2) Motor vehicles not	All days	00.00 – 23.59 All days	No charges	N/A	N/A	N/A

	<p>exceeding 1.5 tonnes unladen weight constructed or adapted solely for the purpose of carrying goods; or</p> <p>3) Any other class of vehicle as specified in column 2 of Schedule 1</p>				
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Schedule 3 – Penalty Charge Notice levels

Code	Description	Diff. level	PCN £
70	Parked in a loading area during restricted hours without reasonable excuse	Higher	£70
71	Parked in an electric vehicles' charging place during restricted hours without charging	Higher	£70
73	Parked without payment of the parking charge	Lower	£50
74	Using a vehicle in a parking place in connection with the sale or offering or exposing for sale of goods when prohibited	Higher	£70
77	- - - RESERVED FOR DVLA USE - - -	n/a	
80	Parked for longer than the maximum period permitted	Lower	£50
81	Parked in a restricted area in a car park	Higher	£70
82	Parked after the expiry of paid for time	Lower	£50
83	Parked in a car park without clearly displaying a valid pay & display ticket or voucher or parking clock	Lower	£50
84	Parked with payment made to extend the stay beyond initial time	Lower	£50
85	Parked in a permit bay without clearly displaying a valid permit	Higher	£70
86	Not parked correctly within the markings of a bay or space	Lower	£50
87	Parked in a designated disabled person's parking place without displaying a valid disabled person's badge in the prescribed manner	Higher	£70
89	Vehicle parked exceeds maximum weight or height or length permitted in the area	Higher	£70
90	Re-parked in the same car park within one hour after leaving	Lower	£50
91	Parked in a car park or area not designated for that class of vehicle	Higher	£70
92	Parked causing an obstruction	Higher	£70
93	Parked in car park when closed	Lower	£50
94	Parked in a pay & display car park without clearly displaying two valid pay and display tickets when required	Lower	£50
95	Parked in a parking place for a purpose other than the designated purpose for the parking place	Lower	£50
96	Parked with engine running where prohibited	Lower	£50

NOTE: Provided that payment is received within 14 days of service of the PCN the Council will accept a discounted amount equivalent to 50% of the rates listed above

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Schedule 4 – Annual and Quarterly Permits

1. The Council may issue to applicants one permit for use on one vehicle used by the applicant upon payment of the prescribed fee.
2. The vehicle registration number printed on a permit shall not be altered or substituted with a different number except by the Council on the application of the holder.
3. A permit shall only be considered to be valid if it is securely fixed to the windscreen of an authorised vehicle at the time of parking. Holders should not affix the permit to the windscreen so that it obscures their vision.
4. A permit shall only be valid in the car park designated on the front of the permit.
5. A vehicle displaying a valid permit shall be entitled to park in the designated car park at all times without payment providing a space is available and the person in control of the vehicle complies in all respects to the regulations and directions in place in the car park at that time. A permit does not confer on the holder any additional right(s) over and above those enjoyed by other members of the public using the car park.
6. The Council in its absolute discretion may refuse to issue a permit to any person without giving reason for such refusal, and similarly may withdraw, or invalidate in writing, the permit at any time without giving reason for such withdrawal or invalidation.
7. Any vehicle parked on a car park entirely at the owner's risk; the issue of a permit by the Council does not impose on the Council any liability for any loss or damage to any vehicle displaying a permit or its contents with the exception of such loss or damage due to negligence on the part of the Council.
8. The table below sets out the amounts payable for Annual and Quarterly Permits.

Car Park	Annual Charge	Quarterly Charge
Churchfields Multi Storey	£215	£53.75
Stourbridge Road	£215	£53.75

All long stay car parks	£320	£80
Alvechurch Sports and Social Club	£250	£62.50

9. An annual or quarterly permit holder may surrender the permit to the Council at any time:
- a) A permit holder who surrenders a permit to the Council before it has become valid shall be entitled to a refund of the fee paid in respect thereof.
 - b) A permit holder who surrenders an annual or quarterly permit to the Council after it has become valid shall be entitled to a refund calculated on a pro rata basis for each complete month covered by the permit which remains unexpired at the date of surrender.

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Schedule 5 – Staff Permits

1. The Council may issue to members of staff one permit for use on one vehicle which is operated by the member of staff provided the prescribed fee has been paid.
2. Members of staff who require use of the car parks included in this Order in the course of their duties may apply for a staff permit through their Head of Service or Director. The application must state the name of the member of staff, the registration number of the vehicle to be used and the date from which the permit is to be used.
3. Members of staff who require the use of the a car park included in this Order by reason of lack of access to adequate parking facilities may apply for a staff permit through their Head of Service or Director. The application must state the name of the member of staff, the registration number of the vehicle to be used and the date from which the permit is to be used and identify the car park to be used.
4. The vehicle registration number printed on the permit shall not be altered or substituted with a different number except by the Council on the application of the holder.
5. The permit shall only be considered to be valid if it is securely fixed to the windscreen of the authorised vehicle at the time of parking. Holders should not affix the permit so that it obscures their vision.
6. A vehicle displaying a valid permit shall be entitled to park in the designated pay and display car park at all times without payment providing a space is available and the person in control of the vehicle complies in all respects to the regulations and directions in place in the car park at that time. A permit does not confer on the holder any additional right(s) over and above those enjoyed by other members of the public using the car park.
7. Any vehicle parked on a car park is parked entirely at the owner's risk; the issue of a permit by the Council does not impose on the Council any liability for any loss of damage to any vehicle displaying a permit or its contents with the exception of such loss of damage due to negligence on the part of the Council.
8. The permit shall only be valid if the member of staff is engaged solely on Council business. The use of a permit for other than official Council duties

may lead to disciplinary action, withdrawal of the permit, and enforcement of a Penalty Charge Notice.

9. Members of staff who are not eligible for staff permits but who are obliged to make use of car parks included in this Order in the course of their duties should purchase a parking ticket at the time of parking and seek reimbursement of the fee paid by way of an expenses claim.

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Schedule 6 – Issue of smartcards for Disabled Person's Badge Holders for use
at Churchfields Multi Storey and Recreation South Car Parks

1. The Council may issue no more than one smart card per applicant.. For the avoidance of doubt, the use of smartcards under this Schedule is limited to the car parks at Churchfields Multi Storey and Recreation Road South (Asda).
2. The applicant must hold a current disabled person's badge at the time of application.
3. The expiry date on the disabled person's badge shall also be applied to the smartcard. The smartcard will not be valid after the expiry date.
4. Smartcard holders have the option of linking their smartcard to be used in connection with one vehicle, the vehicle registration number of which must be provided to the Council. The smartcard operates using number plate recognition technology and when used in this mode the entrance and exit barriers will open automatically when the registered vehicle approaches.
5. Alternatively, it is open to smartcard users not to ask for the card to be linked to a particular vehicle, in which case it will operate in the same way with the exception that the entrance and exit barriers will not open automatically in response to recognising the vehicle registration number.
6. In the case of use of a smartcard under either paragraph 4 or 5, the smartcard will only be valid if the vehicle displays the applicant's disabled person's badge in accordance with the terms and conditions of use.
7. The Council in its absolute discretion may refuse to issue a smartcard to any person, and similarly may withdraw, or invalidate the smartcard at any time.
8. Prior to exiting the car park the smartcard user shall pay the relevant charge. The amount of the charge will be calculated by the pay on foot payment machine when the smartcard is inserted.
9. For stays of less than 90 minutes the relevant charge will be reduced to the amount charged for up to 30 minutes. For stays of over 90 minutes the relevant charge will be reduced by a discount equivalent to the charge for one hours parking.
10. A smartcard does not confer on the holder any additional right(s) over and above those enjoyed by other members of the public using the car park save as set out in paragraph 9 above.

11. Any vehicle parked on a car park is parked entirely at the owner's risk; the issue of a smartcard by the Council does not impose on the Council any liability for any loss or damage to any vehicle accessing the car parks using a smartcard or its contents with the exception of such loss of damage due to negligence on the part of the Council.
12. Smartcards which are lost and require replacement will be charged at £5 per replacement.

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Schedule 7 – Arrangements for parking for Disabled Person's Badge Holders
at parking places equipped with pay and display ticket machines.

1. This Schedule applies to all parking places included in this order where payment is made using pay and display ticket machines.
2. Disabled persons are required to purchase a pay and display ticket and display it on their vehicle together with their Disabled Persons Badge.
3. An additional hours free parking will be permitted, to expire one hour after the expiry time stated on the pay and display ticket.