

BROMSGROVE DISTRICT COUNCIL

(OFF STREET PARKING PLACES)

(VARIATION) ORDER 2014

Bromsgrove District Council (hereinafter referred to as "the Council") in exercise of their powers under section 32, 35 and Part IV of Schedule 9 of the Road Traffic Regulation 1984, as amended ("the 1984 Act") and all other enabling powers and with the consent of Worcestershire County Council in accordance with Section 39(3) of the 1984 Act, and after consultation with the Chief Constable of Police in accordance with Part III of Schedule 9 to the 1984 Act hereby make the following order:-

PART 1

GENERAL

1. Title

This Order may be cited as the Bromsgrove District Council (Off Street Parking Places) (Variation) order 2014.

2. Commencement and Effect

This Order shall come into operation on the 30th day of June 2014.

Save as varied by the Order the Bromsgrove District Council (Off Street Parking Places) (Civil Enforcement and Consolidation) Order 2013 (the 2013 Order") shall continue in full force and effect.

With effect from the 30th day of June 2014 the 2013 Order shall have effect with the following variations.

PART 2

AMENDMENTS

3. Schedule 2 of the 2013 Order shall no longer have effect.

4. Paragraph 7 of the 2013 order headed" Designation" is amended to read
"Each parking place 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."

5. Schedules 3 to 7 of the 2013 Order are re-numbered as Schedules 2 to 6 as set out in the revised Schedules attached hereto.
6. Paragraph 37 of the 2013 Order is amended by the insertion of the wording "Schedule 3" in place of the wording "Schedule 4".
7. Paragraph 52 of the 2013 Order is amended by the insertion of the wording "Schedule 2" in place of the wording "Schedule 3".

THE COMMON SEAL of the DISTRICT)
COUNCIL OF BROMSGROVE was hereunto)
affixed this 30th day of June 2014)

in the presence of:)

S. Sellers

Principal Solicitor

Dated this 30th date of June 2014



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>		
Hanover Street 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 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	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>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	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>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

	or 3) 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
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

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Bromsgrove District Council (Off – Street Parking Places)
(Civil Enforcement And Consolidation) Order 2013

Schedule 2 – 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

Bromsgrove District Council (Off – Street Parking Places)
(Civil Enforcement And Consolidation) Order 2013

Schedule 3 – 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.

Bromsgrove District Council (Off – Street Parking Places)
(Civil Enforcement And Consolidation) Order 2013

Schedule 4 – 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.

Bromsgrove District Council (Off – Street Parking Places)
(Civil Enforcement And Consolidation) Order 2013

Schedule 5 – 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 or 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.

Bromsgrove District Council (Off – Street Parking Places)

(Civil Enforcement And Consolidation) Order 2013

Schedule 6 – Arrangements for parking for Disabled Person's Badge Holders

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.