

**BROMSGROVE DISTRICT COUNCIL**  
**(OFF-STREET PARKING PLACES)**  
**ORDER 2024**

**BROMSGROVE DISTRICT COUNCIL (OFF-STREET PARKING PLACES)  
ORDER 2024**

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 (“the 1984 Act”) and under the Road Traffic Act 1991 as amended (whether generally or in relation to the area of the Council (“the 1991 Act”), the Traffic Management Act 2004 (“the 2004 Act”) and all other enabling powers, with the consent of the Worcestershire County Council in accordance with Section 39(3) of the 1984 Act and after consulting with the Chief Officer of Police in accordance with paragraph 20 of Schedule 9 to the 1984 Act, hereby make the following Order:-

**PART I  
GENERAL**

**Commencement and Citation**

1. This Order shall come into operation on the 24<sup>th</sup> day of June 2024 and may be cited as the Bromsgrove District Council (Off-Street Parking Places) Order 2024.
2. Without prejudice to the validity of anything done or to any liability incurred in respect of any act or omission before the coming into operation of this Order, all previous Off-Street Parking Places Order are revoked on the date that this Order comes into operation.

**Interpretation**

3. 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;

“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 specified in column 4 of Schedule 1 in respect of which a charge is specified in column 5 of Schedule 1 and by notice on site;

“Charging Hours” means any period specified in column 4 of Schedule 1 in respect of which a charge is specified in column 5 of Schedule 1 and by notice on the site;

“Civil Enforcement Officer” means any officer of the Council who is authorised to supervise and control the use of Vehicles in the Parking Places and enforce the provisions of this Order pursuant to Section 76 of the 2004 Act;

“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 schedule of charges specified in Schedule 1 in column 5 to this order and by notice on site;

“Disabled Persons’ Badge” has the same meaning as in The Local Authorities Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000, as amended;

“Driver” in relation to a Vehicle Parked in a Parking Place, means the person driving the Vehicle at the time it was left in the Parking Place;

“Drop Off / Pick Up Parking Bay” means a Parking Space designated for use by Vehicles which have entered the Parking Place for the purpose of either collecting or discharging passengers, such spaces having a maximum stay of 10 minutes.

“Electric Vehicle” means a Vehicle that is propelled by one or more electric motors powered by a rechargeable battery, including hybrid Vehicles;

“Electric Vehicle Charging Bay” means a Parking Bay within a Parking Place identified by surface markings and/or signage for the exclusive use of Electric Vehicles whilst that Vehicle is being charged by means of an Electric Vehicle Charging Point;

“Electric Vehicle Charging Point” means a purpose built apparatus designed to connect an Electric Vehicle to a source of electricity to recharge Electric Vehicles;

“Expiry Time” is the time indicated on the Pay and Display Ticket or equivalent Virtual Parking Permit and is the time by which the Vehicle must leave the Parking Place;

“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 1.85 metres and the unladen weight of which does not exceed 2540 kilogrammes and is not drawing a trailer;

“Loading/Unloading” refers to when a Vehicle is parked wholly in a Parking Place or Parking Bay marked for that purpose on site, for the purpose of delivering or collecting goods or merchandise or loading or unloading the vehicle.

“Motorcycle” refers to a solo Motorcycle only and excludes any Motorcycle which has a side-car or trailer, or which has more than two wheels;

“Motorcycle Space” means any area of a Parking Place as defined in this Clause which is provided for the leaving of a motorcycle and indicated by markings on the surface of the Parking Place or signed or otherwise indicated by signs or any other structure whatsoever placed or erected in the Parking Place;

“Motor Car or Light Commercial Vehicle” means a mechanically propelled Vehicle, the unladen weight of which does not exceed 3050 kilograms, including a motorcycle but only when that motorcycle has a sidecar attached, which is either:-

- (i) Constructed solely for the carriage of not more than seven passengers and their effects exclusive of the Driver; or
- (ii) Constructed for the conveyance of goods or burden of any description;

“Motor Coach” includes any Vehicle constructed for the carriage of Passengers which does not fall within the definition of Motor Car or Light Commercial Vehicle contained above.

“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;

“Parent and Child Parking Bay” means a Parking Space designated for use by Vehicles whose occupants include one or more children travelling in a child seat or a booster seat;

“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 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 physical permit, contract permit, business permit, staff permit, resident's permit or any other permit of a type and design issued by the Council or disabled badge;

"Parking Place" means an area of land provided 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;

"Passenger Vehicle" means a Vehicle constructed or adapted solely for the carriage of passengers and their effects;

"Pay and Display ticket" means a ticket issued by a Ticket Machine located in the Parking Place in which the Vehicle has been parked;

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

"PCN" means a Penalty Charge Notice issued or served by a Civil Enforcement Officer pursuant to the provisions of Section 78 of the 2004

Act and the Civil Enforcement of Road Traffic Contraventions (Approved Devices, Charging Guidelines and General Provisions) (England) Regulations 2022;

“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;

“Season Ticket” means an electronic record of parking ticket issued and confirmed by Bromsgrove District Council to exempt a registered Vehicle from a restriction in the provisions of this order, under the terms applicable at the time of issue. A Season Ticket is a type of Virtual Parking Permit and is available in return for payment of the relevant fee as listed in Schedule 2 and will enable the registered Vehicle to be parked in the authorised Parking Places as listed in Schedule 2.

“Temporary Visitors Permit” means a physical Parking Permit issued by the Council for the use of visitors to Parkside Offices Car Park who are not the holders of either a Virtual Parking Permit or a Parking Permit.

Temporary Visitors Permits shall be issued at the discretion of the Facilities Manager.

“Ticket Machine” means an apparatus of a type designed to indicate the time by a clock and to issue Pay and Display 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 of which payment has been made;

“Vehicle” includes any Motor Car, Motorcycle 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”.

4. Except where the context requires otherwise, any reference to this Order to a numbered Clause or to a numbered Schedule is a reference to the Clause or to the Schedule bearing that number in this Order.
5. 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.



6. 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.
7. The Interpretation Act 1978 shall apply for the interpretation of this Order.

## **PART 2**

### **DESIGNATION AND USE OF PARKING PLACES**

#### **Designation**

8. 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 and on payment of such charges as are advertised at each Parking Place and on payment of such charges as stated in Schedule 5 to this Order and as advertised on site.

#### **Class and position of Vehicle**

9. Where specified in Schedule 1 or 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 a Parking Bay within the Parking place unless it is of the specified class, and the Vehicle is not;
  - (i) Parked beyond the bay markings;
  - (ii) in a position other than that specified; or
  - (iii) for a purpose other than provided for in this Order.

#### **Maximum period of stay**

10. Where in the Schedule 1 a Parking Place is described as available on specified days, during specified hours or for a maximum period of stay,

no person shall permit a Vehicle to wait in that Parking Place on any day, during such hours or for any period other or longer than those specified.

### **Classes of Vehicle**

11. No person shall cause or permit a Vehicle to be parked in a Parking Bay or Parking Place unless it is a Motor Car, Light Commercial Vehicle, Motor Coach, Motorcycle and / or a class specifically prescribed in the Schedules or as advertised on site.

### **Period of no return**

12. Where in the Schedule 1, Column 7 a Parking Place is described as having a period within which a Vehicle may not return, no person shall permit a Vehicle to wait in that Parking Place on any day, during such hours within which the Vehicle is excluded from waiting in the Parking Place.

### **Position of Vehicle**

13. 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.
14. 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**

15. No person shall cause or permit a Vehicle to park in a Parking Bay marked for Disabled Persons unless the Vehicle displays a 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.

#### **Electric Vehicle Charging Bays**

16. No person shall cause or permit a Vehicle to Park in a space marked as an Electric Vehicle Parking Bay unless the Vehicle is charging using the charger allocated to that specific space.

#### **Permit Parking Bays**

17. 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 for that time and that Parking Bay. Where a Virtual Parking Permit has been obtained as an alternative to a Parking Permit and remains valid, any requirement in the relevant parking order for the Parking Permit to be displayed on the Vehicle to which it relates shall not apply.

#### **Loading and unloading bays**

18. 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**

19. No person shall cause or permit a Vehicle to park in a Parking Bay marked for Motorcycles unless the Vehicle is a Motorcycle.

#### **Motor Coach Bays**

20. No person shall cause or permit a Vehicle to park in a Motor Coach Bay marked for Coaches unless the vehicle is a Motor Coach.

#### **Drop Off /Pick up Bays**

21. No person shall cause or permit a vehicle to park in a Drop Off / Pick Up Bay marked for this purpose unless passengers are boarding or alighting from the vehicle within the maximum stay if 10 minutes.

### **Parent and Child Bays**

22. 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 in the vehicle.

### **Hours of operation and maximum period of stay**

23. Where a Parking Place or 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 than those specified.

### **Power to close or suspend Parking Places**

24. Nothing in this Order shall prevent the Council by notice, sign or barrier displayed in the Parking Place:
- (i) from closing the Parking Place or any part thereof for any period; and/or
  - (ii) from setting aside a Parking Place or any part of parts thereof on all days or on certain days or during certain parts of days for use only by particular Vehicles or organisations.
25. 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 Parking Place or that part thereof is closed or the use is suspended and that Parking by Vehicles is prohibited.

26. 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 of suspension placed by or on behalf of the Council.

#### **Sale of Goods**

27. 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 the engine running**

28. No person shall in a Parking Place continue to run the engine when the Vehicle is 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.

#### **Requirement of Vehicle to be licensed**

29. The Driver of a Vehicle shall not permit that Vehicle to wait in a Parking Bay unless the Vehicle is licensed in accordance with the provisions of the Vehicle Excise and Registration Act 1984 and unless there is in relation to the use of the Vehicle by the Driver such a policy of insurance as complies with the requirements of the Road Traffic Act 1988.

#### **Only to be used for Parking**

30. No person shall, except with the permission of any person duly authorised by the Council, drive any Vehicle in a Parking Place other than for the purpose of leaving that Vehicle in a Parking Bay in accordance with the provisions of this Order or for the purpose of departing from the Parking Place.

### **Speed Restriction**

31. A Driver shall not drive a Vehicle in a Parking Place at a speed exceeding ten miles per hour.

### **Restriction on passage from one road to another**

32. No person shall use a Parking Place as a means of passage or of proceeding from one road to another road.

### **Waiting Restrictions**

33. The Driver of a Vehicle shall not permit it to wait in such part of a Parking Place as is marked by lines or other indications so as to indicate its provision as a Parking Bay for:-
- (1) A Motorcycle unless the Vehicle so permitted to wait is a Motorcycle without a side-car attached thereto;
  - (2) A disabled person's Vehicle unless the Vehicle so permitted to wait is a Vehicle which displays in the relevant position a Disabled Person's Badge;
  - (3) Motor Coaches;
  - (4) An Electric Vehicle unless the Electric Vehicle is charging and only whilst charging.

### **Restriction on the erecting of tents/structures and lighting of fires**

34. In a Parking Place no person shall:-
- (1) Erect or cause or permit to be erected any tent booth standing building or other structure without the written consent of the Council;
  - (2) Light or cause or permit to be lit by fire.

### **Other Restrictions**

35. No person shall leave or permit to be left in a Parking Bay:-
- (a) A trailer of any kind including a touring or any other type of caravan without its traction unit;
  - (b) Any Vehicle having a secondary generating motor for the purpose of a refrigeration unit or any other purpose unless he or she ensures that at

all times whilst the Vehicle is so left the secondary generating motor is not in operation

36. No person shall Permit any Vehicle left in a Parking Bay to be used in such a manner as to generate any excessive noise so as to cause a nuisance whether by fumes or otherwise to other lawful users of the Parking Place or residents living near to the Parking Place.

**Parked causing an obstruction or potential obstruction**

37. 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/Park and Phone Parking Places**

38. The person in charge of a Vehicle, upon parking the Vehicle in a Parking Bay or Parking Place, 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 (which includes payments by Park and 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.

### **Payment**

39. 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**

40. Any charges shall be payable in the manner as advertised at that Parking Place.

### **Display of ticket**

41. Save for payment by an Alternative Approved Method of Payment, once a Vehicle has been parked within a chargeable 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**

42. 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.

### **Expiry of parking period**

43. The expiry of the period for which the appropriate charge has been paid shall be either: -
- (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**

44. 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 Pay and Display Ticket to be displayed on the Vehicle to which it relates shall not apply.
45. 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.
46. 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 and Virtual Parking Permits**

47. Schedule 2 sets out the arrangements and fees payable for the issue of Virtual Parking Permits to customers. Parking Permits defined in Schedule 2 are all issued as Virtual Parking Permits via a virtual permit system.
48. Schedule 3 sets out the arrangements for the issue of Staff Virtual Parking Permits and the terms and conditions of use. Parking Permits defined in Schedule 3 are all issued as Virtual Parking Permits via a virtual permit system save for Temporary Visitor Passes.
49. Schedule 4 sets out the arrangements for the issue of Parking Permits or Virtual Parking Permits to other internal and external businesses/ individuals to allow parking in some of the Parking Places referred to in this Order for the purposes of their employment/contract. Parking

Permits defined in Schedule 4 are all issued as Virtual Parking Permits via a virtual permit system save for Temporary Visitor Passes.

50. A Parking Permit and a Virtual 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.
51. The driver shall abide by the terms stipulated by the Council for the use of the Parking Permit or Virtual Parking Permit.

#### **Display of Parking Permit**

52. A Parking Permit shall be displayed in the Relevant Position on the Vehicle in respect of which it was issued at all times during the Vehicle is parked in the Parking Place. Where a Virtual Parking Permit has been obtained as an alternative to a Parking Permit and remains valid, any requirement in the relevant Parking Order for the Parking Permit to be displayed on the Vehicle to which it relates shall not apply.

#### **Replacement Parking Permits**

53. Damaged or lost Parking Permits will be replaced on application to the Council and on payment of an administration fee in accordance with the Council policies. The damaged or lost Parking Permit will then become immediately invalid.

#### **Surrender and refunds**

54. Any physical Parking Permit issued 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.
55. In circumstances when the holder of a Virtual Parking Permit may be entitled to a refund on surrendering the Virtual Parking Permit, any such request for a refund will be submitted by the holder of the permit to the Council's virtual permit system.

### **Restriction on removal**

56. 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 Parking Permit from the Vehicle until the Vehicle is removed from the Parking Place.

## **PART 4**

### **EXEMPTIONS**

#### **Exemptions from charge**

57. 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 displaying in a Relevant Position a Parking Permit valid for that Parking Place. Where a Virtual Parking Permit has been obtained as an alternative to a Parking Permit and remains valid, any requirement in the relevant Parking Order for the Parking Permit to be displayed on the Vehicle to which it relates shall not apply.
  - (iii) A vehicle which displays in the Relevant Position a valid Disabled Person's Badge provided that the vehicle immediately before or after the act of parking has been used or is about to be used by the person(s) in respect of whom the badge is issued and the vehicle is parked in accordance with the conditions of use of the Parking Place.
  - (iv) Emergency service vehicles in the course of undertaking emergency duties.

#### **Payment by Alternative Approved Method Of Payment**

58. Where arrangements to pay the charge have been made through an Alternative 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 AND REMOVAL OF VEHICLES**

#### **Emergencies**

59. 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 Places**

60. 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**

61. 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**

62. The Council may sell or otherwise dispose of, in accordance with the 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**

63. Save for the provisions in Clause 57 (Exemptions from charge), 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 legislation.

#### **Restriction on removal of notices**

64. 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**

65. 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**

### **LIABILITIES AND OTHER PROVISIONS**

#### **Liability**

66. 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**

67. 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**

68. 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 an Vehicle;
    - (a) 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
    - (b) In a direction other than so specified

Shall be liable to prosecution.

69. Any person who, without 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**

70. 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**

71. 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**

- 72. Any person who wilfully sounds any horn or any other similar instrument on a Vehicle except when about the change the position of the Vehicle in or to depart from the Parking Place shall be liable to prosecution.
- 73. Any person who in a Parking Place shouts or otherwise makes any loud noise to the disturbance of annoyance of users of the Parking Place or residents or premises in the neighbourhood shall be liable to prosecution.
- 74. Any person who in a Parking Place uses 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 whereby a breach of the peace is likely to be occasioned shall be liable to prosecution.

### **Other activities**

- 75. Any person who is 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
  - (iv) Cycles or skateboards in the car park

Shall be liable to prosecution.

**PART 8**  
**REVOCATIONS**

**Revocations**

76. Any other Order made by Bromsgrove District Council and all their Amendments 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.

EXECUTED as a Deed by affixing the COMMON SEAL  
Of Bromsgrove District Council

In the presence of

A handwritten signature in black ink, appearing to read 'H. [unclear]', written in a cursive style.

Dated 24<sup>th</sup> day of June 2024

A red circular seal with a serrated edge, partially overlapping the signature and date. It contains some faint, illegible text.

12833.