

ROAD TRAFFIC REGULATION ACT 1984
TRAFFIC MANAGEMENT ACT 2004

**THE BOROUGH OF STAFFORD
(VARIOUS CAR PARKS, STONE) ORDER 2016**

The Council of the Borough of Stafford (hereinafter referred to as "the Council") in exercise of its powers under Section 35, 124 and Part IV of Schedule 9 of the Road Traffic Regulation Act 1984 (hereinafter referred to as "the Act of 1984"), the Traffic Management Act 2004 ("the 2004 Act"), and under The Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996, and of all other enabling powers with the consent of the County Council of Staffordshire in accordance with Section 39(3) of the Act of 1984, and after consultation with the Chief Officer of Police in accordance with paragraph 20(1) of Schedule 9 to the Act of 1984, hereby make the following Order:-

PART I

GENERAL

- 1 This Order shall come into operation on the 14th day of November 2016 and may be cited as the Borough of Stafford (Various Car Parks, Stone) Order 2016.

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

"Alternative Approved Method of Payment" means 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.

"Disabled person's vehicle" is a vehicle displaying a valid disabled person's badge in accordance with the Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000;

"Disabled person's badge" has the same meaning as in Regulation 2(1) of the Disabled Persons (Badges for Motor Vehicles)(England) Regulations 2000 as amended;

"Driver", in relation to a vehicle waiting in a parking bay, means the person driving the vehicle at the time it was left in the parking bay;

"Electric Vehicle (EV) Charging Bays" means a parking bay for the charging of vehicles powered wholly or in part by rechargeable battery electric systems whilst such a vehicle is connected to the charging point with the intention of re-charging the battery;

"Owner" has the same meaning as in Section 92 of the 2004 Act and regulation 5(3) of the Civil Enforcement of Parking Contraventions (England) General Regulations 2007;

"Civil Enforcement Officer" means a person authorised by or on behalf of the Council to supervise a parking bay and enforce the restrictions imposed by this Order;

"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 bay;

"Parking bay" means any area of land specified by name in column 1 of Schedule 1 to this Order and shown on the plan accompanying the Order provided by the Council under Section 32(1) of the Act of 1984 for use as a parking bay; and

"Relevant position" means, in relation to Article 9 of this Order,

- (a) in the case of a vehicle fitted with a front windscreen, the ticket is exhibited thereon with the obverse side facing forwards on the near side of and immediately behind the windscreen;
- (b) in the case of a vehicle not fitted with a front windscreen, the ticket is exhibited in a conspicuous position on the vehicle.
- (c) season tickets or parking permits provided by Stafford Borough Council must be displayed so that vehicle registration details are clearly visible.

"Parking permit" means a permit issued by the Council for the purposes of allowing a vehicle to park on the relevant car park during the relevant period.

"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 vehicles.

"Season ticket" means a ticket purchased from the Council in accordance with Article 10 of this Order.

"Valid parking ticket" means a ticket purchased for that parking bay by the insertion of an appropriate coin or coins into an apparatus or device specially or generally approved by the Minister of Transport for such purpose.

"Minibus", "motor caravan", "trailer" and "goods vehicle" have the same meaning as they have in Regulation 3 of the Road Vehicles (Construction and Use) Regulations 1986.

"The 2004 Act" means the Traffic Management Act 2004.

"The Parking Authority" means the Council of the Borough of Stafford.

"Penalty Charge" means the charge referred to in Article 6 hereof imposed by legislation in respect of Parking contraventions that are subject to civil enforcement and has the same meaning as in the Civil Enforcement of Parking Contraventions (England) General Regulations 2007.

"Penalty Charge Notice" has the same meaning as in the Civil Enforcement of Parking Contraventions (England) General Regulations 2007.

PART II

USE OF PARKING BAYS

- 3 (1) Each area of land specified by name in column 1 of the Schedule to this Order may be used, subject to the following provisions of this Order, as a parking bay for such classes of vehicles, in such positions and on such days and during such hours and on payment of such charges as are specified in the said Schedule.
 - (2) Nothing in the last preceding paragraph shall restrict the power of the Council temporarily to close any of the parking bays referred to therein.
- 4 (1) Where in the Schedule to this Order a parking bay is described as available for vehicles of a specified class or in a specified position, the driver of a vehicle shall not permit it to wait in that parking bay:-
 - (a) unless it is of the specified class; or
 - (b) in a position other than that specified.
- 5 (1) The driver of a vehicle shall not permit it to wait in a parking bay for longer than the maximum period permitted for waiting specified in the Schedule to this Order in relation to that parking bay.
 - (2) When a vehicle has left a parking bay after waiting therein the driver thereof shall not within one hour after its leaving permit it to wait again in that parking bay.
- 6 Subject to the other provisions of this Order herein contained the charge for a vehicle left in a parking bay otherwise than in accordance with these regulations shall be that published by the Council in accordance with Section 77 and Schedule 9 of the 2004 Act.
- 7 In the case of a vehicle in respect of which a Penalty Charge may have been incurred it shall be the duty of a Civil Enforcement Officer to either

hand the Penalty Charge Notice to the driver of the vehicle, post the Penalty Charge Notice to the owner of the vehicle or attach the Penalty Charge Notice to the vehicle in a conspicuous position.

- 8 Where a notice has been attached to a vehicle in accordance with the provisions of Article 7 of this Order, no person not being a Civil Enforcement Officer or some other person duly authorised by the Council shall remove the notice from the vehicle until the vehicle is removed from the parking bay.
- 9 Save for payment by an Alternative Approved Method Payment, once a vehicle has been parked within a parking bay, the person in charge of the vehicle shall ensure that a valid parking ticket, season ticket, or a parking permit has been obtained, in respect of any period for which a vehicle is left in a parking bay and such ticket or permit shall be exhibited on the vehicle in the relevant position.
- 10 Where payment is received through an Alternative Approved Method of Payment and no valid parking ticket is produced, the driver of a vehicle shall be exempt from the requirement to display such a ticket.
- 11 If at the time when a vehicle is parked in a parking bay 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 valid parking ticket.
- 12 The owner of a vehicle may on application to the Council purchase a season ticket in respect of that vehicle for a charge ascertained by reference to the Scale of Charges specified in column 7 of the Schedule to this Order, and that season ticket shall be valid in such parking bays as are specified thereon during the period for which it is issued.
- 13 When a season ticket, parking permit or parking ticket has been exhibited on a vehicle in the relevant position in accordance with the provisions of Article 9 of this Order, no person shall remove the season ticket, parking permit or parking ticket from the vehicle until the vehicle is removed from the parking bay.
- 14 Nothing in Articles 3, 4 or 5 of this Order shall prevent any person from causing or permitting a vehicle to wait in the parking bays referred to in those Articles for so long as may be necessary and without payment of any charge to enable the vehicle, if it cannot conveniently be used for such purpose in any other place, to be used in connection with any building operations or demolition, the removal of any obstruction to traffic, the maintenance, improvement or reconstruction of the parking bays so referred to or the laying, erection, alteration or repair in or near to the said parking bays, of any sewer, or of any main, pipe or apparatus for the

supply of gas, water or electricity or of any telecommunications services subject to the prior written consent of Stafford Borough Council.

- 15 No person shall cause or permit a vehicle to be parked in a parking bay formally marked as an Electronic Vehicle (EV) Charging Bay between the hours indicated on the signage unless such a vehicle is powered wholly or in part by rechargeable battery electrical systems and is connected to the EV charging point with the intention of recharging the vehicle's battery.
- 16 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 1994 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.
- 17 (1) The following vehicles left in a parking bay shall be exempt from the payment of any charge specified in Article 6, or in column 6 or 7, as the case may be, of the Schedule to this Order:-
 - (i) a pedal cycle;
 - (ii) a motor cycle not having a sidecar attached;

provided that in the case of sub-paragraphs (i) and (ii) such vehicles shall only be exempt from the payment of a charge when the vehicle is in a parking bay specifically allocated for that class of vehicle.
- (2) The following vehicles left in a parking bay shall be exempt from any limitation on time and from the payment of any charge specified in Article 6 or in column 6 or 7, as the case may be, of the Schedule to this Order:-

a disabled person's vehicle which displays a valid disabled person's badge and clock.
- 18 No person shall cause or permit any vehicle except a disabled person's vehicle displaying a valid disabled person's badge to park in a parking bay marked for Disabled Persons.
- 19 The driver of a motor vehicle using a parking bay shall stop the engine as soon as the vehicle is in position in the parking bay and shall not start the engine except when about to change the position of the vehicle in or to depart from the parking bay.
- 20 No person shall, while a vehicle is in a parking bay, permit or cause to permit the carrying out of any work of maintenance or repair thereto except such as may be necessary to enable the vehicle to be moved from the parking bay.

21 No person shall use a vehicle, while it is in a parking bay, in connection with the sale of any article to persons in or near the parking bay or in connection with the selling or offering for hire of his or her skill or services.

22 Subject to the proviso hereto, when a vehicle is left in a parking bay in contravention of any of the provisions of Articles 3, 4 or 5 of this Order, a person authorised in that behalf by the Council may remove the vehicle or arrange for its removal from that parking bay:-

Provided that when a vehicle is waiting in a parking bay in contravention of the provision of Article 4(1)(b) of this Order, a person authorised in that behalf by the Council may alter or cause to be altered the position of the vehicle in order that its position shall comply with that provision.

23 The driver of a motor vehicle using a parking bay shall not sound any horn or other similar instrument except when about to change the position of the vehicle in or to depart from the parking bay.

24 Save as provided in Article 14 of this Order, no person shall, except with the permission of any person duly authorised by the Council, drive any vehicle in a parking bay other than for the purpose of leaving that vehicle in the parking bay in accordance with the provisions of this Order or for the purpose of departure from the parking bay.

25 No person shall in a parking bay wantonly shout or otherwise make any loud noise to the disturbance or annoyance of users of the parking bay or residents of premises in the neighbourhood.

26 No person shall in a parking bay 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.

27 No person shall use any part of a parking bay or any vehicle left in a parking bay:-

(a) for sleeping or camping purposes;

(b) for eating or cooking purposes; or

(c) for the purpose of servicing or washing any vehicle or part thereof other than is reasonably necessary to enable that vehicle to depart from the parking bay.

28 No person shall use a parking bay as a means of passage proceeding from one road to another road.

29 Where in a parking bay signs are erected or surface markings are laid for the purpose of:-

- (a) indicating the entrance to or exit from the parking bay; or
 - (b) indicating that a vehicle using the parking bay shall proceed in a specified direction within the parking bay;
- 30 No person shall drive or cause or permit to be driven any vehicle (i) so that it enters the parking bay otherwise than by an entrance or leaves the parking bay otherwise than by an exit so indicated, or (ii) in a direction other than that specified as the case may be.
- 31 In a parking bay no person shall:-
- (a) erect or cause or permit to be erected any tent, booth, stand building or other structure without the written consent of the Council;
 - (b) light or cause or permit to be lit any fire.
- 32 Any person removing a vehicle by virtue of Article 22 of this Order may do so by towing or driving the vehicle or in such other manner as he may think necessary and may take such measures in relation to the vehicle as he may think necessary to enable him to remove it or alter its position as the case may be.
- 33 When a person authorised by the Council removes or makes arrangements for the removal of a vehicle from the parking bay by virtue of Article 22 of this Order he shall make such arrangements as may be reasonably necessary for the safe custody of the vehicle.
- 34 The following Orders are hereby revoked:-

The Borough of Stafford (Off-Street Parking Places) (Various Car Parks, Stone) Order 2008.

THE COMMON SEAL OF THE
COUNCIL OF THE BOROUGH OF
STAFFORD was hereunto affixed
this 27th day of October
2016 in the presence of:-

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Authorised Signatory

SCHEDULE

Name of Parking Place	Position in which vehicle may wait	Classes of Vehicle	Days of Operation of Parking	Hours of Operation of Parking	Max Period for which vehicles may wait	Scale of Charges for Parking
Crown Street (Short Stay) ST15 8QN (89 spaces)	Wholly within a parking bay	Motor cars, estate cars, station wagons, motor cycles, (with or without sidecars), light vans the unladen weight of which does not exceed 2 tonne, invalid carriages, pedal cycles	All days	All hours	Between 8.00 am and 5.30pm on any day except Sunday. Between 5.30 pm on any day and 8.00 am on the following day and between 8.00 am and 5.30 pm on Sunday - no limit Christmas Day - no limit	Between 8.00 am and 5.30 pm on any day except Sunday Up to 1 hour 0.60 Up to 2 hours £1.10 Up to 4 hours £2.20 (Maximum stay 4 hours) Parking for the registered disabled is free (season tickets not valid) Sunday and Christmas Day - no charge At any other time no charge

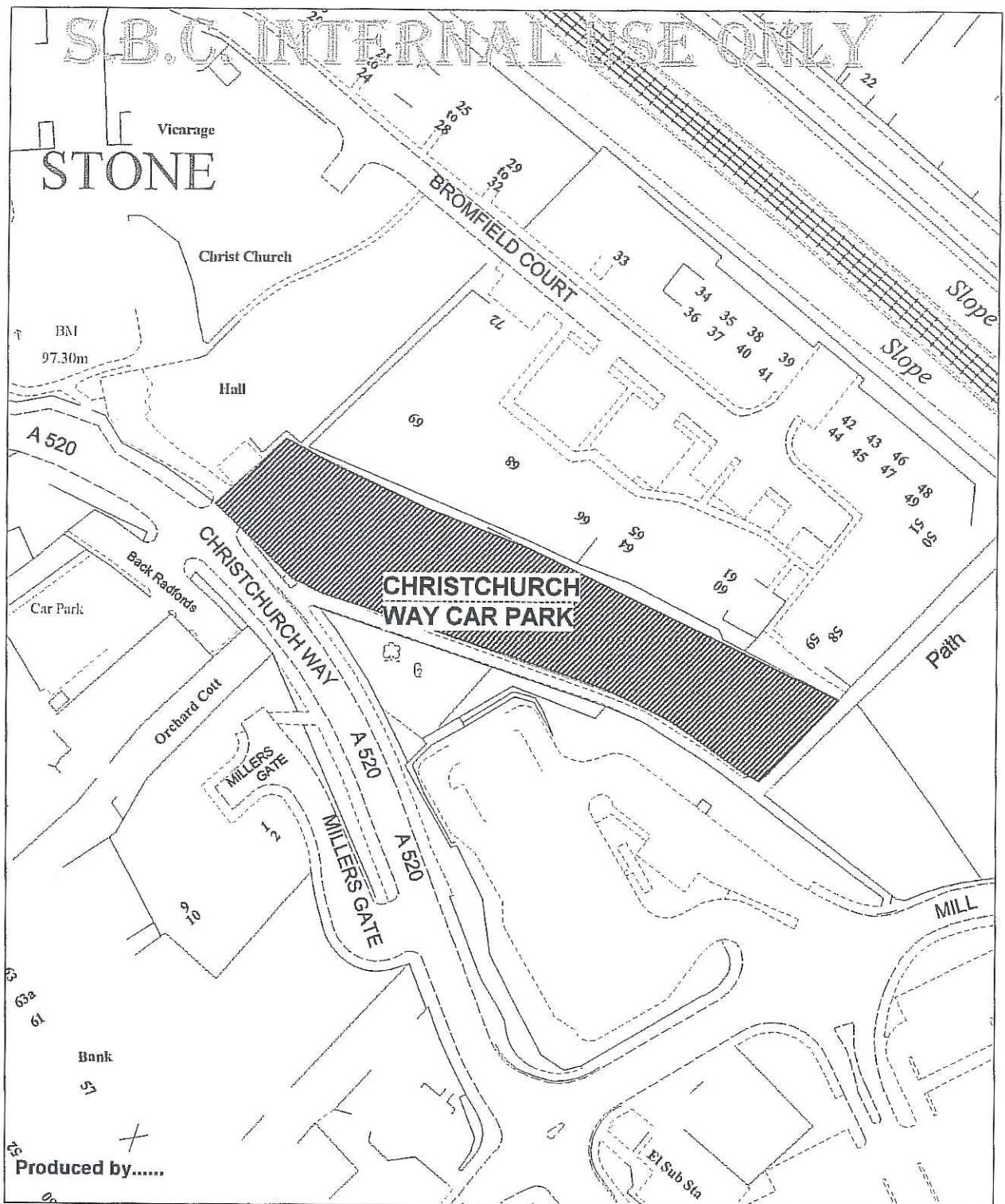
Name of Parking Place	Position in which vehicle may wait	Classes of Vehicle	Days of Operation of Parking	Hours of Operation of Parking	Max Period for which vehicles may wait	Scale of Charges for Parking
						Motorcycles free when parked in a designated bay
Christchurch Way (Variable Stay) ST15 8ZB (82 spaces)	Wholly within a parking bay	Motor cars, estate cars, station wagons, motor cycles, (with or without sidecars), light vans the unladen weight of which does not exceed 2 tonne, invalid carriages, pedal cycles	All days	All hours	<p>Between 8.00 am and 5.30pm on any day except Sunday.</p> <p>Between 5.30 pm on any day and 8.00 am on the following day and between 8.00 am and 5.30 pm on Sunday - no limit</p> <p>Christmas Day - no limit</p>	<p>Between 8.00 am and 5.30 pm on any day except Sunday</p> <p>Up to 1 hour 0.60 Up to 2 hours £1.10 Up to 4 hours £2.20 All day - £3.00</p> <p>Parking for the registered disabled is free</p> <p>(season tickets not valid)</p> <p>Sunday and Christmas Day - no charge</p> <p>At any other time no charge</p> <p>Motorcycles free</p>

Name of Parking Place	Position in which vehicle may wait	Classes of Vehicle	Days of Operation of Parking	Hours of Operation of Parking	Max Period for which vehicles may wait	Scale of Charges for Parking
						when parked in a designated bay
Westbridge Park (Short Stay) ST15 8QW (60 spaces)	Wholly within a parking bay	Motor cars, estate cars, station wagons, motor cycles, (with or without sidecars), light vans the unladen weight of which does not exceed 2 tonne, invalid carriages,	All days	All hours	<p>Between 8.00 am and 5.30pm on any day except Sunday.</p> <p>Between 5.30 pm on any day and 8.00 am on the following day and between 8.00 am and 5.30 pm on Sunday - no limit</p> <p>Christmas Day - no limit</p>	<p>Between 8.00 am and 5.30 pm on any day except Sunday</p> <p>Up to 1 hour 0.60</p> <p>Up to 2 hours £1.10</p> <p>Up to 4 hours £2.20</p> <p>(Maximum stay 4 hours)</p> <p>Parking for the registered disabled is free</p> <p>(season tickets not valid)</p> <p>Sunday and Christmas Day - no charge</p> <p>At any other time no charge</p> <p>Motorcycles free</p>

Name of Parking Place	Position in which vehicle may wait	Classes of Vehicle	Days of Operation of Parking	Hours of Operation of Parking	Max Period for which vehicles may wait	Scale of Charges for Parking
						when parked in a designated bay
Westbridge Park (Long Stay) <u>ST15 8QW</u> (17 spaces)	Wholly within a parking bay	Motor cars, estate cars, station wagons, motor cycles, (with or without sidecars), light vans the unladen weight of which does not exceed 2 tonne, invalid carriages, pedal cycles	All days	All hours	Between 8.00 am and 5.30pm on any day except Sunday. Between 5.30 pm on any day and 8.00 am on the following day and between 8.00 am and 5.30 pm on Sunday - no limit Christmas Day - no limit	Between 8.00 am and 5.30 pm on any day except Sunday All day - £3.00 Parking for the registered disabled is free (season tickets not valid) Sunday and Christmas Day - no charge At any other time no charge
Stafford Street 7 Disabled Parking Bays <u>ST15 8QW</u> (7 spaces)	Wholly within a parking bay	Blue Badge Holders	All days	All hours	Between 8.00 am and 5.30 pm on any day except Sunday. At any other times - no limit. Christmas Day - no limit	No charge provided that the driver of a vehicle complies with the terms of the Order

Name of Parking Place	Position in which vehicle may wait	Classes of Vehicle	Days of Operation of Parking	Hours of Operation of Parking	Max Period for which vehicles may wait	Scale of Charges for Parking
Stafford Street 2 Loading Bays <u>ST15 8QW</u> (2 spaces)	Wholly within a parking bay	Motor cars, estate cars, station wagons, motor cycles with or without sidecars), light vans the unladen weight of which does not exceed 2 tonne	All days	All hours	15 minutes with no return within 1 hour	No charge provided that the driver of a vehicle complies with the terms of the Order

Stafford Borough Council



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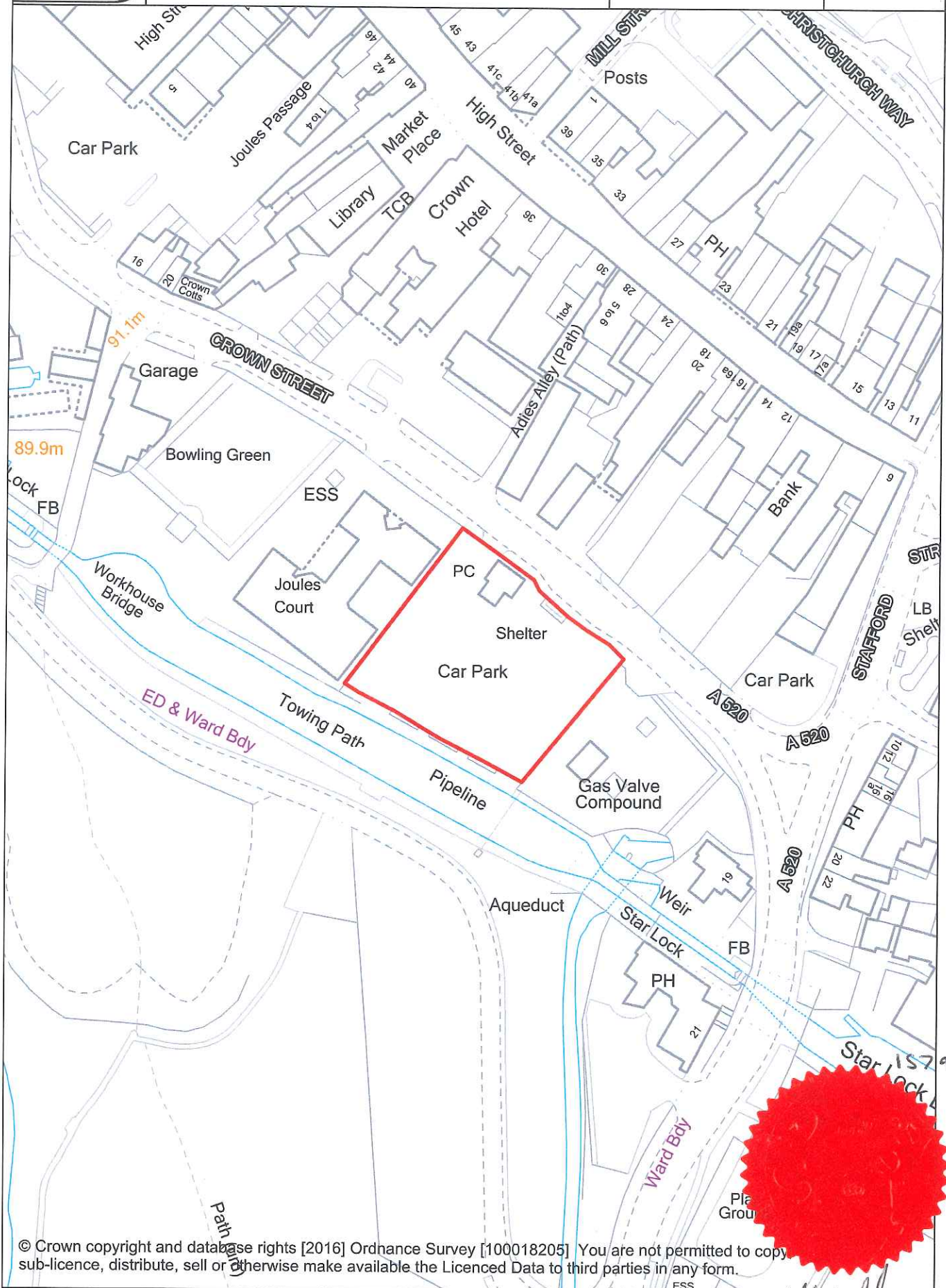
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Crown Street Car Park (Short Stay)

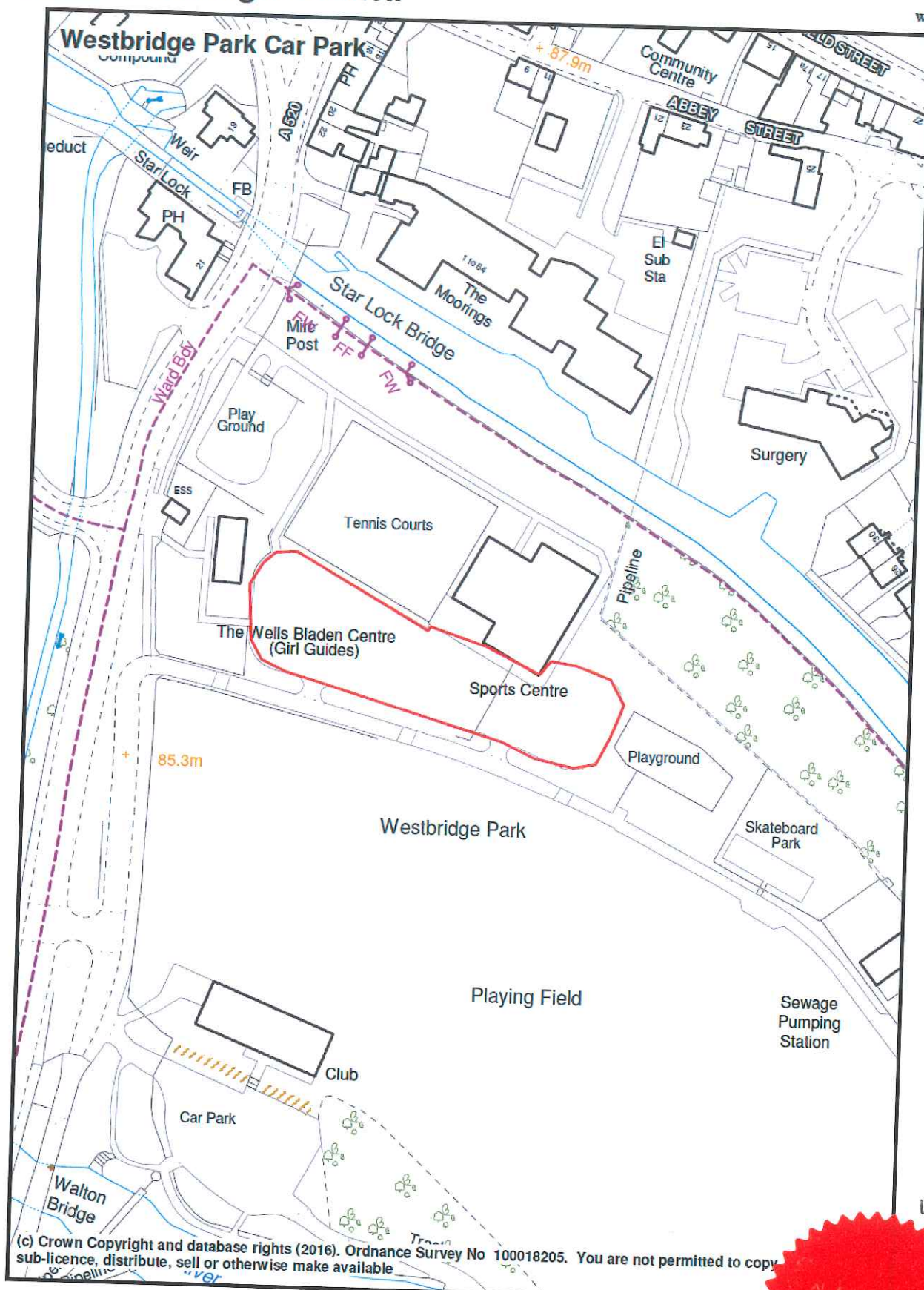
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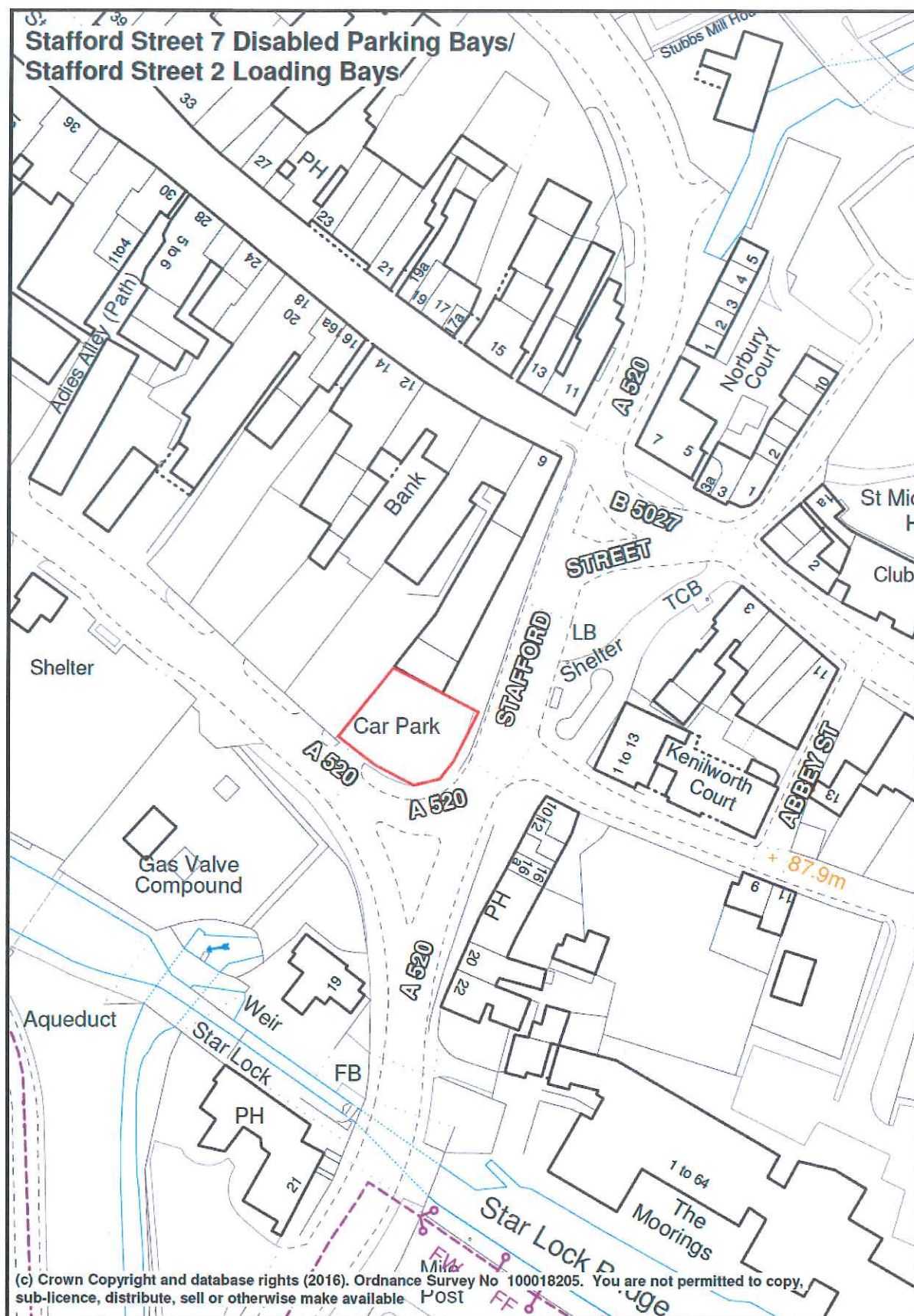
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Planning & Regeneration
May 2016