

**CHESHIRE EAST BOROUGH COUNCIL (OFF-STREET PARKING PLACES)**  
**(CREWE TOWN CENTRE MULTI STOREY CAR PARK) ORDER 2024**

Cheshire East Borough 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, and after consultation with the Chief Constable of Cheshire Constabulary in accordance with Part III of Schedule 9 to the 1984 Act hereby makes the following Order:

**PART I**  
**GENERAL**

1. This Order shall come into operation on the 17<sup>th</sup> June 2024 and may be cited as the "Cheshire East Borough Council (Off-Street Parking Places)(Crewe Town Centre Multi Storey Car Park) Order 2024".
2. In this Order, except where the context otherwise requires, the following expressions have the meanings respectively assigned to them:

"2004 Act" means the Traffic Management Act 2004;

"2022 Regulations" means the The Civil Enforcement of Road Traffic Contraventions (Approved Devices, Charging Guidelines and General Provisions) (England) Regulations 2022 and shall include any subsequent amendments, modifications and replacement regulations to the 2022 Regulations.

"Charging Days", means all Mondays to Saturdays other than Christmas Day;

"Charging Hours", means the periods specified in the table in the Schedule;

"Civil Enforcement Officer" means a person authorised by or on behalf of the Council to supervise Parking Places and to enforce the provisions of the Order and is defined by section 76 of the 2004 Act;

"Disabled Person's Badge" means a badge issued by any Local Authority in accordance with the provisions of the Local Authorities' Traffic Orders (Exemptions for Disabled Persons) Regulations 2000 or a badge having effect under those regulations as if it were a disabled person's badge;

"Driver" in relation to a Vehicle waiting in a Parking Place, means the person driving the Vehicle at the time it was left in the Parking Place or the person deemed to be the Driver under the terms of the Order;

"Electric/Plugged in Vehicle" means "any vehicle using electric motors for propulsion which requires plugging in to charge batteries".

"Electric Vehicle Charging Bay" means an allocated Parking Bay in any of the

Parking Places at which an Electric Vehicle Charging Post is situated for the purposes of the charging of an Electric Vehicle;

“Electric Vehicle Charging Post” means apparatus which supplies electricity for the charging of Electric Vehicles;

“Enforcement Authority” means Cheshire East Borough Council;

“Hackney Carriage Plate” shall mean a plate attached to a vehicle with a valid hackney carriage licence issued by the Council;

“High” means a Tariff Band with a quarterly rate of £228.00 and a yearly rate of £750.00. A High Tariff Band Parking Permit may be used in a Low, Medium or High Tariff Band Parking Place.

“Low” means a Tariff Band with a quarterly rate of £163.00 and a yearly rate of £490.00. A Low Tariff Band Parking Permit may only be used in Low Tariff Band Parking Place.

“Medium” means a Tariff Band with a quarterly rate of £195.00 and a yearly rate of £620.00. A Medium Tariff Band Parking Permit may be used in a Low or Medium Tariff Band Parking Place.

“Motor Car” means a motor vehicle as defined in Section 136(2) of the 1984 Act;

“Motor Cycle” means a motor vehicle as defined in Section 136(4) of the 1984 Act;

“Owner” in relation to a Vehicle means the owner as defined by Section 92(1) of the 2004 Act;

“Civil Enforcement Officer” means a person authorised by or on behalf of the Council to supervise any 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 surface of the Parking Place;

“Parking Permit” means a season ticket, contract permit, business permit or resident’s permit of a type and design issued by or on behalf of the Council;

“Parking Place” means an area of land specified by name in column 1 of the Schedule, provided by the Council pursuant to Section 32 of the 1984 Act for the purpose of leaving of Vehicles;

“Penalty Charge” means a charge set by the Enforcement Authority under the provisions of Section 77 and Schedule 9 of the 2004 Act;

“Penalty Charge Notice” means a notice issued by or served pursuant to the provisions of the 2004 Act, the 2022 Regulations or any subsequent legislation;

“Railway” means a Tariff Band with a quarterly rate of £310.00 and a yearly rate £1,080.00. A Railway Tariff Band Parking Permit may be used in a Low, Medium, High, Railway Tariff Band Parking Place;

“Relevant Position”

- (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 a fascia panel, the badge is exhibited thereon so that part 1 (the front of the badge), is legible from the outside of 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 the outside of the Vehicle;
- (b) in respect of a Vehicle displaying a Parking Permit –
  - (i) the 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 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 permit is exhibited on the front of the Vehicle facing forwards and clearly visible;
- (c) in respect of a Vehicle displaying a Hackney Carriage Plate, in the position required by the conditions licensing the Vehicle as a Hackney Carriage;

“Tariff Band” means a Parking Permit tariff band which is Low, Medium or High, Railway as displayed on the Parking Permit.

“Ticket” means a ticket taken from a pay-on-foot parking place entrance barrier as the case may be;

“Ticket Machine” means an apparatus in a pay-on-foot Parking Place designed to read on return to the Parking Place the Ticket issued at the entry barrier on arrival, to determine the parking charge payable, take the payment and validate the Ticket to enable it to be entered on exiting the car park to raise the barrier;

“Vehicle” means any Electric/Plugged in Vehicle, Motor Car, Motor Cycle or other mechanically propelled automobile.

“Virtual Parking Permit” means an electronic record of a Parking Permit issued by the 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.”

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 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 II DESIGNATION AND USE OF PARKING PLACES**

7. Each area of land specified in the Schedule hereto may be used, subject to the provisions of this Order, as a place to leave Vehicles of such classes, in such positions, on such days, during such hours, for such period and on payment of such charges as are specified in relation to that area in the Schedule.
8. Where in the Schedule to this Order, a Parking Place is described as available for Vehicles of a specified class or Vehicles to be left in a specified location, no person shall cause or permit a Vehicle to wait in that Parking Place or in any Parking Bay within the Parking Place,
  - (i) unless it is of the specified class;
  - (ii) so that it is parked beyond the Parking Bay markings; or
  - (iii) in a position other than that specified; or
  - (iv) where there are no Parking Bay markings, in such a position that obstructs the entrances to and egress from the car park or obstructs any other vehicle; or
  - (v) unless in accordance with the signing provided in the Parking Place at the time of entry or as directed by an officer who is authorised to do so by the Council
  - (vi) where there are Parking Bay markings, in such a position that lies outside the Parking Bay markings. Areas outside the Parking Bay markings are considered restricted areas unavailable for parking.
9. No person shall cause or permit a Vehicle to wait in a Parking Bay
  - (i) marked for use by 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

(ii) marked for use as a taxi bay unless the Vehicle displays in the relevant position a valid Hackney Carriage Plate,

(iii) marked for Motor Cycles unless the Vehicle is a Motor Cycle

(iv) marked for Electric/Plugged in Vehicle unless the Vehicle is an Electric/Plugged in Vehicle

(v) marked for use by disabled persons and marked for Electric/Plugged in Vehicle 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 and the Vehicle is an Electric/Plugged in Vehicle.

10. Nothing in this Order shall prevent the Council by notice, sign or barrier displayed 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
11. When suspending the use of a Parking Place or any part thereof in accordance with the provisions of the preceding Article the Council or such person duly authorised by them shall place or cause to be placed in or adjacent to that Parking Place or that part thereof a notice or traffic sign indicating that the use of that Parking Place or that part thereof is suspended and that parking by Vehicles is prohibited
12. No person shall cause or permit a Vehicle to be left in a Parking Place or any part thereof during such periods that the use of that Parking Place or that part thereof is suspended or during such period as there is in or adjacent thereto a notice or traffic sign placed by or on behalf of the Council in pursuance of Article 10 and Article 11.
13. 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
14. The Driver of a Vehicle using a Parking Place shall stop the engine as soon as 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.
15. The Driver of a Vehicle using a Parking Place shall not park the Vehicle in such a manner or place where it causes an obstruction to any other users of the Parking Place
16. In respect of a Vehicle in any Parking Place, no person shall:

(a) shout or otherwise make any loud noise to the disturbance or annoyance of users of the Parking Place or residents or occupiers of premises in the vicinity of the Parking Place.

(b) use 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

(c) use any part of it for sleeping or camping or cooking, or 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

(d) wilfully sound any horn or any other similar instrument on a Vehicle except when necessary to alert other users that the Driver is about to change position of the Vehicle in or to depart from the Parking Place

(e) erect or cause or permit to be erected any tent, booth, stand, building or other structure without the written consent of the Council

(f) light or cause to be lit any fire

(g) use any vehicle or the Parking Place for advertising or attach advertisements in any form to vehicles parked within any Parking Bay or otherwise within a Parking Place.

17. 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,

No person shall drive or permit to be driven any Vehicle

(i) so that it enters the Parking Place otherwise than by an entrance or leaves the Parking Place otherwise than by an exit, so indicated, or

(ii) in a direction other than so specified

18. No person shall, without the permission of a person authorised by the Council in that behalf, drive or permit 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. The Council hereby excludes the use of any Parking Place as a means of passage from one place to another place and Save as provided in this Order the right of passage within a Parking Place provided by the Council is available to a person driving or being conveyed in Vehicles and does not extend to pedestrians other than the Drivers of Vehicles and their passengers leaving or returning to their Vehicles and no rights of way whatsoever over the said Parking Place other than for the purpose of parking or removing Vehicles shall be deemed to have been granted by the Council.

19. No person shall cause or permit a Vehicle to be left in a Parking Place following the validation of a Ticket and following the expiration of any grace period indicated on the Ticket or indicated on signs within the Parking Place.

**PART III  
CHARGES FOR PARKING**

20. The Driver of a Vehicle using a Parking Place shall prior to the Vehicle leaving the Parking Place pay the appropriate charge (if any) for parking as laid down for that Parking Place within the Schedule to the Order.
21. The Parking Place specified in the Schedule to this Order is hereby designated as pay-on-foot parking places and are subject to the provisions of this Order.
22. Pay-on-foot parking places are controlled by entry and exit barriers whereby the driver of a Vehicle gains entry to such Parking Place by taking a Ticket at the entry machine. This Ticket shall be submitted at the end of the parking period and validated by making payment in accordance with the parking charges shown for the said Parking Place in the Schedule. The validated ticket shall then be used at the exit to operate the barrier. Vehicles must exit the Parking Place before the expiration of any grace period indicated on a Ticket or indicated on signs within the Parking Place.
23. If a driver of a Vehicle is unable to produce a Ticket through loss or any other cause whatsoever, they may obtain a replacement ticket by applying to a Civil Enforcement Officer and making a payment at a Ticket Machine or exit machine at a rate which assumes that the vehicle has been in the parking place since 7.00 am on the day of entry.
24. The Council may introduce any form of authorised parking device to facilitate entry and exit to or from any pay-on-foot car park and to facilitate payment of the parking charge, shown respectively for the said Parking Place in the Schedule, through whatever form of payment of the charge as may be determined by the Council from time to time.
25. The Council may make Parking Permits or Virtual Parking Permits available, and these shall be at the appropriate fee (if any), for a Vehicle of a specific class and for a specific Tariff Band subject to any conditions as may be determined by the Council from time to time.
26. The Driver shall abide by the terms stipulated by the Council for the use of the Parking Permit or Virtual Parking Permit.
27. A Parking Permit or Virtual Parking Permit is only valid in a Parking Place where a Tariff Band equal to or lower than the Tariff Band specified within the Parking Permit or Virtual Parking Permit applies and up to the date of expiry shown on the Parking Permit or in the Virtual Parking Permit

28. A Parking Permit or Virtual Parking Permit remains the property of the Council and must be surrendered on request. In such instances where a refund fee is deemed appropriate by the Council, this will be provided in accordance with the Council's priorities.
29. The Driver of the Vehicle shall display the Parking Permit in the Relevant Position on the Vehicle in respect of which it was issued at all times during which the Vehicle is left in the Parking Place.
30. When a Parking Permit has been exhibited on a Vehicle in the Relevant Position no person shall remove the Parking Permit from the Vehicle until the Vehicle is removed from the Parking Place.

#### **PART IV ELECTRIC VEHICLE PARKING BAYS**

31. The Council may reserve in the Parking Place affected by this Order a number of Electric/Plugged in Vehicle Parking Bays for Electric/Plugged in Vehicles. An Electric/Plugged in Vehicle may only be left in an Electric/Plugged in Vehicle Parking Bay reserved for such vehicles during the period taken to charge the vehicles battery from the Electric Vehicle Charging Post
32. The Council may reserve in the Parking Place affected by this Order a number of Electric/Plugged in Vehicle Parking Bays for Electric/Plugged in Vehicles for the use of Vehicles displaying a valid Disabled Parking Badge. An Electric/Plugged In Vehicle may only be left in an Electric/Plugged in Vehicle Parking Bay reserved for Vehicles displaying a valid Disabled Parking Badge if the Electric/Plugged in Vehicle is connected to the Electric Vehicle Charging Post
33. The Council shall install and maintain in proper working order at least one Electric Vehicle Charging Post in such position as it thinks fit in the vicinity of an Electric Vehicle Parking Bay
34. No person shall except with the permission of or under the direction of a person duly authorised by the Council cause or permit any vehicle to park during the prescribed hours on the prescribed days in any of the Electric Vehicle Parking Bays unless the Vehicle is an Electric Vehicle and is parked for the purpose set out in Clause 32 above

#### **PART V EXEMPTIONS FROM DAILY CHARGES**

35. No daily charge shall be payable in respect of:
  - (i) 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 persons(s) in respect of whom the badge is issued;

- (ii) a Motor Cycle in a marked Motor Cycle Parking Bay; or
  - (iii) a Vehicle left displaying in a Relevant Position a valid Parking Permit valid for that Parking Place
  - (iv) where a Virtual Parking Permit has been obtained as an alternative to a physical Parking Permit and remains valid
36. If at the time when the Vehicle is left 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 Ticket.

#### **PART VI RELOCATION, REMOVAL AND DISPOSAL OF VEHICLES**

37. A person authorised by the Council or a Police Constable 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 Vehicles left in a Parking Place.
38. Any person removing a Vehicle from a Parking Place under the provisions of Article 37 or 40 shall make such arrangements as may be reasonably necessary to provide for the safe keeping of the Vehicle
39. 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.
40. 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 left in a Parking Place in contravention of Article 12 and the cost of movement or removal and safe keeping shall be the liability of the Owner of the Vehicle.

#### **PART VII CONTRAVENTION**

41. If a Vehicle is left in a Parking Place without complying with the requirements of this Order, a contravention shall have occurred and a Penalty Charge shall be payable. A Penalty Charge Notice may then be issued and/or the Vehicle may be removed from that location.
42. In the case of a Vehicle in respect of which a Penalty Charge is payable, it shall be the duty of:
- (i) a Civil Enforcement Officer to serve a Penalty Charge Notice in

accordance with the 2022 Regulations; or  
(ii) the Enforcement Authority to serve a Penalty Charge Notice in  
accordance with the 2022 Regulations

43. When a Penalty Charge Notice has been attached to a Vehicle in accordance with any of the provisions of this Order, it shall not be removed or interfered with except by or under the authority of the Owner or person in charge of the Vehicle or by some other person duly authorised by the Council.
44. The particulars given in the Penalty Charge Notice attached to the Vehicle in accordance with this Order shall be treated as evidence in any proceedings relating to failure to pay such Penalty Charge.

### PART VIII REVOCATIONS

45. Insofar as any provision of this Order conflicts with a provision which is contained in an Order made or having effect as if made under the 1984 Act and existing at the time when this Order comes into operation, that provision of this Order shall prevail

THE COMMON SEAL OF  
CHESHIRE EAST BOROUGH COUNCIL )  
Was hereunto affixed in the presence of )

Authorised Signatory  
*June Giddens*



Dated ~~this 6th day of June 2024~~ //

*6th June 2024*

## SCHEDULE

Crewe Town Centre Multi Storey Car Park									
Tariffs Monday to Saturday inclusive – 7am to 12 midnight								Permits	Permits
<b>7am to 14:59 (Peak Tariff)</b>	Up to 30 minutes	Up to 1 hr	Up to 2 hrs	Up to 3 hrs	Up to 4 hrs	Up to 6 hrs	6 - 17 hrs	Quarter	Annual
	50p	£1.00	£1.60	£2.30	£3.30	£4.40	£5.20	£195.00	£620.00
								Permits	Permits
<b>15:00 to 12 midnight (Off-Peak Tariff)</b>	Up to 30 minutes	Up to 1 hr	Up to 2 hrs	Up to 3 hrs	Up to 4 hrs	Up to 6 hrs	Up to 9 hrs	Quarter	Annual
	30p	60p	£1.00	£1.50	£2.10	£3.00	£3.40	£163	£490.00